

PEOPLE COMMITTEE OF BINH DINH PROVINCE
PEOPLE COMMITTEE OF HA TINH PROVINCE
PEOPLE COMMITTEE OF QUANG NGAI PROVINCE
PEOPLE COMMITTEE OF PHU YEN PROVINCE
PEOPLE COMMITTEE OF NINH THUAN PROVINCE

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RESETTLEMENT POLICY FRAMEWORK

(First Draft)

**VIETNAM EMERGENCY FLOOD DISASTER
RECONSTRUCTION PROJECT (EFDR)**

Locations: Ha Tinh, Quang Ngai, Binh Dinh, Phu Yen and Ninh Thuan

March 2017

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**FOR AND ON BEHALF OF
EXECUTING AGENCY**

PREFACE

This document is called the Resettlement Policy Framework (RPF) for the Project “Vietnam Emergency Flood Disaster Reconstruction Project” (EFDR). It has been developed in compliance with World Bank’s Involuntary Resettlement (OP/BP 4.12) and the regulations of the Government of Vietnamese (GOV) on compensation, assistance and resettlement for five provinces of Ha Tinh, Binh Dinh, Phu Yen, Ninh Thuan and Quang Ngai.

This RPF will be applied to all activities, sub-projects and other investments under the EFDR to be financed by the World Bank that involve land acquisition, compensation, and relocation as defined by OP 4.12.

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ABBREVIATIONS

AP(s)	Affected Person(s)
AH(s)	Affected Household(s)
CP	Compensation Plan
CPC	Commune Peoples' Committee
DCRC	District Compensation and Resettlement Committee
DMS	Detailed Measurement Survey
DOLISA	Department of Labor, invalid and Social Assistance
DP(s)	Displaced Person(s)
DPC	District People's Committee
EFDR	Emergency Flood Disaster Reconstruction Project
GoV	Government of Viet Nam
HH(s)	Household(s)
IDA	International Development Bank of the World Bank
IMA	Independent Monitoring Agency
IOL	Inventory of Losses
LDP	Livelihood Improvement Plan
LURC	Land Use Rights Certificate
MOLISA	Ministry of Labor, Invalids and Social Assistance
OP(s)	Operational Policies of the World Bank
PDO	Project Development Objective
PAP(s)	Project Affected Person(s)
PC(s)	Peoples' Committee(s)
PMU(s)	The Project Management Unit(s)
PPC	Provincial People's Committee
RPF	Resettlement Policy Framework
RAP(s)	Resettlement Action Plan
RCS	Replacement Costs Survey
ROW	Right Of Way
SES	Socio-Economic Survey
WB	World Bank
US\$	US Dollar
VND	Vietnamese Dong

GLOSSARY

Affected persons (APs)	Individuals, organizations or businesses that are directly affected socially and economically by WB-funded projects caused by the involuntary taking of land and other assets that results in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location. In addition, affected person is one for whom involuntary restriction of access to legally designated parks and protected areas that result in adverse impacts on livelihoods also.
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 detailed measurement survey. Affected persons and local communities will be informed of the cut-off date for each project’s component, and that anyone moving into the project component areas after that date will not be entitled to compensation and assistance under the Project.
Eligibility	The criteria to receive benefits under the resettlement program.
Entitlements	Include compensation and assistance for APs based on the type and extent of damage.
Income (livelihood) restoration	A set of activities to be provided to the affected people who lost income sources or means of livelihoods to restore their income and living standard, as equal to or better than pre-project level.
Inventory of Losses (IOL)	Is process of accounting for physical assets and income affected by project.
Livelihood	A set of economic activities, 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 with dignity.
Project impact	Any consequence immediately related to the taking of a parcel of land or to restrictions in the use of legally designated parks or protected areas. People directly affected by land acquisition may lose their home, farmland, property, business, or other means of livelihood. In other words, they lose their ownership, occupancy, or use rights, because of land acquisition or restriction of access.

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Replacement cost		The term used to determine the amount sufficient to replace lost assets and cover transaction costs. For losses that cannot easily be valued or compensated for in monetary terms (e.g. access to public services, customers, and supplies; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities.
Resettlement		In accordance with the World Bank's Operational Policy on Involuntary Resettlement (OP 4.12), it covers the involuntary taking of land that results in (i) relocation or loss of shelter, (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location.
Severely Displaced Person		Means DPs who will (i) lose 20% (10% for vulnerable households) or more of their total productive land and assets and/or more of their total income sources due to the Project, (ii) have to relocate.
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.
Vulnerable groups		Groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) women headed household (single, widow, disabled husband) with dependents, (ii) disabled (loss of working ability), the elderly alone, (iii) poor people according to the criteria issued by the MOLISA, (iv) the landless, and (v) ethnic minority people.

1. INTRODUCTION

1.1. Project Description

1. The Government of Vietnam received a loan from the World Bank for Vietnam Emergency Flood Disaster Reconstruction Project including Binh Dinh, Phu Yen, Ninh Thuan, Quang Ngai and Ha Tinh provinces (hereafter called the EFDR¹). The Project Development Objective is to reconstruct infrastructure assets in the project areas. The PDO will be achieved by rebuilding key infrastructure assets based on a “build back better” approach emphasizing all stages of infrastructure lifecycle including design, construction and maintenance and strengthening institutional capacities for climate and disaster risk management.

2. In order to achieve these objectives, the project consists of 04 components with the following contents:

- (i) **Component 1: Resilient Reconstruction of Flood Damaged Infrastructure at Provincial level.** The objective of Component 1 is to strengthen resilience of flood affected communities in five selected provinces through the reconstruction and rehabilitation of damaged critical provincial-scale infrastructure, specifically irrigation, flood control and road/bridge infrastructure. This Component will be implemented by the selected provinces. The affected areas will benefit from restored access to public services/facilities thereby increasing the economic growth and access to social services. The reconstructed critical flood prevention structures and the restored roads and bridges will also increase the safety of people and assets, and serve as supply and rescue lines in the event of a disaster. It will have 5 sub-Components each of which will be implemented by the five respective provinces:
 - (a) **Sub-Component 1: Resilient Reconstruction in Binh Dinh Province:** This sub-Component will fund damaged roads and bridges, including landslide protection and slope stabilization, associated drainage systems and other structures to increase resilience; (ii) damaged irrigation systems, including diversion structures, canals and canal structures, desilting and reshaping of drainage channels; and (iii) damaged flood prevention/control structures, including river embankment structures, dykes, revetments, etc.
 - (b) **Sub-Component 2: Resilient Reconstruction in Phu Yen Province:** This sub-Component will fund resilient reconstruction of damaged roads, bridges, irrigation systems and flood prevention/control structures in Phu Yen Province.
 - (c) **Sub-Component 3: Resilient Reconstruction in Quang Ngai Province:** This sub-Component will fund reconstruction of damaged roads, bridges, irrigation systems and flood prevention/control structures in Quang Ngai province.
 - (d) **Sub-Component 4: Resilient Reconstruction in Ninh Thuan Province:** This sub-Component will fund reconstruction of damaged roads, bridges, irrigation systems and flood prevention/control structures in Ninh Thuan province.
 - (e) **Sub-Component 5: Resilient Reconstruction in Ha Tinh Province:** This sub-Component will fund reconstruction of damaged roads, bridges,

¹ Vietnam Emergency Flood Disaster Reconstruction Project (hereafter called EFDR)

irrigation systems and flood prevention/control structures in Ha Tinh province.

- (ii) **Component 2: Enhance government’s disaster recovery capacity.** The Objective of this Component 2 is to strengthen the institutional capacity of the government at the central and provincial levels to respond to future disasters. It will be implemented by the Ministry of Agriculture and Rural Development (MARD). Component 2 will finance: (i) evaluation of the effectiveness of the existing flood risk reduction efforts in the Central Region, using the 2016 floods as a case study; (ii) development of streamlined fast-track procedures for preparation, prioritization, financing resources mobilization and implementation of the emergency reconstruction and recovery; and (iii) building capacity of DRM agencies on damage and loss assessment methodology. Counterpart funding will partially support the participation of provincial officials to the training and workshop organized by Component 2.
- (iii) **Component 3: Project Management.** The objective of Component 3 is to support project management, safeguards and monitoring and evaluation. It will be implemented by the Binh Dinh Provincial People’s Committee. It will fund activities related to supporting project implementation such as overall reporting, project-related audits, safeguard, monitoring and evaluation, project oversight, mid-term review and end-of-project impact evaluations. Component 3 will also fund equipment and provision of training to strengthen the Provincial Project Management Units (PPMUs), as well as individual consultants and operating costs. This component will also support coordination and reporting of the different components of the project.
- (iv) **Component 4: Contingent Emergency Response.** The objective of this component is to improve Viet Nam’s capacity to better respond to disasters. Following an adverse natural or man-made event that causes a major disaster, and after a Government declaration of a national disaster, this component would be intended to strengthen the emergency preparedness and immediate response capacity. The Government of Viet Nam may also request the Bank to re-allocate project funds to this component to partially cover emergency response and recovery costs. The funds are allocated for immediate use after an eligible disaster in the future. This component could be used to channel additional funds should they become available as a result of an emergency.

3. Tentative time of the EFDR project implementation is 4 years, from 2017 and to 2020. Total investment of the project is estimated at US\$ 130.3 million, in which IDA loan from the World Bank is US\$ 113 million and GFDRR Financing is US\$ 2 million. The Table bellowed presents total investment allocated for each investment component of the project:

Table 1: Total Investment Of Each Component Under the Project

Project Components	Project cost	IBRD or IDA Financing	Trust Funds	Counterpart Funding
Component 1: Resilient Reconstruction of Flood Damaged Infrastructure at Provincial level	122.7	112.2	0.0	10.5
Component 2: Enhance	2.5	0.0	2.0	0.5

Project Components	Project cost	IBRD or IDA Financing	Trust Funds	Counterpart Funding
government's disaster recovery capacity				
Component 3: Project Management	5.1	0.8	0.0	4.3
Component 4: Contingent Emergency Response	0.0	0.0	0.0	0.0
Total Costs	130.3	113.0	2.0	15.3
Total Project Costs	130.3	113.0	2.0	15.3
Front End Fees	0.0	0.0	0.0	0.0
Total Financing Required	130.3	113.0	2.0	15.3

1.2. Scope of Land Acquisition And Resettlement

4. The project will support resilient recovery and reconstruction in five priority provinces affected by the 2016 floods and future climate-related events. The project will generate positive benefits to disaster affected people including poor, women, ethnic minorities (EMs), in the form of improved access to critical infrastructure and services and resilience enhancement as well as agricultural production support by improved irrigation systems. Specific investments to be supported under the project have been identified with objectives of minimizing social adverse impact. Since the project will use build-back-better approaches for affected roads and infrastructures, some subprojects would cause losses of land or assets. In addition, it is envisaged potential loss of livelihoods due to the temporary restriction of access and interruption of irrigation water supply during construction period.

5. According to above mentioned EFDR project, as there is possibility for only Component 1 to cause land acquisition and resettlement impacts on residents in the project areas, the reason is that land acquisition is implemented for recovery, reconstruction of some systems of irrigation, embankment, dykes, provincial/district roads, rehabilitation of some roads in residential area and so on. During the pre-FS period, with closed corporation among the World Bank, Ministry of Planning and Investment with the Project Management Unit (PMU) of Ha Tinh, Quang Ngai, Binh Dinh, Phu Yen and Ninh Thuan provinces, at the same time, through consultation with local authorities at levels, the proposed subprojects were selected, identified based on criteria, such as listed in the provincial social-economic planning, impacted by natural disaster in 2016. The purpose is to avoid or mitigate and limit impacts as long as land acquisition scope is at least and impact magnitude on resettlement is the lowest.

6. Based on initial surveyed information, the total permanent affected area of the project is 484,001m², of which 208,840m² is agricultural land; 65,625m² is perennial land; 9,820m² is forest land; 750m² is aquaculture land and 198,960m² is public land (such as transportation, irrigation, unused land). There are 1,302 households affected by the land acquisition for the EFDR, of which 27 households are severely impacted (losing 20% of more of agriculture land) and there is not any households to be relocated. Of 1,302 there are 320 ethnic minority households affected (280 in Ninh Thuan and 40 in Quang Ngai). The estimated total area of land temporarily affected is 505,000 m². The acquired land area is mainly road verges and public land to serve the purpose of installation of storm water collection and waste treatment pipelines. Preliminary details of the subproject's impacts are shown in Table 2 overleaf.

7. More accurate details of land acquisition requirements, resettlement impacts, land areas, number of houses, structures, crops, trees and other properties to be acquired/moved and the exact number of partly-affected, temporary affected (if any) and relocated households will be identified during the implementation of socio-economic survey (SES), inventory of loss (IOL) for preparation of the resettlement action plan(s) for each sub-project.

Table 2: Preliminary Statistics On Land Acquisition And Resettlement In 05 Project Provinces

No.	Province	No. of AHs	No. of APs	No. of Relocated households	No. of AHs impacted with agricultural land		Acquired Land Area (m ²)						TOTAL
					Losing less than 20%	Losing 20% or more	Residential land	Perennial land	Rice land	Forest land	Aquaculture land	Public land	
I	HA TINH	298	1,556	0	295	3	0	1,300	15,500	0	0	29,700	46,500
II	QUANG NGAI	73	292	0	71	2	0	9,400	0	4,500	750	65,500	80,150
III	BINH DINH	610	2,457	0	610		0	0	193,340	0	0	81,460	274,800
IV	NINH THUAN	294	1,295	0	294		0	44,525	0	5,320	0	0	49,851
V	PHU YEN	27	124	0	5	22	0	10,400	0	0	0	22,300	32,700
	TOTAL	1,302	5,724	0	1,275	27	0	65,625	208,840	9,820	750	198,960	484,001

(Source: PPMUs, March, 2017)

1.3. Objectives and Principles of Resettlement Policy Framework

8. The Law on Land No. 45/2013/QH13, Article 87.2 requires "...For the projects using loans from foreign and international organizations, for which Vietnam has committed to a policy framework for compensation, support and resettlement, that framework shall apply". So, this Resettlement Policy Framework (RPF) of the project is prepared in compliance with the World Bank's OP/BP 4.12 and the Vietnam's Laws and Decrees on compensation, assistance and resettlement.

9. The basic objective of the RPF to ensure that all AHs of the project (APs) will be compensated at replacement cost and assisted with restoration measures to help them improve or at least maintain the living conditions and the capacity to make income before the project. The RPF is prepared to guide the preparation of RAPs during the project implementation phase. The RPF gives out bases for preparing, reviewing and approval of RAPs for the subprojects that require land acquisition, compensation and resettlement regardless of financial sources.

10. This RPF is to be submitted to the Prime Minister (or authorized to the PPCs of participating provinces) for approval and to the donor for clearance before Agreement Negotiation. The Resettlement Policy Framework has been disclosed in the Vietnamese language and made available on the project website and made available in sub-project for affected communities. The English version of the RPF has been publically disclosed at the World Bank internal and external website.

1.4. Linked Activities

11. OP 4.12 also applies to other activities resulting in involuntary resettlement that are:

- (i) Directly and significantly related to the project;
- (ii) Necessary to achieve its objectives as set forth in the project documents; and
- (iii) Carried out, or planned to be carried out, contemporaneously with the project.

12. Based on the above criteria, in the FS stage, linked activities will be defined and described in specific RAPs. The application of OP 4.12 (including due diligence review, institutional arrangement, and Client's commitments) and provisions of this RPF will also be discussed in those safeguard instruments.

13. This RPF shall be used as guidance for the detailed planning and implementation of the Resettlement Action Plans in sub-project under the Emergency Flood Disaster Reconstruction Project (EFDR) as mentioned above.

2. LEGAL FRAMEWORK

14. This Resettlement Policy Framework was prepared in compliance with the applicable and relevant law of the Government of Vietnam (GoV) related to land acquisition, compensation, support, and resettlement, and in compliance with the World Bank's Operational Policy on Involuntary Resettlement.

2.1. The Legal Framework of the GoV

15. 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, and other relevant decrees/guidelines. The principal legal documents applied for this RPF include the following:

- Constitution of the Socialist Republic of Vietnam adopted on November 28, 2013.
- Land Law No. 45/2013/QH13 dated November 29, 2013 of the National Assembly on Land (effective on July 1, 2014).

- Decree No. 43/2014/ND-CP dated May 15, 2014 of the GoV on detailing a number of articles of the Land Law.
- Decree No. 44/2014/ND-CP dated May 15, 2014 of the GoV on land prices;
- Decree No. 45/2014/ND-CP dated May 15, 2014 of the GoV on collection of land use levies.
- Decree No. 46/2014/ND-CP dated May 15, 2014 of the GoV on collection of land rent and water surface rental.
- Decree No. 47/2014/ND-CP dated May 15, 2014 of the GoV on compensation, support and resettlement upon land recovery by the State.
- Decree No. 84/2013/ND-CP dated July 25, 2013 of the GoV on development and management of resettlement housing;
- Decree No. 38/2013/ND-CP dated April 23, 2013 of the GoV on management and use of official development assistance (ODA) and concessional loans of donors;
- Circular No.36/2014/TT-BTNMT dated June 30, 2014 of MONRE on land pricing method; compilation of and adjustment to land price lists; determination of specific land prices and consultancy on land pricing
- Circular No.37/2014/TT-BTNMT of MONRE dated June 30, 2014 on compensation, support and resettlement upon land recovery by the State.
- Decision No.63/2015/QĐ-TTg of the Governmental Prime Minister dated November 16, 2012 on policy on assistance in vocational training and job search for workers whose land is withdrawn by the state.
- Decision No.1956/2009/QĐ-TTg of the Governmental Prime Minister dated November 17, 2009 on vocational training for rural.
- Decree No. 16/2016/ND-CP dated March 16, 2016 & Circular No.12/2016/TT-BKHDT dated August 8, 2016 on management and utilization of Official Development Assistance (ODA) and concessional loans of foreign donors.
- Decree No.01/2017/ND-CP dated January 06, 2017 on amendments and complements to several Decrees detailing the implementation of Land Law.

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

17. 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.

18. Documents relating to complaints and resolve complaints mechanisms: Complaints Law 02/2011/QH13 dated November 11, 2011; Decree No. 75/2012/ND-CP dated October 03, 2012 on specific provisions a number of articles of the Complaints Law.

19. Decisions of provinces relating to compensation, assistance and resettlement in provincial territory will be also applied for each relevant sub-project.

- Decision No.13/2015/QĐ-UBND dated July 7, 2015 of Binh Dinh PPC on issuing regulations on compensation, support and resettlement upon land recovery by the State in Binh Dinh province.
- Decision No. 64/2016/QĐ-UBND dated September 26, 2016 of Ninh Thuan PPC on on issuing regulations on compensation, support and resettlement upon land recovery by the State in Ninh Thuan province;
- Decision No.57/2014/QĐ-UBND dated December 30, 2014 of Phu Yen PPC on issuing regulations on compensation, support and resettlement upon land recovery by the State in Phu Yen province;
- Decision No.13/2015/QĐ-UBND dated March 05, 2015 of Quang Ngai PPC on issuing regulations on compensation, support and resettlement upon land recovery by the State in Quang Ngai province.
- Decision No.75/2014/QĐ-UBND dated November 03, 2014 of Ha Tinh PPC on issuing regulations on compensation, support and resettlement upon land recovery by the State in Ha Tinh province.

2.2. The World Bank’s Operation Policy on Involuntary Resettlement (OP 4.12)

20. 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.

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

- (i) Involuntary resettlement should be avoided as much as possible or minimized by bringing out optional measures in the process of technical design;
- (ii) Wherever involuntary resettlement is unavoidable, resettlement activities should be aware of and executed as sustainable programs, necessary to supply enough investment sources to help adversely affected persons to share project’s benefits. Directly or indirectly affected persons need must be consulted and participated in the process of planning and implementing resettlement programs.
- (iii) Affected Persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-project levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

2.3. Comparison between GoV’s laws and regulations and WB’s safeguard policies

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

Table 3: Comparison of GOV’s and WB’s Policies related to Involuntary Resettlement

Subjects	World Bank’s OP 4.12	Government of Vietnam	Project Policies
1. Land Property			
1.1. Policy objectives	PAPs (Project Affected Persons) should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation.	Not mentioned. 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). In case the amount of compensation/support is not enough for resettled people to buy a minimum resettlement plot/apartment, they will be financially supported to be able to buy a minimum resettlement plot/apartment (Article 86.4 of Land Law 2013 and Article 27 of Decree 47)	Livelihoods and income sources will be restored in real terms, at least, to the pre-displacement levels or to levels prevailing prior to the beginning of project implementation.
1.2.Support for affected households who have no recognizable legal right or claim to the land they are occupying	Financial assistance to all project affected persons to achieve the policy objective (to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher)	Only agricultural land used before July 1, 2004 is eligible for compensation. Other cases may be considered for assistance by PPC if needed	Financial assistance of an agreed amount will be given to all PAPs, regardless of their legal status, until their livelihoods and standards of living restore in real terms, at least, to pre-displacement levels.
1.3. Compensation for illegal structure	Compensation at full cost for all structures regardless of legal status of the PAP’s land and structure.	No compensation	Compensation at full replacement cost will be given for all structures affected, regardless of legal status of the land and structures.

Subjects	World Bank’s OP 4.12	Government of Vietnam	Project Policies
2. Compensation			
2.1. Methods for determining compensation rates	Compensation for lost land and other assets should be paid at full replacement costs,	Compensation for lost assets is calculated at price close to transferring the assets in local markets or the cost of newly-built structures. Provincial People’s Committees are 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 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.
2.2. Compensation for loss of income sources or means of livelihood	Loss of income sources should be compensated (whether or not the affected persons must move to another location)	Assistance in respect of income loss is given only for registered businesses. Assistance measures to restore income sources are provided.	All income losses are to be compensated and, where necessary to achieve the objectives of the policy, development assistance in addition to compensation will be provided.
2.3. Compensation for indirect impact caused by land or structures taking	It is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups.	Not addressed	Social assessment undertaken and measures identified and implemented to minimize and mitigate adverse impacts, particularly upon poor and vulnerable groups.
2.4. Livelihood restoration and assistance	Provision of livelihood restoration and assistance to achieve the policy objectives	Livelihood restoration and assistance measures are provided. No follow-up for full livelihood restoration after resettlement completion	Provision of livelihood restoration and assistance measures to achieve the policy objectives. These will be monitored as detailed in the RAP

Subjects	World Bank’s OP 4.12	Government of Vietnam	Project Policies
2.5. Consultation and disclosure	Participation in planning and implementation, specially confirming the eligibility criteria for compensation and assistance, and access to Grievances Redress Mechanisms	Focus mostly on consultation during planning (consultation on draft plan of compensation, support and resettlement and plan for training, career change and facilitating job searching); information sharing and disclosure.	Consultation and participation incorporated into RAP design, along with information sharing with PAPs and stakeholders.
3. 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. However, complainants can go to court at the second step as PAP wishes	More effective Grievance and Redress mechanisms are to be established, built on the existing governmental system, with monitoring by an independent monitoring agency
4. Monitoring & Evaluation			
	Internal and independent monitoring are required	Citizens are allowed to supervise and report on breaches in land use and management on their own (or through representative organizations), including land recovery, compensation, support and resettlement (Article 199, Land Law 2013). There is no explicit requirements on monitoring of the resettlement works, including both internal and independent (external) monitoring	Both internal and external (independent) monitoring is to be regularly maintained (on a monthly basis for internal and biannual basis for independent monitoring). A project completion report will be done to confirm whether the objectives of OP 4.12 were achieved.

3. PRINCIPLES AND POLICIES FOR RESETTLEMENT, COMPENSATION AND REHABILITATION

3.1. General Principles

23. All Project Affected People (PAP) who have assets within or reside within the area of project land before the cut-off date are entitled to compensation/assistance 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.

- a) 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.
- b) 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 borrower must assure itself to meet the Ban’s requirements 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.
- c) PAPs who prefer “land for land” for residential land will be provided with land plots with the equivalent quality 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.
- d) 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.
- e) 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).
- f) As for the displaced households affected with shelter (displaced from existing residential land because the remaining land area is not feasible for building house or entire land acquisition), the local resettlement board needs to conduct consultations and makes agreed solutions to assist for new shelter for affected households.
- g) The displaced households affected with shelter that are capable of building a house on the remaining land (not subject to displacement) will have general policies of the project applied in accordance with the agreed entitlement matrix.

- h) 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.
- i) 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.
- j) If, by the end of the project, livelihoods have been shown not to be restored to pre-project levels, additional measures will be provided.
- k) 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.

3.2. Compensation Policies

3.2.1. Compensation Policy for Permanent Impact

3.2.1.1. For Loss of Agricultural Land²

24. Legal and/or legalizable land users:

- (i) Compensation “land for land” if local land fund is available and the PAP chooses. Land compensation must meet the following principles: a) equivalent to the affected land area but not exceeding the land allocation limit of local; b) same type of soil (or equal productive capacity); c) location acceptable by the AP; d) enough land use rights for the head of household and his/her wife/husband (if any); and e) non-payment of taxes, charges and fees for registration of land use rights. If land compensation size is smaller or of lower quality, APs will be entitled to compensation on the basis of cash equivalent the differences. For assets on the land acquisition, PAPs will receive compensation in cash at 100% replacement cost.
- (ii) If land is not available or the PAP prefers to receive cash compensation, they will receive compensation in cash for loss of affected agriculture land and assets on the land acquisition at 100% replacement cost.
- (iii) If the area of the remaining land after acquisition is not enough to continue cultivation, the project will acquire the entire piece of land and compensation would be implemented in one of two forms as defined in point (i) and (ii) of this section.
- (iv) In addition to compensation in cash for land acquisition area as specified above, PAPs will receive allowances and rehabilitation assistance as referred to item 3.2.5 of this RPF.
- (v) In the case of acquired land exceeding the limit of local (except for land by inheritance, donation or receive transfer of land use rights) are not entitled to compensation for land but supported remaining values invested in such lands. Provincial People's Committee may consider providing this support suitable to the local realities.

25. Users with temporary or leased rights to use communal/public land (PAPs who rent communal or public land):

- (i) For PAPs currently using land assigned by State-owned agricultural or forestry farms on a contractual basis for agricultural, forestry, or aquaculture purposes (excluding

² According to Article 10 of the Land Law.

land under special use forests and protected forests), compensation shall be provided for investments made on the land, but not for the land itself, and these PAPs will also receive additional support for income rehabilitation if they are directly involved in agricultural activities as per Government’s regulations.

- (ii) Where PAPs receive land on a contractual basis but are other than the individuals specified as point (i) above, they shall only receive compensation for investments made on the land and properties created on and at full 100% replacement cost.

26. Land Users who do not have formal or customary rights to the affected land.

- (i) For agricultural land which was used before July 1, 2004, of which land users are households and individuals directly engaged in agricultural production will be compensated at 100% as per Article 77.2 of the Land Law.
- (ii) For other cases, instead of compensation, the PAPs will receive financial assistance of an amount corresponding to the remained investment made on the land. The amount will be determined by the PPCs.
- (iii) In case of a physical impediment caused by the project, PAPs will receive additional compensation or supports if required to offset.

3.2.1.2. For Loss of Land for non-agricultural production and business

27. Organizations, individuals whose land for non-agricultural production and business is acquired will be compensated according to the following cases:

- (i) All affected households, individuals with LURC or legalizable: i) if local land fund is available and PAP choice, Compensation “land for land” is priority; ii) If land is not available or the PAP prefers to receive cash compensation, they will receive compensation in cash for loss of land and assets on the land acquisition at 100% replacement cost.
- (ii) Households and individuals who use leased land acquisition with annual rent payment or lump-sum rent payment but were exempted from rent will not be compensated for land but compensated equivalent to remaining values invested in such lands and assets on the land at 100% replacement cost .
- (iii) Valid organizations (economic organizations, public organizations in accordance with financial autonomy) using land for non-agricultural production and business with lump-sum rent payment (rent unused the state budget) will be compensated “land for land” if local land fund is available, if not, will be compensated in cash at 100% of replacement cost.
- (iv) Valid organizations (economic organizations, public organizations in accordance with financial autonomy) using land for non-agricultural production and business with annual rent payment or lump-sum rent payment but were exempted from rent will not be compensated for land but compensated equivalent to remaining values invested in such lands and assets on the land at 100% replacement cost.

28. In addition to the compensation mentioned above, the project will provide allowances and rehabilitation assistance as mentioned in item 3.2.5 of this RPF.

3.2.1.3. For Loss of Residential Land

29. Users whose residential land is acquired will be compensated as follows:

30. Loss of residential land without structures:

- (i) *For legal and/or legalizable land users*, all compensation for loss of land will be made in cash at 100% replacement cost.
- (ii) *For land users who have no recognizable land use right*, financial assistance will be provided corresponding to the remained investment put on the land. The amount will be determined by Provincial People’s Committee.

31. Loss of residential land with structures built thereon, where the remaining (non-acquired) land is adequate to rebuild the structure (reorganizing PAP):

- (i) Compensation for loss of land will be made in cash at 100% replacement cost for legal and legalizable land users;
- (ii) Financial assistance of an agreed amount will be provided to land users who do not have recognizable land use rights. The amount will be determined by Provincial People’s Committee.
- (iii) Compensation for affected structures at 100% replacement cost.
- (iv) If DPs have to rebuild the main house (not necessary to relocate to new area), they will also receive repair allowance as mentioned in Section 3.2.5 of this RPF.

32. Loss of residential land with structures built thereon, and the remaining land is not adequate to rebuild the structure (relocating PAP): though the preliminary surveys showed that there would be no households to be relocated in all five provinces, the exact impact level will be identified during RAP preparation, so these provisions are provided in case if any households would be found necessary to be relocated.

- (i) DPs with legal and/or legalizable rights to the affected land, can choose one of the following options:

- If PAP choice is compensation “land for land”: PAP will be compensated land plot/apartment in the project’s resettlement site where infrastructure is fully invested and allocation of resettlement land plot/apartment land will be made according to the provisions of Provincial People’s Committee, depending on local land fund. PAP will be provided with a certificate of land/ apartment use without paying any fees.

In case that the compensation amount to be paid is more than the cost of land plot/apartment compensation in the project’s resettlement site, the difference amount will be paid in cash to AP.

In case the compensation amount to be paid is less than the cost of a minimum land plot /apartment in the project’s resettlement site, PAPs will be given the support needed to allow them to acquire the new land plot/apartment without paying any fee.

- If PAP choice is not compensation “land for land”, all compensation for loss of land will be made in cash at 100% replacement cost, plus relocation allowance prescribed by the province for self-relocation.

In case the remaining land is not large enough to rebuild a house, but in the same plot of land there is a pond/ garden/ agricultural land, households may propose converting part of the pond/ garden/agricultural land into residential use according to the provisions of the PPC to be able to rebuild house on site.

- (ii) The DPs, who do not have legal or legalizable rights to the affected land, are entitled to the following:
 - Amount of financial assistance will be reviewed and decided by Provincial People’s Committee.

- If the PAP has no place to move, a land plot or an apartment satisfactory to them will be provided in the resettlement site and they can either pay in installment or rent it for living.

33. In case the relocated PAPs belong to poor or vulnerable groups or households, additional assistance (in cash and kind) will be provided to ensure that they are able to fully relocate to a new site.

3.2.1.4. For Loss of House/Structures

34. Compensation Policy for Loss of Architecture/Structures are as follows:

- (i) Owners of affected structures:
 - Compensation in cash will be made for all affected private-owned houses/structures, at 100% the replacement costs, regardless of whether or not they have title to the affected land or a construction permit for the affected structure. The compensation amount will be sufficient to rebuild the affected house/structure of the same quality.
 - If the house/structure is partially affected, a financial assistance will be provided to enable PAPs to repair the affected house/structures to restore it to the former condition, or better, at no additional cost to them.
 - Cash compensation will be at full replacement cost. No deductions will be made for depreciation or salvageable materials.
 - The calculation of rates will be based on the actual affected area and not the useable area.
- (ii) Tenants of state-owned or state organization-owned houses will be entitled to rent or buy a new apartment of an area at least equal to their affected ones; or provided a financial assistance equivalent to 60% of replacement cost of the affected land and houses. The affected structures, crops, trees created by the PAP before cut-off date will be compensated for at full replacement costs.
- (iii) Tenants who are leasing a private house for living purposes will be provided with transportation allowance for moving assets, and will be assisted in identifying alternative accommodation.

35. For Affected Graves:

- (i) Compensation for the removal of graves/ tombs will include the cost of excavation, relocation, reburial and other related costs which are necessary to satisfy customary requirements. The compensation amount will be determined by Provincial People's Committee.
- (ii) For ownerless affected graves, PMU will sign a contract with an independent unit for compensation and relocation of them to a new site.
- (iii) Household and individual graves are considered physical cultural resources (PCR) and even though the costs associated with their relocation will be covered in the resettlement plan, the WB OP 4.11 on Physical Cultural Resources should be triggered and relevant cross references should be made to the Environmental and Social Management Plan or Project Operation Manual (POM).

3.2.1.5. For Loss of Standing Crops, Trees and Aquatic Livestock

36. For annual and perennial standing crops, regardless of the legal status of the land, compensation will be paid to households who cultivate the land at full replacement cost. For

trees which have not been harvested yet but can be brought to another location, the transportation cost and the actual damage due to the transportation and re-planting must be compensated.

37. For livestock (including aquatic livestock), APs will be compensated in cash at replacement cost at the time of land acquisition. In case the aquatic livestock can be brought to another location, the transportation cost and the damage caused by the transportation must be compensated.

3.2.1.6. Compensation for other assets

38. In the case that the AH's are equipped with telephone system, water meter, electric meter, cable TV, internet access (subscription) and well, the AH's shall be compensated according to the unit price of installing new units, are offered service announcement or relocation costs due to service provider's regulations.

3.2.1.7. For Loss of Public Structures

39. In cases where community infrastructure such as schools, factories, water sources, roads, sewage systems, medical centers, distribution/transmission, communication and fiber cables are damaged and the community wishes to reuse them, the project will ensure that these are restored or repaired as the case may be, at no cost to the community.

40. Public infrastructure directly related to people's livelihoods and developmental needs, such as irrigation canals, schools, clinics, transportation road, electricity, telecommunication, cable lines (except for the structures with construction permit requiring relocation when needed) etc. will be restored/rebuilt to pre-project or higher quality levels or compensated at replacement cost.

3.2.2. Compensation Policy for Temporary Impact during Construction

41. In case the project need temporary construction plan, the PMU rents the land of the owners complying with regulations stipulated by the Civil Law.

42. Compensation Policy for loss of private or public structures occurring during construction execution:

- (i) Damaged property will be restored to its former condition by contractors, immediately upon completion of civil works.
- (ii) Under their contract specifications, the contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages do occur, the contractor will be required to repair the damage and may also be required to pay compensation to the affected families, groups, communities, or government agencies at the same compensation rates that are applied to all other assets affected by the Project.

3.2.3. Any other impacts that may be identified during implementation:

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

3.2.4. Allowances and Rehabilitation Assistance

44. Besides the compensation for affected assets, PAPs will be provided with financial assistance to cover their expenses during the transition period. The assistance levels will be adjusted, taking into account inflation factor and price increase to be appropriate to the payment time. They include, but are not limited to:

3.2.4.1. For Impacts on Residential Land:

45. Transportation Allowance to relocating households: Relocating households who move to a new location will be provided financial assistance in cash. The amount will be determined by Provincial People's Committee.

46. House Renting Allowance will be provided to PAPs who may be forced to relocate from their original homes and are still awaiting the replacement land plots or apartments. In the case of replacement land plots, the rental allowance will extend to the period during which the new house is being built. The allowance amount will be determined by Provincial People's Committee.

47. Self-relocated households which are eligible for resettlement, but self-accommodation: an amount supported for investment in infrastructure for a minimum land plot /apartment in the project's resettlement site. The specific level of support will be determined by Provincial People's Committee.

48. Reparation Allowance: If house/structure is partially affected and the remaining structure is viable for continued use, the project will provide a repair allowance to enable PAPs to restore it to former or better conditions. The level of specific support will be determined by Provincial People's Committee.

49. For households/individuals relocated by residential land acquisition that combines business: the project will provide an allowance for vocational training and job creation according to the provisions of the PPCs for demographic in the working age.

50. Subsistence allowance: PAP who is relocated or rebuilt house on the remaining land area will receive subsistence allowance in the transition period. The amount will be determined by Provincial People's Committee.

3.2.4.2. For Impacts on Agricultural Land:

51. Allowance for Subsistence allowance (during transition period): PAPs impacted with agricultural land will be provided with an assistance in cash equal 30kg rice/person/month, specifically:

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

52. Allowance for production stabilization: Households, individuals who are compensated by agricultural land will be supported for production rehabilitation, including: Support for plant varieties and animal breeds for agricultural production, services such as agricultural/forestry extension, plant protection, animal health, cultivation techniques, animal husbandry and professional techniques for manufacturing, business and commercial services. Form and level of specific support according to the provisions of Provincial People's Committee.

53. Allowance for Vocational Training and Job Creation: The maximum support will be 05 times of agricultural land price of the same kind in the local land price list for the whole acquired area but not exceeding the limit of local allocation. The level of specific support will be determined by Provincial People’s Committee.

54. Assistance for agricultural, garden and pond land adjacent to, but not included in the category of residential land will be made according to the provisions of Provincial People’s Committee.

3.2.4.3. For Loss of Income and/or Business

55. Allowance for production, business rehabilitation:

- (i) Businesses / households with business registration will be compensated or supported. The maximum compensation/support is 30% of after-tax income of 01 years based on their average annual of the last three years which have been declared to the tax authorities;
- (ii) Households without business license but who have met their tax obligations will be entitled to compensation equivalent to 50% of support level for businesses/households with business registration.

56. Removal Support: Organizations and PAPs that are leased land by the state or are lawfully using land and have to relocate their productive and/or business establishments are entitled to financial support for dismantling, relocating and re-installation of the establishment. Support levels will be determined by actual costs at the time of removal, based on self-declaration of the organizations and verification by the agency in charge of compensation. This will then be submitted to the relevant authorities for approval.

57. Allowance for interrupted employment: Employees who work in affected manufacturing facilities or businesses with labor contract will receive allowance equivalent to the minimum salary as per the regulations to affected employees during the transition period which can be for a maximum of 6 months as well as assistance in seeking job opportunity if needed.

3.2.4.4. For Loss of Public Land funds of communes, wards or townships

58. If land belonging to public land funds of communes, wards or townships is acquired, financial assistance will be paid into the state budget and allocated in annual budget estimates of communes, wards or townships. The highest assistance level can be equal to the compensation level. It should be used to invest construction of infrastructure projects used for public interest purposes of communes, wards and townships as stipulated in Article 24 of Decree 47/2014/ND-CP.

3.2.4.5. Allowances/ Assistance Targeted to Vulnerable Households

- (i) For landless households: Assistance through provision of an apartment with either payment by installment to buy it or rent it for living (at PAP’s choice). Additional assistance will be considered if needed to ensure the PAP have a place to live.
- (ii) Social Policy: Relocated Households which included heroic mothers, heroic armed force, heroic labor, war veterans, wounded or dead soldiers will be provided with support as regulated by Provincial People’s Committee (to be certified by local authority).
- (iii) For poor households: apart from received allowed as regulated for the affected ones, further allowance for vulnerable groups shall be also received as follows:
 - Poor PAPs who have to relocate or lose more than 10% of their agricultural landholding, poor PAPs who lose less than 10% of their land but such land area is not

enough to continue cultivation: will be assisted in cash equal to 30kg rice/person/month for a period of 24 months or in accordance with provincial policy; whichever is higher.

- Other poor PAPs: will be assisted in cash equal to 30kg rice/person/month for a period of 6 months or in accordance with provincial policy; whichever is higher.

- (iv) Other vulnerable groups: Female headed households with dependents, household with disabled persons, elderly without any source of support, poor households and ethnic minority households will get the same support given to poor households in accordance with the provincial policy or assisted in cash equal to 30 kg of rice per person per month for 6 months; ; whichever is higher.

3.2.4.6. Other allowances/ assistance

59. Incentive Bonus: All PAPs who vacate the affected land immediately after receiving compensation and allowances will be given an incentive allowance consistent with each province.

60. PAPs who will lose income sources will be entitled to take part in Income Restoration Programs. Rehabilitation measures like agricultural extension services, job training and creation, credit access and/or other measures as appropriate will be given to PAPs losing income sources to ensure their livelihood could be restored to the pre-project level.

61. Apart from the assistances mentioned above, based on the actual situation, the Project may consider other assistances to secure life stabilization, culture, production and livelihoods of PAPs.

3.3. Resettlement and Income Restoration Strategy

62. For households with affected residential land who have to resettle. Households that have to resettle, relocate will identify and select options of relocation on their existing plots or to move to plots provided by the district or to receive cash compensation to make their own arrangements for relocation. In the case that any businesses have to relocate, they will be assisted to find viable new sites; people under working age group based on their need are entitled to assistance policy for job creation and vocational training in accordance with provincial regulations.

63. For households with acquired agricultural land. Apart from the compensation and assistance foresaid, they are entitled to assistance policy for job creation and vocational training for the persons at the working age (Decision No.63/2015/QD-TTg and Decree No.47/2014/ND-CP). They will be provided free of charge:

- (i) Support for vocational training including: short-term vocational training courses (primary level and vocational training of less than 3 months) or vocational training at mid-level and college levels and the State pays tuition for one training course. The expenditure for vocational training is taken from total expenditure of the investment project or the approved plan on compensation, assistance and resettlement;
- (ii) Support for job creation in the country: providing consultation on vocational training, free introduction of jobs at the job introduction center under DOLISA. The businesses receive many labors whose agricultural land is acquired will be entitled to preferential policy on land, credit and taxes as regulated by the laws.

64. Besides, the AHs who are compensated by agricultural land will be assisted with stable production, including: Assistance for plant varieties and animal breeds for agricultural production, agriculture and forestry services, plant protection services, veterinary medicine, cultivation techniques, breeding techniques and professional techniques for

production and business. Appropriate livelihood restoration programs will be designed and implemented in consultation with the PAPs in the project implementation stage.

3.4. Vulnerable groups, gender and ethnic minorities

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

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

67. According to the screening of ethnic minorities for the EFDR, some ethnic minority communities might present in the project areas. So OP 4.10 is triggered, but that these provisions (e.g. on vulnerable APs) apply to individual EM households that may live scattered in the project areas. In addition to this RPF, other social safeguard documents will be prepared under the project including EMPF, RAPs and EMDPs but will be deferred to the project implementation. Given the nature of emergency for implementing the critical works to be completed before the upcoming flooding season in September 2017, subproject RAPs/EMDPs for critical works should be available and approved, implemented before the civil works commencement.

4. ELIGIBILITY CRITERIA AND ENTITLEMENTS

4.1. Project affected people.

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

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

4.2. Identification of vulnerable groups or Households (HHs)

69. The initial rapid socio-economic surveys show the vulnerable groups will generally include the following:

- Poor and near poor households as identified by MOLISA and according to local regulations;
- Poor landholders that have limited productive land (this will be determined by the minimum amount of farm land needed to be a viable farmer in the project area);
- Ethnic minority Households (if any);
- Mentally and physically handicapped people or people in poor physical health; infants, children and women without assistance;
- Poorest women-headed households or women-headed households with no other support;
- Other PAP identified by the project management unit and who may not be protected through national land compensation or land titling; or
- Any additional groups identified by the socio - economic surveys and by meaningful public consultation.

4.3. Eligibility

70. The eligibility for entitlement to compensation is determined by asset ownership criteria:

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

71. Persons covered under (i) and (ii) are provided compensation for the land they lose, and other assistance. Persons covered under (iii) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (i), (ii), or (iii) are provided compensation for loss of owned or used assets other than land.

4.4. Entitlements:

72. With respect to a particular eligibility category, entitlements are the sum of compensations and other forms of assistance provided to project affected persons (please refer to the table below for the Entitlement Matrix).

4.5. Arising households after the cut-off-date:

73. Those households splitting from the large families after the cut-off-date who meet the following conditions will be eligible for resettlement benefits as stand-alone households and are recognized as legalizable households:

- (i) Household with multiple generations, many couples live together on a plot of land acquisition who has eligible to separate household;
- (ii) Endorsement by the district/city authority, with verification of commune/ward People's Committee that the household has split.

74. Newly born children, spouses of persons named in the household registration books, people who have completed military service, and people who have just returned from schools to live with the affected households will be entitled to the compensation and support measures outlined in this RPF.

75. In case the Gov regulations will be changed and there will be some entitlements, which are better than the ones described in the RPF, these better entitlements will be applied for the affected people (if possible).

Table 4: Entitlement Matrix

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
I – Impacts due to permanent land acquisition				
<p>1.1. Agricultural land³</p>	<p>1.1.1. Marginal impact (<20% of landholding or <10% for vulnerable group)</p> <p>The remaining area of affected plot is still economically viable for use or meets the expected personal yield.</p>	<p><i>1.1.1.1. All AHs with LURC, or legalizable</i></p>	<p>For affected agricultural land:</p> <p>(i) Compensation “land for land” if local land fund is available and PAP choice.</p> <p>(ii) If land is not available or the PAP prefers to receive cash compensation, they will receive compensation for loss of land in cash at 100% replacement cost⁴.</p> <p>(iii) If area of remaining land after acquisition is not enough to continue cultivation, the project will acquire the entire piece of land and compensation would implement in one of two forms as defined in point (i) and (ii) of this section.</p> <p>(iv) In the case of acquired land exceeding the limit of local (except for land by inheritance, donation or receive transfer of land use rights) are not entitled to compensation for land but supported remaining values invested in such lands. Provincial People's Committee may consider to provide this support suitable to</p>	<ul style="list-style-type: none"> ▪ Affected households to be notified at least 90 days before land recovery by the Project. ▪ The owner of land will hand over the land within 20 days from the date District Compensation Board fully pays compensation for land. ▪ In the case that compensation “land for land” is applied, the project will approval land compensation in the order of priority

³ Classification of agricultural land as stipulated in Article 10 of the Land Law

⁴ When domestic laws do not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standards.

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>the local realities.</p> <p>Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</p> <p>Livelihood restoration assistance will be provided, including: allowance for production stabilization; allowance for vocational training and job creation (please refer to item 3.1.1 of this entitlement matrix).</p> <p><u>In addition to above, for agricultural, garden and pond land adjacent to</u>, but not included in the category of residential land, PAPs will receive assistance according to the provisions of the PPC.</p>	<p>from severely affected households to marginal affected households.</p> <ul style="list-style-type: none"> ▪ Land compensation must meet the following principles: a) equivalent to the affected land area but not exceeding the limit of local; b) same type of soil (or equal productive capacity); c) satisfactory to the AP; d) there is land use rights for the head of household and his/her wife/husband (if any); and e) non-payment of taxes, charges and fees for registration of land use rights. If land compensation size is smaller or lower quality, APs will be entitled to

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Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
				<p>compensation on cash equivalent the differences.</p> <ul style="list-style-type: none"> ▪ If area of land acquisition is different between actual measured and recorded on Land Use Rights Certificate (LURC), land acquisition will be compensated according to actual measured area unless otherwise occupied.
		<p><i>1.1.1.2. Land Users with temporary or leased rights to use land.</i></p>	<p>(i) For the affected families are using land allocated by the State for purposes of agriculture, forestry or aquaculture (excluding special-use forest, protection forest) of State Forest Enterprises (SFEs), APs are not compensated for land. Cash compensation at 100% replacement cost for remaining values invested in such lands and affected assets created.</p> <p>(ii) Users who are leased <i>rights to use land</i> on the basis of contracts with individuals, families, or organizations, other than the cases</p>	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>specified in point (i) of this section shall be compensated compensation for remaining values invested in such lands and affected assets created at 100% replacement cost.</p>	
		<p><i>1.1.1.3. Land Users who do not have formal or customary rights to the affected land</i></p>	<ul style="list-style-type: none"> ▪ Agricultural land used before July 1, 2004 which land users are households and individuals directly engaged in agricultural production will be compensated at 100% of the replacement cost according to Article 77.2 of the Land Law. ▪ AP will receive assistance equivalent to remaining values invested in such lands. This assistance will be decided by PPC. 	
	<p>1.1.2. Severe Loss ≥20% or ≥10% for vulnerable groups</p>	<p><i>1.1.2.1. All AHs with LURC, or legalizable</i></p>	<ul style="list-style-type: none"> ▪ Compensation and assistances as applicable for sub-item 1.1.1.1 of this matrix, priority for compensation "land for land" if local land fund is available and PAP choice. ▪ In addition, they will receive assistance in cash for living rehabilitation as specified in item 3.1.2 of this matrix. 	<ul style="list-style-type: none"> ▪ Rehabilitation assistance will be applied in case if the option "land for land" cannot be available. The forms of assistance should be consulted closely with appropriate and effective measures of agricultural encouragement to assist the poor to restore their income

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
				generating capacity and income levels.
		<i>1.1.2.2. Land Users with temporary or leased rights to use communal/public land</i>	<ul style="list-style-type: none"> ▪ Compensation and assistances as applicable for sub-item 1.1.1.2 of this matrix. ▪ For the affected families are using land allocated by the State for purposes of agriculture, forestry or aquaculture (excluding special-use forest, protection forest) of State Forest Enterprises (SFEs) and direct participation in agricultural production will be receiving rehabilitation assistances as: production rehabilitation; allowance for vocational training and job creation (please refer to item 3.1.2 of this entitlement matrix). 	
		<i>1.1.2.3. Land Users who do not have formal or customary rights to the affected land</i>	<ul style="list-style-type: none"> ▪ Compensation and assistances as applicable for sub-item 1.1.1.3 of this matrix. 	
1.2. Land for non-agricultural production and business	1.2.1. Marginal loss <ul style="list-style-type: none"> ▪ Land is still viable for use and not requiring relocation 	<i>Household/ individual/ organization with legal and/or legalizable, leased rights to use land</i>	For affected land: <ul style="list-style-type: none"> (i) All affected households, individuals with LURC or legalizable: i) if local land fund is available and PAP choice, Compensation “land for land” is priority; ii) If land is not available or the PAP prefers to receive cash compensation, they will receive compensation 	<ul style="list-style-type: none"> ▪ Affected persons/organizations to be notified at least 180 days before land recovery by the Project. ▪ The owner of land

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>in cash for loss of land acquisition at 100% replacement cost.</p> <p>(ii) Households and individuals who use leased land acquisition with annual rent payment or lump-sum rent payment but was exempted from rent will not be compensated for land but compensated equivalent to remaining values invested in such at 100% replacement cost .</p> <p>(iii) Valid organizations (economic organizations, public organizations in accordance with financial autonomy) using land for non-agricultural production and business with lump-sum rent payment (rent unused the state budget) with LURC or legalizable will be compensated “land for land” if local land fund is available, if not, will be compensated in cash at 100% of replacement cost.</p> <p>(iv) Valid organizations (economic organizations, public organizations in accordance with financial autonomy) using land for non-agricultural production and business with annual rent payment or lump-sum rent payment but was exempted from rent will not be compensated for land but compensated equivalent to remaining values invested in such at 100% replacement cost .</p> <p>Compensation for assets on the land acquisition,</p>	<p>will hand over the land within 20 days from the date District Compensation Board fully pays compensation for land.</p> <ul style="list-style-type: none"> ▪ If area of land acquisition is different between actual measured and recorded on Land Use Rights Certificate (LURC), land acquisition will be compensated according to actual measured area unless otherwise occupied.

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Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</p> <p>In addition to the compensation mentioned above, the project will provide allowances and rehabilitation assistance (please refer to section 3.3 of this matrix).</p>	
	1.2.2. Relocated APs	<i>Household/ individual/ organization with legal and/or legalizable, leased rights to use land</i>	<ul style="list-style-type: none"> ▪ Compensation and assistances as applicable for item 1.2.1 of this matrix, priority for compensation "land for land" if local land fund is available and PAP choice. ▪ In addition, they will receive allowances/assistances for production rehabilitation, interrupted work (please refer to section 3.3 of this matrix). 	<ul style="list-style-type: none"> ▪ The project will assist in finding alternative site with advantage about location and physical attributes similar to the land lost to access easy to customers; satisfactory to the PAP with priorities such as relocation of business to the location near highway/village street/canal near bridge or the bridge foot in order to maximize ability to generate profits and business opportunities where

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
				PAPs accept
1.3. Residential land loss	<p>1.3.1. Marginal loss</p> <ul style="list-style-type: none"> ▪ Loss of residential land without structures <p>Or</p> <ul style="list-style-type: none"> ▪ Loss of residential land with structures built thereon, where the remaining (non-acquired) land is adequate to rebuild the structure (reorganizing PAP) 	<p><i>1.3.1.1. Legal and/or legalizable land users</i></p>	<ul style="list-style-type: none"> (i) All compensation for loss of land will be made in cash at 100% replacement cost (ii) Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix. 	<ul style="list-style-type: none"> ▪ Affected persons/organizations to be notified at least 180 days before land recovery by the Project. ▪ The owner of land will hand over the land within 20 days from the date District Compensation Board fully pays compensation for land. ▪ If area of land acquisition is different between actual measured and recorded on Land Use Rights Certificate (LURC), land acquisition will be compensated according to actual measured area unless otherwise
		<p><i>1.3.1.2. Land users who have temporary land use right or leased rights to use land</i></p>	<ul style="list-style-type: none"> (i) PAP will not be compensated for land but will be compensated for assets on the land which they created at 100% replacement cost according to sections 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix 	
		<p><i>1.3.1.3. Land users who have no recognizable land use right</i></p>	<ul style="list-style-type: none"> (i) PAP will not be compensated for land. Financial assistance will be provided corresponding to the remained investment put on the land. The amount will be determined by Provincial People’s Committee. (ii) Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix. 	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
				occupied.
	1.3.2. Relocated APs	<i>1.3.2.1. Relocating PAPs with LURC, or legalizable</i>	<p>Relocating PAPs can opt to one of the followings:</p> <p>(i) Compensation “land for land”: PAP will be compensated land plot/apartment in the project’s resettlement site where invested fully infrastructure and allocation resettlement land plot/apartment land will be made according to the provisions of Provincial People’s Committee, dependence on local land fund. PAP will be provided with a certificate of land/ apartment use without paying any fees</p> <p>Or</p> <p>(ii) Compensation for loss of land in cash at 100% replacement cost.</p> <p>Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</p> <p>Resettlement assistance will be provided, including: Transportation allowance; House renting allowance; Support for self-relocation: Subsistence allowance... (please refer to item 3.2.1 of this entitlement matrix).</p>	<ul style="list-style-type: none"> ▪ Affected persons/organizations to be notified at least 180 days before land recovery by the Project. ▪ In case the compensation amount to be paid is more than the cost of land plot/apartment compensation in the project’s resettlement site, the difference amount will be paid in cash to AP. ▪ In case the compensation amount to be paid is less than the cost of a minimum land plot /apartment in the project’s

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Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
				<p>resettlement site, PAPs will be given the support needed to allow them to acquire the new land plot/apartment without paying any fee.</p> <ul style="list-style-type: none"> ▪ In the case of the remaining land is not large enough to rebuild house, but in the same plot of land for pond/ garden/ agricultural land, households may propose converting part uses pond/ garden/agricultural land into residential according to the provisions of the PPC to be able to rebuild house on site. ▪ The specific provisions on allocation of land / apartment

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
				resettlement will be set after consultation with DPs, the local government by DCRC and approved by PPC.
		<i>1.3.2.2. Land users who have temporary land use right or leased rights to use land</i>	<ul style="list-style-type: none"> (i) PAP will not be compensated for land but will be compensated for assets on the land which they created at 100% replacement cost according to sections 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix (ii) Compensation in cash for the remaining amount of leasing contract. (iii) Assistance in transportation allowance for the PAPs in accordance with section 3.2.2 of this entitlement matrix 	
		<i>1.3.2.3. Land users who have no recognizable land use right</i>	<ul style="list-style-type: none"> (i) PAP will not be compensated for land. Financial assistance will be determined by Provincial People’s Committee. (ii) Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix. (iii) If the PAP has no place to move, a land plot or an apartment satisfactory to them 	<ul style="list-style-type: none"> ▪ In case the relocated PAPs belong to poor or vulnerable groups or households, additional assistance (in cash and kind) will be provided to ensure that they are able to fully relocate

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			will be provided in the resettlement site and they can either pay in installment or rent it for living.	to a new site
1.4. Houses/structures	<p>1.4.1. Partial impact</p> <p>Unaffected portion of the house is still viable for use and could be remained from the technical viewpoints, therefore, require no relocation.</p>	<p><i>1.4.1.1. Owners of affected structures created before the cut-off date regardless of whether or not they have title to the affected land or permit to build the affected structure</i></p>	<p>(i) Compensation in cash for affected structures at 100% replacement cost. If house/structure is partially affected and the remaining structure is viable for continued use, the project will provide Repair Allowance (please refer item 3.2.1 of this entitlement matrix).</p> <p>(ii) Compensation and assistance will be paid in cash, without any depreciation of the structure and without deduction for salvageable materials.</p> <p>(iii) The compensation is calculated according to the actual area affected.</p>	
	<p>1.4.2. Full impact (including house is partially acquired by the project but no longer viable for continued use or the entire structure is acquired).</p>	<p><i>1.4.2.1. Owners of affected structures created before the cut-off date regardless of whether or not they have title to the affected land or permit to build the affected structure</i></p>	<p>Compensation and assistances as applicable for sub-item 1.4.1.1 of this matrix.</p>	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
		<i>1.4.2.2. Tenants of the state or organization's houses</i>	<ul style="list-style-type: none"> (i) Tenants of state owned or state organization's houses will be entitled to rent or buy a new apartment of the area at least equal to their affected ones; or provided assistance equal to 60% of replacement cost of the affected land and houses. Any investments such as structures, trees, crops etc. created before the cut-off date on the land by the PAPs will be compensated at their full replacement cost. (ii) The tenants who are leasing a private house for living purposes will be provided with transportation allowance for moving their assets. They will also be assisted in identifying alternative accommodation according to the provisions of Provincial People's Committee. 	
1.5. Grave and tombs	<i>Displaced graves or tombs</i>	Household and individual have to move the graves or tombs <i>created before the cut-off date</i> regardless of the legal status of the land	<ul style="list-style-type: none"> ▪ Compensation for the removal of graves/ tombs will include the cost of excavation, relocation, reburial and other related costs which are necessary to satisfy customary requirements. The compensation amount will be determined by Provincial People's Committee. ▪ Household and individual graves are considered physical cultural resources (PCR) and even though the costs associated with their 	<ul style="list-style-type: none"> ▪ Removal grave and tomb is implemented according to local custom, so DCRC should arrange compensation payment for AHs at relevant time. ▪ For ownerless

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			relocation will be covered in the resettlement plan, the WB OP 4.11 on Physical Cultural Resources should be triggered and relevant cross references should be made to the Environmental and Social Management Plan or Project Operation Manual.	affected graves, PMU will sign a contract with an independent unit for compensation and relocate them to new site.
1.6. Crops and Trees, livestock	<i>1.6.1. Loss of, or damage crops and/or trees</i>	Owners of affected crops and trees created before the cut-off date regardless of the legal status of the land	For annual and perennial standing crops, regardless of the legal status of the land, compensation will be paid to households who cultivate the land, according to full replacement cost will be paid to the affected persons who cultivate the land. For plants which have not been harvested yet but can be brought to another location, the transportation cost and the actual damage due to the transportation and re-planting must be compensated.	<ul style="list-style-type: none"> ▪ PAPs to be notified at least 90 days before land recovery by the Project. The crops which have been cultivated after cut-off date will not be entitled any allowances.
	<i>1.6.2. Loss of, or damage livestock (animals, fish,...)</i>	Owners of affected aquatic livestock created before the cut-off date regardless of the legal status of the land	For aquatic livestock which are not due to be harvested at the time of land recovery, the actual damage due to the early harvest will be compensated in cash at replacement cost at the time of land acquisition. In case the aquatic livestock can be brought to another location, the transportation cost and the damage caused by the transportation must be compensated.	<ul style="list-style-type: none"> ▪ PAPs to be notified at least 90 days before land recovery by the Project to arrange harvest them or stop breeding.

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
1.7. Other assets	Loss of, or damage to other assets <ul style="list-style-type: none"> Such as telephone system, water meter, electric meter, cable TV, internet access... 	Owners/ users affected assets created before the cut-off date regardless of the legal status of the land	In the case of the affected households is equipped with telephone system, water meter, electric meter, cable TV, internet access (subscription), well shall be compensated according to unit price of installing new units offer service announcement or relocation costs due to service providers regulations	
1.8. Public structures	Loss of, or damage to assets	Owners/ users affected assets created before the cut-off date regardless of the legal status of the land	<ul style="list-style-type: none"> In cases where community infrastructure such as schools, factories, water sources, roads, sewage systems, medical centers, distribution/transmission, communication and fiber cable are damaged and the community wishes to reuse them, the PPC, PMU will ensure that these are restored or repaired as the case may be, at no cost to the community. Public infrastructure directly related to people’s livelihoods and developmental needs, such as irrigation canals, school, clinic, etc. will be (i) compensated at replacement cost, as determined through consultation with the affected community; or (ii) restored/rebuilt with quality equal to or higher than the pre-project levels. 	<ul style="list-style-type: none"> For public structures directly related to people’s livelihoods and developmental needs will be carried out by the owners prior to the start of works.
II. Allowances and Rehabilitation Assistance				
2.1 For Impacts on	<i>Marginal loss</i>	Land users: i) have	<ul style="list-style-type: none"> <u>Allowance for Vocational Training, Job</u> 	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
Agricultural Land	<p><i>(<20% of land holding or <10% for vulnerable group)</i></p> <p>The remaining area of affected plot is still economically viable for use or meets the expected personal yield.</p>	<p>LURC or legalizable; and ii) contracted by the State and directly engaged in agricultural production</p>	<p><u>changing and Job Creation:</u> The maximum support will be 05 times of agricultural land price of the same kind in the local land price list for the whole acquired area but not exceeding the limit of local allocation. The level of specific support will be determined by Provincial People’s Committee.</p> <ul style="list-style-type: none"> ▪ <u>Allowance for production rehabilitation:</u> Households, individuals who are compensated by agricultural land will be, supported production rehabilitation, include: Support for plant varieties and animal breeds for agricultural production, services such as agricultural/forestry extension, plant protection, animal health, cultivation techniques, animal husbandry and professional techniques for manufacturing, business and commercial services. Form and level of specific support according to the provisions of Provincial People’s Committee. 	
	<p>Loss ≥20% or ≥10% for vulnerable groups</p>	<p>Land users: i) have LURC or legalizable; and ii) contracted by the State and directly engaged in agricultural production</p>	<p>Compensation and assistances as applicable for item 3.1.1 of this matrix.</p> <p>In addition, they also receive the following allowances:</p> <p><u>Subsistence allowance</u> (during transition period): in cash equal 30kg of rice per person per month, in particular:</p>	<ul style="list-style-type: none"> ▪ Price of rice is the market price at time of compensation ▪ PPC based on the actual situation will determine the level of support.

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>(i) PAPs losing 20 - 70% of their agricultural landholding (or 10 - 70% for the poor and vulnerable groups) will be provided with compensation of 6 months if they do not have to relocate, and 12 months in case of relocation. In some special cases, in extremely difficult areas, the compensation may be provided for a maximum of 24 months;</p> <p>(ii) PAPs losing more than 70% of their agricultural landholding will be assisted at the above rate for a period of 12 months if they do not have to relocate, and 24 months in case of relocation. In some special cases, in extremely difficult areas, the compensation may be provided up to a maximum of 36 months;</p> <p>(iii) Households affected by loss of less than 20% of land, where the remaining land is rendered unviable for continued use, will be assisted with the above support plus any additional support as determined, for a period of 12 months.</p>	
2.2 For Impacts on Residential Land	<p>Marginal impact</p> <ul style="list-style-type: none"> House/structure is partially affected, the remaining can 	<p>Owners of affected house/structure created before the cut-off date regardless of the</p>	<ul style="list-style-type: none"> Reparation Allowance: If house/structure is partially affected and the remaining structure is viable for continued use, the project will provide a repair allowance to enable PAPs to restore it to former or better conditions. The 	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
	still continue to use	legal status of the land	level of specific support will be determined by Provincial People’s Committee.	
	Relocated APs	Households relocated to another place or rebuilt in the remaining land.	<ul style="list-style-type: none"> ▪ <u>Transportation Allowance</u> to relocating PAP: For PAPs who move to new location will be financial assistance in cash. The amount will be determined by Provincial People’s Committee ▪ <u>House Renting Allowance</u> in cash will be provided to PAPs who may be forced to relocate from their original homes and are still awaiting the replacement land plots or apartments. The allowance amount will be determined by Provincial People’s Committee. ▪ <u>Support for self-relocation</u>: Relocated households which eligible for resettlement, but self-accommodation will be supported for investment in infrastructure for a minimum land plot /apartment in the project’s resettlement site. The specific level of support will be determined by Provincial People’s Committee. ▪ <u>Subsistence allowance</u>: PAP who is relocated or rebuilt house on the remaining land area will receive subsistence allowance in the transition period. The amount will be determined by Provincial People’s Committee. ▪ For households/individuals relocated by 	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			residential land acquisition that combines business: the project will be provided an allowance for vocational training and job creation according to the provisions of the PPCs for demographic in the working age.	
2.3 Loss of Income and/or business	Loss of Income and/or business because of interrupted production, business	Owners of affected production, business establishments, employees	<p><u>Allowance for production, business rehabilitation:</u></p> <p>(i) For businesses / households with business registration will be compensated or supported. The maximum compensation/support is 30% of after-tax income of 01 years based on their average annual of the last three years which declared the tax authorities;</p> <p>(ii) For households without business license but have made their tax obligations will be entitled to compensation equivalent to 50% of support level for businesses/households with business registration.</p> <p><u>Removal Support:</u> Organizations and PAPs that are allocated or leased land by the state or are lawfully using land and have to relocate their productive and/or business establishments are entitled to financial support for dismantling, relocating and re-installation of the establishment. Support levels will be determined by actual costs at the time of removal, based on</p>	<p>▪ After-tax income is determined based on financial statement audited or approved by tax authorities; in case it has not been audited or approved by the tax authorities, the determination of after-tax income will be based on after-tax income by the unit declared in financial reports which submitted to tax authorities.</p>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>self-declaration of the organizations and verification by the agency in charge of compensation. This will then be submitted to the relevant authorities for approval.</p> <p><u>Allowance for interrupted employment:</u> Employees who worker in affected production, business establishments with labor contract will receive allowance equivalent to the minimum salary as per the regulations to affected employees during the transition period which can be for a maximum of 6 months.</p>	
2.4 For public land	Land acquisition of public land funds of communes, wards or townships	Communes, wards and towns manage acquired land	For land acquisition of public land funds of communes, wards or townships: no compensation for land must be made but support will be provided. The maximum support is equal compensation for land and will be determined by Provincial People’s Committee.	<ul style="list-style-type: none"> Financial assistance will be included in the annual budget estimates of the CPC. It is used to invest construction of infrastructure projects, used for public interest purposes of communes, wards and townships as stipulated in Article 24 of Decree 47/2014/ND-CP.

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
2.5 Other Allowances/ Assurances	Allowance / Assistance targeted to Vulnerable Households	Affected vulnerable groups regardless level of impact	<ul style="list-style-type: none"> ▪ <u>For landless households</u>: assistance through provision of an apartment that PAP can either pay in installment to buy or rent it for living (depending on the choice of the PAPs). Additional assistance will be considered if necessary to ensure the affected people have inhabited. ▪ <u>Social Policy Relocated Households</u> that include heroic mothers, heroic armed force, heroic labor, war veterans, wounded or dead soldiers families will be provided with support as regulated by the (to be certified by local authority) ▪ <u>For poor households</u>: apart from received allowance as regulated for the affected ones, further allowance for vulnerable groups shall be also received as follows: <ul style="list-style-type: none"> a) Poor PAPs who have to relocate or lose more than 10% of their agricultural landholding, poor PAPs who lose less than 10% of their land but such land area is not enough to continue cultivation: will be assisted in cash equal to 30kg rice/person/month for a period of 24 months or in accordance with provincial policy; whichever is higher. b) Other poor PAPs: will be assisted in cash equal to 30kg rice/person/month for a period of 	<ul style="list-style-type: none"> ▪ The vulnerable groups were identified in the “Glossary” part.

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>6 months or in accordance with provincial policy; whichever is higher.</p> <ul style="list-style-type: none"> ▪ <u>Other vulnerable groups</u>: Female headed households with dependents, household with disabled persons, elderly without any source of support, poor households and ethnic minority households will get the same support given to poor households in accordance with the provincial policy or assisted in cash equal to 30 kg of rice per person per month for 6 months; whichever is higher. 	
	Incentive Bonus	PAPs move out of the affected areas on time	<u>Incentive Bonus</u> : All PAPs who vacate the affected land immediately after receiving compensation and allowances will be given an incentive allowance depending on capacity of each locality.	
	Additional allowances/supports (if necessary)		<ul style="list-style-type: none"> ▪ PAPs who will lose income sources will be entitled to take part in Income Restoration Programs. Rehabilitation measures like agricultural extension services, job training and creation, credit access and/or other measures as appropriate will be given to PAPs losing income sources to ensure their livelihood could be restored to the pre-project level. ▪ Apart from the assistances mentioned above, based on the actual situation, the Project may consider other assistances to secure life 	<ul style="list-style-type: none"> ▪ Income and Livelihood Restoration Programs will be designed in combination with current programs of the locality and with the assistance of livelihoods experts. ▪ The programs will

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			stabilization, culture, production and livelihoods of PAPs.	target the needs of both men and women.
III - TEMPORARY IMPACTS DURING CONSTRUCTION				
3.1 For temporary loss of land/assets on affected land	Temporary loss of land/assets on affected land	Owners/ users affected land and/or assets created where to be used as temporary construction plan	<ul style="list-style-type: none"> ▪ In case the project need temporary construction plan, the PMU rents the land of the owners complying with regulations stipulated by the Civil Law. 	
3.2 For impact arising from the construction	Damages caused by contractors to private or public structures	Owners/ users affected land and/or assets created on affected land	<ul style="list-style-type: none"> ▪ Damaged property will be restored to its former condition by contractors, immediately upon completion of civil works ▪ Under their contract terms and conditions, the contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages do occur, the contractor will be required to repair the damage and may also be required to pay compensation to the affected families, groups, communities, or government agencies at the same compensation rates that are applied to all other assets affected by the Project 	<ul style="list-style-type: none"> ▪ In case of impacts on livelihoods of PAPs, the contractors, construction units have to agree with the households on payment for disruption of business.
IV. OTHER IMPACTS				

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
4.1 Other impacts	Any other impacts that may be identified during implementation	Individuals, organizations in the project area	<ul style="list-style-type: none"> ▪ In case the Project causes restriction of access to resources or residents' establishments, such households will be received necessary additional compensation amount or allowances. ▪ Entitlements to compensation and other assistance could be provided in accordance with the compensation policy. ▪ Secondary impacts on production and business or PAPs isolated from access to resources temporarily have to be compensated and supported in accordance with OP4.12 of WB. 	

5. IMPLEMENTATION ARRANGEMENT

76. 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.

77. Regarding the RPF of the project, Binh Dinh is authorized as a Line Agency to take responsibility for submitting the RPF to the Prime Minister/Ministry of Planning and Investment and concerned agencies for review and approval as a basis for the project provinces to carry out the site clearance.

78. 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 RAPs will form the legal basis for the implementation of compensation and resettlement activities in the Vietnam Emergency Flood Disaster Reconstruction Project (EFDR).

5.1. Responsibility of Project Stakeholders

5.1.1. Provincial Level

79. Provincial People's Committees (PPC) in each involved province are responsible for compensation, site clearance and resettlement. The PPCs will take overall responsibility as follows:

- (i) Approve the Resettlement Action Plan;
- (ii) Inform or authorize DPCs to announce about land acquisition when the sub-project location is selected;
- (iii) Appraise and approve RAPs of their respective sub-projects after the final drafts are approved by the Bank;
- (iv) Approve the land acquisition and allocation in the Project;
- (v) Make final decision and release unit prices for the compensation and assistance levels, and support policies for affected persons and vulnerable groups based on this Policy Resettlement Framework and the approved RAPs;
- (vi) Direct the coordination among the concerned agencies and the provincial departments to implement the compensation, assistance and resettlement in accordance with the approved RPs;
- (vii) Provide full budget for the resettlement activities;
- (viii) Ensure that the resettlement activities of the sub-project are in accordance with the Policy Framework and the approved RPs. Ensure that the objectives of the RAP must be made after the deficiencies discovered through internal/ independent monitoring in the implementation of RAP.
- (ix) Consider resettlement location for the affected people if required.

5.1.2. Project Management Unit

80. The Project Management Unit (PMU) is a permanent agency responsible for the implementation of resettlement plan of the project. Their responsibilities are:

- (i) On behalf of the Project Owner or the city, implement and monitor all resettlement activities within the project, under the management of the PPC or the city PC. (If they

- are not capacity enough, they can contract to perform a number of works for compensation, site clearance and resettlement);
- (ii) To prepare plan, coordinate and monitor the RAP in general;
 - (iii) To update and/or prepare RAPs in accordance with the approved Resettlement Plan and Policy Framework and submit them to the Provincial/city PCs and WB for approval before deploying these approved RAPs;
 - (iv) To guide all RAP activities of the city and wards/communes, following the policies and guidelines of the Project Resettlement Plan;
 - (v) To establish model procedures/processes regarding information campaigns and the relevant consultation organizations such as sending monthly letters to the communities on the Project activities. To coordinate with other components and other agencies involved in the RAP, implement and monitor the resettlement;
 - (vi) To check and advise the PPC on the compensation prices of land and other properties, in coordination with other related government departments, agencies of the province, based on the principles of this Resettlement Policy Framework;
 - (vii) To coordinate, supervise, and monitor the implementation of the RP activities in the province;
 - (viii) To advise the city People's Committee, District Compensation and Resettlement Committee (DCRC) for the establishment of a professional group to help in site clearance and resettlement, carry the measurement and inventory, complete of compensation plans, preparation of compensation summaries, and setting up the compensation and resettlement plans to submit the city Resettlement Council for approval. This professional group is directly under the instruction and monitoring of PMU and the DCRCs.
 - (ix) Preparation and construction of resettlement sites and procedures for land allocation for relocated households; management of resettlement sites to serve the resettlement for households and individual being relocated within the project.
 - (x) To establish a contact mechanism to ensure that the technical assistance and logistics are suitable for the implementation of compensation and resettlement;
 - (xi) To set up database criteria on affected persons for each component as well as for entire Project;
 - (xii) To establish procedures for internal monitoring to supervise the compliance with the project policies;
 - (xiii) To establish procedures for monitoring coordination between contractors and local communities and ensure quick identification and compensation for impacts on public and private properties during the construction;
 - (xiv) To employ, monitor, and implement the recommendations of the independent monitoring agencies;
 - (xv) To set procedures for quickly implementing necessary measures of adjustments and resolving complaints;
 - (xvi) To coordinate with concerned agencies to provide employment related to the Project for affected people (consult with the contractors on career opportunities for the locals and provide information for affected persons with opportunities and how to achieve such opportunities);

- (xvii) To take over land acquisition from households and transfer to contraction units;
- (xviii) To cooperate closely with the independent monitoring agencies; and
- (xix) To report periodically the resettlement activities to the WB.

5.1.3. City/District Level

81. City/District People’s Committees (DPCs) are responsible for:
- (i) Notification land acquisition if authorized by PPC;
 - (ii) Approving compensation plans prepared by DCRCs and submitting the PPC for endorsement;
 - (iii) Issuing decisions on land acquisition from individuals and households;
 - (iv) Settling complaints and grievances of the PAPs within jurisdiction.
82. City/District’s Compensation and Resettlement Committees/Councils (DCRCs) shall take responsibility for implementation of compensation and site clearance for works located in their respective districts, including:
- (i) Plan and implement all daily RP activities within the city/district;
 - (ii) Responsible for DMS, completion of compensation plans, review of the compensation plans to submit the PCs of provinces or cities (if authorized) for approval and coordinate with the PMU to pay compensation directly to each affected persons after receiving compensation fund;
 - (iii) Preparation of land and procedures for resettlement of relocated households
 - (iv) Responsible for coordinating with relevant units for conciliation and resolving complaints by project affected people on compensation policy and compensation rights;
 - (v) Establish, if necessary, the commune/ward CRCs and direct them in implementing the RAP activities;
 - (vi) Take special care to the needs and aspirations of the particular groups of people (ethnic minorities) and the vulnerable people (children, the elderly, the householders who are female/single);
 - (vii) Cooperate closely with the independent monitoring agencies.

5.1.4. Ward/ Commune Level

83. Ward/ Commune People’s Committees (CPCs) will be responsible for the following:
- (i) Establish ward-level working group and manage their functions, officer assignment for ward/commune staffs to assist DCRCs and the PMU preparing DMS for the project, documents for land acquisition, resettlement action plan and implementation of resettlement activities;
 - (ii) Certify the origin of land use of organizations, agencies, units and individuals, households affected by the project.
 - (iii) Support other units, organizations such as the PMU for information dissemination and organization of community meetings and counseling affected persons’ comments;
 - (iv) Support other organizations and units, including the PMU, in the demographic survey, cost/replacement price survey, detail measurement and inventory survey, and other resettlement activities;

- (v) Participate in all activities of land acquisition and allocation, resettlement, recovery support, and social development support;
- (vi) Support affected persons in all RAP activities and living standard restoration.
- (vii) Notify APs the compensation schedule and monitoring the compensation implementation and sign on contracts of compensation with APs;
- (viii) Ensure the adequate implementation of mechanisms of resolving complaints to affected persons. Take notes all complaints and keep records of document on complaints. Support and advice affected persons to quickly resolve complaints.

5.1.5. Project Displaced Persons (DPs)

84. The DPs are responsible for:

- (i) Coordinating with survey teams in carefully checking and signing off their affected lands and other assets as well as their entitlements;
- (ii) Participating in all phases of the RAP preparation and implementation and give feedback for improving quality of the RAP and solutions for implementing the RAP smoothly; and
- (iii) Moving to new sites in a timely manner after receiving full entitlements.

5.2. Preparation and Approval procedures for a Resettlement Action Plan (RAP)

5.2.1 Preparation for a Resettlement Action Plan (RAP)

85. Where a RAP is required during project implementation, it will be prepared by PMU in compliance with the requirements of this RPF, and in consultation with PPC and relevant departments, District PC(s). The following section presents typical elements that would be required for a RAP, and steps in RAP preparation:

5.2.1.1 Contents of Resettlement Action Plan (RAP)

86. Depending on the scope of land acquisition impacts, a full RAP or an abbreviated RAP could be prepared:

- (i) Where impacts on the entire affected population are minor⁵, or fewer than 200 people are affected, an abbreviated resettlement action plan will be applied;
- (ii) Where impacts on the entire affected population are significant⁶, or equal to or higher than 200 people are affected, a full resettlement action plan will be applied.

87. The required minimum contents of the resettlement action plan are indicated in the below table:

⁵ Minor impact: as defined under the OP 4.12, where the affected people are not physically affected and less than 10% (for this project: 20% applied for non-vulnerable groups, and 10% for vulnerable groups and poor affected households) of their productive assets are lost or fewer than 200 people are affected

⁶ Significant impact: as defined under the OP 4.12, where the investment may result in displacement of equal to or higher than 200 people are affected or more than 10% (for this project: ≥20% applied for non-vulnerable groups, and ≥10% for vulnerable groups and poor affected households) of their productive assets are lost.

Table 5: Indicative Contents of Full and Abbreviated Resettlement Plans

Full RAP	Abbreviated RAP
<ul style="list-style-type: none"> • Project description • Potential resettlement impact • Objectives • Socio-economic studies • Legal framework • Eligibility • Compensation entitlements • Valuation and compensation for affected assets • Selection, preparation of resettlement sites and relocation activities • Rehabilitation measures • Roles and responsibilities of concerned organizations • Community participation • Cost Estimation • Grievance procedures • Implementation schedule • Monitoring and Evaluation 	<ul style="list-style-type: none"> • A census and detailed measurement survey • Description of compensation mechanisms and assistance policies applied for the project • Consultation • Responsibilities of implementing organizations • Implementation schedule and monitoring arrangement • Budget • If some significant impacts occur, a Socio-Economic survey and income restoration measures are also included.

5.2.1.2. Preparation of RAP

88. The preparation of RAP involves community participation, and a multi-dimensional analysis, including a social assessment. In the stage of RAP preparation, the following steps may be followed:

Step 1: Based on the preliminary subproject design, the subproject will be identified as having one of the following resettlement impacts⁷: (i) no resettlement impact, (ii) insignificant resettlement impact, and (iii) significant resettlement impact. Both (ii) and (iii) require preparation of a resettlement plan.

Step 2: Further refine the subproject physical design by consulting with potential DPs and engineers to avoid resettlement impacts as much as possible. For example, a realignment and adjustment of direction of sewers, drainage channels and giving priorities to walk sides, ROW... may reduce the level of resettlement impact on affected persons.

Step 3: For subprojects falling under categories (ii) and (iii) above, a social assessment will be carried out. Social assessment includes census survey for affected households. This include collection of socio-economic data of DPs, measurement of type, and level of loss. The census survey (or the DMS) establishes the cut-off date for the eligibility of entitlement, and is carried out in the attendance of relevant local authorities. The following type of data needs to be collected.

- (i) Data about DPs, total number of DPs:
 - + Demographic, education, income, and occupational profiles
 - + Inventory of all property and assets affected

⁷ The term “resettlement impacts” includes the loss of crops and incomes, in addition to physical relocation. While resettlement should be avoided, in cases where it cannot be, the entitlement policy outlined in this RPF will apply.

- + Socio-economic production systems and use of natural resources
 - + Inventory of common property resources, if any
 - + Economic activities of all displaced person, including vulnerable groups
 - + Social networks and social organization
 - + Cultural systems and sites
- (ii) Data on land and the area:
- + Map of the area and villages affected by land acquisition
 - + Total land area acquired for the Project
 - + Land type and land use
 - + Ownership, tenure, and land use patterns
 - + Land acquisition procedures and compensation
 - + Existing civil facilities and infrastructures
- Step 4. In parallel with the family surveys, affected households consultation will continue to determined their specific expectations and demand. This result of consultation should be included in the RAP. Survey on market prices of land, crops and assets from every government of city, district, ward/ commune as well as in the market will make foundation for RAP cost estimation.
- Step 5. RP preparation. The entitlements summarized in the Entitlement Matrix (Appendix 2) will be used for each sub-project.
- Step 6. Once the draft RAP is acceptable to the Bank, disclose the RAP at public meetings for the project to consult with potentially affected households, and the community in general.

5.2.2 Appraisal and Approval of RAP

89. A RAP prepared for the project must be in accordance with this RPF. Once the RAP document is finalized, it should be sent to the World Bank for review and No Objection. After that, PPC will be responsible for approval of the RAP and all resettlement-related issues prior to signing Loan Agreement, to enable RAP implementation.

90. The WB shall not approve any civil works contracts for any project's sections to be financed from the loan unless the compensation payment and provision of rehabilitation measures in the respective sections have been satisfactorily completed, in accordance with the project's RPF.

5.3. Replacement Cost Survey

91. As required by the World Bank's OP 4.12 on Involuntary Resettlement, Replacement Costs Survey (RCS) will need to be done to establish basis for calculation of replacement costs for all the lands/crops/structures/assets that will be affected by the Project. An independent price appraisal consultant is specialized in assessing costs of land/assets/structures to be affected under the Project, will be engaged by PMU to conduct replacement costs survey.

92. DPC and DCRC will ensure compensation payment proposed to affected households is at the replacement costs (for land and structures), and at market prices (for crops/trees and aquatic livestock). Replacement costs survey will be conducted in the participatory manner with relevant stakeholders.

5.4. Implementation of RAP

93. The detail resettlement implementation plan of each sub-project will be shown in the RAPs. This plan will provide a timetable based on the construction schedule.

94. Procedures of compensation, assistance and resettlement must comply with regulations and procedures stipulated in Decree 47/2014/ND-CP of the Government and regulations in the RPF. Specific steps and procedures are as follows:

- (i) Basing on detailed technical design of works, the design consultants and PMUs hand over benchmarks of site clearance to DCRC to determine AHs and carry out DMS of affected assets.
- (ii) Holding meetings with AHs to disseminate information and compensation policies, including the project objectives and benefits, positive and negative impacts of the project, mitigation measures, methods used to evaluate prices of affected assets, amounts for compensation, allowances and restoration, and grievance redress mechanism.
- (iii) The baseline survey undertakes surveys of affected HHs and inventories their affected assets to collect information on PAPs, identifying quantities of affected assets, entitlements to compensation, resettlement and restoration allowances for PAPs. Consulting PAPs about mitigation measures for the project impacts and assistance measures for livelihood restoration.
- (iv) Conduct a socio-economic survey for full RAPs and limited surveys to assess impacts for Abbreviated RAPs.
- (v) Carrying out replacement cost survey.
- (vi) Preparing compensation plans, announcing compensation plans in public to obtain PAPs' comments, finalizing compensation plans and submitting to DPCs for approval.
- (vii) Paying compensation and restoration allowances.
- (viii) Implementing resettlement (if any), with delivery of compensation before handing over sites for construction.
- (ix) Internal and external monitoring activities will be implemented during the whole process of compensation and resettlement implementation to ensure that the implementation of compensation and resettlement complies with the RPF.

95. Co-operation between resettlement implementation and civil works. In sub-projects where land acquisition is required, implementation of compensation and resettlement needs to be in line with construction schedules of each sub-project component. Therefore, an implementation time frame for compensation and resettlement integrated with construction schedules should be established and monitored closely to ensure that all APs are provided with compensation satisfactorily before any construction activities commences. Compensation payment and resettlement for PAPs must be completed as one condition for land acquisition and prior to construction commencement. The WB will not approve any civil works contracts when compensation payment for PAPs has not been made satisfactorily.

96. If land acquisition for sub-projects causes relocation of AHs, consultation needs to be made with affected people about various relocation options, such as receiving cash and self-relocation or relocation at resettlement sites. In the former case, Resettlement Committees and local authorities need to assist the affected people in finding new living places. In the latter case, the DPC need to develop resettlement sites with full development conditions for PAPs. Relocation of PAPs to resettlement sites is only carried out after infrastructure of resettlement sites is completely constructed and ensures proper living conditions.

97. To implement resettlement activities in line with construction schedules and ensure that no PAPs have to relocate before compensation payment and commencement of construction activities, the PMU needs to develop a project implementation plan, including specific milestones:

- (i) Dates of commencement and completion of civil works,
- (ii) Tables of time indicating hand-over of completed resettlement sites to APs (handing over dates must be at least one month before construction commencement),
- (iii) Dates of handing over land to the project by the PAPs (so that the PAPs can prepare plans on dismantling their houses and handing over land at the required time to receive bonus for timely relocation).

98. The payment of compensation, assistance and resettlement to the affected HHs (in cash or land for land) must be completed before awarding contract of construction.

6. PUBLIC CONSULTATION AND INFORMATION DISCLOSURE

6.1. Objectives of Public Consultation and Information Disclosure

99. Disseminating information to people affected by the project and the involved agencies is an important part in the work of project preparation and implementation. The consultation with affected persons ensures their active participation and will reduce the potential conflict and risk of slowing the project. This allows the project to design a resettlement and rehabilitation program as a general development program, in accordance with the needs and priorities of affected people and therefore, maximizes economic and social efficiency of investment. Objectives of the information disclosure and public consultation program include:

- To ensure that local competent authorities as well as representatives of affected persons will be involved in the planning and making decision. The PPMUs will work closely with the district/commune PCs during the sub-project implementation. The participation of affected persons in implementation stage will be continued by requesting each district/commune to invite representatives of affected persons to play as members of the Council/Board of Compensation and Resettlement of the district and participate in resettlement activities (property evaluation, compensation and resettlement and monitoring).
- To share fully information about planned work items and activities of the sub-project with the affected people
- To obtain information on needs and priorities of affected persons as well as receive their response information on planned policies and activities
- To ensure that affected persons can be informed fully the decisions which directly affect their income and living standard and they have the opportunity to participate in the activities and make decisions about issues directly affecting them
- To gain the cooperation and participation of affected persons and communities in the activities, which are necessary for planning and implementing the resettlement
- To ensure the transparency in all activities related to land acquisition, compensation, resettlement and restoration.

6.2. Community Consultation during Project's Preparation Stage

100. During project's preparation stage, public information and consultation aims to gather information for assessing project resettlement impacts and clarify recommendations on possible alternative technical options. This will reduce and/or mitigate potential negative resettlement

impacts on local population and to proactively address issues or problems that may emerge during the implementation.

101. The methods of the project information disclosure and public consultation may include participatory rapid appraisals and stakeholder consultations, using techniques of site and household visits, public meetings, group and focus group discussions and the household socio-economic survey.

102. At the early stage of the project preparation, local authorities and leaders of different administrative levels in each of the subproject province were informed about the project proposal, its objectives and proposed activities. They were intensively consulted and actively participated in discussions on their development needs and priorities, about their perception toward project objectives. PAPs will be consulted on project potential impacts and possible measures to reduce potential negative impacts, and improve benefits for local people.

103. The local authority is consulted on their agreement and commitments to follow the project resettlement policy described in the RPF, reflecting both the Government and WB resettlement objectives and principles.

104. Consultations during the preparation of the Resettlement Policy Framework: From March 09, 2017 to March 22, 2017, the Project has conducted field survey and hold consultation meetings of Departments/Sectors/Agencies and affected households in all 5 provinces of Ha Tinh, Binh Dinh, Ninh Thuan, Phu Yen and Quang Ngai. The participants included: Representatives of DONRE; Department of Finance; Department of Construction, Department of Agriculture and Rural Development; Department of Labour, Invalids and Social Affairs; Women's Unions; District People's Committees, Commune People's Committees, etc. Their comments are basically that they agree with the social safeguard policies of the donor and desire the project to be early implemented to timely rehabilitation of disaster prevention works in 2017.

105. After the project is approved, mass media, including local TV programs and newspapers will disseminate project information (e.g. objectives, components, and proposed investments), especially to those living in the project areas.

Table 6: Summary of consultation results

Province	Date	Comments	Stakeholder
QUANG NGAI	March 20, 2017	Add Decree No 01/2017/NĐ-CP dated 06/01/2017	Quang Ngai PPC
		Compensation for land co-owned by hhs	
		Cost for vocational training should be added in compensation plan and in case the Project does not organize courses for vocational training, AHs will be entitled to receive allowance in cash.	
		Compensation rate will be calculated under Decree No 44/ ND- CP dated 15/5/2014.	
		Percentage paid for compensation implementation agency will be based on Decree No 47/2014/NĐ- CP dated 15/5/2014	
PHU YEN	March 17, 2017	Comments are similar with comment of	Phu Yen PPC

Province	Date	Comments	Stakeholder
		Quang Ngai PPC	
	March 13, 2017	Cost for vocational training should be added in compensation plan and in case the Project does not organize courses of vocational training, AHs will be entitled to receive allowances in cash.	Dong Xuan DPC
	March 16, 2017	Add Decree No 01/2017/NĐ- CP dated 06/01/2017 and Circular 74/2015/TT-BTC dated 15/5/2015	DONRE of Phu Yen
		Add Item 74, Land Law 2013	DOF of Phu Yen
NINH THUAN	March 21, 2017	Add Decree No 01/2017/NĐ- CP dated 06/01/2017 and Circular 74/2015/TT-BTC dated 15/5/2015	Ninh Thuan PPC
BINH DINH	March 21, 2017	Agree with RPF (draft version)	Binh Dinh PPC
HA TINH	March 22, 2017	Agree with RPF (draft version)	

6.3. Consultation during Project's Implementation stage

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

- (i) Providing information to relevant agencies at all levels throughout training workshops. Provide detail information on the project policies and implementation procedures.
- (ii) Organizing information dissemination and consultation to all affected persons during the project implementation.
- (iii) The DCRC carries out DMS, updates the compensation rates in the updated RAP and reconfirms the scale of land acquisition and impacts on properties based on the results, consultation to affected persons, develop and complete the compensation plan for each affected household.
- (iv) The compensation plan finalizes affected assets and compensation entitlements of households, which must be signed by affected persons to demonstrate their concurrence with the evaluated results. Any questions of affected persons on the content of the compensation plan must be recorded at this time.
- (v) A letter/questionnaire about resettlement options will be given to all PAPs entitled to relocation (a) to inform them about resettlement options (a clear explanation of the consequences of choosing each option will be given), (b) to request that PAPs confirm their choice of resettlement option and their preliminary confirmation of resettlement site location, and (c) to propose the PAPs to clarify services that they are using such as education/health/market and distance of access to those services to ensure development of the future infrastructure services.
- (vi) Consulting affected people about their desires for the rehabilitation plan. This will be applied for severely affected and vulnerable people. The DCRC will notify

affected persons the plan and their entitlement to receive technical assistance before requesting them to make clear their desire on the rehabilitation support.

107. **Public Consultation:** Before starting updating the RP according to the detail design, the PMU/DCRC will organize community meetings at each affected commune to provide the PAPs with additional information and give them an opportunity to participate in the open discussions on resettlement policy and procedures. Invitations will be conveyed to all affected persons before the meeting is held in such place. The purpose of this meeting is to clarify the information updated at the meeting time and create opportunities for affected people to discuss the concerned issues and clarify information. In addition to notification letters addressed to affected people, other measures of information dissemination to them and the public in general like posters in prominent places in the headquarter of communes/districts where the affected people are living by means of local radio and newspapers. Both men and women of affected households as well as community members who are interested in the Project are encouraged to participate. In the meeting, there will be explanations about the Project, rights and entitlements of households, and the meeting will be an opportunity to raise related questions. Similar meetings will be organized periodically throughout the project cycle. The consulting organization must be established record of certified CPC committee representing Vietnam Fatherland Front and communal representatives who have acquired land.

Public Meetings

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

109. Relevant information will be given to the PAP at the meetings (verbally, graphically, and/or on printed leaflets). Leaflets will be available at city and district/commune offices throughout the project area. The meetings are proposed to be implemented according to the following format:

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

The following information will be given to PAPs:

- (i) **Project components and sub-projects.** This includes the places where they can obtain more detailed information about the Project.
- (ii) **Project impacts.** Impacts on the people living and working in the affected areas of the project, including explanations about the need for land acquisition for each project.
- (iii) **PAPs rights and entitlements.** These will be defined for PAPs. A cut-off date will be announced to establish eligibility. The rights and entitlements for different impact on PAPs, including the entitlements for those losing businesses, jobs and income will be explained. Available options include for land-for-land and cash compensation, options regarding reorganizing and individual resettlement, provisions and entitlements to be provided for each PAP, entitlement to rehabilitation assistance and opportunities for project-related employment will all be discussed and explained.
- (iv) **Grievance redress mechanism.** PAPs will be informed that the project policies and procedures are designed to ensure their pre-project living standards are restored. PAPs will also be informed that if there is any confusion or misunderstanding about any aspect of the Project, the resettlement committee can help resolve problems. If they have complaints about any aspect of the land acquisition, compensation, resettlement, and rehabilitation process, including the compensation rates being offered for their losses, they have the right to make complaints and to have their complaints heard. PAPs will receive an explanation about how to access grievance redress procedures. They will be given information with details of which office to contact and local contact points for grievance redress.
- (v) **Right to participate and be consulted.** The PAPs will be informed about their right to participate in the planning and implementation of the resettlement process. The PAPs will be represented in District's resettlement committees, and the representative for the PAP will be present whenever commune/district/provincial committees meet so that their participation in all aspects of the project is assured.
- (vi) **Resettlement activities.** PAPs will be given an explanation regarding compensation calculations and compensation payments; monitoring procedures which will include interviews with a sample of PAPs; relocation to an individual location/self-relocation; and preliminary information about physical works procedures.
- (vii) **Organizational responsibilities.** PAPs will be informed about the organizations and levels of Government involved in resettlement and the responsibilities of each, as well as the names and positions of the government officials with phone numbers, office locations, and office hours if available.
- (viii) **Implementation schedule.** PAPs will receive the proposed schedule for the main resettlement activities and informed that physical works will start only after the completion of all resettlement activities and clearance. It will be clarified that they will be expected to move only after receiving full payment of compensation for their lost assets. Implementation schedules and charts will be provided to resettlement committees at all levels.

110. Project Leaflet. A Project Leaflet providing project information will be prepared and handed out to the PAPs in the project preparation and implementation stages to ensure that the people are well aware of the project benefits. The project leaflet will provide detail of the compensation and assistance policies mentioned in this RPF so as to propose social

impact mitigation measures in case of land acquisition and site clearance by the sub-project. A sample of the leaflet is presented in Appendix 4.

6.4. Information Disclosure

111. As per Bank’s requirement (OP 4.12, paragraph 29), the RPF will be disclosed in Vietnamese at the local level, particularly at the office of PPMUs, District PCs, Ward/Commune PCs and the World Bank’s external website before and after it is approved by the Government of Vietnam. The English version of this RPF will be also disclosed at the World Bank internal and external website prior to project negotiation.

112. The first draft Vietnamese version of the RPF was disclosed on website of Binh Dinh and Ha Tinh provinces on 22/3/2017 and the final draft was disclosed on 27/3/2017. The English version was disclosed at the World Bank external website on April 2017.

7. GRIEVANCE AND REDRESS MECHANISMS

113. In order to ensure that all PAPs’ 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 PAPs to air their grievances, a well-defined grievance redress mechanism needs to be established. All PAPs can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition and grievance redress. PAPs are not required to pay any fee during any of the procedures associated with seeking grievance redress including if resolution requires legal action to be undertaken in a court of law. This cost is included in the budget for implementation of RAPs.

114. Grievances should be redressed as below:

First Stage, Commune/Ward People’s Committee (C/WPC). An aggrieved affected household may bring his/her complaint to any member of the CPC, either through the Village Chief or directly to the CPC, in writing or verbally. It is incumbent upon said member of CPC or the village chief to notify the CPC about the complaint. The CPC will meet personally with the aggrieved affected household and will have 5 days following the lodging of the complaint to resolve it (in remote or mountainous areas, the complaint can be resolved within 15 days). The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles.

Upon issuance of decision of CPC, the household can make an appeal within 30 days. If the second decision has been issued and the household is still not satisfied with the decision, the household can elevate his/her complaint to the DPC.

Second Stage, City/District People’s Committee (DPC). Upon receipt of complaint from the households, the DPC will have 15 days (or 30 days for remote or mountainous households) following the lodging of the complaint to resolve the case. The DPC is responsible for documenting and keeping file of all complaints that it handles

Upon issuance of decision of DPC, the household can make an appeal within 30 days. If the second decision has been issued and the household is still not satisfied with the decision, the household can elevate his/her complaint to the provincial governmental authority

Third Stage, Provincial People’s Committee (PPC). Upon receipt of complaint from the household, the PPC will have 30 days (or 45 days if it is in remote or mountainous areas) following the lodging of the complaint to resolve the case.

The PPC is responsible for documenting and keeping file of all complaints that have been submitted to it.

Upon issuance of decision of the PPC, the household can make an appeal within 45 days. If the second decision has been issued and the household is still not satisfied with the decision, the household can elevate his/her complaint to the court within 45 days. The PPC will then deposit the compensation payment in an escrow account.

Final Stage, *Court of Law.* Should the complainant file his/her case to the court and the court rule in favor of the complainant, then Provincial government will have to increase the compensation at a level to be decided by the court. In case the court will rule in favor of the Provincial People's Committee, then the amount deposited with the court is what the complainant will receive. In fact, according to the Complaint Law, the complainant can bring his/her case to court at any step if they wish

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

116. In order to minimize complaints to the provincial level, PMU will cooperate with the DCRC to participate in and consult on settling complaints;

117. Personnel: The Environmental and Resettlement staff assigned by PMU will formulate and maintain a database of the PAPs' 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.

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

119. 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.

120. 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.

121. 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.

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

8. COST ESTIMATION AND BUDGET

8.1. Cost estimation

123. Cost estimation for RAP implementation includes:

- a. Cost for the compensation, assistance and resettlement: includes the items which were described in the entitlement matrix.
- b. Cost for management of compensation, assistance and resettlement included detailed measurement survey, land acquisition documentation, and independent land appraiser. Cost of management to implement site clearance is estimated as at 2% in maximum of total cost of compensation and rehabilitation.

124. Estimated cost for RAP implementation of the project is US\$ 4,165 mil (exchange rate: VND 22,600 = US\$1).

Table 7: Estimated cost of RP implementation

Unit: VND

No	Contents	Estimated cost (VND)	Estimated cost (USD)
			Exchange rate: VND 22,600 = US\$1
I	Cost for the compensation, assistance and resettlement		
1	Ha Tinh	7,000,000,000	309,735
2	Quang Ngai	20,000,000,000	884,956
3	Binh Dinh	44,000,000,000	1,946,655
4	Phu Yen	8,000,000,000	353,982
5	Ninh Thuan	13,300,000,000	588,496
	Subtotals (1)	92,300,000,000	4,08,070
II	Cost for management (=2%*I)	1,846,000,000	81,681
	TOTAL	94,146,000,000	4,165,752

(Source: PPMUs, March, 2017)

8.2. Budget

125. In order to prepare the budget for the project costs, it is necessary to make preliminary cost estimation to ensure the PAP's livelihood restoration. Cost for RAP of each sub-project will be calculated based on updated compensation unit prices and cost for organization of compensation, assistance and resettlement according to the RPF. The project's land valuation will be at replacement cost, and which will follow an independent land appraiser recommendations. These unit prices must reflect market replacement costs of all affected assets at the time of RAP implementation.

126. Budget for compensation, resettlement and assistances and independent land appraiser for the subprojects will be taken from the project counterpart fund. Training cost for RAP implementation and independent monitoring will come from IDA fund.

9. MONITORING AND EVALUATION

9.1. Purpose

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

128. Monitoring includes 2 following purposes:

- (i) Verify whether the project activities are completed efficiently or not, including quantity, quality and time.

- (ii) Assess whether these activities reach the objectives and purpose of the Project or not, and if not how much do they reach.

129. The implementation agency (PMU) as well as the independent monitoring agencies which are contracted with the PMU shall monitor and supervise the RP implementation regularly.

9.2. Internal Monitoring

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

131. Internal monitoring aims to:

- (i) Ensure that compensation payment for affected households for the different types of damage are implemented according to the compensation policy agreed in the RPF and RAP.
- (ii) Ensure that resettlement activities are implemented according to the compensation policy agreed in the RPF and RAP.
- (iii) Determine whether the conversion process, income restoration measures and resettlement assistance are provided on time or not.
- (iv) Evaluate whether the income restoration supports have been provided or not yet and propose corrective measures if targets of income restoration for households are not achieved.
- (v) Disseminate public information and consultation procedures.
- (vi) Determine whether the complaint procedures have been followed or not and there is any outstanding issue need the attention by the management level or not.
- (vii) Prioritize for interests and needs of affected people, especially poor and vulnerable households.
- (viii) Ensure transition between relocation, clearance and start of construction of civil works proceeds smoothly and that construction area will not be handed over until affected households have been compensated, supported and resettled satisfactorily.

132. The implementation agencies will collect information every month from the different resettlement committees. A database tracking the resettlement implementation of the Project will be maintained and updated monthly.

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

- (i) Number of affected persons according to types of effect and project component and the status of compensation, relocation and income recovery for each item.
- (ii) The distributed costs for the activities or for compensation payment and disbursed cost for each activity.
- (iii) List of outstanding Complaints
- (iv) Final results on solving complaints and any outstanding issues that demand management agencies at all levels to solve.
- (v) Arisen issues in the implementation process.
- (vi) Updated actual schedule of resettlement activities.

9.3. Independent Monitoring

134. Objectives. The general objectives of independent monitoring are to periodically supply independent monitoring and assessing results on the implementation of the resettlement objectives, on the changes of living standard and jobs, DPs income and social foundation restoration, effectiveness, impacts and sustainability of APs' entitlements, and on the necessity of mitigation measures (if any) in an attempt to bring about strategic lessons for making policy and planning in the future.

135. Responsible Agencies. In accordance with the World Bank requirements for consultant employment, PMU will hire an organization for the independent monitoring and evaluation of RPs implementation. This organization is called the Independent Monitoring Agency (IMA) which has expertise in social science and experience in independent monitoring of RP. The IMA should start their work as soon as the project implementation commences.

136. Monitoring and Evaluation Objectives. The following indicators will be monitored and evaluated by the IMA, including but not limited to:

- (i) Payment of compensation will be as follows: a) full payment to be made to all affected persons sufficiently before land acquisition; (b) adequacy of payment to replace affected assets.
- (ii) Provision of assistance for DPs who have to rebuild their houses on their remaining land, or building their houses in new places as arranged by the project, or on newly assigned plots.
- (iii) Income and livelihood restoration allowances.
- (iv) Community consultation and public dissemination of compensation policy: (a) DPs should be fully informed and consulted about land acquisition, leasing and relocation activities; (b) the IMA should attend at least one community consultation meeting to monitor community consultation procedures, problems and issues that arise during the meetings, and propose solutions; (c) public awareness of the compensation policy and entitlements will be assessed among the PAPs; and (d) assessment of awareness of various options available to DPs as provided for in the RAPs.
- (v) Affected persons should be monitored regarding restoration of productive activities.
- (vi) PAPs' satisfaction level on various aspects of the RP will be monitoring and recorded. Operation of the complaint mechanism and speed of complaint settlement will be monitored.
- (vii) Through the implementation, trends on living standard will be observed and surveyed. Any potential issues in the recovering living standard are reported and suitable measures will be proposed to ensure the project objectives.

137. Appendix 4 of this RPF presents the indicators for monitoring and evaluation to be implemented by IMA, including but not limited. These indicators will be used with other qualitative and quantitative parameters through survey and investigation in order to evaluate and analyse progress of resettlement activities in the project. This will be shown in periodic reports and presented in monitoring reports.

9.4. Methodology for Independent Monitoring

138. *Sample Survey*

- A socio-economic survey will be required before, during and after resettlement implementation to provide a clear comparison of success/failure of the resettlement plan. Monitoring will be on a sample basis. Scale of the survey sample may cover

100% displaced households and severely affected households, and at least 20% of the remaining households.

- The surveys should include women, elderly persons, and other vulnerable target groups. It should have equal representation of male and female respondents.

139. ***Database Storage***

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

140. ***Reports***

- The independent monitoring agency must submit semi-annual reports which states the findings in the monitoring process. This monitoring reports will be submitted to the PMU, and then the PMU will submit to the WB in the form of appendixes of the progress report.
- The report should contain (i) a report on the progress of RP implementation; (ii) deviations, if any, from the provisions and principles of the RP; (iii) identification of outstanding issues and recommended solutions so that the executive agencies are informed about the ongoing situation and can resolve problems in a timely manner; and (iv) a report on progress of the follow-up of problems and issues identified in the previous report.

141. ***Follow-Up Monitoring Report***

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

142. ***Ex-post Evaluation Report***

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

APPENDIX 1 – OUTLINE OF THE RESETTLEMENT ACTION PLAN

Executive summary

I. Introduction

- 1.1. Introduction of the project and subproject
- 1.2. Mitigation measures of the negative impacts to the project
- 1.3. Objectives of the resettlement action plan

II. Impact of the buildings

- 2.1. Procedures and loss estimation methods
- 2.2. Involuntary resettlement policy of WB (OP/BP 4.12)
- 2.3. Project impacts

III. Results of socio-economic survey

- 3.1. Socio-economic survey in the affected subproject area
- 3.2. Demographics characteristics of affected HHs
- 3.3. Gender issues

IV. Legal framework and rights

- 4.1. Legal documents on land acquisition and resettlement
- 4.2. Compensation policy
- 4.3. Compensation procedures

V. Income restoration measures

VI. Resettlement arrangement

VII. Information disclosure and public consultation

- 7.1. Information disclosure
- 7.2. Public consultation

VIII. Complaint resolving mechanism

IX. Institutional arrangement

- 9.1. Central level
- 9.2. Responsibility of People's Committee (Provincial, District, Commune levels)
- 9.3. Responsibility of resettlement committees

X. Monitoring and evaluation

- 10.1. Internal monitoring
- 10.2. External monitoring

XI. Budget sources and cost estimation

11.1. Financial sources for all resettlement activities

11.2. Compensation and allowance cost estimation

11.3. Contingencies

XII. Timetable of resettlement implementation

APPENDIX 2 – CONTENTS OF PROJECT LEAFLETS

Contents of project leaflets shall include following information but not limited to:

- Brief description of the project
- Project implementation schedule
- Project impacts
- Entitlements and rights of affected persons
- Policies on compensation, assistance and resettlement
- Responsible Organizations
- Information disclosure procedures
- Consultation with project affected households
- Grievance redress procedures
- Independent monitoring

In addition, this leaflet will provide hot line/address for receiving comments from affected persons.

APPENDIX 3 – THE INDICATORS OF MONITORING AND EVALUATION

Indicators	Information Required in Monitoring and Evaluation
Monitoring implementation of DMS	<ul style="list-style-type: none"> ✓ All affected land and properties must be measured accurately; the results of the DMS have been disclosed. ✓ Complaints or questions of the affected households based on the results of the DMS shall be resolved promptly and satisfactorily.
Monitoring compensation payments and cash assistance	<ul style="list-style-type: none"> ✓ Compensation for affected land; if compensation for loss of land for equivalent land (land for land), such as equal surface, location, productive capacity, living conditions or not; if cash compensation for loss of land, compensation is equivalent to replacement cost at time of payment or not; ✓ Compensation for all affected structures has been provided at 100% replacement cost for materials and labor based on the criteria and characteristics of affected structures, not excluding depreciation and salvage old materials; ✓ Compensation for affected trees/crops has been paid according to the full market price of affected trees/crops or not. ✓ Assurances as mentioned in the RPs have been paid fully for the affected households or not; paid once or several times.
Monitoring implementation of disclosure information and public consultation	<ul style="list-style-type: none"> ✓ Have the project documents been provided to relevant communities (RF, RP, project leaflets, and other relevant documents). ✓ Has information been disclosed in a public places (results of DMS, compensation prices, payments ...). ✓ The affected households have been consulted fully about land acquisition, compensation policies, relocation, living rehabilitation and grievance redress procedure or not. ✓ How were these concerns, suggestions of affected households resolved in the process of resettlement implementation?
Monitoring resettlement implementation of affected households	<ul style="list-style-type: none"> ✓ Consider living condition, income in resettlement areas such as infrastructure (road, electricity, supply water/drainage...), and their livelihoods. ✓ Resettlement planning and implementation: consultation on resettlement options, participate in preparing the relocation plan, announcement of relocation plan and

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

APPENDIX 4– LIST OF PARTICIPANTS IN INFORMATION DISCLOSURE OF RPF

No	Province	Participants
1	Binh Dinh	<ul style="list-style-type: none"> - PPC - DONRE - DOF - DARD - DPC of Vinh Thanh, Phu My, Phu Cat, Tay Son, An Nhon, Tuy Phuoc, Hoai An and Hoai Nhon, Van Canh, Quy Nhon city, An Lao
2	Quang Ngai	<ul style="list-style-type: none"> - PPC - DONRE - DOF - DARD - DPC of Mo Duc, Nghia Hanh, Tu Nghia, Binh Son, Quang Ngai city, Ba To, Tay Tra, Minh Long, Duc Pho, Son Tay, Son Ha, Tra Bong
3	Phu Yen	<ul style="list-style-type: none"> - PPC - DONRE - DOF - DARD - DPC of Song Cau, Dong Xuan, Tuy An, Phu Hoa
4	Ninh Thuan	<ul style="list-style-type: none"> - PPC - DONRE - DOF - DARD - DPC of Ninh Phuoc, Thuan Nam and Ninh Son
5	Ha Tinh	<ul style="list-style-type: none"> - PPC - DONRE - DOF - DARD - DPC of Cam Xuyen, Thach Ha, Ky Anh, Can Loc Nghi Xuan, Ha Tinh city and Huong Son

APPENDIX 5 – OTHER DOCUMENTS RELEVANT TO INFORMATION DISCLOSURE OF RPF

1. Ha Tinh

[http://qppl.hatinh.gov.vn/vbpg_hatinh.nsf/34690d18aaf6f56a47257790002cf5ab/4CA4E9F1B A353D1D472580E9002F7373/\\$file/CV1557.signed.pdf](http://qppl.hatinh.gov.vn/vbpg_hatinh.nsf/34690d18aaf6f56a47257790002cf5ab/4CA4E9F1B A353D1D472580E9002F7373/$file/CV1557.signed.pdf)

ỦY BAN NHÂN DÂN TỈNH HÀ TĨNH

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

Số: **1557** UBND-NL₁
Hà Tĩnh, ngày **20** tháng 3 năm 2017

V/v góp ý Khung chính sách bồi thường, hỗ trợ và tái định cư Dự án Khắc phục khẩn cấp hậu quả thiên tai tại một số tỉnh miền Trung – tỉnh Hà Tĩnh

Kính gửi:

- Các sở, ngành: Nông nghiệp và PTNT, Kế hoạch và Đầu tư, Tài chính, Tài nguyên và Môi trường, Xây dựng, Lao động Thương binh và Xã hội;
- UBND các huyện: Thạch Hà, Cẩm Xuyên, Hương Sơn, Vũ Quang, Nghi Xuân, Hương Khê, Kỳ Anh, Can Lộc, thị xã Hồng Lĩnh và thành phố Hà Tĩnh.

Sở Nông nghiệp và Phát triển nông thôn có Văn bản số 427/SNN-KHTC ngày 20/3/2017 về việc đề nghị góp ý Khung chính sách bồi thường, hỗ trợ và tái định cư Dự án Khắc phục khẩn cấp hậu quả thiên tai tại một số tỉnh miền Trung – tỉnh Hà Tĩnh, văn vay WB (có dự thảo Khung chính sách gửi qua hệ thống gửi nhận văn bản điện tử);

Phó Chủ tịch Ủy ban nhân dân tỉnh Đặng Ngọc Sơn có ý kiến như sau:

Các sở, ngành, địa phương nêu trên nghiên cứu cụ thể các nội dung, góp ý kiến bằng văn bản, gửi Sở Nông nghiệp và Phát triển nông thôn trước ngày 23/3/2017.

Sở Nông nghiệp và Phát triển nông thôn đơn đốc, tổng hợp, tiếp thu đầy đủ các nội dung, hoàn thiện Khung chính sách, báo cáo Ủy ban nhân dân tỉnh trước ngày 25/3/2017.

Nơi nhận:

- Như trên;
- Chủ tịch, PCT UBND tỉnh Đặng Ngọc Sơn (để báo cáo);
- Chánh, Phó VPUB (theo dõi NL);
- Trung tâm CB-TH;
- Lưu: VT, NL₁.

Gửi: + VB giấy: Các TP không nhận VBBT.
+ VB điện tử: Các TP còn lại.

TL. CHỦ TỊCH
KT. CHÁNH VĂN PHÒNG
PHÓ VĂN PHÒNG

Bùi Khắc Bằng

2. Quang Ngai

**ỦY BAN NHÂN DÂN
TỈNH QUẢNG NGÃI**

Số: *1436* /UBND-TH
V/v góp ý về dự thảo
Khung chính sách bồi thường,
hỗ trợ, tái định cư cho dự án
Khắc phục khẩn cấp hậu quả
thiên tai tại một số tỉnh
miền Trung

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

Quảng Ngãi, ngày 20 tháng 3 năm 2017

Kính gửi: UBND tỉnh Bình Định

Theo đề nghị của UBND tỉnh Bình Định tại Công văn số 877/UBND-KT ngày 07/3/2017 về việc tham vấn thông tin Khung chính sách bồi thường, hỗ trợ và tái định cư dự án Khắc phục khẩn cấp hậu quả thiên tai tại một số tỉnh miền Trung, UBND tỉnh Quảng Ngãi có ý kiến như sau:

1. Cơ bản thống nhất nội dung của dự thảo Khung chính sách bồi thường, hỗ trợ và tái định cư dự án Khắc phục khẩn cấp hậu quả thiên tai tại một số tỉnh miền Trung.

2. Một số nội dung cần chỉnh sửa, bổ sung:

- Tại điểm 2.1, Mục 2 “Khung pháp lý của Chính phủ Việt Nam (CPVN)”: Đề nghị bổ sung Nghị định số 01/2017/NĐ-CP ngày 06/01/2017 của Chính phủ về việc sửa đổi bổ sung một số Nghị định quy định chi tiết thi hành Luật đất đai vào Khung chính sách bồi thường, hỗ trợ và tái định cư.

- Tại điểm 3.2, Mục 3 “Chính sách bồi thường”: Đề nghị chỉnh sửa, bổ sung chính sách bồi thường về: *đất ở; đất nông nghiệp; bồi thường về cây cối, hoa màu và vật nuôi, bồi thường về đất đối với những người đang đồng quyền sử dụng đất; hỗ trợ đối với trường hợp bị ảnh hưởng tới đất nông nghiệp cho phù hợp với Quyết định số 13/2015/QĐ-UBND ngày 05/3/2015 của UBND tỉnh Quảng Ngãi ban hành Quy định về bồi thường, hỗ trợ và tái định cư khi nhà nước thu hồi đất.*

- Tại phần (i), điểm 3.3, Mục 3 “Tái định cư và phục hồi thu nhập”: Đề nghị điều chỉnh nội dung: *“Hỗ trợ đào tạo nghề bao gồm: Các khóa học nghề ngắn hạn (trình độ sơ cấp và dạy nghề dưới ba tháng) hoặc học nghề trình độ trung cấp, cao đẳng được nhà nước trả học phí cho một khóa học. Kinh phí đào tạo nghề nằm trong tổng kinh phí của Dự án đầu tư hoặc phương án bồi*

1

thường, hỗ trợ và tái định cư được duyệt”

thành:

“Hỗ trợ đào tạo nghề bao gồm: Các khóa học ngắn hạn (trình độ sơ cấp và dạy nghề dưới ba tháng) hoặc học nghề trình độ trung cấp, cao đẳng được Nhà nước trả học phí cho một khóa học. Kinh phí đào tạo nghề nằm trong tổng kinh phí của Dự án đầu tư hoặc phương án bồi thường, hỗ trợ và tái định cư được duyệt.

Trường hợp Nhà nước không tổ chức đào tạo nghề hoặc người bị ảnh hưởng tự đăng ký học nghề thì những người trong độ tuổi lao động của hộ gia đình, cá nhân trực tiếp sản xuất nông nghiệp mất từ 20% diện tích đất nông nghiệp trở lên sẽ được nhận hỗ trợ đào tạo nghề bằng tiền mặt. Mức hỗ trợ cụ thể theo quy định của UBND tỉnh”

- Tại điểm 8.1, Mục 8 “Dự toán chi phí”: Đề nghị xác định lại chi phí tổ chức thực hiện bồi thường, hỗ trợ tái định cư theo quy định tại Nghị định số 47/2014/NĐ-CP ngày 15/5/2014 của Chính phủ quy định về bồi thường, hỗ trợ và tái định cư khi nhà nước thu hồi đất và được quy định chi tiết tại Điều 41 của Quyết định số 13/2015/QĐ-UBND ngày 05/3/2015 của UBND tỉnh Quảng Ngãi về Quy định mức chi, nội dung chi, tỷ lệ phần trăm (%) để lại cho các cơ quan thực hiện bồi thường, hỗ trợ và tái định cư trên địa bàn tỉnh Quảng Ngãi.

- Về giá đất bồi thường: Đề nghị bổ sung thêm các phương pháp xác định giá đất theo quy định tại Nghị định số 44/NĐ-CP ngày 15/5/2014 của Chính phủ quy định về giá đất.

Đề nghị UBND tỉnh Bình Định xem xét, chỉnh sửa bổ sung cho phù hợp./.

Nơi nhận:

- Như trên;
- CT, PCT UBND tỉnh;
- Các Sở: Tài nguyên và Môi trường, Tài chính, Kế hoạch và Đầu tư;
- Ban Quản lý dự án ĐTXD các công trình nông nghiệp và PTNT tỉnh;
- UBND các huyện: Tây Trà, Trà Bồng, Sơn Hà, Minh Long, Ba Tơ, Sơn Tịnh, Tư Nghĩa, Mộ Đức, Đức Phổ, Nghĩa Hành, Bình Sơn và thành phố Quảng Ngãi;
- VPUB: CVP, PCVP, NN-TN, CB-TTH;
- Lưu VT, TH (ldvu92).



Trần Ngọc Căng

3. Bình Định

<http://www.ubndbinhdinh.vn/chinh-sach/chinh-sach/nong-nghiep/khung-chinh-sach-boi-thuong-ho-tro-tai-dinh-cu.html>

**ỦY BAN NHÂN DÂN
TỈNH BÌNH ĐỊNH**

Số: 4322/UBND-KT

V/v công bố thông tin Khung chính sách bồi thường, hỗ trợ và tái định cư dự án Khắc phục khẩn cấp hậu quả thiên tai tại một số tỉnh miền Trung

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

Bình Định, ngày 21 tháng 3 năm 2017

Kính gửi: Ngân hàng Thế giới

Thực hiện Văn bản số 205/TTg-QHQT ngày 10/02/2017 của Thủ tướng Chính phủ về việc đề xuất gói hỗ trợ "Khắc phục khẩn cấp hậu quả thiên tai tại một số tỉnh miền Trung. Trong đó, giao UBND tỉnh Bình Định làm cơ quan đầu mối phối hợp trong chuẩn bị và thực hiện dự án.

Để đảm bảo tiến độ thực hiện lập Khung chính sách bồi thường, hỗ trợ và tái định cư (sau đây gọi là *Khung chính sách*) của Dự án, tham vấn các cơ quan liên quan và trình Ngân hàng thế giới xem xét và thông qua để trình Thủ tướng Chính phủ phê duyệt trước thời điểm Đàm phán (trước ngày 12/4/2017). UBND tỉnh Bình Định đã phát hành Văn bản số 877/UBND-KT ngày 07/3/2017 gửi UBND tỉnh Ninh Thuận, Phú Yên, Quảng Ngãi để thực hiện công tác tham vấn thông tin về Dự thảo lần 1 của Khung chính sách.

UBND các tỉnh Bình Định, Ninh Thuận, Phú Yên, Quảng Ngãi đã hoàn thành công tác tổ chức tham vấn, lấy ý kiến của các bên liên quan và cộng đồng bị ảnh hưởng tại địa bàn dự án cũng như đã triển khai công tác đăng tải Dự thảo lần 1 Khung chính sách của Dự án trên website của các tỉnh/huyện tham gia dự án. Về cơ bản các tỉnh đều thống nhất với Khung chính sách này, UBND tỉnh Bình Định đề trình Ngân hàng thế giới thông qua Khung chính sách (*có tiếp thu ý kiến các tỉnh*) trước khi tiến hành các thủ tục trình Thủ tướng chính phủ thẩm định và phê duyệt.

UBND tỉnh Bình Định kính đề nghị Ngân hàng thế giới xem xét thông qua Khung chính sách.

Nơi nhận:

- Như trên;
- Bộ KH&ĐT;
- Ban QLDA NN&PNT tỉnh;
- CT, các PCT UBND tỉnh;
- CVP, PVP NN;
- Lưu: VT, KI, K10, K19.

**TM. ỦY BAN NHÂN DÂN
KT. CHỦ TỊCH
PHÓ CHỦ TỊCH**



Lưu Châu

4. Phu Yen

**ỦY BAN NHÂN DÂN
TỈNH PHÚ YÊN**

Số: **1235**/UBND-ĐTĐD

V/v Góp ý về dự thảo Khung chính sách bồi thường, hỗ trợ và tái định cư, dự án Khắc phục khẩn cấp hậu quả thiên tai tại một số tỉnh miền Trung.

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

Phú Yên, ngày **17** tháng **3** năm 2017

Kính gửi: UBND tỉnh Bình Định.

Tiếp nhận đề nghị của UBND tỉnh Bình Định (tại Công văn số 877/UBND-KT ngày 07/3/2017) về việc tham vấn thông tin Khung chính sách bồi thường, hỗ trợ và tái định cư dự án Khắc phục khẩn cấp hậu quả thiên tai tại một số tỉnh miền Trung, UBND tỉnh Phú Yên có ý kiến như sau:

1. Cơ bản thống nhất nội dung của dự thảo Khung chính sách bồi thường, hỗ trợ và tái định cư dự án Khắc phục khẩn cấp hậu quả thiên tai tại một số tỉnh miền Trung.

2. Một số nội dung cần chỉnh sửa, bổ sung:

- Tại điểm 2.1, Mục 2 “Khung pháp lý của Chính phủ Việt Nam (CPVN)”: Đề nghị bổ sung Nghị định số 01/2017/NĐ-CP ngày 06/01/2017 của Chính phủ V/v Sửa đổi bổ sung một số Nghị định quy định chi tiết thi hành Luật đất đai vào Khung chính sách bồi thường, hỗ trợ và tái định cư.

- Tại điểm 3.2, Mục 3 “Chính sách bồi thường”: Đề nghị chỉnh sửa, bổ sung chính sách bồi thường về: *đất ở; đất nông nghiệp; bồi thường về cây cối, hoa màu và vật nuôi; bồi thường về đất đối với những người đang đồng quyền sử dụng đất; hỗ trợ đối với trường hợp bị ảnh hưởng tới đất nông nghiệp* cho phù hợp với Quyết định số 57/2014/QĐ-UBND ngày 30/12/2014 của UBND tỉnh Phú Yên.

- Tại phần (i), điểm 3.3, Mục 3 “Tái định cư và phục hồi thu nhập”: Đề nghị điều chỉnh nội dung: *“Hỗ trợ đào tạo nghề bao gồm: Các khóa học nghề ngắn hạn (trình độ sơ cấp và dạy nghề dưới ba tháng) hoặc học nghề trình độ trung cấp, cao đẳng được Nhà nước trả học phí cho một khóa học. Kinh phí đào tạo nghề nằm trong tổng kinh phí của Dự án đầu tư hoặc phương án bồi thường, hỗ trợ và tái định cư được duyệt;*

thành:

“Hỗ trợ đào tạo nghề bao gồm: Các khóa học nghề ngắn hạn (trình độ sơ cấp và dạy nghề dưới ba tháng) hoặc học nghề trình độ trung cấp, cao đẳng được Nhà nước trả học phí cho một khóa học. Kinh phí đào tạo nghề nằm trong tổng kinh phí của Dự án đầu tư hoặc phương án bồi thường, hỗ trợ và tái định cư được duyệt;

Trường hợp Nhà nước không tổ chức đào tạo nghề hoặc người bị ảnh hưởng tự đăng ký học nghề thì những người trong độ tuổi lao động của hộ gia đình, cá nhân trực tiếp sản xuất nông nghiệp mất từ 20% diện tích đất nông nghiệp trở lên sẽ được nhận hỗ trợ đào tạo nghề bằng tiền mặt. Mức hỗ trợ cụ thể theo quy định của UBND tỉnh”.

- Tại điểm 8.1, Mục 8 “Dự toán chi phí”: Đề nghị xác định lại chi phí tổ chức thực hiện bồi thường, hỗ trợ, tái định cư theo quy định tại Thông tư số 74/2015/TT-BTC ngày 15/5/2015 của Bộ Tài chính V/v Hướng dẫn việc lập dự toán, sử dụng và thanh quyết toán kinh phí tổ chức thực hiện bồi thường hỗ trợ, tái định cư khi nhà nước thu hồi đất và Quyết định số 01/2016/QĐ-UBND ngày 12/01/2016 của UBND tỉnh Phú Yên V/v Quy định mức chi, nội dung chi, tỷ lệ phần trăm (%) để lại cho các cơ quan thực hiện bồi thường, hỗ trợ và tái định cư trên địa bàn tỉnh Phú Yên.

- Về giá đất bồi thường: Đề nghị bổ sung thêm các phương pháp xác định giá đất theo quy định tại Nghị định số 44/2014/NĐ-CP ngày 15/5/2014 của Chính phủ quy định về giá đất.

Trên đây là ý kiến góp ý của UBND tỉnh Phú Yên về Dự thảo Khung chính sách bồi thường, hỗ trợ và tái định cư dự án Khắc phục khẩn cấp hậu quả thiên tai tại một số tỉnh miền Trung. Đề nghị UBND tỉnh Bình Định xem xét chỉnh sửa bổ sung cho phù hợp./.

Nơi nhận:

- Như trên;
- Các Sở: TN&MT, TC;
- Ban QLDA ĐTXD các CT nông nghiệp và PTNT tỉnh;
- UBND Tx. Sông Cầu;
- UBND các huyện: Phú Hòa, Tuy An, Đồng Xuân;
- CT và PCT UBND tỉnh (đ/c Hiến);
- CVP và PCVP UBND tỉnh (đ/c Khoa);
- Lưu: VT, Đ, QV_{4,17,11}

CHỦ TỊCH *HT*



Hoàng Văn Trà

5. Ninh Thuận

**ỦY BAN NHÂN DÂN
TỈNH NINH THUẬN**

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

Số: 930/UBND-TCĐ

Ninh Thuận, ngày 21 tháng 3 năm 2017

V/v góp ý dự thảo Khung chính sách bồi thường, hỗ trợ và tái định cư của dự án Khắc phục khẩn cấp hậu quả thiên tai tại một số tỉnh Miền Trung.

Kính gửi: Ủy ban nhân dân tỉnh Bình Định

Tiếp nhận đề nghị của Ủy ban nhân dân tỉnh Bình Định tại Công văn số 877/UBND-KT ngày 07/3/2017 về việc tham vấn thông tin Khung chính sách bồi thường, hỗ trợ và tái định cư của dự án Khắc phục khẩn cấp hậu quả thiên tai tại một số tỉnh Miền Trung;

Sau khi xem xét, Ủy ban nhân dân tỉnh Ninh Thuận có ý kiến như sau:

Cơ bản thống nhất với nội dung dự thảo Khung chính sách bồi thường, hỗ trợ và tái định cư của dự án Khắc phục khẩn cấp hậu quả thiên tai tại một số tỉnh Miền Trung. Tuy nhiên có một số nội dung cần chỉnh sửa, bổ sung như sau:

1. Tại điểm 2.1 mục 2 “Khung pháp lý của Chính phủ Việt Nam (CPVN)”, đề nghị bổ sung: “Nghị định số 01/2017/NĐ-CP ngày 06/01/2017 của Chính phủ về sửa đổi, bổ sung một số Nghị định quy định chi tiết thi hành Luật Đất đai; Thông tư số 74/2015/TT-BTC ngày 15/5/2015 của Bộ Tài chính về việc hướng dẫn việc lập dự toán, sử dụng và thanh quyết toán kinh phí tổ chức thực hiện bồi thường hỗ trợ, tái định cư khi nhà nước thu hồi đất” vào Khung chính sách bồi thường, hỗ trợ và tái định cư.

2. Về giá đất bồi thường: Đề nghị bổ sung thêm các phương pháp xác định giá đất theo quy định tại Nghị định số 44/2014/NĐ-CP ngày 15/05/2014 của Chính phủ quy định về giá đất.

3. Tại điểm 83 mục 5 về tổ chức thực hiện: Đề nghị điều chỉnh đơn vị thực hiện bồi thường, hỗ trợ và tái định cư cấp huyện/ thành phố (gọi tắt là Hội đồng bồi thường cấp huyện hoặc Trung tâm Phát triển quỹ đất). Lý do tại tỉnh Ninh Thuận, đơn vị thực hiện bồi thường, hỗ trợ và tái định cư là Trung tâm Phát triển quỹ đất.

Trên đây là ý kiến góp ý của Ủy ban nhân dân tỉnh Ninh Thuận đối với dự thảo Khung chính sách bồi thường, hỗ trợ và tái định cư của dự án Khắc phục khẩn cấp hậu quả thiên tai tại một số tỉnh Miền Trung. Đề nghị Ủy ban nhân dân tỉnh Bình Định xem xét, điều chỉnh bổ sung cho phù hợp./.

Nơi nhận:

- Như trên;
- Chủ tịch và các PCT UBND tỉnh;
- Các Sở: TC, TN&MT, XD, NN&PTNT;
- Ban QLDA ngành NN;
- VPUB: CVP, PVP HXN, QHXD;
- Lưu: VT, TCD. VMT



**KT. CHỦ TỊCH
PHÓ CHỦ TỊCH**

Trần Quốc Nam