

**CAN THO CITY PEOPLE'S COMMITTEE
CONSTRUCTION & INVESTMENT MANAGEMENT UNIT USING
OFFICIAL DEVELOPMENT ASSISTANCE (ODA), CAN THO CITY**

RESETTLEMENT POLICY FRAMEWORK FOR

**CAN THO URBAN DEVELOPMENT
AND RESILIENCE PROJECT**

(Final version)

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ABBREVIATIONS

AHs	Affected Households
CPC	City People's Committee
CT-CPC	Can Tho City People's Committee
CTUDRP	Can Tho Urban Development and Resilient Project
DARD	Department of Agriculture and Rural Development
DCSCC	District Compensation and Site Clearance Committee
DLFDC	District Land Fund Development Center
DMS	Detailed Measurement Survey
DOLISA	Department of Labor Invalid and Social Affairs
DPC	District People's Committee
DPs	Displaced Persons
FS	Feasibility Study
GIS	Geographical Information System
GOV	Government of Vietnam
HHs	Households
IDA	International Development Agency
IMA	Independent Monitoring Agency
IOL	Inventory of Losses
LURC	Land Use Right Certificate
MDR	Mekong Delta Region
MOLISA	Ministry of Labor Invalid and Social Affairs
MONRE	Ministry of Nature and Resource Environment
NGO	Non- Government Organization
NH	National Highway
PAPs	Project Affected Persons
PM	Prime Minister
PMU-ODA	Construction and Investment Management Unit using Official Development Assistance (ODA), Can Tho City
PPC	Provincial People Committee
PR	Provincial Road
RP	Resettlement Plan
RPF	Resettlement Policy Framework

SES	Socio-Economic Survey
TOR	Terms of Reference
TV	Television
USD	US Dollar
VND	Vietnam Dong
WB	World bank
WPC	Ward People's Committee

Weight: Km: Kilometer; m: Metter; ha: Hectare

GLOSSARY

Project Affected Persons (PAP): are those under the Can Tho Urban Development and Resilience Project (CTUDRP) who will experience:

- a. Relocation or loss of shelter;
- b. Loss of assets or loss of access to assets; and
- c. Loss of their income sources or means of livelihood, whether or not the affected persons must move to another location.

Census and Inventory If the project needs to change the land use or acquire land for project purposes, a Census of people that will be affected and an Inventory of affected assets will be undertaken based on the technical design of the project. The Census will include key socioeconomic information of the project affected persons (PAPs), such as main occupations, sources of income, and levels of income in order to be able to determine vulnerable households as well as to establish baseline data for monitoring livelihood restoration of the PAPs. The Inventory will include a detailed description of all affected lands, trees, structures, to be acquired permanently or temporarily in order to complete the Project; the names of the persons entitled to compensation (from the census); and the estimated full replacement costs, etc.

Compensation (in cash or in kind) for loss of assets and rehabilitation measures to restore and improve incomes will be determined in consultation with the PAPs. Compensation for loss of assets will be at replacement costs.

Cut-off-date is the date when a project area is delineated, prior to the census, provided that the delineated project area is effectively and publicly announced by CT-CPC, and systematically and continuously repeated after that to prevent further population influx. Project affected households and local communities will be informed of the cut-off date for the project, and that anyone moving into the Project Area after that date will not be entitled to compensation and assistance under the Project.

Eligibility is the criteria to be used for the project to determine PAPs who shall be entitled to be compensated and assisted under the resettlement program.

Host community: A community in the proposed resettlement site.

Land acquisition: The state issued the decision to recover the land use rights or land acquisition which has been given to land users in accordance with current regulations.

Productive land refers to the various sub-categories of land that are used for agricultural purpose (as opposed to land for residential purpose), including agricultural, forestry, garden, aquaculture and pond land.

Replacement Cost: the amount which is needed to replace an affected asset without depreciation or deductions for salvageable materials, inclusive of taxes, and/or costs of transactions. It is calculated before displacement as follows:

- (a) Productive land (agricultural, fishponds, gardens, forests) based on market prices that reflect recent land sales of comparable land in the district and other nearby areas or, in the absence of such recent sales, based on the land's productive value;
- (b) Residential land based on market prices that reflect recent transactions of comparable residential land in the district and other nearby areas or, in the absence of such recent land transactions, based on transactions in other locations with similar qualities;
- (c) Houses and other related structures based on current market prices of materials and labor without depreciation or deductions for salvaged building materials plus fees for obtaining the ownership papers;
- (d) Trees and domestic animals based on the current market value of the trees/animals at the time of compensation;

Replacement Cost Survey: the process involved in determining the replacement cost of land, houses and other affected assets based on market surveys.

Resettlement. This RPF, in accordance with the World Bank's Operational Policy on Involuntary Resettlement (OP 4.12), 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.

Resettlement Assistance: Additional support provided to the PAPs who are losing assets (particularly productive assets), incomes, employment or sources of living, to supplement the compensation payment for acquired assets to achieve, at a minimum, the full restoration of living standards and quality of life same as their pre-project condition.

Livelihood (income) restoration: Livelihoods restoration refers to that compensation for PAPs who suffers loss of income sources or means of livelihoods to restore their income and living standards to the pre- displacement levels.

Severely affected households. Households who lose 20% or more of their productive land area (10% or more for the vulnerable) are considered as severely affected as a result of the project.

Vulnerable Groups and Individuals at risk: a person or a group of people who might suffer disproportionately from project adverse impacts and/or be less able to access the project benefits and assets compensation, including livelihood restoration, when compared to the rest of the PAPs due to project land acquisition and resettlement. Vulnerable people include: (i) single women headed with dependents and economic disadvantage; (ii) people with physical or mental disability; (iii) the poor under MOLISA standard; (iv) AHs have children and the elderly without supporters; (v) Isolated ethnicity; and (vi) social policy families, Vietnam heroic mothers and families contributing to the revolution. List of the vulnerable will be determined throughout SES and public consultation during project preparation.

I. INTRODUCTION

1.1 Background

To proactively address climate change in urban upgrading and development, on 05th December 2011, the Prime Minister approved the “National Strategy on Climate Change” and assigned MONRE to act as the standing agency for the National Committee on Climate Change to lead and coordinate with line ministries and localities in managing and implementing the Strategy¹. On 31st December 2013, the Prime Minister (PM) issued Decision No. 2623/QĐ-TTg on the approval of the Scheme “Urban Development of Vietnam responding to Climate Change in the period 2013-2020”. Up to now, 13 provinces/cities in the country have completed the assessment of climate change impacts on each sector and each area within their own provinces/cities, proposing solutions to respond to climate change for each specific period. They have also issued the action plans to respond to climate change and implemented a range of projects to enhance capacities in responding to climate change, which includes the Mekong Delta Region (MDR).

To support the GOV in proactively adapting and increasing resilience to the impacts of climate change (in particular sea level rise), the World Bank has collaborated with the Government of Vietnam to establish the "Climate Change Adaptation and Livelihoods efficient integrated Mekong Delta" Project (WB9). The project is considered as a first phase in a long-term WB program in the Mekong Delta to enhance capacity, develop a system of managing the integration of climate change adaptation and resilience among different sectors and institutional levels. Specifically, the project will support in setting up an information management system, institutional arrangements and providing a roadmap to building capacity for making provincial and regional plans for sustainable development in the MDR. In addition, the project will consider "low regret" investment opportunities as well as investment scales for a long-term development plan that needs further support from sponsors in future. The project includes structural and non-structural investments, which is under the technical support of WB in enhancing capacity for the MDR to adapt to climate change.

With its strategic position in the MDR, Can Tho city has become a central location and played an important role in the economic region consisting of Can Tho - Ca Mau - An Giang - Kien Giang. Despite its economic growth rate reaching a high level, it has not yet been commensurate with its potentials and advantages. Attraction of foreign investment to the city is still low; its investment environment is not very attractive; the budget revenues do not yet meet the demand for basic construction and socio-economic targets; the scientific and technological activities have not yet created any breakthroughs, not showing their role as the driving force for the development in MDR; job creation is not really sustainable and the risk jobs loss is high; human resources have do not meet the demands of the I class city of Central Government; average education level and labor

¹Prime Minister had approved a list of 62 prioritized projects on Climate Change in which there are 17 projects in MDR, of which 8 regional projects relating to construction and upgrading of river and sea dykes, salt intrusion systems are being implemented.

skills are low in comparison with the national level; the technical infrastructure is low and the organization of implementation Decision 366/ QĐ-TTg of PM on the technical infrastructure development is still facing many difficulties, especially lacking capital for investments.

The state management of city authority is still limited in some aspects, especially in the management of urban, land, construction plans, environmental sanitation, transport and urbanization. Furthermore, with its low-lying terrain divided by a system of canals and rivers, Can Tho city has been heavily influenced by the impacts caused by climate change. The environmental incidents such as flooding; landslides, subsidence, and hurricanes are more frequent and unpredictable. All have negatively impacted the sustainable socio-economic development of the city, impacting people's lives including health effects and income generation activities.

1.2 General objectives

The objective of the Can Tho Urban Development and Resilience project (CTUDRP) (hereafter called the project) is to contribute to the development of Can Tho urban sustainably, enhancing the city to be resilient to the impacts of climate change, promoting Can Tho to become the center and the driving force for socio-economic development in the MDR. At the same time, the project will contribute to reducing vulnerability from flooding in the center of Can Tho city and to improving regional and inter-regional transport connectivity system. This will be achieved through (i) investments in structural and non-structural flood risk management (ii) investments in improving the accessibility to the city including public transport operations through an integrated corridor management approach and (iii) strengthening the capacity for financial management and integrated transport and land-use planning.

1.3 Specific objectives

Developing urban transport infrastructure in combination with flood control; protecting infrastructures and agencies at city and regional level (institutes, schools, hospitals etc.) and concentrated residential areas; improving regional transport connectivity as well as between areas of the city to promote sustainable socio-economic development; developing public transport system and improving access for people in low income areas to social infrastructure services of the city, reducing travel time between the city center and the developing area with low flooding risks to promote growth.

Constructing consistent structures to control and reduce flooding, improving drainage capacity, improving sanitation in combination with urban landscaping and improving living conditions in urban areas.

Strengthening the capacity in urban planning and integrated public administration management including: planning for flood and risk control, transport and land use, cooperating mechanism, disaster risk management and financial management. Maintain consistency, promote effective operation and management of structures after completion; at the same time, effectively perform administration reform and improve investment environment.

1.4 Project components

The project is a multi-disciplinary project, with diversified investments including: road transport structures, flood protection system, wastewater channel, construction of technical infrastructure, social welfare structures, resettlement site infrastructure, etc. Construction and technology options will be proposed based on specific type of structures, technical specifications, construction conditions and construction requirements. The design and construction will be implemented in accordance with current construction standards, regulations and norms of Vietnam.

On the basis of current situation, objectives and project development principles, and project beneficiaries, the three components of the project are proposed as follows:

1.4.1 Component 1: Flood risk management and environmental sanitation

a. Component 1.1: Priority Flood Control Investments in Urban Core (Ninh Kieu and Binh Thuy districts)

- (i) Can Tho river embankment system (section from Ngo Duc Ke road to Cai Son canal) with length of about 6.14km.
- (ii) Relocation of encroaching households polluting Can Tho riverbanks and upgrade and rehabilitation of road next to embankment.
- (iii) Construction of tidal valves/gates and (with or without ship locks) water drainage system (if necessary) for the center area.
- (iv) Rehabilitation of main canals in the center area, dredging, upgrading and rehabilitation of the protection embankment, transport roads, relocation of households encroaching the canals, lakes for fast regulation of water, flood protection in Binh Thuy district, connecting the new system to the lakes and canals system implemented in both previous city urban upgrading projects.

b. Component 1.2: Drainage and Waste Water Systems

- (i) Rehabilitation and consistent addition to the drainage system to connect with the collection system in the urban center of Ninh Kieu (with a length of about 12.2km) and about 10km in the remaining areas of the catchment.
- (ii) Equipment to support management, operation and monitoring of the drainage system, culverts and canals dredging, pumping station, lakes, dampers etc.

1.4.2 Component 2: Urban corridor development

- a. Quang Trung bridge (2nd unit): Construction of Quang Trung bridge (2nd unit) with the total length of bridge and its access road is about 869m, of which the bridge length is 481m, width B=11m.
- b. Tran Hoang Na road and bridge: The total length of the route is about 3.684km, of which:

- Road: road rehabilitation and upgrading with its length of about 1.218km and width of 20m and 28m; new construction of road with its length of about 1.889km and width of 20m and 28m;
 - Bridge: length of about 577m with its width of about 21m crossing Can Tho River.
 - Furthermore, investing a road parallel with NH1A at the section from Tran Hoang Na to IC3 intersection with its length of about 1.43km, width of 28m.
- c. Link between Cach Mang Thang Tam (NH91) – Provincial road PR918 with the route length of about 5.33km, width of 40m.
 - d. Construction of the residential area for resettlement: in Ninh Kieu district with area of 54.0ha with technical and social infrastructure in compliance with master plans, ensuring living conditions for residents.
 - e. Equipment associated with structures for management and operation including: (i) Establishment of GIS centers; (ii) Street equipment, bus stop equipment etc.

1.4.3 Component 3: Spatial planning platform and financial and social protection instruments

- a. Disaster risk management and respond to climate change
- b. Transport management and urban development
- c. Financial plan of the city
- d. Application of Information Technology in urban administration and management

1.5 Executive agency and implementing agency

a. Executive agency:

- Can Tho City People's Committee (CT-CPC)
- Address: No. 02, Hoa Binh Avenue, Ninh Kieu District, Can Tho city
- Phone/Fax: 080.710162/080.710182.

b. Implementing Agency:

- Construction and Investment Management Unit Using Official Development Assistance, Can Tho City (PMU-ODA)
- Address: No. 120, Tran Phu Street, Cai Khe ward, Ninh Kieu District, Can Tho City
- Phone/Fax: 0710.3754084/0710.3754047.

II. LEGAL FRAMEWORKS FOR THE RPF

2.1 Need for a RPF

To meet the requirements of both WB and GOV's policies in terms of social safeguards and to facilitate all stakeholders who will be involved in land acquisition, compensation, assistance and resettlement for the project, a resettlement policy framework (RPF) should be set up, aiming to harmonize both policies and to ensure the eligibility and entitlements of affected people and communities in the project area. After approval, the RPF will become a legal and consistent basis for all involved stakeholders to be used for making decision, facilitating, implementing, monitoring and evaluating during the process of preparation and implementation of RP against the RPF of the project.

2.2 Objectives and Principles of the RPF

The purpose of this RPF is to establish resettlement principles, organizational arrangements, funding mechanisms, and design criteria to be applied to all invested items that will be identified, designed and constructed during project implementation.

This RPF is prepared in compliance with the WB's OP 4.12 on Involuntary Resettlement and Vietnam's regulations relating to land acquisition (both permanent and temporary) and it will be applied to all components of the project with land acquisition and resettlement requirements, irrespective of funding source. Once the basic design is approved, the land delineation will be defined and this framework will be applied for preparing the project RP.

Since the FS has not been approved by CT-CPC, the steps that PMU-ODA will take will be:

- PMU-ODA to submit the final FS for the Project to CT-CPC for review.
- The CT-CPC to send the final FS to the Ministry of Construction, Ministry of Finance, and Ministry of Planning and Investment for endorsement.
- CT-CPC will clear the final FS for implementation (on the basis of the endorsement from relevant Ministries).

Once the FS is approved, the basic design of the project will be finalized, which will determine the locations where land acquisition is required to allow the installation of the construction. When requested, a detail resettlement plan will be prepared as per the RPF.

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

- Directly and significantly related to the WB funded projects;
- Necessary to achieve its objectives as set forth in the project documents; and
- Carried out, or planned to be carried out, contemporaneously with the project.

During the project preparation, the PMU-ODA will collaborate with the city line agencies to determine the project components to be invested to meet the project objectives. Screening for the linked activities will be done by WB's Task Team during project

preparation and the exercise will be repeated during project implementation, when the detailed engineering design is finalized and approved.

This RPF shall be used as guidance for the detailed planning and implementation of the land acquisition, resettlement and income rehabilitation program under the scope of the project.

2.3 Institutional Framework

Responsibility for compilation and implementation of RPF and RP is as follows:

- The general duty of the RPF and the establishment of RP will be undertaken by PMU-ODA. The PMU-ODA shall be responsible for the preparation and conduction of APs survey, socio-economic surveys (SES), establishment and implementation of RP and dealing with daily works within its responsibility. The DPCs and WPCs will take part in the activities mentioned in the RP report. These administrative units will also ensure the active and effective participation of PAPs during the RP preparation and implementation. To ensure that the RP report is acceptable to the WB and the RP are implemented smoothly, the PMU-ODA shall be liable to: i) employ experienced consultants to prepare the RP; ii) assign officials who are experienced in social safeguard policy to work at the offices of PMU-ODA and require the Boards of Compensation, Assistance and Resettlement at the city and/or district levels to support in preparing and implementing the project RP.
- Costs for the compensation, assistance and resettlement will be from the counterpart fund of CT-CPC, while costs for the project implementation, independent monitoring, and independent land appraiser will be funded by WB.

2.4 The Legal Frameworks of the GOV

This part reviews the policies and legal framework of the GOV and the WB concerning land acquisition, compensation, assistance and resettlement. Due to some differences between the policies of the WB and those of the GOV, The Project is proposed for waiving of the implementation of some articles of decrees and regulations related to compensation, assistance and resettlement enacted by the GOV. Therefore, the plans of compensation, assistance and resettlement will be carried out in accordance with the Project RPF.

The GOV's legal framework: The national Laws, Decrees and Articles and CT-CPC's regulations relating land acquisition, compensation and resettlement include:

- The 2013 Constitution of the Socialist Republic of Vietnam certifying the housing ownership of citizens and protection of their housing ownership;
- Land Law 2013 which has been effective since July 1, 2014 Decree No. 45/2013 / QH13 dated November 29, 2013
- Decree No.43/2014/ND-CP dated May 15, 2014 of the Government providing guidance on detailed implementation of some articles from the Land Law 2013.

- Decree No. 44/2014/ND-CP dated 15 May 2014 of the Government providing regulations on land prices.
- Decree No. 45/2014/ND-CP dated 15 May 2014 of the Government money acquiring regulations on land use
- Decree No. 47/2014/ND-CP dated 15 May 2014 of the Government on compensation, support, and resettlement when land acquisition is required by the State.
- Circular No. 36/2014/TT-BTNMT dated 30 June 2014, specifying detailed methods of valuation of land prices, construction, adjustment of land prices; specific land prices valuation and land prices valuation consulting service.
- Circular No. 37/2014/TT-BTNMT dated 30 June 2014, providing detailed regulation compensation, assistance, and resettlement when the State acquires land.
- Circular No. 76/2014/TT-BTC dated 16 June 2014 of Ministry of Financial providing manual for carry out Decree No. 45/2014/ND-CP regulation on money acquiring for land use.
- Decision No. 1956/2009/QĐ-TTg, dated November 17, 2009, by the Prime Minister approving the Master Plan on vocational training for rural labors by 2020.
- Decision No. 52/2012/QĐ-TTg, dated November 16, 2012, on the support policies on employment and vocational training to farmers whose agricultural land has been recovered by the State.
- Document of Prime Minister No. 1665/TTg-CN, dated October 17, 2006, regarding management of clearance of site, mine and explosive ordnance for transport construction, and
- Other related regulations or administrative decisions applicable for the resettlement plan and implementation of the project including relevant decisions by CT-CPC related to principles for compensation, assistance and resettlement in the event of land acquisition required by the State, and CT-CPC's decisions on compensation unit prices for land, crops, and affected assets due to land acquisition for the purpose of the Project.
- Decision No. 18 / QĐ-Committee dated 11/24/2014 of People's Committee of Can Tho City specified quota allocation and recognition of residential land to households and individuals in the city Can Tho;
- Decision No.15/2014/QĐ-PC, dated November 13, 2014 of CT-CPC regarding to compensation and assistance when the state acquired land in Can Tho city;

2.5 Involuntary Resettlement Policy of the WB OP 4.12

2.5.1 The WB's involuntary resettlement policy objectives

- Involuntary resettlement should be avoided where feasible, or minimized by exploring all viable alternative project designs;
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the PAPs to share in the project benefits. The PAPs should be meaningfully consulted and should have opportunities to participate in planning and implementing the resettlement programs;
- PAPs should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

2.5.2 Required measures for the best resettlement results

- Consulting PAPs/DPs about feasible measures for compensation and resettlement plans;
- Providing PAPs/DPs with options for resettlement and recovery;
- Offering PAPs/DPs opportunities to participate in and choose planning options;
- Compensating fully at replacement costs for losses attributable to the project;
- Resettlement sites must be provided with fundamental infrastructure and services same as the DPs' previous residential areas at least;
- Providing DPs with allowances, supports, vocational training and income assistance to facilitate their relocation;
- Identifying special supports for vulnerable groups and;
- Setting up an institutional structure to ensure the successful compensation and resettlement.

2.5.3 Compensation Criteria and Eligibility

The eligibility for obtaining entitlements to compensation follow the principles below:

- i. Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country) – in the instance, 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.

- iv. Persons encroaching land after the cut-off date determined in the project RP are not entitled to any compensation or assistance from the project.

2.5.4 Valuation and compensation for losses

Methods used for the valuation of losses in WB funding projects are based on full replacement costs. For this project, the losses consist of damages to land, structures and other assets and these replacement costs will be evaluated as follows:

- The full replacement cost of land includes the land value as defined in accordance with the prevalent market price plus administration fees (i.e. costs for transaction, LURC etc.).
- For affected houses and other structures, the valuation is based on the market prices of construction materials and labor costs to build a replacement house of equal or better quality and area to the affected one.
- For works partly or wholly affected by the project, the compensation includes the market price of building materials plus costs for transportation, labor and contractor fees, registration fees and transfer taxes. Asset depreciation and value of salvaged materials are not deducted.

2.6 Comparison between GOV and WB approaches

The GOV's policies and practices both in resettlement and compensation are mostly compatible with the WB's guidelines. The most compatible domains are as follows:

- The GOV has procedures that allow compensation for losses of people who have no legal land use rights but possibly satisfy conditions of land legalization.
- Registered permanent residents are entitled to choose what form of compensation they want such as relocation to a better resettlement site, receiving cash, or combination of both resettlement and receiving cash.
- New resettlement locations for DPs should have better infrastructures and public services than DP's previous locations and higher living condition.
- There will be mechanism to assist PAPs/DPs in transition period and keep people informed; thereby they can negotiate for compensation and voicing their grievances.
- For the PAPs who are not entitled to the compensation, the GOV has support policies in accordance with the WB policy to help them restore their livelihood.

Besides the compatible points, there are several differences between the GOV's regulations and WB's policies in terms of compensation, assistance resettlement and livelihood rehabilitation for PAPs. The summary of differences of the two policies and a harmonizing policy **with the proposed measures to close the gaps between two policies to be applied for this project**, are presented in Table 2.

Table 2: Summary of differences between the GOV's policies and WB's policies and proposed policies for the Project.

<i>Subjects</i>	Bank's OP 4.12	Government of Vietnam	Project Measures
<i>Land Property</i>			
Policy objectives	PAPs should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.	<p>Not mentioned.</p> <p>However, there is a provision of support to be considered by PPC/CPC to ensure they have a place to live, to stabilize their living and production. (Article 25 of Decree 47/2014/ND-CP).</p> <p>In case people having land recovered are resettled while the amount of compensation and support is not enough to buy the minimum resettlement plot, the State shall make up the deficit.</p> <p>(Clause 4, Article 86 of Land Law 2013 and Article 27 of Decree 47)</p>	Livelihoods and income sources will be restored in real terms, at least, to the pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
Support for affected households who have no recognizable legal right or claim to the land they are occupying	No compensation but giving financial assistance to all PAPs to achieve the policy objective (to rehabilitate or 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 applicable for agricultural land used before July 1, 2004 is eligible for compensation. Other cases may be considered for assistance by PPC/CPC if needed (Clause 2, Article 77 of Land Law, 2013)	<p>Agricultural land used prior to 1/7/2004 is supported with an amount of equal to 100% of the land at full replacement cost within the land allocation quotas;</p> <p>Agricultural land used after 1/7/2004 will be supported with an amount of at least 60% of the land value with an aim of restoring life.</p> <p>Residential land and non-agricultural land will be supported with an amount of at least 60% of the land at the replacement cost.</p> <p>For residential land, in case, affected persons who are displaced but have nowhere to reside in the wards where the land is affected by the project, they will be allocated</p>

<i>Subjects</i>	Bank's OP 4.12	Government of Vietnam	Project Measures
			with a minimum land plot in the resettlement site and they have to pay the land use fee. If they are not affordable to buy the minimum plot of land in the resettlement area, they will be debited the land use levy.
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. City People's Committee is granted to identify compensation prices for different categories of assets. Land valuator can be used to determine land prices, which will be appraised by land appraisal board before the City 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 the City People's Committee to ensure full replacement costs.
Compensation/assistances			
Houses or other structures to be acquired on land are not eligible to the compensation	Support 100% of new construction prices plus fees for relevant administrative procedures.	Compensation/support based on cost for constructing new structure with similar technical standards, based on the affected level and legality of houses and other structures that the level of compensation from 0% - 80% of new construction costs (Article 10 Decision No. 15/2014/QĐ –UBND of CT-CPC)	Support of 100% of new construction prices plus fees for relevant administrative procedures (transaction cost).
Resettlement Arrangement	For all relocated households	Only apply to relocated households whose land and houses are eligible to the compensation.	Households and individuals whose entire houses and land are acquired and eligible for compensation or their remaining area after being

<i>Subjects</i>	Bank's OP 4.12	Government of Vietnam	Project Measures
		In case of ineligibility for compensation, if DPs have no other accommodations, they will be considered case by case.	<p>acquired is smaller than the local minimum allocation quotas of residential land if they have no other land in the wards being affected by the project will be: (i) resettlement arranged, and (ii) in case, the acquired land compensation amount is lower than that of the minimum land plot in the resettlement site, the State will support the difference, but the support amount shall not exceed the different amount of the compensation and the minimum resettlement allocation prescribed locally.</p> <p>In case DPs including PAPs encroaching on land beyond canals/rivers who are not entitled to the resettlement, but have no shelter in their wards, they will be allocated a minimum land plot in the project resettlement area and are charged with land-use fee. If they are not affordable to pay for the land plot, they will be considered to be in debt of the land use levy.</p>
Compensation for loss of income business households affected	To all affected household business.	Only apply to business, production households with business licenses. Level of compensation/support equal to 30% of their yearly incomes after taxing based on their average yearly incomes of the 3 previous continuous years confirmed by the tax agency. (Section b, Clause 4, Article 19, ND47 / 2014 / ND-CP)	<p>Allowance for Business Loss: All affected businesses and production households having register business whose income is affected will be compensated and/or supported for losses in business equivalent to 50% of their actual annual income based on their average yearly income as declared with the taxation agency over the previous three years;</p> <p>PAPs whose small business or service establishments at home without tax register are</p>

<i>Subjects</i>	Bank's OP 4.12	Government of Vietnam	Project Measures
			<p>permanently affected by the project will receive an allowance of VND 2,000,000 to 10,000,000.</p> <p>PAPs whose small business or service establishments at home without tax register are temporarily affected by the project will receive an allowance of VND 1,000,000 – 5,000,000.</p> <p>Employees who have had the labor contracts for at least 12 months with the private or state enterprises/businesses or organizations that are affected by the project and have to relocate will have an allowance equivalent to the minimum salary as per the City regulations to affected employees during the transition period with a maximum of 6 months.</p>
Threshold of severe impacts on income resources due to acquiring agricultural land	Losing 20% or more (10% or more for the vulnerable) of agricultural land.	Losing over 30% of agricultural land	Losing 20% or more (10% or more for the vulnerable) of agricultural land.
Compensation for indirect impact caused by land or structures taking	It is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups.	Not addressed.	Social assessment has been undertaken and measures identified and being implemented to minimize and mitigate adverse impacts, particularly upon poor and vulnerable groups.
Livelihood restoration and	Provision of livelihood	Livelihood restoration and assistance measures	Provision of livelihood restoration and assistance

<i>Subjects</i>	Bank's OP 4.12	Government of Vietnam	Project Measures
assistance	restoration and assistance to achieve the policy objectives	are provided. No follow-up for full livelihood restoration after resettlement completion.	measures to achieve the policy objectives. These will be monitored as detailed in the RP.
Consultation and disclosure	Participation in planning and implementing RP, specially confirming the eligibility criteria for compensation and assistance, and access to Grievances Redress Mechanisms (GRM)	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 RP preparation, along with information sharing with PAPs and stakeholders.
<i>Grievance redress mechanism (GRM)</i>			
Grievance redress mechanism	Grievance redress mechanism should be independent	PAPs are entitled to send complaints/grievances of any issues related to the compensation, assistance and resettlement to the competent agencies to be handled the grievances at the first and second steps. At the same time, complainants can go to court at any steps as PAP wishes (Articles 28, 32, 33 of Law on Grievance No. 02/2011/QH13 dated 11 November, 2011)	More effective Grievance and Redress mechanisms are to be established, built on the existing governmental system, with monitoring by an independent monitoring consultant;
<i>Monitoring & Evaluation</i>			
Monitoring and evaluation Mechanisms on compensation & resettlement	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	Both internal and external (independent) monitoring is to be regularly maintained (on a monthly basis for internal and bi-annual basis for independent monitoring). An end-of-project report will be done to confirm whether the objectives of OP 4.12 were achieved.

<i>Subjects</i>	Bank’s OP 4.12	Government of Vietnam	Project Measures
		199, Land Law 2013). There is no explicit requirements on monitoring of the resettlement works, including both internal and independent (external) monitoring	

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

This RPF confirms that in committing to this instrument, the GOV and CT-CPC grant the waivers to the relevant articles in various Vietnamese laws that contradict or are not consistent with the objectives set forth in this RPF. The measures taken to address the differences and comply with the WB policy are addressed under this RPF.

III. PRINCIPLES AND POLICIES FRAMEWORK FOR RESETTLEMENT, COMPENSATION AND REHABILITATION

3.1 Required Waivers

To comply with WB OP 4.12 policy on Involuntary Resettlement, articles in the laws and regulations of Vietnam that do not guarantee the PAPs’ right to compensation at replacement costs, or eligibility articles that do not extend the right of being restored and/or assisted to households without valid land papers, or otherwise limit the compensation required by WB OP 4.12, will not apply. The requirements of WB OP 4.12 will fully apply in all cases.

3.2 Principles and Objectives

The principles mentioned in WB OP 4.12 are used for the preparation of this RPF. The following principles and objectives will be applied:

- Land acquisition and asset impacts as well as resettlement of DPs must be minimized as much as possible.
- All PAPs residing, working, doing business or farming in the project areas will be provided with rehabilitation measures, sufficient enough for them to improve or at least maintain their living standards, income earning and production capacity same as their pre-project conditions. Lack of legal rights to acquired land will not prevent PAPs from their entitlement to access such rehabilitation measures.

- Plans for land acquisition and other assets and provision of rehabilitation measures must be taken under the consultation with PAPs to minimize their disturbance. Entitlements shall be provided to PAPs prior to the expected commencement of works at the respective project areas.
- Existing public services shall be maintained or improved.
- Budget for resettlement shall be available in the project implementation stages.
- The executing organization must ensure the design, planning, consultation and implementation of the RP effectively and timely.
- Checking, monitoring and evaluating the implementation of RP timely and effectively should be conducted.
- All PAPs who have assets within or reside within the area of project land-take before the cut-off date are entitled to compensation for their losses as per this RPF. 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 should be considered.
- Agricultural land lost will be compensated “land for land”, or in cash, according to PAP’s choice and the availability of local land fund. The choice of land for land must be offered to those losing 20% or more of their productive land (10% or more of their productive land for the vulnerable). For Can Tho city, because its agricultural land fund is considered not available for the option of “land for land” compensation, PAPs will be compensated in cash at 100% of the replacement cost. Those who lose from 20% or more (from 10% or more for the vulnerable) of the productive land will receive the project income restoration measures.
- PAPs who have to relocate will be arranged for resettlement as regulated; their houses, lands and other properties affected by the project will be compensated in cash at full replacement cost.
- 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.
- The PAPs will be provided with a transportation allowance for transporting personal belongings and assets to a new resettlement place, in addition to the compensation at replacement cost of their houses, lands, and other properties.
- Announcement of acquiring land for the project to PAPs will be made by a state competent agency before at least 90 days for agricultural land and 180 days for non- agricultural land. The announced contents include a plan of land acquisition, investigation, surveys, and detail measurements.

- Handing over the acquired lands to the project will be made by 30 days since PAPs have received full compensation or assistances from the project.
- Public services and resources at the resettlement area will be improved to be better than that in PAP's previous resettlements.
- Temporary resettlement: Relocation of any households more than once, should be avoided because it leads to PAPs being impacted twice or more and will slow down the livelihood restoration time. If this happens, these households should be considered for additional benefits as they have been impacted twice. Temporary resettlement only occurs if the PMU-ODA has verified that temporary resettlement is unavoidable for such reasons as:
 - DPs who are planning to resettle in the project resettlement site are requested to hand over their land to the project but the project resettlement site has not been ready for them to move in.
 - PAPs whose houses are partly affected and necessary to be rebuilt or repaired need temporary resettlement during the time of rebuilding or repairing their houses.
 - DPs who select the self - relocation option need temporary resettlement during the time of looking for new residing places.

3.3 Compensation Policies

3.3.1 Compensation Policy for households' residential land

a. *Land users are entitled to be compensated (Legal and legalizable land users)*

- The project affected land-users will be compensated for the actually affected area in cash at 100% of the replacement cost;
- In case, PAPs losing residential land and their remaining land is not viable enough according to threshold identified in Can Tho City resettlement policy, for their residence (ineligible for building new house as stipulated), if the PAPs agree, the state will acquire the remaining land and compensated in cash at 100% of the replacement cost;
- Land-users who are eligible for compensation of acquired land (legal and legalizable land-users) but their lands are in dispute will be compensated at 100% of the replacement cost and they will receive the compensation amount only when their disputes are resolved. The compensation amount will be kept in an escrow bank account.

b. *Land users are not eligible to be compensated including those living beyond canals/rivers*

The households whose land is affected will be assisted in cash with an amount of least 60% of the land at the replacement cost. PAPs who have their houses encroaching

beyond canals/ivers, the affected land area will be calculated as per area of the largest floor of their houses but not exceed the land allocation quotas stipulated by CT-CPC.

3.3.2 Compensating policies for affected non-agricultural land with structures on land

- If affected lands are eligible to the compensation, PAPs will be compensated in cash at 100% of the replacement cost.
- If affected lands are not entitled to be compensated, PAPs will be assisted in cash with an amount of at least 60% of the land at the replacement cost. Severely affected persons and vulnerable households will be allowed to ensure their livelihood restoration. Severely affected persons and vulnerable households will be supported to ensure their livelihood restoration.

3.3.3 Compensation policies for agricultural Land

i. For land users entitled to the compensation (Legal and Localizable land users)

- If PAPs area acquired is less than 20% (10% for the vulnerable) of their total productive land and the remaining area is economically viable according to threshold identified in Can Tho City resettlement policy, PAPs will be compensated by cash at 100% replacement cost for the acquired area.
- If PAPs have loss of 20% or more (10% or more for the vulnerable) of their total arable land of household or the remaining area is not economically viable according to threshold identified in Can Tho City resettlement policy, PAPs will be compensated by cash at 100% of the replacement cost, while receiving income rehabilitation measures such as extension services, vocational training, access to credit or others based on aspiration of the PAPs.

ii. For land users with no legal rights or claim on land

- PAPs whose affected land used before 01 July 2004 will be supported in cash with 100% of the land at the replacement cost;
- PAPs whose affected land used after 01 July 2004 will be assisted in cash with not less than 60% of the land at the replacement cost.
- The supported land areas are within the land allocation quotas under Article 129, Land Law 2013.

iii. For users hiring land affected

PAPs who use public land (or reserves) with a previous agreement on returning the land to the Government whenever it requests will not be compensated for land lost, but compensated for crops, trees, and other assets on land in cash at the replacement cost, while PAPs will be assisted in recovering the loss of investment in the affected land with an amount equal to 30% of the affected land value at the time of acquisition.

3.3.4 Compensation policies for loss of House/Structures including those living beyond canals/rivers

- (i) Regardless of their titles to the affected land or construction permit for the affected structures/houses, compensation or assistance in cash will be made for all affected private-owned houses/structures at 100% of the replacement costs. For houses/structures being partly affected but the remaining area is insufficient to be used, compensation or assistance in cash will be made at 100% of the replacement cost for the whole affected houses/structures. In case the remaining area of the affected houses is sufficient to be repaired for living, the PAPs will be paid in cash at 100% of the replacement cost for the dismantled area, while being provided with an additional amount equivalent to 30% of the replacement cost of the dismantled portion to rehabilitate the houses/structures to be better. The replacement cost is counted for rebuilding the new houses/structures with the similar quality without deductions of depreciation or salvageable materials.
- (ii) PAPs whose houses/structures built on encroached land beyond canals/rivers will be supported in cash at 100% of the replacement cost to rebuild their new houses/structures.
- (iii) For affected state-owned houses/structures, compensation in cash will be made at 100% of the replacement cost for the remaining value of the houses/structures after the deduction of the used values that have been annually recorded by a state competent agency. The payment will be submitted to the city state treasury, following the state financial procedures.

3.3.5 Compensation policies for tenants

Tenants who are leasing state houses for living: (i) will not be compensated for the land area and houses owned by the state but fully compensated in cash at the replacement costs for the improved, repaired and upgraded works; (ii) will be entitled to rent or buy plots in the project resettlement area to resettle with minimum area; (iii) if the project has no plot in its resettlement site for them to rent/buy, DPs will be supported in cash with not less than 60% of the replacement cost of land and house to be self - resettled (Item 2, Article 14, Decree 47/2014/ND-CP dated May 15, 2015);

Tenants who are leasing private houses for living purposes will be provided with transportation allowance for moving assets to their new residential areas.

3.3.6 Compensation policies for Loss of trees and domestic animals

Cash compensation at full replacement cost will be made to PAPs at time of compensation for the trees/ domestic animals planted/raised on the land;

Where affected trees/animals can be removed to new places, compensation will be paid for the loss of the trees/animals plus the transportation cost.

3.3.7 Compensation policies for Loss of Income and/ or Business/ Productive Assets

For PAPs losing income and/or business/productive assets as a result of land acquisition, the mechanism for compensating will be:

- (i) Allowance for Business Loss: All affected businesses and production households having a register business whose income is affected will be compensated and/or supported for losses in business equivalent to 50% of their actual annual income based on their average yearly income as declared with local taxation agency over three previous years.
- (ii) PAPs whose small business or service establishments at home without tax register are permanently affected by the project will receive an allowance of VND 2,000,000 to 10,000,000.
- (iii) PAPs whose small business or service establishments at home without tax register are temporarily affected by the project will receive an allowance of VND 1,000,000 – 5,000,000.
- (iv) Employees who have had the labor contracts at least for 12 months with the private or state enterprises/businesses or organizations that are affected by the project and have to relocate will have an allowance equivalent to the minimum salary as per the City regulations to affected employees during the transition period with a maximum of 6 months.

3.3.8 Compensation policies for Affected Public Utilities

If some public infrastructures/buildings are damaged by the project, the PMU-ODA shall consult with affected communities and specify that these structures are restored or repaired soon to mitigate negative impacts on communities and the affected communities do not pay for such repair costs.

3.3.9 Compensation policies for affected graves/tombs

Compensation for the removal of graves/tombs will include the cost of excavation, relocation, reburial and other related costs, which is relevant to customary requirements. The removal option and level of compensation to the affected will be decided in consultation with the affected families/communities based on Can Tho City decision at the time of compensation.

3.3.10 Compensation policies for other assets

Households' other assets are affected such as: Telephone line, water meter, electric meter shall be compensated in cash as regulated;

PAPs whose cable TV, internet access (subscription), wells affected by the project shall be compensated in cash with an amount equal to value of the new installation.

3.3.11 Compensation policies for temporary impacts during construction

If private or state structures are temporarily affected by contractors during construction phase, contractors shall have to bear all responsibilities for compensation to the affected

at the replacement cost as those are permanently affected by the project. Temporarily affected land shall be assisted to be rehabilitated to its original or better conditions.

3.4 Allowance and rehabilitation assistance in the transition period

In addition to direct compensation for property damage, the PAPs will receive additional payments to cover the costs of the transition. The support level including inflation and rising costs will be taken into account at the time of payment. These grants include, but are not limited to:

3.4.1 Supporting for moving and temporary residence

Support moving to new residential areas:

- (i) RPs whose multi-floor houses (two floors more) are affected will be supported in transporting their assets and belongings to the new residential places with an amount of 7,000,000 VND/household when moving within the city and 9,000,000 VND/household when moving out of the city;
- (ii) RPs whose affected houses different from case (i) will be assisted in moving their assets and belongings to the new residential places with 5,000,000 VND/household within the city and 7,000,000 VND/household out of the city.
- (iii) In case, AHs must be moved more than one times will be supported equivalent to times of moving according to supporting rates in the items (i) and (ii) above.

Support for temporary residence:

- (i) APs who are planning to resettle in the project resettlement site must hand over their land to the project, while the resettlement area has not been finished to be delivered to them, they will be supported in temporary resettlement during the waiting time plus three months for constructing house with a renting rate not exceeding twice of that regulated by CT-CPC.
- (ii) PAPs who are acquired partial of main houses and have to rebuild new houses on the remaining area will be supported in temporary resettlement for 03 months with a renting rate not exceeding 02 times of that regulated by CT-CPC.
- (iii) PAPs who are acquired partial of main houses and have to rehabilitate their houses will receive support in temporary resettlement for 02 months with a renting rate not exceeding 2 times of that regulated by CT-CPC.
- (iv) RPs who choose resettlement by themselves (with written commitments for self-taking care of their relocation) will be assisted in temporary resettlement for 03 months with a renting rate not exceeding twice of that regulated by CT-CPC.

3.4.2 Support for training for career change

- (i) PAPs whose agricultural land being cultivated is affected (confirmed by their WPCs) will be supported for job training and job change with an amount of 01 to 05 times of the land price for the acquired land area based on CT-CPC Decision on Resettlement; and

- (ii) In case, PAPs whose agricultural land is affected and need a training or apprenticeship, they will be admitted to a vocational center within the city with the exemption from tuition fees for such training course for those within working ages (not applicable for those who enroll for vocational trainings outside the city).

3.4.3 Allowance for life and production stabilization

- (i) PAPs whose agricultural land is affected with 20% to 70% (10% to 70% for vulnerable households) will be supported one time by money equivalent to 30kg of rice per month for one person based on local average price at the time of support for living stability within 6 months if not relocated and within 12 months if relocated; and
- (ii) PAPs with more than 70% of their agricultural land affected will be supported with the amount mentioned in (i) within 12 months if not relocated and within 24 months if relocated.

3.4.4 Allowances targeted to the vulnerable to be relocated

Apart from the compensation and support regulated by the policies, the vulnerable who must relocate will have a further allowance to facilitate them in rehabilitating their life sooner with the following specific amount:

- (i) DPs who belong to poor households with poor certified records will receive a support amount of 7,200,000 VND/household.
- (ii) DPs who are the other vulnerable will be supported with 3,000,000 to 5,000,000 VND/household.
- (iii) DPs who belong to social policy families will be supported with VND 2,000,000 per household.
- (iv) Retirees and those under the social policy assistance will be support 1,000,000/HH.

3.4.5 Rewards for delivery land on schedule: According to the regulation of CT-CPC, but not less than 1,000,000/HH.

3.5 Policies for Resettlement Issues

Households or individuals who have all their legal houses and land acquired and their remaining parts of land are less than the limits of local land allocation; (i) will be entitled to resettlement arrangement; and (ii) in case the compensation for affected land is lower than the investment cost of a land plot in resettlement site, the households will be supported by the project for such difference, however, the support amount will not be in excess of the difference between the land compensation cost and cost for an minimal land plot of the local allocation.

Other land-users who are not eligible for the project land compensation (include Households who have land encroach canals) and have no shelters in their ward, which is confirmed by local authorities will be allocated minimum land plots in the project

resettlement site for building houses and pay land-use fee; in case DPs cannot afford it, they will be considered to be in debt of the land use levy.

Relocation alternatives: There are three (03) major options for relocation, namely (i) serviced resettlement site where AHs are provided plots of land in the resettlement site; (ii) self – relocation where AHs are entitled to compensation/resettlement for the land but prefer to find their new residential areas by themselves and (iii) Resettlement in place, in case AHs whose residential land is acquired but still have agricultural land or garden land planned to be a residential area by CT - CPC. They should be supported to change the agricultural land into residential land for building a house.

DPs who select self- relocation will be supported as follows:

- (i) Those who are entitled to be provided with a lot of land in the project resettlement site will be assisted in cash with an amount of 1.5 times of the rate regulated by CT-CPC (1.3 million/m² dong according to Decision No 15/2014/QĐ-UBND dated 13 November, 2014 by CT-CPC).
- (ii) Those who are entitled to buy minimum land plots in the resettlement area will be supported in cash with an amount of 50% of case (i).

Pursuant to the resettlement requirements, the PMU-ODA shall prepare the project resettlement site in the city for DPs who are eligible for resettlement and have resettlement demand. The resettlement site must ensure basic social infrastructures and services for people living at new places at least equal to or better than their previous places.

IV. ELIGIBILITY CRITERIA AND ENTITLEMENTS

4.1 Project affected people (PAP)

(i) Individuals/families

People directly affected by the project - through the loss of land, residences, crops, structures, business, assets, or access to resources, are:

- Persons whose agricultural land will be affected (permanently or temporarily) by the Project;
- Persons whose non - agricultural land but not residential 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 state/private houses/ land 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 trees and domestic animals 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.

(ii) Community/state assets, facilities

- Community assets and facilities that will be temporarily/permanently affected by the project;
- Land, houses, structures of state that will be temporarily/permanently affected by the project;

4.2 Identification of vulnerable groups

Based on the initial rapid socioeconomic surveys, the vulnerable groups will generally include the following:

- The poor and social policy families identified by DOLISA of the city and registered at commune/ward level;
- People who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status, may be more severely affected by economic or physical displacement than others.

4.3 Entitlement

With respect to a particular eligibility category, entitlements are the sum of compensations and other forms of assistance provided to PAPs. Please refer to Annex 1 for the Full Entitlement Matrix.

V. CONSULTATIONS WITH PROJECT AFFECTED PEOPLE'S

This chapter describes briefly how the consultation has to be conducted with project stakeholders, particularly with potentially affected households, in order to prepare this RPF and the RP, while suggesting key consultation principles that should be adopted when consulting with project stakeholders during the preparation and implementation of project.

5.1 Objectives of Public Information and Consultation

Information dissemination to PAPs and involved agencies is an important part of project preparation and implementation. Consultation with PAPs and ensuring their active participation will reduce the potential for conflicts and minimize the risk of project delays. This will also enable the Project to design the resettlement and livelihood restoration program as a comprehensive development program to suit the needs and priorities of the PAPs, thereby maximizing the economic and social benefits of

investments. The objectives of the public information and consultation program are as follows:

- a. To ensure that local authorities, as well as representatives of PAPs, will be included in the planning and decision-making processes. The PMU-ODA will work closely with CT-CPC, the project DPCs and related line departments and agencies during project implementation. PAPs involvement in implementation will continue thereafter by requesting the project districts to invite PAP's representatives to be members of the DCSCCs and take part in the resettlement activities (property evaluation, compensation, resettlement, and monitoring).
- b. To fully share information about the proposed project components and activities with the PAPs.
- c. To obtain information about the needs and priorities of the PAPs, as well as receiving information about their reactions to proposed policies and activities.
- d. To ensure that PAPs are able to make fully informed decisions that will directly affect their incomes and living standards, and that they will have the opportunity to participate in activities and decision-making about issues that will directly affect them.
- e. To obtain the cooperation and participation of the PAPs and communities in activities necessary for resettlement planning and implementation.
- f. To ensure transparency in all activities related to land acquisition, resettlement, and rehabilitation.

5.2 Community consultation and participation

Methods of information dissemination and community consultation may include the rural participatory rapid assessment method, consultations with the stakeholders, visits to affected areas, interviews of affected households, community meetings, focus group discussions and socio-economic surveys.

Even in the early stage of project preparation, local governments at all levels have been informed about the project, its objectives, components and project operations and were consulted and participated in the discussions in a constructive way about local development needs and priorities. Local authorities were consulted on the assessment of potential negative impacts of the project, measures to minimize impacts and increase benefits of the project. Local authorities were also consulted on their consensus and commitment to implement the resettlement policy as is described in the RPF. After the project is approved, central and local mass media, including TV programs and the press will widely introduce the project at public places, including information on the objectives, components and operations of the project.

Public consultation in the project implementation phase: During project implementation, the PMU-ODA will organize information dissemination and consultation with PAPs throughout the project implementation process; updating the compensation rates of the City, reaffirming land acquisition scale and impacts on assets based on the results of the

detailed measurement survey (DMS), in consultation with PAPs, mailing/questions concerning the relocation plans to all RPs (a) to inform them about the resettlement plans (clearly explain the consequences of each alternative option) and the Project resettlement site and (b) suggest affected people to affirm their choice of resettlement plans.

Community meeting: Before beginning the detailed design, community meetings in each affected ward will be conducted to provide additional information for PAPs and provide opportunities for them to participate in public discussions on resettlement policy and procedures. Details are described in the following Table.

Steps	Preparation and implementation of community meetings
Step 1	<p>PMU-ODA has responsibility for preparing meeting contents and meeting agenda. Meeting schedule will be registered with project WPCs so that they may collaborate with the PMU-ODA in inviting PAPs with at least 30% of women as expected and arranging suitable positions and time for participants. Meeting contents must cover the main information as follows:</p> <ul style="list-style-type: none"> - Provide PAPs with final RoW delineations of project structural items and information data on project resettlement sites with adequate information on physical and social infrastructures and price of minimum land plots; - Disclose the project RPF approved by PM, applying for the CTURDP. - Mechanism of grievance and redress related to land acquisition and resettlement established for CTURDP. <p>The contents will be sent to the project WPCs at least 5 days in advance, so that they could provide the PAPs with the meeting contents at least 3 days before meeting starts.</p>
Step 2	<p>Conduct community meetings to disclose clear information to all PAPs, score and take ideas of PAPs into consideration during detail engineering designing. The meeting should include representatives of WPCs, DCSCCs, DLFDCs and PMU-ODA. Minute meetings should be prepared during the meeting and signed by all representatives of stakeholders.</p>
Step 3	<p>Disclose the project key information, resettlement and compensation policies and GRM at a place of project WPC's office where is easy to be visited by PAPs.</p>

VI. IMPLEMENTATION ARRANGEMENTS

6.1 Organizational Arrangements

The implementation of resettlement activities requires the involvement of agencies at the city, district and ward levels. The CT-CPC will be responsible for the overall

implementation of this RPF and RP prepared under the RPF. The DCSCCs will be established at the project affected districts in compliance with Decree No. 47/2014/ND-CP. This RPF is a legal basis for implementing compensation, assistance and resettlement for the project.

The following is an overview of key implementation responsibilities of each unit involved in the resettlement implementation under the project.

6.1.1 City level

CT-CPC is the highest authority to promulgate regulations, solve issues concerning guidelines and policies, and give instructions for the Project implementation and are the links of the functional organizations in the Project implementation. CT-CPC will take the below responsibilities:

- a. Promulgating regulations to solidify the mechanisms for compensation, assistance and resettlement in accordance with the laws and practices of the city.
- b. Giving instructions to its departments, divisions, agencies and DPCs for:
 - Making plans for construction of the project resettlement site to meet the requirements of compensation, site clearance and land acquisition.
 - Preparing compensation, assistance and resettlement plans within their competency.
 - Approving compensation, assistance and resettlement plans.
- c. Making decisions or authorizing chairpersons of district PCs to implement coercion for those who deliberately do not comply with the land acquisition decision made by CT-CPC.
- d. Giving instructions and punishing violations of compensation, assistance and resettlement.

6.1.2 District People Committees (DPCs)

The DPCs will be responsible for:

- a. Giving instructions, organizing dissemination of information and mobilizing every concerned agency, household, and individual to execute the compensation, assistance and resettlement and site clearance policy pursuant to the decisions of the state competent agencies.
- b. Giving instructions to its DCSCC of preparing, assessing and approving compensation and resettlement plans based on the decentralization from the city PC; and co-coordinating to implementation of compensation, assistance and resettlement for the project set up by the LFDC belonging the DONRE;.
- c. Assessing and checking original source of lands prepared by the ward PCs.

- d. Coordinating with concerned departments, divisions, agencies, organizations and the PMU-ODA to develop and implement investment and construction project for local resettlement areas as assigned by the CT-CPC.
- e. Solving people's disputes, complaints, denunciations and petitions related to compensation, assistance and resettlement within their authority; making coercion decisions for site clearance and land acquisition within their competence or are authorized by the CT-CPC.

6.1.3 District Compensation and Site Clearance Committees (DCSCCs)

DCSCCs are the agencies that support their DPCs in organizing and implementing the compensation, assistance and resettlement. DCSCCs are established by their DPCs including the following assignments:

- a. Preparing compensation, assistance and resettlement plans to submit to the competent authority for approval, and organizing the implementation of compensation, assistance and resettlement plans.
- b. Together with members of the mission teams established for the project, ensure the accuracy and legality of compensation, assistance and resettlement beneficiaries sources of the land, inventory data, and legality of assets associated with the affected land that may or may not be eligible for compensation or support.
- c. Solving petitions of compensation and assistance of beneficiaries relating to the compensation, assistance and resettlement plans, and report to its DPC the cases out of their competence.
- d. Giving instructions to the employer and local governments to implement payment for compensation, assistance and resettlement.
- e. Coordinating with the LFDC (of DONRE) for the compensation, assistance and resettlement.

6.1.4 District Land Fund Development Centers (DLFDCs)

- a. Sign a contract with PMU-ODA, support DCSCCs in implementing compensation, assistance and resettlement;
- b. Blueprint in the implementation of RP and land clearance for the project;
- c. Support PMU-ODA in conducting community meetings to disclose the project information, RPF, GRM and information on resettlement sites;
- d. Conduct DMS of all affected assets, establishment and disclosure of detailed compensation measures of each PAP;
- e. Conduct payment of compensation and assistance to all PAPs;
- f. Receive and resolve complaints made by PAPs related to land acquisition and resettlement to be submitted to DCSCCs for further deal with the issues beyond their competent.

6.1.5 Ward People's Committee (WPCs)

WPC is responsible for the following:

- a. Organizing dissemination of information for PAPs about the objectives for land acquisition, and the Project policy of compensation, assistance and resettlement.
- b. Coordinating with agencies in charge of compensation, assistance and resettlement implementation to guide PAPs in enumerating and certifying their inventory of land and assets associated with land.
- c. Preparing and taking responsibility for the accuracy of the copies of documents concerning land sources, family members, registered members, beneficiaries of social policies, and proposals for resettlement of DPs.
- d. In coordination with the Employer, implementing payment of compensation, assistance and resettlement for PAPs and ensuring good conditions for the Project's site clearance.

6.1.6 Project Management Unit (PMU-ODA)

PMU-ODA that is the implementing agency assists the investor CT-CPC and directly manages the project implementation. The PMU-ODA shall be responsible for the implementation of the Project RP and its main tasks are:

- a. Preparation of resettlement plan or updating resettlement plan to submit CT-CPC for approval;
- b. Identification of resettlement sites before organizing household relocation to new residential area;
- c. Planning detail implementation of the Resettlement and Site Clearance Plan; Signing contracts with related entities to perform the compensation, support and resettlement;
- d. Joining the project DCSCCs, providing all necessary information related to the Project and the compensation, support plans to serve the evaluation process of the DCSCCs;
- e. Instructing the implementation of project policies in compliance with the RPF and the RP of the Project;
- f. Planning and conducting internal monitoring of the implementation of resettlement activities of the Project to ensure that all activities are in compliance with the project policies;
- g. Recruiting, supervising and considering the recommendations on the process of implementing the RP regularly made by IMA;
- h. Getting sites handed over by PAPs and handing them over to the construction contractors;
- i. Preparing quarterly periodic reports on resettlement activities to the WB.

6.2 Preparation of procedures for approval of RP

6.2.1 Preparation of RP

a. Screening

At project identification stage, an initial assessment of social issues shall be made to determine the level of impact capable of occurring due to project investment as well as land acquisition and land use changes. Based on the social appraisal result, PMU-ODA will make a decision to require a method of detailed site survey and data necessary including statistic data, studies and other results of the socio economic surveys.

b. Resettlement Instruments

The scope and details of an RP depends on the resettlement scale and complexity; therefore the two RP instruments to be tentatively applied for the Project are:

b.1 Abbreviated RP

- When the total number of affected people is less than 200 and there is no physical resettlement required for any PAPs, an abbreviated RP will be required, subject to review and acceptance by the WB.
- An abbreviated RP will cover at least the following elements: (1) census survey of affected persons and asset evaluation; (2) description of compensation and other assistance for resettlement; (3) consultation with PAPs about compensation options; (4) institutional responsibility for implementation and procedures for grievance redress; (5) arrangements for monitoring and implementation, and (6) a timetable and budget. **In case of PAPs losing 10% or more of productive assets** or requiring relocation, the plan must also include the socio-economic survey and the income restoration measures.
- Abbreviated RP should be completed four months before the expected commencement date of construction for project phase. Abbreviated RP should be submitted to the WB three months before the construction of project work for review and approval. The activities of compensation, resettlement and economic recovery can be started only when the WB and CT-CPC approve the abbreviated RP. The compensation payment and resettlement should be completed before signing construction contracts for project.

b.2 Full RP

- When the impact involves more than 200 PAPs and there are households losing **10% or more of their productive assets** or having to be relocated, a full RP shall be made according to the terms and conditions of this RPF, and it must be approved by CT-CPC and endorsed by WB.
- A full RP needs to have the following sections: (1) description of project; (2) potential impacts; (3) objective of RP; (4) socio-economic studies; (5) legal framework; (6) institutional framework; (7) Eligibility; (8) Valuation and compensation for losses; (9) resettlement measures; (10) site selection, site

preparation, and relocations; (11) houses, infrastructure and social services; (12) environmental protection and management; (13) community participation; (14) integration with host population; (15) grievance procedures; (16) organizational responsibilities; (17) implementation schedule; (18) costs and budget; and, (19) Monitoring and evaluation.

- Full RP should be completed no later than six (06) months before the expected commencement of the work. A full RP should be submitted to the WB no later than three months before the commencement of the project works for review and approval. Activities for compensation and support can be started only when the WB and CT-CPC approved the RP. The payment for compensation, allowances and other supports or assistance should be completed before signing construction contracts for the project.

c. Preparation of RP

- Results of preliminary social evaluation and statistics show that there will be project impacts on resettlement and a RP must be made.
- Based on the RPF, the consultants hired by the PMU-ODA shall establish RP for the Project and submit it to CT-CPC for review and approval. It will be subsequently submitted to the International Development Association (IDA) of the WB for approval before there is the final approval of CT-CPC. Personnel responsible for this task shall cooperate with PAPs, government agencies at all levels, and local social organizations to implement the detailed RP.
- The RP's preparation requires the community participation an analysis in all aspects to be included in a social assessment and evaluation. The following procedures are implemented in the planning phase of a Project:

Step 1. Based on the preliminary design of the project, it will be categorized as one of the following types (according to the impact of resettlement²): (i) no resettlement impacts (ii) Limited resettlement impacts and (iii) considerable resettlement impacts. Both (ii) and (iii) require a brief resettlement plan or full resettlement plan.

Step 2. Completion of the detailed designs for the project based on consultation with potential PAPs and professional engineers so as to minimize resettlement impacts as much as possible. For example, choosing design alternatives, revision of road alignment and prioritizing the existing traffic systems, and/or utilizing public space to reduce the resettlement impact on PAPs significantly;

Step 3. If projects fall into (ii) and (iii) of step 1 social assessment and evaluation surveys are required. Social assessment includes statistics on family members and surveys of households that may be affected. It contains socio-economic information of PAPs, determines types of impacts, impact levels and inventory of PAPs' property. The survey is conducted with the participation of concerned local authorities at all levels.

² "Resettlement impact" indicates both relocation and losses of crops and incomes. The resettlement should be minimized but when it is avoidable, entitlement policy of the RPF should be applied.

Step 4. In parallel with the affected family surveys, consultations with PAPs will be made to determine their expectations and demands. The results of these consultations should be included in the RP. Replacement cost survey for land, farm products and assets from the governments of each project district, ward as well as the current market, will be the foundation for estimating the costs in the RP.

Step 5. Preparation of Resettlement Plan: the Entitlements stipulated in the RPF will be summarized in the Entitlement matrix (Appendix 1) for the project. The number of PAPs and assets and total amount of compensation should be determined for each type of effect.

Step 6. Disseminating the draft RP in community meetings; comments and ideas contributed at these meetings shall be reviewed and included in the final draft RP.

d. Appraisal of RP

- One of the project assessment criteria is the RP preparation (if necessary), which is consistent with the RPF. This RP must be developed in bilingual languages, Vietnamese and English. The English version must be proposed to the WB for approval before WB conducts a project appraisal. The social assessment and statistics on household resettlement impacts may reveal new affected groups and new types of impact which are not mentioned in the Interest Matrix of the RPF. If new types of impact arise, the relevant agency should update them into the RPF and the RP.
- The CT-CPC will be responsible for approval of the Project RP and other resettlement contents. After the detailed technical designs are complete, the number of PAPs, compensation unit prices for all types of impacts, and levels of allowance or support will be reviewed and updated according to the results of the replacement cost investigation.
- After the WB/IDA adopts the RP, CT-CPC will take general responsibility for RP implementation. WB/IDA will not approve any loans for construction contracts unless the City has completed the compensation, resettlement and land acquisition included the measures to recover the living conditions of the affected people.

6.2.2 RP Approval Procedure

The RP of the project will have to be submitted to the CT-CPC and the WB for approval before any compensation and resettlement activities are implemented. After the RP is approved, the contents of the RP should be summarized and disclosed to the relevant PAPs for their information and feedback. A copy of approved RP will be disclosed at relevant Ward's PC so that the PAPs can conveniently access. The RP will also be disclosed in Vietnamese at the WB's VDIC in Hanoi, and in English at Bank's Info shop in Washington DC.

6.3 Replacement Costs Survey (RCS)

As required by the World Bank's OP 4.12 on Involuntary Resettlement, RCS will need to be done to establish the basis for calculation of replacement costs for all the

lands/crops/structures/assets affected by the Project. In relation to this, RCS needs to be done to establish compensation rates for all RPs that are prepared under the Project. The local authority will contract a consulting firm who is specialized in conducting land price appraisal and it will work closely with PMU-ODA, the project DPCs, and the DCSCCs for this Project to ensure compensation payment is at the replacement costs for land and structures, and at market prices for crops/trees.

VII. GRIEVANCE REDRESS MECHANISM (GRM)

PAPs are entitled to the complaints regarding their interests and responsibilities in the Project implementation including but not limited to: entitlements to compensation, compensation policy, unit prices, land acquisition, resettlement and other entitlements related to the recovery support programs. Complaints can also concern issues related to construction safety and nuisances caused by construction. Grievance procedures should be affordable and accessible procedures for third party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms. Grievance redress mechanism comply with the current law Government is provision in Article 28, Article 32 and Article 33 of the Law on grievance No. 02/2011/QH13 dated 11/11/2011 as following:

Ways of complaint

Complainants are able to make complaints in written or spoken manners. If the complaints are made in writing, they must contain dates, months and years of the complaints; names and addresses of complainants; contents, reasons for complaints and documents related to contents of complaints and requests for settlement of complainants. The complaints must be signed by the complainants or in their fingerprints. If the complaints are made in a spoken manner, competent staff who receives complaints will guide complainants to write their complaints on paper with the signatures or fingerprints of complaints as certification.

The stages of complaints/grievances and their addressing are the following:

First stage: At Ward People's Committee (Article 28 and Article 32 of the Law on Complaints, 2011)

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

Second stage: At District's People's Committee (Article 28 and Article 32 of the Law on Complaints, 2011)

Complainants submit their complains to the District People's Committee and within 10 days of receiving complaints, the District People's Committee proceeds complaints and informs complainants whether they are valid for settlement or not. If not, they must clearly state reasons. The time for settlement of the complaints is 30 days from the date of notification of acceptance of complaints. Within 03 working days from the dates of decisions to settle the complaints, the District People's Committee will send decisions of settlement to complainants. The affected people can also bring the case to court if they wish.

Third stage: At the City's People's Committee or lawsuits in court (Article 33 of the Law on Complaints, 2011)

If after 30 days the aggrieved PAP does not hear from the DPC, or if the PAP is not satisfied with the decision taken on his/her complaint, complainants may lodge their complaints to the City's People's Committee (CPC) .together with settlement decisions of complaints at district level and relevant documents for the CPC to resolve them. At the same time, the claimants may also bring the case to court if they wish.

Final Stage - Court of Law Decides

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

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

Complainants will be free from administration and complaint charges.

Besides that, an escrow account at commercial banks for resettlement payments should be used when grievance is resolving to avoid excessive delay of the project while ensuring compensation payment after the grievance has been resolved.

All Grievance Redress Committees should maintain a system to register queries, suggestions and grievances of the DPs. All queries, suggestions and grievances and their resolution should be recorded and forwarded to the PMU and its functioning monitored monthly.

All the cost of GRM establishing and functioning should be included in the project cost.

VIII. COST AND BUDGETS

To prepare the budget for the Project, preliminary cost estimation will be made. Costs for the RP implementation will be made based on updated compensation unit prices of the City, reflecting the replacement cost of all affected assets at the time the RP is implemented.

CT- CPC will be responsible for funding the Project's site clearance and compensation costs.

Training costs for RP implementation, development of the project resettlement site, and IMA cost will be taken from the Project's ODA fund.

IX. MONITORING AND EVALUATION

9.1 Monitoring

Monitoring of implementation is a continuous process during project implementation. It provides concerned agencies with updated information on the Project's status. It will determine the Project's actual progress, the possibility of its success, and any difficulties arising, and facilitate adjustments to the Project implementation as soon as possible. It consists of internal and external monitoring.

9.1.1 Internal Monitoring

Internal monitoring of the RP implementation is the main responsibility of the PMU-ODA with the support of the project consultants, which will be regularly implemented through progress reports made by the PMU-ODA in coordination with project DPCs and WPCs. The findings will be recorded in quarterly reports before being submitted to the CT-CPC and WB. Internal monitoring reports will include the following information:

- The number of DPs according to types of impact, and the components and conditions for compensation, relocation and recovery of income for each one.
- Money distributed for activities or compensation and money disbursed for each activity.
- Final resolutions of complaints and outstanding issues needing resolutions from management agencies at all levels.
- Issues arising during the RP implementation.
- Updated RP Schedule

9.1.2 External Monitoring and Evaluation (Independent Monitoring)

An Independent Monitoring agency (IMA) will be employed by the PMU-ODA to monitor and evaluate the RP implementation. The IMA may be from institutes, research agencies, non-governmental organizations, independent consultancy companies etc. but they must specialize in social science and be experienced in independently monitoring RP implementation. The IMA must follow the TOR approved by the WB and begin its assignment soon after the commencement of the Project.

The general objective of independent monitoring is to periodically supply the assessment findings of resettlement objectives, changes of living standard and job, DPs' restoration of income and social establishment, effectiveness, impacts and sustainability of benefits of people, and the necessity of mitigation measures (if any), as well as lessons learned for future policy making and planning in the next period.

In addition to reviewing information provided in assessment and internal monitoring reports by the PMU-ODA, the IMA will conduct a survey every six months. The survey sample of the RP may cover 50% of the displaced and severely affected households (a census) and at least 10% of the remaining households (which may be through random selection), in order to:

- Determine if procedures for PAPs' participation, procedures of compensation and recovery conform to the RPF and RP.
- Review the process of project implementation, consultation and information dissemination, and publicize the compensation policy.
- Evaluate whether the objective of the RPF for restoration or improvement of living standards and income of PAPs has been reached.
- Gather quantitative indicators of the Project's socio-economic effects on PAPs.
- Propose modifications to the RP implementation, if necessary, to achieve the principles and objectives of the RPF.
- PAPs' satisfaction in various aspects of the RP will be monitored and recorded. The operation of the complaint mechanism and the speed of complaint resolution will be monitored also.
- During the implementation, the trends of living standards are recorded and monitored. Any potential issues regarding recovering living standards are reported.
- The IMA must report their findings every six months and the report will be discuss with the PMU-ODA prior to submitting to the WB.

9.2 Evaluation

The assessment of the RP's progress, the RP's impacts and the objectives will be conducted at the time of 6 - 12 months after the completion of all resettlement activities. The evaluation will be conducted by an EMA through assessment questions prepared based on the Project databases and sample questions used in the monitoring activities.

If this evaluation indicates that severely PAPs have not recovered their lives against the Project objectives, an additional fund should be established to continue assistance for them. The independent monitoring report will be submitted to the PMU-ODA and to the WB for monitoring and evaluating effectiveness of the compensation. While a project is not considered complete, the WB's supervision continues until the resettlement measures set out in the relevant resettlement instrument have been implemented. Upon completion of the project, the Implementation Completion Report (ICR) valuates the achievement of the objectives of the resettlement instrument, summarizes the findings of the PMU-ODA's assessment and lessons learned withdrawn for future operations (referred to in OP 4.12, para. 24.12). If the evaluation suggests that the objectives of the resettlement instrument may not be realized, the ICR assesses the appropriateness of the resettlement measures and may propose a future course of action, including continued supervision by

the WB. The ICR's assessment of the extent to which resettlement objectives will be realized, which is normally based on a socio-economic survey of affected people conducted at the time of project completion, and takes into account the extent of displacement, and the impact of the project on the livelihoods of displaced persons.

XI. ANNEX

Annex 1: Entitlement Matrix

No	Type of loss	Application	Type of PAPs	Compensation/allowance policies	Implementation issues
1	Residential land is permanently acquired	Residential land is acquired and DPs are eligible for land compensation.	All households whose residential land acquired	<p><u>Compensation for lost land</u></p> <ul style="list-style-type: none"> - The project affected land-users will be compensated for the actually affected area in cash at 100% of the replacement cost; - In case, PAPs losing residential land and their remaining land is not viable enough for their residence (ineligible for building new house as stipulated), if the PAPs agree, the state will acquire the remaining land and compensate for the acquired land in cash at 100% of the replacement cost; - Land-users who are eligible for compensation of acquired land (legal and legalizable land-users) but their lands are in dispute will be compensated at 100% of the replacement cost and they will receive the compensation amount only when their disputes are resolved. 	
			Households have to relocate	<p><u>Relocation</u></p> <p>Households or individuals who are</p>	

No	Type of loss	Application	Type of PAPs	Compensation/allowance policies	Implementation issues
				<p>acquired with all residential land or partial land but the remaining parts of land are less than the limits of local land allocation (1) will be entitled to resettlement arrangement and (2) in case, the compensation for affected land is lower than the investment cost of a land plot in resettlement site, the households will be supported by the project for such difference, however, the support amount will not be in excess of the difference between the land compensation cost and cost for an minimal land plot of the project resettlement site.</p>	
2	Residential land is permanently acquired	Land users, (including those who live beyond rivers/canals) whose acquired residential land is ineligible for land compensation	<p>All households are acquired with residential land</p> <p>Households have to relocate</p>	<p><u>Supporting for lost land</u></p> <p>The households whose land is affected will be assisted in cash with an amount at least 60% of the land at the replacement cost.</p> <p>Households whose house encroaching beyond canals/rivers, the affected land area will be calculated equal to the area of a floor of the affected house but not exceed land allocation quotas stipulated by the CT - CPC.</p> <p><u>Relocation</u></p> <p>RPs who have no shelters in their ward, which is confirmed by local</p>	

No	Type of loss	Application	Type of PAPs	Compensation/allowance policies	Implementation issues
				authorities (i) will be allocated minimum land plots in the project resettlement site for building houses and (ii) pay land-use fee; in case DPs cannot affordable, they will considered to be in debt of the land use levy.	
3	Residential land is permanently acquired	Acquired residential lands which is rented from the State have to relocate.	Relocated households are using state-owned land	In addition to the compensation for their affected property on land at replacement cost, RPs will be entitled to rent/buy apartments in the project resettlement site to stay. If the project does not have apartments in the project resettlement site, apartments in local social houses shall be introduced to the PAPs for renting/buying at price regulated by CT-CPC. RPs are also supported in moving their assets and belongings to their new residences.	
4	Non-agricultural land other residential land with structures on land	Non-agricultural land is acquired	All households are acquired with non-agricultural land	<p><u>Land compensation/assistances</u></p> <p>If affected lands are eligible to be compensated, PAPs will be compensated in cash at 100% of the replacement cost.</p> <p>If affected lands are not entitled to the compensation, PAPs will be assisted in cash with an amount of at least 60% of the land at the replacement cost.</p>	
			Relocated households	<p><u>Relocation</u></p> <p>In case RPs who have no shelters in</p>	

No	Type of loss	Application	Type of PAPs	Compensation/allowance policies	Implementation issues
				<p>their ward, which is confirmed by local authorities (i) will be allocated minimum land plots in the project resettlement site for building houses and (ii) pay land-use fee; in case DPs cannot affordable, they will considered to be in debt of the land use levy.</p>	
5	Permanent loss of arable land	Households whose agricultural land is acquired permanently	PAPs are eligible for compensation	<p>If PAPs are acquired less than 20% (10% for the vulnerable) of their total land and the remaining area is economically viable, PAPs will be compensated in cash at 100% of the replacement cost for the acquired area. In addition, the vulnerable will be entitled to take part in the project income restoration program.</p> <p>If PAPs have loss of 20% or more (10% or more for the vulnerable) of their land or the remaining area is not economically viable, PAPs will be compensated in cash at 100% of the replacement cost, while receiving income rehabilitation measures such as extension services, vocational training, access to credit or others based on aspiration of the PAPs.</p>	

No	Type of loss	Application	Type of PAPs	Compensation/allowance policies	Implementation issues
	Permanent loss of arable land	Households whose agricultural land is acquired permanently	Land users are not entitled to compensation as per regulation at Article 75 of Land Law, 2013.	<p>PAPs whose affected land used before 01 July 2004 will be compensated in cash with 100% of the land at the replacement cost.</p> <p>PAPs whose affected land used after 01 July 2004 will be assisted in cash not less than 60% of the land value at the replacement cost.</p> <p>The supported/compensated land areas are within the land allocation quotas under Article 129, Land Law 2013.</p>	
		Households whose agricultural land is acquired permanently	Land users use bidding land or rent public land with a previous agreement on returning the land to Government whenever it requests	PAPs will not be compensated of the acquired land, but compensated for affected crops, plant mortars, and other assets on land in cash at the replacement cost, while PAPs will be assisted in recovering the loss of investment in the affected land with an amount equal to 30% of the affected land value at the time of acquisition.	Those who rent land of other households or individuals, compensation money on land will be paid to land-owners.
6	Housing/structures	Housing/structures in land acquiring area.	Owners of the affected structures are households and individuals	<p>Regardless their titles to the affected land or a construction permit for the affected structure, compensation or assistance in cash will be made to the affected houses/structures at 100% of the replacement costs; and</p> <p>For houses/structures being partly affected but the remaining area is not</p>	Compensation at replacement cost without deductions of depreciation or salvageable materials.

No	Type of loss	Application	Type of PAPs	Compensation/allowance policies	Implementation issues
				<p>sufficient to be used, compensation or assistance in cash will be made at 100% of the replacement cost for the whole affected houses/structures.</p> <p>In case the remaining area of affected houses is sufficient to be repaired for living, PAPs will be paid in cash at 100% of the replacement cost for the dismantled area, while provided with an additional amount equivalent to 30% of the replacement cost of the dismantled portion to rehabilitate the houses/structures to be better.</p> <p>PAPs whose houses/structures built on encroached land beyond canals/rivers will be supported in cash at 100% of the replacement cost to rebuild their new houses/structures.</p>	
7	Tenants	State ownership	Tenants (who rent safe houses) have to relocate	<p>Tenants who are leasing state houses for living will (i) not be compensated for the land area and houses owned by the state but fully compensated in cash at the replacement costs for the improved, repaired and upgraded works; (ii) will be entitled to rent or buy plots in the project resettlement area to resettle with minimum area; (iii) if the project has no plot in its resettlement site to them for</p>	

No	Type of loss	Application	Type of PAPs	Compensation/allowance policies	Implementation issues
				renting/buying to resettle, APs will be supported in cash with not less than 60% replacement cost of land and house to resettle (Clause 2, Article 14, Decree 47/2014/ND-CP dated May 15, 2015).	
		Private ownership	Tenants (who rent private houses) have to relocate	RPs will be provided with transportation allowance for moving their assets and belongings to new residential places;	
8	Annual crops and perennial trees	Trees and domestic animals affected	Owners of affected trees and domestic animals	Cash compensation at full replacement cost will be made to PAPs at time of compensation for the affected trees/domestic animals planted/raised on the land. Where affected trees/animals can be removed to new places, compensation will be paid for the loss of the trees/animals plus the transportation cost.	Households will be notified 30 days to hand over land from after date compensated
9	Affected income and production/business facilities	Loss of income sources and properties for production/business	Those who lost income source/owners of affected properties used for production /business	<u>Allowance for Business Loss:</u> All affected businesses and production households having register business whose income is affected will be compensated and/or supported for losses in business equivalent to 50% of their actual annual income approved by their 03 years continue of tax obligations;	

No	Type of loss	Application	Type of PAPs	Compensation/allowance policies	Implementation issues
				<p>PAPs whose small business or service establishments at home without tax register are permanently affected by the project will receive an allowance of VND 2,000,000 to 10,000,000.</p> <p>PAPs whose small business or service establishments at home without tax register are temporarily affected by the project will receive an allowance of VND 1,000,000 – 5,000,000.</p> <p>Employees who have had the labor contracts for at least 12 months with the private or state enterprises/businesses or organizations that are affected by the project and have to relocate will have an allowance equivalent to the minimum salary as per the City regulations to affected employees during the transition period with a maximum of 6 months.</p>	
10	Affected public utilities/structures	Structures, housing, public architectures, forests, feeding land, other land, permanently/temporarily affected irrigation system.	Villages, urban zones, administration agencies.	If some public infrastructures/buildings are damaged by the project, the PMU-ODA shall consult with affected communities and specify that these structures are restored or repaired soon to mitigate	

No	Type of loss	Application	Type of PAPs	Compensation/allowance policies	Implementation issues
				negative impacts on communities, while the affected communities do not pay for such repair costs.	
11	Graves	Affected gravers	Families/groups	Compensation for the removal of graves/tombs will include the cost of excavation, relocation, reburial and other related costs, which is relevant to customary requirements. The removal option and level of compensation to the affected will be decided in consultation with the affected families/communities and based on Can Tho City Policy at the time of compensation.	
12	Other assets	Telephone system, water meter, electric meter, cable TV, internet access (subscription), well...	Families/ companies affected	Households' other assets are affected such as: Telephone line, water meter, electric meter shall be compensated in cash as regulated; Cable TV, internet access (subscription) well of households/communities are affected by the project, PAPs shall be compensated in cash at the new installation.	
13	Temporarily affected	Assets affected during construction phase	Households/ Organizations in the project areas	If private or state structures are temporarily affected by contractors during construction phase, contractors shall bear all responsibilities for	

No	Type of loss	Application	Type of PAPs	Compensation/allowance policies	Implementation issues
				compensation to the affected at the replacement cost as those are permanently affected by the project. Temporarily affected land shall be assisted to be rehabilitated to its original or better conditions;	
14	Supporting relocation for	Resettlement rehabilitation	Relocate to new places	<ul style="list-style-type: none"> i. RPs whose multi-floor houses (two floors more) are affected will receive transportation allowance of 7,000,000 VND/household when moving within the city and 9,000,000 VND/household when moving out of the city; ii. RPs whose affected houses different from case (i) will have transportation assistance with 5,000,000VND/household when transporting within the city and 7,000,000 VND/household when transporting out of the city. iii. In case, AHs must be moved more than one times will be supported equivalent to times of moving according to supporting rates in the items (i) and (ii) above. 	The specific amount will be adjusted according to the percentage of inflation at supporting time.
15	Supporting for temporary residence	Life stabilization	Households will	i. APs who are planning to resettle	

No	Type of loss	Application	Type of PAPs	Compensation/allowance policies	Implementation issues
			<p>move to resettlement areas, free – resettlement and households who are temporarily relocated during the time of rebuilding their houses</p>	<p>in the project resettlement site must hand over their land to the project, while the resettlement area has not been finished to be delivered to them, they will be supported in temporary resettlement during the waiting time plus three months for constructing house with a renting rate not exceeding twice of that regulated by CT-CPC.</p> <p>ii. PAPs who are acquired partial of main houses and have to rebuild new houses on the remaining area will be supported in temporary resettlement for 03 months with a renting rate not exceeding 2 times of that regulated by CT-CPC.</p> <p>iii. PAPs who are acquired partial of main houses and have to rehabilitate their houses will receive support in temporary resettlement for 02 months with a renting rate not exceeding 2 times of that regulated by CT-CPC.</p> <p>iv. RPs who choose resettlement by themselves (with written commitments for self-taking care of their relocation) will be</p>	

No	Type of loss	Application	Type of PAPs	Compensation/allowance policies	Implementation issues
				assisted in temporary resettlement for 03 months with a renting rate not exceeding twice of that regulated by CT-CPC.	
16	Supporting for training on career changes	Loss of productive lands	Severely affected households	<p>i. PAPs whose agricultural land being cultivated is affected (confirmed by WPCs) will be supported for job training and job change with an amount of 01 to 05 times of the land price for the acquired land area of that regulated by CT-CPC; and</p> <p>ii. In case, PAPs whose agricultural land is affected need a training or apprenticeship, they will be admitted to a vocational center within the city with the exemption from tuition fees for such training course for those within working ages (not applicable for those who enroll for vocational trainings outside the city).</p>	Method of supporting will be delivered based on results of consultation with the affected households
17	Supporting for life rehabilitation	Resettlement restoration	Relocated persons who have aspiration of self-relocation.	<p>DPs who select self-relocation will be supported as follows:</p> <p>i. Those who are entitled to be provided with a lot of land in the project resettlement site will</p>	

No	Type of loss	Application	Type of PAPs	Compensation/allowance policies	Implementation issues
				<p>assisted in cash with an amount of 1,5 times of the rate regulated by CT-CPC (1.3 million dong/m² according to Decision 15/2014/QĐ-UBND dated 13 November, 2014)</p> <p>ii. Those who are entitled to buy minimum land plots in the resettlement area will be supported in cash with an amount of 50% of case (i).</p>	
		Income restoration	Households whose agricultural land affected	<p>For households whose agricultural land is affected with 20% to 70% (10% to 70% for vulnerable households) will be supported one time by money equivalent to 30kg of rice per month for one person based on local average price at the time of support for living stability within 6 months if not relocated and within 12 months if relocated; and</p> <p>In case, more than 70% of agricultural land affected, PAPs will be supported within 12 months if not relocated and within 24 months if relocated</p>	
18	Social welfare	Additional support for the vulnerable	Relocated vulnerable households	i. DPs who belong to poor households with poor certified records will receive a support	

No	Type of loss	Application	Type of PAPs	Compensation/allowance policies	Implementation issues
				<p>amount of 7,200,000 VND/household.</p> <p>ii. DPs who are the other vulnerable will be supported with 3,000,000 to 5,000,000 VND/household.</p> <p>iii. DPs who belong to social policy families will be supported with VND 2,000,000 per household.</p> <p>iv. The retired and those are under the social policy assistance will be supported with 1,000,000/HH.</p>	
19	Incentive support for handing over site soon	Progress bonus	Households handing over their affected land to the project in time or prior to regulation	According to the regulation of CT-CPC, but not less than 1,000,000/HH.	Handing over the acquired lands to the project will be made by 30 days since PAPs have received full compensation or assistances from the project.

Annex 2: Inventory of losses

Can Tho Urban Development and Resilient Project

Inventory of losses of PAPs

District: _____

City: _____

Ward/Commune: _____

No.	Name of house owner	No. of family members	Total land area m ²	Type of acquired land (m ²)	% of affected land	Affected assets			Affected crops			Other affected assets	Other losses			Temporary losses (description)
						No. and type of affected structures	Permanent structures (m ²)	Temporary structures (m ²)	Affected fruit-trees Type and No.	Rice field (m ²)	Other (description)	Graves, wells (No. & type)	Rented house	Trading	Loss of income	