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Vietnam Inland Waterway Administration
Project Management Unit of Waterways

World Bank



**NORTHERN DELTA TRANSPORT DEVELOPMENT PROJECT
(NDTDP)**

CORRIDOR 3

**Day – Ninh Co Junction Canal and Crossing Bridge
(DNC)**

R.A.P.

RESETTLEMENT ACTION PLAN



In association with



July 2016

QUALITY ASSURANCE SHEET

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LIST OF ACRONYMS

AH	Affected household
AP	Affected person
DNC	Day- Ninh Co
DMS	Detailed Measurement Survey
DP	Displaced Person (or Project Affected Person, PAP)
DPC	District People's Committee
DRC	District Resettlement Committee
EMA/IMO	External Monitoring Agency (or Independent Monitoring Organization, IMO)
GOV	Government of Vietnam
GSO	General Statistics Office
ha	Hectare
HH	Household
HHH	Household Head
IDA	International Development Association
IMO	Independent Monitoring Organization (or External Monitoring Agency, EMA)
IWW	Inland Waterway
IOL	Inventory of Losses
LURC	Land use right certificate
MOF	Ministry of Finance
MOT	Ministry of Transport
MPI	Ministry of Planning and Investment
NDTDP	Northern Delta Transport Development Project
OD	Operational Directives
OP	Operational Policy
PAP	Project Affected Person (or Displaced Person, DP)
PDOT	Provincial Department of Transport
PIB	Public Information Booklet
PMU-W	Project Management Unit for Waterways
PPC	Provincial People's Committee
PPMU	Provincial Project Management Unit
PRC	Provincial Resettlement Committee
PSU	Project Steering Unit

RAP	Resettlement Action Plan (or Resettlement Plan, RP)
RC	Resettlement Committees
ROW	Right of Way
RP	Resettlement Plan (or Resettlement Action Plan, RAP)
RPF	Resettlement Policy Framework
RS	Resettlement Site
SBV	State Bank of Vietnam
USD	United States Dollar
WB	World Bank
W/CPC	Ward/Commune People's Committee
VIWA	Vietnam Inland Water Way Administration
VND	Vietnamese Dong

GLOSSARY OF TERMS

- Cut-off date** Date of commencement of census and asset inventory surveys. Displaced Persons and local communities will be informed of the cut-off date for each Project component, and that anyone moving into the Project Area after that cut-off-date established for each subproject will not be entitled to compensation and assistance under the Project.
- Eligibility** Any person who at the cut-off-date was located within the area affected by the project, its sub-components, or other subproject parts thereof, and would: (i) have formal legal rights to land (including customary and traditional rights recognized under the laws of the country); or (ii) 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 process identified in the resettlement plan. (iii) not have legal nor recognizable by laws rights to the land they are occupying they live or/and have properties/assets within the project areas before the cut-off date Person covered under (i) and (ii) are provided compensation for the land they lose and other assistance at full replacement cost. Person covered under (iii) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set in this RPF, if they occupy the project area prior to the cut-off date. Person who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.
- Replacement cost** Is the term used to determine the amount sufficient to replace lost assets and cover transaction costs. For losses that cannot easily be valued or compensated for in monetary terms (e.g. access to public services, customers, and supplies; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. When domestic laws do not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standards.
- Resettlement** Is the general term related to land acquisition and compensation for loss of asset whether it involves actual relocation, loss of land, shelter, assets or other means of livelihood.
- Displaced Persons** Are organizations, household, individual who have occupied land, affected assets, entitlement and being listed in the IOL of DMS, including:
- People whose house, structures and/or occupied agricultural/residential land are affected.
 - People whose income from business and other forms production are affected.
 - People whose seasonal/annual/perennial tree, vegetable and other crops are affected
 - People whose ponds used for fish-rearing or other purposes are affected

- People who become unemployed on either a temporary or permanent basis as a result of this Project.

Severely affected household: This refers to affected households who will (i) lose 20% (10% for poor and vulnerable) or more of their total productive land holding and/or (ii) have to relocate;

Vulnerable groups: These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) single-female headed households with dependents, (ii) disabled household heads, (iii) households falling under the national poverty standard, (iv) children and the elderly households who are landless and with no other means of support.

EXECUTIVE SUMMARY

The Northern Delta Transport Development Project (NDTDP) makes part of the master plan of Vietnam’s inland waterway transport development 2020. The project consists of three main components: (i) Component A: Multimodal Transport Corridor Investments: (ii) Component B: Investments in Ferry Boat Stages (US\$4.6 million) and (iii) Component C: Institutional Support to MOT, VIWA and the Provinces (US\$5.1 million). Land acquisition would only require in sub-components of components A, including Sub-Component A1 ‘Improvements to National Waterway Corridors’ (known as Corridor 1) and Sub-Component A2 ‘Improvements to Ninh Co River Estuary and an inter-connecting canal between the Day and Ninh Co Rivers (known as Corridor 3). This Resettlement Plan describes only the land acquisition, compensation and allowances and resettlement activities for the works under area for Day-Ninh Co canal with the bridge.

The Project’s development objective is to enhance the efficiency, environmental sustainability and safety of transport infrastructure and services, through the alleviation of physical and institutional bottlenecks, in two major waterway corridors in the Northern Delta Region. The Day-Ninh Co Connecting canal (DNC) is one of the main components of the Project.

The canal is an inland waterway connection from the Ninh Co River to the Day River to allow 3,000 DWT vessels to go from the Lach Giang estuary to Ninh Phuc port, the main river port of Ninh Binh Province. The works comprise two construction items: a connecting canal and a ship lock. The connecting canal has the following characteristics:

- The connecting canal is located in the area of Nghia Son and Nghia Lac communes, Nghia Hung district, Nam Dinh province;
- The canal is expected to be 1,550 m long (up to the edge of the river) and 260 m wide;
- Canal depth will reach 6 m from the lowest water level;
- A fixed bridge and an access road to be built to maintain connection of the road from side to side of the canal.

The socio-economic updating survey was carried out in November 2015. The inventory of losses (IOL) was carried out for land and non-land assets including business activities affected by the acquired land. The asset owners were also identified by the IOL. The severity of impact on the affected assets and the severity of impact on the livelihood and productive capacity of households were also determined. The summary of survey results on Land Acquisition Impacts is shown in Table 1 as above.

Table 1. Summary of Land Acquisition Impacts

Main impacts	Unit	Affected quantity		
		Total	Permanent	Temporary
1. Affected households:	households	264	264	TBD
In which:				
+ Households whose residential lands are affected	households	41	41	TBD
+ Households whose agricultural lands are affected	households	259	259	TBD
2. Affected area	m ²	448,483	368,819	79,664 (public

				land)
Of which:				
+ residential land	m ²	6,915	6,915	0
+ agricultural land	m ²	321,049	243,855	77,194
+ other land	m ²	120,519	118,049	2,470
3. Number of affected persons	Persons	1,061	1,061	TBD
4. Number of relocated households	households	30	30	0
5. Area of affected houses	m ²	2,795	2,795	0
7. Number of seriously affected households due to losing 20% or more of total agricultural land holding	households	247	247	0
8. Number of vulnerable households (poor households and women headed households)	households	48	48	TBD

Source: According to socio-economic survey in November 2015.

Based on the principle and objectives which are set forth in the Resettlement Policy Framework, all DPs will be compensated for their losses at replacement cost and provided with other assistance and rehabilitation measures to assist them to improve, or at least maintain, their pre-project living standards and income earning capacity. DPs will be adequately informed and consulted to enable their active participation in the planning and implementation of RP. The DPs will participate throughout the various stages of the planning and implementation of the socioeconomic survey, inventory of losses, the detailed measurement survey and resettlement planning. The RP implementation will be subject to both internal and external monitoring and evaluation. The estimated budget for RP implementation, compensations and assistance is around 119,400,000,000 VND (~ 5,425,000 USD).

I. INTRODUCTION

1. Northern Delta Transport Development Project (NDTDP)

The Project's development objective is to enhance the efficiency, environmental sustainability and safety of transport infrastructure and services, through the alleviation of physical and institutional bottlenecks, in two major waterway corridors in the Northern Delta Region. The Project has three main components:

Component A: Multimodal Transport Corridor Investments (US\$147.1 million). This component consists of improvements to two major waterway corridors in the Northern Delta Region to increase the efficiency of multimodal transport and supply chains and enhance the environmental sustainability of the waterway system. It has four sub-components (in addition to 'detailed engineering design and supervision').

Component B: Investments in Ferry Boat Stages (US\$4.6 million). This Component will include physical improvements to 15-30 pilot ferry boat stages. Access to these ferries from the road is often dangerous and has resulted in accidents and fatalities. In conjunction with the physical improvements, the Project will support the implementation and operationalization of a framework of standards for the design and operation of the different size ferry boat stages under its institutional support component. The framework will be developed under MDTIDP.

Component C: Institutional Support to MOT, VIWA and the Provinces (US\$5.1 million). This component consists of sub-components:

- *Sub-Component C1. Institutional support to VIWA (US\$1.0 million)*—this sub-component will support VIWA and MOT operationalize frameworks developed under MDTIDP for planning and management of ports and waterways, as well as help VIWA carry out its tasks as manager of the inland waterway network in Vietnam more effectively.
- *Sub-Component C2. Training (US\$0.5 million)*—based on the curricula developed under the technical assistance program of MDTIDP, this sub-component will strengthen the capacity of central and provincial government transport officials involved in the waterway sector in Northern Vietnam.
- *Sub-Component C3. Project Audit Services (US\$1.25 million)*—this sub-component will finance two types of independent audits: (i) Integrated Project Implementation Audit Services (US \$0.80 million) in which independent consultants will be procured to conduct semi-annual reviews and to provide heightened technical, fiduciary, safeguards, and general project monitoring; and (ii) standard external project Financial Audit (US\$0.45 million).
- *Sub-Component C4. Preparation of Future Transport Projects (US\$2.36 million)*—this amount will be used toward the identification and preparation of future Bank-financed transport projects in Vietnam. Potential candidates include an expressway project, a provincial roads project, or a second phase for NDTDP.

2. Sub-Component A2 “Improvements to Ninh Co River Estuary and an inter-connecting canal between the Day and Ninh Co Rivers with a navigational lock”

Shallow depths at the estuaries of the Day and Ninh Co rivers restrict the size of the vessels that can use the rivers to about 200-600 DWT (the latter during high tide) even though many sections of the rivers can handle much larger vessels. As a result, vessels using the coastal route on the Eastern Sea are often unable to pass through the river estuaries to the ports of Ninh Phuc and Hanoi. This sub-component will include investments in an access channel bypassing the mouth of the Ninh Co river estuary to accommodate 3,000 DWT vessels and a canal connecting the Ninh Co and Day Rivers (cf. Figure 1). The required work will

entail dredging the approach channel and connecting canal, and the construction of breakwaters, a ship lock, bank protection works, and other river training works. Specific activities are described below:

- **Improving Corridor 3** to meet basic level I standard for inland waterway: through dredging, training works, bend correction, bank protection, and navigational aids. The details are below:
 - Bend channel correction at Mom Ro (Km 128 – at the beginning of the Ninh Co river);
 - Bend channel correction at Do Bui ;
 - Dredging the shallow beach locations on the Ninh Co river;
 - Arrange navigational aids along the entire corridor 3.
- **Improving 2 major industrial ports :**
 - Viet Tri port located 70 km upstream from Hanoi;
 - Ninh Phuc port located on the Day River, close to Ninh Binh city.
- **Ninh Co estuary improvement:** Invest in upgrading to allow 3000 DWT half-loaded vessels and 2000 DWT fully loaded vessels from the sea to access the Lach Giang estuary through the Ninh Co River, DNC canal, and Day river to Ninh Phuc port (key civil works such as breakwater and ship lock are for 3000 DWT fully loaded vessels).
- **Training works at Lach Giang estuary:** The works system includes 2.8 km of navigation flow divided into 2 sections: the outer section has the design length of 1.3km and the design width of 120m; the short cut flow section is 1.5km long and 115m wide, respectively. Bottom dredging elevation reaches -7.1 meters. Training works at Lach Giang estuary are arranged in consideration of adequate coordination between the sea dykes system and coastal protection works of the Irrigation Sector.
- **DNC (Day-NinhCo) Connecting canal** is an inland waterway connection from the Ninh Co River to the Day river to allow 3000 DWT vessels to go from the Lach Giang estuary to Ninh Phuc port in Ninh Binh province. The works comprise two construction items: a connecting canal and a ship lock. The connecting canal has the following characteristics:
 - The connecting canal is located in the area of Nghia Son and Nghia Lac communes, Nghia Hung district, Nam Dinh province;
 - The canal is expected to be 1550m long (up to the edge of the river) and 260 m wide;
 - Canal depth will reach 6m from the lowest water level;
 - A fixed-span bridge will be built to maintain connection of a crossing road from side to side of the canal.

The ship lock is a key construction item of the DNC canal, with the following characteristics:

- The ship lock's function is to help 3,000 DWT vessels pass the water level difference between the Ninh Co River and the Day river on their journey from Lach Giang to Ninh Phuc port, and vice versa;
- The lock is 220 m long, the chamber is wide enough to ensure that 3,000 DWT vessels, as well as smaller ships, are able to go through.

Between 2013 and 2015 the following parts of the NDTDP project at Corridor 3 were constructed and are now operational:

- Improvements to Viet Tri Port;
- Improvements to Ninh Phuc Port;
- Mom Ro bend cutting and derivation channel;
- Do Bui bend cutting;
- Lach Giang estuarial bypass access channel;
- Installation of navigational aids at the targeted waterways.

The only remaining part of Corridor 3 works under the project is the DNC canal, including:

- Ship lock;
- Canal on Day river and Ninh Co river sides;
- Access road;
- Fixed-span bridge across the canal.

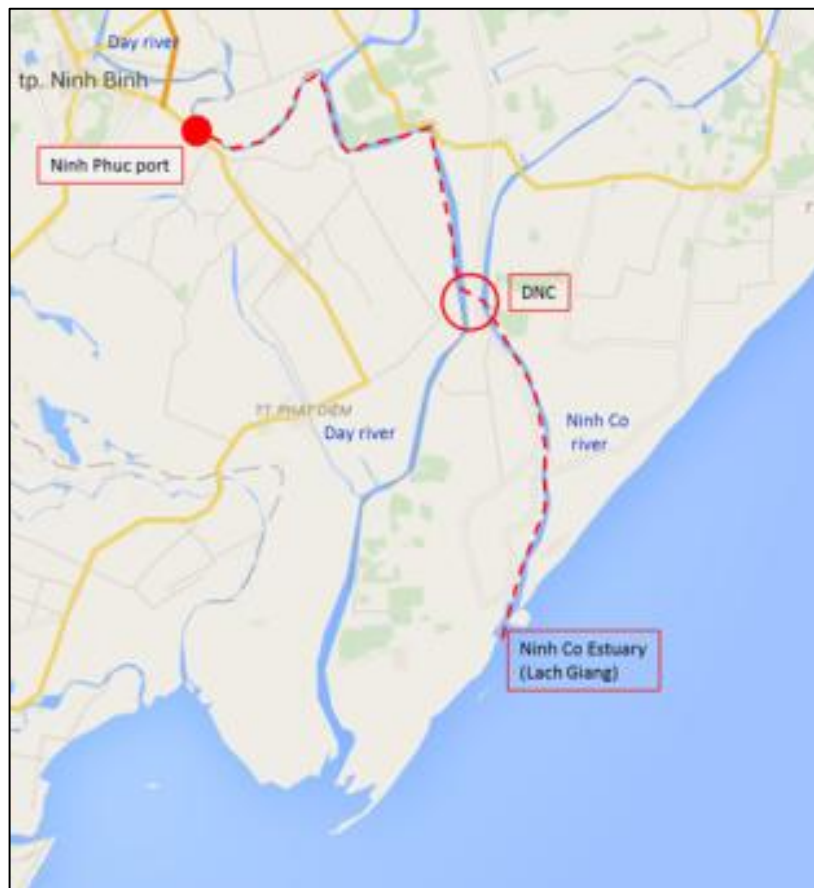


Figure 1: Location of Corridor 3 from Lach Giang to Ninh Phuc port

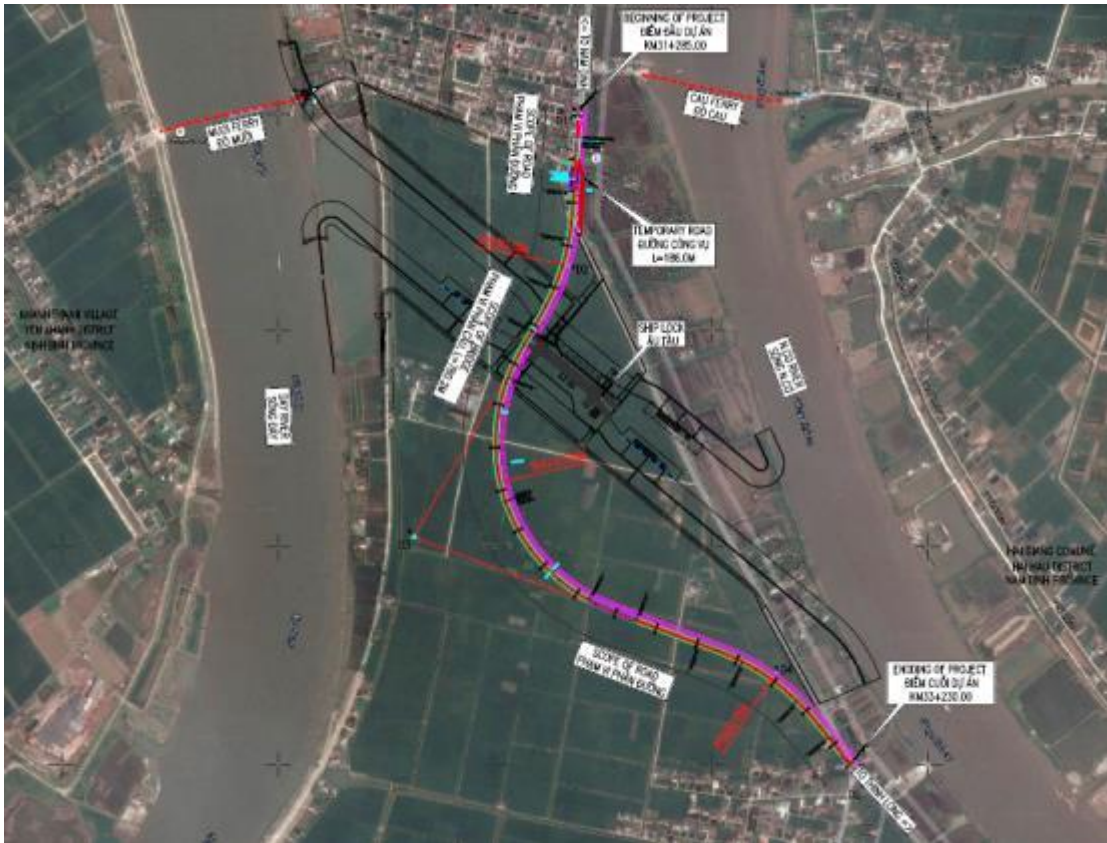


Figure 2: Project site at DNC Canal

3. Resettlement Plan

This Resettlement Plan has been developed for the DNC canal complex, including its fixed-span bridge and access road to the bridge, with the following objectives:

- Involuntary resettlement must be avoided where possible, or be reduced to the lowest possible extent by selecting appropriate design options.
- Where involuntary resettlement is unavoidable, the resettlement activities must be prepared and executed with sustainable development programs and sufficiently provided investment support, enabling displaced people to benefit from the subproject. The displaced people will be fully consulted and allowed to participate in preparatory and implementing activities of this Resettlement Plan.
- The displaced people must be supported in terms of their capacity to improve their living conditions and to rehabilitate their living standards to a level higher than or at least equal to that before constructing the subproject.

This Resettlement Plan is based on the Detailed Design (April 2014) for the canal and ship lock, and on the Preliminary Design (December 2015) for the Bridge and access road to the bridge. It describes only the necessary land acquisition, compensation, and allowances activities for the works under Sub-Component A2 (Corridor 3) for the two following associated construction projects:

- 1) Day-Ninh Co canal and ship lock;
- 2) Crossing fixed-span bridge and access road.

This instrument is developed based on the principle and objectives which have been set forth in the Resettlement Policy Framework of the NDTDP.

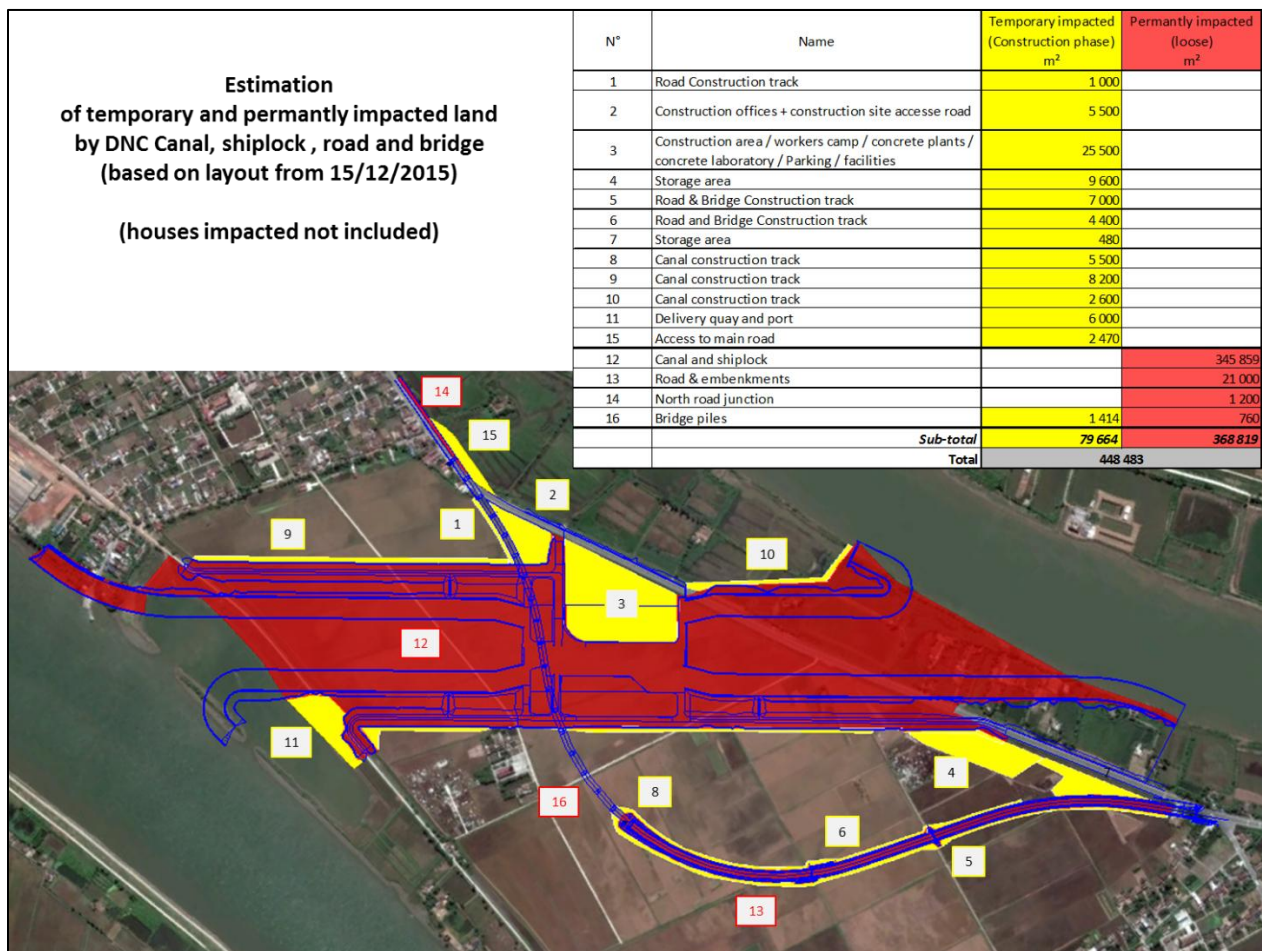
II. PROJECT'S IMPACTS

1. Scope of land acquisition

The NDTDP phase II covers Nam Dinh, Ninh Binh, and Phu Tho provinces. However, Sub-Component A2, which requires land acquisition, is entirely located in Nam Dinh. In particular, the Day-Ninh Co canal with the bridge and access road require land acquisition in two communes of Nghia Hung district, namely Nghia Son and Nghia Lac communes.

Figure 3: Location of the impacted lands on DNC

(Red = permanently impacted – Yellow = temporally impacted during construction phase)



The inventory of losses (IOL) was carried out for affected land and non-land assets, as well as affected business activities. The number of affected households and persons was also identified by the survey. The severity of impact on the affected assets and livelihood of households was also determined. Information on the affected households, members of the affected households, sources of livelihood, income level, and tenure status were also gathered.

2. Affected households

According to the IOL, 264 households with 1,061 persons will be affected by the project, including 247 HHs being severely affected due to their losing more than 20% of agricultural land; 30 HHs will have to relocate due to losing residential land and entire houses; and 48 HHs are vulnerable (12 poor HHs and 36 women-headed HHs). No ethnic minority people are found in the project area (see Table 2).

Table 2. Project Affected Households by commune

TT	Commune	No. of AHs	No. of severely affected agricultural land HHs			No. of relocated HHs	No. of vulnerable HHs	
			Total	#HHs losing 20-50%	#HHs losing >50-70%			#HHs losing >70%
1	Nghia Son	205	194	92	59	42	3	33
2	Nghia Lac	59	53	10	30	14	27	15
Total		264	247	102	89	56	30	48

Source: According to socio-economic survey in November 2015

3. Impacts on land

Total land to be acquired by the project is approximately 450,000 m², of which approximately 370,000 m² and 80,000 m² will be permanently and temporarily acquired, respectively. Of the total 450,000 m², the affected agricultural land of households is approximately 321,000 m², residential land of households is 6,915 m², and 120,500 m² of agriculture land is public land managed by communes. A summary of land acquisition impacts in each commune is shown in Table 3.

Table 3. Summary of Land acquisition

#	Commune	Unit	Residential land	Annual crop land	Public land
	Nghia Son	m ²	585	265,000	108,000
	Nghia Lac	m ²	6,330	56,000	12,500
Total		m²	6,915	321,000	120,500

Source: According to socio-economic survey in November 2015.

Disposal areas: In order to build the DNC inter-connecting canal and ship lock, the project will remove approximately 1,500,000 m³ of soil by excavation and dredging. Of the 1,500,000 m³, there are around 200,000 m³ of clay which could be used as feedstock material for two brick factories located at Nghia Son and Nghia Lac communes, as well as materials for filling up the access road to the bridge (around 30,000 m³). The remaining non-clay soil, of about 1,270,000 m³, will be used to fill up the Lach Giang complex's southern disposal area, which was prepared to keep dredging/excavation materials during constructing of the Lach Giang group in phase 2 but there was not enough soil material to fill it up to reach attitude as designed for the plantation of trees. Therefore, it is not required to set up a new disposal area in order to keep 1,500,000 m³ of soil for this project.

4. Impacts on houses

There are 30 households whose houses are fully affected with total affected area of 2,660 m² and have to relocate, and 2 households which are partially affected with total area of 135 m² and do not have to relocate because the remaining part of houses are fully usable. All affected houses are Class 4 (semi-permanent). A summary of impacts on houses is present in the following table.

Table 4. Summary of Impacts on Houses

		Partially affected (m ²)	Fully affected (m ²)	Total (m ²)
1	Nghia Son	135	334	469
2	Nghia Lac	0	2,326	2,326
Total		135	2,660	2,795

Source: According to socio-economic survey in November 2015

In addition to fully affected houses, secondary structures attached to the houses, such as kitchens (192 m²), breeding facilities (382 m²), fences (280 m²), gates (117 m²), wells (22 units), and yards (170 m²) are also affected (see Table 5).

Table 5. Affected Secondary Structures and tombs

Commune	Affected Kitchens (m ²)	Affected Breeding facilities (m ²)	Affected Fences (m ²)	Affected Gates (m ²)	Affected Wells (units)	Affected Yards (m ²)	Affected tombs
Nghia Son	32	15	80	12	1	100	0
Nghia Lac	160	367	200	105	21	70	14
Total	192	382	280	117	22	170	14

Source: According to socio-economic survey in November 2015

5. Impacts on tombs

The project will affect 14 tombs (04 brick tombs and 10 soil tombs) at Nghia Lac commune. The tombs will be removed and reburied in the graveyard of the commune.

6. Impact on crops and trees

The project will impact various crops and fruit trees. According to result of IOL, crops and trees are affected as follows: 313,253 m² of rice, 3,530 m² of maize, 3,366 m² of peanuts, 800 banana trees, and 150 bamboo trees (see Table 6).

Table 6. Impact on crops and trees.

Kind of crops and trees	Unit	Affected area/commune		Total
		Nghia Son	Nghia Lac	
Rice	m ²	274,028	39,225	313,253
Maize	m ²	0	3,530	3,530
Peanut, m ²	m ²	0	3,366	3,366
Banana	tree	0	800	800
Bamboo	tree	0	150	150

Source: According to socio-economic survey in November 2015

7. Impacts on public facilities

To construct the DNC canal, the Do Muoi ferry in Nghia Son commune will be temporarily relocated to an alternate location, about 50m from the original site, to maintain transportation between Nam Dinh and Ninh Binh provinces. The temporary relocation of the ferry will not affect any households or vendors on either side of the ferry, nor will it affect the ferry operator, because they will all continue to do business at the new temporary location. After the project the ferry will be restored to its current location. The project contractors will build access roads and ferry docks on both sides of the river before and after relocating the ferry. Therefore, transportation of local people will not be disrupted. The cost of temporary ferry relocation will be included under the contractor's civil works package value and will therefore be financed by the project.

Two high voltage transmission lines of 110 KV and 35 KV in the area of the DNC canal at Nghia Son commune, Nghia Hung district, will be relocated to another area nearby. Relocation of the transmission lines will disrupt temporarily the local power supply, but it will not affect the living conditions and production of local residents.

The canal construction will cut across the road No. 490 with a section of about 300 m in the area of Nghia Lac and Nghia Son commune. However, this will not disrupt transport activities of residents along the road because the fixed-span bridge crossing the canal will be built to connect the two sides of the canal before breaking the road section.

The canal will cut 260 m of dyke on the Day River's right bank and 260 m of dyke on the Ninh Co River's left bank. Construction of the DNC canal will also affect irrigation systems located along the Day and Ninh Co Rivers. In the absence of mitigation measures, changes to the irrigation system may disrupt water supply for rice cultivation of local farmers and generate impacts on cultivation and on local people's access to resources. PMU-W has consulted with local authorities and the local irrigation agency regarding adequate mitigation measures and it has been agreed that a new irrigation scheme will be constructed before construction of the DNC canal to ensure that there will be no impact on cultivation/production of local farmers in terms of irrigation.

The canal construction will also affect some inter-village roads at Nghia Son commune, especially the road connecting some villages of Nghia Son commune to the local Church. The electricity supply for the Church also will undergo impacts. Mitigation measures will be consulted with local people and included in the bidding documents for civil works.

The canal construction will affect 300m of the underground communication cable along the road No. 490. It may disrupt temporarily the communication activities of local people, and therefore a temporary cable will be used during relocation of the underground cable.

III. SOCIAL AND ECONOMIC INFORMATION OF DPs IN PROJECT AREA

1. Sources of Information

The socio-economic information of this RP has come from several sources: (i) results of inventory of loss of 100% of affected households; (ii) results of the sample socio-economic survey of the DPs; and (iii) results of formal and informal meetings and group discussions with local authorities at all levels, and social groups in project-impacted areas. The Inventory of Losses, Census, and Socio-economic Surveys of DPs were conducted during March 2012 and November 2015.

Specific interviews with groups of severely affected people and vulnerable persons were carried out to collect information on: (i) specific resettlement needs of relocating/severely affected and vulnerable groups of DPs, (ii) resettlement concerns and preferences of affected families, and (iii) measures to minimize negative impacts.

2. Socio-economic characteristics of DPs

According to the surveys and information gathered in the field, there are no ethnic minority communities in Nam Dinh province and there are no ethnic minority households among affected HHs in the 2 project communes of Nghia Lac and Nghia Son.

According to the IOL, census and socio-economic survey on affected HHs, the estimated number of affected HHs is 264 with 1,061 people. Among them, 36 HHs are women-headed, of which there are 25 HHs in Nghia Son and 11 HHs in Nghia Lac communes (see Table 8).

Population growth and household size

Nam Dinh province in the Red River Delta is an area with high population density and has experienced high levels of population growth. According to local authorities, the rate of natural population growth in the affected communes was about 1.0% in 2014. The socio-economic survey results show that the average family size of affected HHs in Nghia Lac is 3.7 people per HH; and Nghia Son, 4.1 people (see Table 8 - Table 9). The total of inhabitants in the 2 communes is around 28,000 persons (Nghia Lac is around 10,000 people while Nghia Son is around 18,000 people).

Table 8. Household size and rate of sex of DPs in 2 communes

	Communes	Total affected HHs	Total number of DPs	Average number of person per HH	In which	
					Male %	Female %
1	Nghia Lac	59	219	3.7	51.2	48.8
2	Nghia Son	205	842	4.1	52.7	47.3
Total		264	1061	4.0	52.4	47.6

Source: According to socio-economic survey in November 2015

Table 9. Distribution rate according to HH size of DPs in 2 communes

	Communes	Total affected HHs	Distribution of DPs according to HH size			
			Total people	Average number of person per HH	≤4 person/HH (%)	5-8 person/HH (%)
1	Nghia Lac	59	219	3.7	74.3	25.7
2	Nghia Son	205	842	4.1	69.0	31.0
Total		264	1061	4.0	70.2	29.8

Source: According to socio-economic survey in November 2015

Age and sex

The average age of HH heads changing from 49.4 to 50.8 from Nghia Lac to Nghia Son commune. The average age of DPs changes from 32.5 to 34.3 in Nghia Lac and Nghia Son. The distribution of DPs as per age groups is shown in Table 10 - Table 11. According to project's Census, the rate of male is higher than female.

Table 10. Average ages and structure of affected HH heads

	Location	Age structure of affected HH heads			
		Average age	<35	35- 55	>55
1	Nghia Lac	49.4	18.2	45.5	36.3
2	Nghia Son	50.8	8.1	59.3	32.5
Total		50.5	10.2	56.5	33.3

Source: According to socio-economic survey in November 2015

Table 11. Age structure of DPs

	Commune	Total DPs	Average age	Age structure				
				<7 years old	7-17 years old	18-35 years old	36-55 years old	>55 years old
1	Nghia Lac	219	32.5	11.9	13.4	36.3	21.4	16.9
2	Nghia Son	842	34.3	7.0	11.6	37.4	28.5	15.5
Total		1061	34.0	8.0	11.9	37.2	27.1	15.8

Source: According to socio-economic survey in November 2015

Education

Average schooling years of HH heads is 7.8 years. The ratio of illiteracy among these HH heads is negligible (1.1 %) (Table 13). Compared to the average schooling years of adults in the country of about 6.0 years, the general education level of those HH heads is considered high.

Table 12. Education of affected HH heads

	Commune	Total HHs	Sex		Education of affected HH heads				
			Male (%)	Female (%)	Average schooling years (school years/per.	Illiterate (%)	Primary or lower education (%)	Low second education (%)	Second education (%)
1	Nghia Lac	59	80.0	20.0	7.9	1.8	18.2	69.1	10.9
2	Nghia Son	205	89.5	10.5	7.8	1.0	16.7	77.0	5.3
Total		264	87.5	12.5	7.8	1.1	17.0	75.4	6.4

Source: According to socio-economic survey in November 2015

According to the socio-economic surveys, the average schooling years of DPs of over 25 years old is 8.5 years (see Table 13). The number of illiteracy is negligible (1.1 %). Like the education level of HH heads, the general education level of DPs (over 25 years) is also rather high compared to the whole country (6.0 years).

Table 13. Education of over 25 year old DPs

	Commune	Total people	Education of DPs					
			Average schooling years (years/per)	Illiterate (%)	Primary or lower education (%)	Low second education (%)	Second education (%)	High school education (%)
1	Nghia Lac	117	8.5	1.7	14.5	65.8	17.9	-
2	Nghia Son	531	8.5	0.9	10.2	76.5	11.9	0.6
Total		648	8.5	1.1	11.0	74.5	13.0	0.5

Source: According to socio-economic survey in November 2015

Income source and occupation

Among the project affected communes, agriculture is the important income source for local people. Agricultural activities include rice farming; vegetable and fruit cultivation; animal husbandry includes pigs, cows, poultry and fish rising. Other important income generation activities sources are from labour in industrial factories, self-employment and other non-agricultural labour.

Table 14. Occupation of affected household heads

No	Location	Occupation of affected HHs heads					
		Employees of governmental offices	Agriculture	Seasonal workers	Construction, handcraft	Services	Other

1	Nghia Lac	-	94.6	-	1.8	-	3.6
2	Nghia Son	1.4	79.8	13.9	0.5	1.9	2.4
Total		1.1	82.9	11.0	0.8	1.5	2.7

Source: According to socio-economic survey in November 2015

The survey results show that the major occupation of the HH heads and other people of affected households is agricultural production. Specifically, 82.9 % of HH heads and 60.6 % of local people who are above 15 years old have their main source of income coming from farming work (see Table 15- Table 17).

Table 15. Occupation of above 15 years old DPs

	Location	Total people answered	Profession of DPs						
			Employees of governmental offices	Agriculture	Seasonal workers	Construction, handicraft	Services trade	Pupils and students	Other
1	Nghia Lac	126	0.8	85.7	6.3	2.4	-	2.4	2.4
2	Nghia Son	698	1.1	56.0	26.1	0.7	1.7	13.5	0.9
Total		824	1.1	60.6	23.1	1.0	1.5	11.8	1.1

Source: According to socio-economic survey in November 2015

Income

The figures on average monthly per capita income of local people in the affected households of the 2 communes are shown in Table 16. Compared to the data on the average rate of poor household of communes, the poor household rate of affected households is similar to the average rate of communes (Table 17).

Table 16. Distribution of the affected HHs according to per capita monthly income

No	Location/commune	Total household answered	Per capital income (1000VND /person/month)	Distribution of HH according to monthly per capita income (HHs)				The ratio of households according to monthly per capita income (%)			
				<=400	401-700	701-1000	>1000	<=400	401-700	701-1000	>1000
1	Nghia Lac	59	1835	2	-	12	45	3.4	-	20.3	76.3
2	Nghia Son	205	1425	3	67	85	50	1.5	32.7	41.5	24.4
Total		264	1520	5	67	97	95	1.9	25.4	36.7	36.0

Source: According to socio-economic survey in November 2015

Table 17. Rate of poor households in 2 affected communes

#	Commune	The rate of poor households among affected household, %
1	Nghia Lac	6.7
2	Nghia Son	5.2

Source: According to socio-economic survey in November 2015

Reports of the affected communes' authorities

Table 18. Land acquisition impacts to Vulnerable DPs

#	Commune	Productive land					Residential land		
		<20%	20%– <50%	50%– <70%	≥70%	Total	Fully	Partially	Total
1	Nghia Son	3	15	12	3	33	0	1	0
2	Nghia Lac	2	5	4	4	15	1	0	1
	Total	5	20	16	7	48	1	1	2

Source: According to socio-economic survey in November 2015

As noted above, there are 48 vulnerable HHs who are poor or women-headed HH affected by the project, of which 33 HHs are located in Nghia Son and 15 HHs in Nghia Lac communes. Among the 48 vulnerable HHs, there are 43 vulnerable HHs who are severely impacted by land acquisition in the two communes.

Land use and land tenure

The Red River Delta and Nam Dinh province are areas where the rate of population possessing average agricultural land area is not high. The results of statistics of affected households done by the Consultant show that only 38.6% of households with agricultural land area of above 2000 m², 37.8% of households with agricultural land area from 1000 to 2000 m²; 23.6% of households with agricultural land area of below 1000 m². Among 264 affected households, 237 HHs have LURC and 27 HHs have no LURC but eligible for granting LURC, so they are also eligible for full compensation and assistance.

Table 19. Agricultural land possession of affected households

	Commune	The number of HHs with the agricultural area >2000 m ²		The number of HHs with the agricultural area from 1000 -2000 m ²		The number of HHs with the agricultural area <1000 m ²	
		N	%	N	%	N	%
1	Nghia Lac	21	38.2	30	54.5	4	7.3
2	Nghia Son	79	38.7	68	33.3	57	27.9

Total	100	38.6	98	37.8	61	23.6
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Source: According to socio-economic survey in November 2015

Living condition and asset possession

All affected communes are connected to the electric grid and national telecommunication network. All these communes are provided with basic social infrastructure including primary school, secondary school, post office and medical station. Most of HHs can access to clean water. Most of HHs have toilet which meet the standards (77.5%).

In general, all the households can access in general to telecommunication system and 91.2% of HHs possesses TV while 82.0 % are telephone owners. Similarly to most of rural areas in Vietnam, a low rate of 2.8% HHs owns a computer.

Regarding resettlement and land acquisition, 100% of surveyed respondents have expressed their desire of getting full compensation for land and properties lost in accordance with the government's rules.

Table 20. Living conditions and asset possession of affected HHs

No	Living condition/Property	Location		Total
		Nghia Lac	Nghia Son	
1	Electrical use, %	100.0	100.0	100.0
2	Well water use, %	100.0	99.5	99.7
3	Toilets meet the standards, %	67.7	85.0	77.5
4	Septic tank, %	55.9	56.1	56.0
5	Gas cooker, %	79.4	50.8	61.0
6	TV, %	88.2	93.6	91.2
7	Motorbike, %	100.0	100.0	100.0
8	Refrigerator, %	26.5	21.4	23.2
9	Washing machine, %	8.8	2.1	4.1
10	Electric rice cooker, %	94.1	96.3	95.5
11	Air conditioner, %	-	1.1	0.9
12	Computer, %	5.9	1.6	2.8
13	Telephone, %	76.5	85.6	82.0

Source: The result of socio-economic survey in November 2015

IV. LEGAL FRAMEWORK

Compensation, assistance and resettlement policy proposed for the Project is based on Laws, Decrees, Circulars and Decisions on compensation and resettlement of the Vietnam Government, project provinces and involuntary resettlement policy of the World Bank.

1. Laws, Decrees, Circulars and Decisions on compensation and resettlement of the Vietnam Government

The following key legal documents of the Socialist Republic of Vietnam are applied:

- The constitution of the Socialist Republic of Vietnam dated November 28, 2013;
- Land Law of 2013, approved by National Assembly on the 29 of November, 2013, came into effect on the 1st of July, 2014, replacing the Land Law 2003;
- Decree No43/2014/ND-CP dated May 15, 2014, guiding implementation of the Land Law;
- Decree No105/2009/ND-CP dated November 11, 2009, on sanctions against administrative violations in the land domain;
- Decree No44/2014/ND-CP dated May 15, 2014, specifying methods for land pricing and issuance of land price framework for land categories;
- Circular No02/2010/TTLT-BTNMT-BTC providing guidelines for reviewing, issuing and adjusting land price by province people' committee;
- Decree No47/2014/ND-CP dated May15, 2014, on compensation, assistance and resettlement when land is recovered by the State. Circular No37/2014/TT-BTNMT issued by MONRE, providing guidelines on implementation Decree 47;
- Decree No45/2014/ND-CP dated May15, 2014, on collection of land tax. Circular No76/2014/TT-BTC issued by MOF, providing guidelines on implementation Decree 45;
- Decree No. 42/2012/NĐ-CP dated May 11, 2012 on management and use of land for rice cultivation;
- Decision No 52/2012/QĐ-TTg dated November 16, 2012 of Prime Minister on support for job and vocational training for labourers who lost agricultural land;
- Decision No. 02/2008/QĐ-UBND dated March 07, 2008 of Nam Dinh People Committee on compensation price for house and structure construction when the government acquits land in Nam Dinh province;
- Decision No. 15/2008/QĐ-UBND dated July 29, 2008 of Nam Dinh People Committee on compensation price for crop and trees when the government acquits land in Nam Dinh province;
- Decision No. 25/2009/QĐ-UBND dated December 07, 2009 of Nam Dinh People Committee on revision of some articles in Decision No. 02/2008/QĐ-UBND;
- Decision No 23/2014/QĐ-UBND dated October 10, 2014 of Nam Dinh People Committee on minimum surface area of land portion for cutting;
- Decision No. 32/2014/QĐ-UBND dated December 30, 2014 of Nam Dinh People Committee on “Regulations on price of different kinds of land in 2015 in Nam Dinh province”.
- Decision No.08/2015/QĐ-UBND dated March 24, 2015 of Nam Dinh on compensation, assistance and resettlement when land is recovered by the State in Nam Dinh province.

Specific legal documents relating to transportation include:

- Decree 11/2010/NĐ-CP dated February24, 2010, regulations for management and protection of transport structures for road transport;
- Circulars 39/2011/TT-BGTVT dated May18, 2011, on guidelines for implementation of the Decree 11/2010/CP;

- Decree 100/2013/NĐ-CP dated September 13,2013, detailed regulations for implementation of Law of protection for transport structures for waterway transport;
- Circular 2740/BGTVT-QLXD dated April 29, 2010, on procedure for compensation in site clearing for construction of transport projects.

2. The World Bank’s policy on Involuntary Resettlement

The World Bank’s experience shows that involuntary resettlement in development projects often increases the unfavourable risks on economy, society, and the environment. The World Bank’s OP 4.12 on Involuntary Resettlement includes safety measures to address and reduce these unfavourable risks. The basic guiding principles in the Bank’s Resettlement Policy OP 4.12 are:

- Involuntary resettlement should be avoided where feasible, or minimized by exploring all viable alternative in project design;
- 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 person displaced by the project to share in profit benefit. Displaced persons should be meaningful consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

3. Gaps between policies of Government, World Bank and NDTDP on resettlement

In general, the Law on Land of 2013, Decree No. 47/2014/ND-CP and Decree 43/2014/ND-CP address most of the principles and objectives contained in the World Bank’s policy on Involuntary Resettlement. However, some differences between the policy of the government and that of the World Bank still exist and are shown in the table below:

Table 21. Gaps of Vietnam’s and World Bank’s Policies related to Involuntary Resettlement and measures for the project

Subjects	World Bank’s OP 4.12	Government of Vietnam	Project Measures
<i>Policy objectives</i>	PAPs (Project Affected Persons) should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher	There is a provision of support to be considered by PPC to ensure they have a place to live, to stabilize their living and production. (Article 25 of Decree 47). In case the amount of compensation/support is not enough for resettled people to buy a minimum resettlement plot/apartment, they will be financially supported to be able to buy a minimum resettlement plot/apartment (Article 86.4 of Land Law 2013 and Article 27 of Decree 47)	Livelihoods and income sources will be restored in real terms, at least, to the pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

Subjects	World Bank's OP 4.12	Government of Vietnam	Project Measures
<i>Support for affected households who have no recognizable legal right or claim to the land they are occupying</i>	Financial assistance to all project affected persons to achieve the policy objective (to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher)	Only agricultural land used before July 1, 2004 is eligible for compensation. Other cases may be considered for assistance by PPC if needed.	Financial assistance of an agreed amount will be given to all PAPs, regardless of their legal land use status, until their livelihoods and standards of living restore in real terms, at least, to pre-displacement levels.
<i>Compensation for structures constructed on land ineligible for compensation</i>	Compensation at full replacement cost for all structures if created before cut-off date, regardless of legal status of the PAP's land.	No compensation	Compensation at full replacement cost will be given for all structures affected if created before cut-off date, regardless of legal status of the land.
<i>Compensation principle</i>	Compensation for lost land and non-land assets should be paid at full replacement costs.	Compensation for lost assets is calculated at price close to transferring the assets in local markets or the cost of newly-built structures. Provincial People's Committees are granted to identify compensation prices for different categories of assets. Independent land valuator can be used to determine land prices, which will be appraised by land appraisal board before Provincial People's Committee approval.	Independent appraiser identifies replacement costs for all types of assets affected, which are appraised by land appraisal board and approved by Provincial People's Committees to ensure full replacement costs.
<i>Compensation for indirect impact caused by land or structures taking</i>	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	Not mentioned.	Social assessment has been undertaken and measures identified and being implemented to minimize and mitigate adverse impacts, particularly upon poor and

Subjects	World Bank's OP 4.12	Government of Vietnam	Project Measures
	and vulnerable groups.		vulnerable groups.
<i>Livelihood restoration and assistance</i>	Provision of livelihood restoration and assistance to achieve the policy objectives.	Livelihood restoration and assistance measures are provided. No monitoring on implementation of full livelihood restoration during and after resettlement completion.	Provision of livelihood restoration and assistance measures to achieve the policy objectives. These will be monitored as detailed in the RAP
Level of severity regarding land loss for getting additional support	Loss of 20% (10% for the poor and vulnerable) or more of productive land or having to relocate	Loss of 30% or more of productive land	Additional support for living stabilization are provided toward those HHs who lose from 20% (10% for the poor and vulnerable) and/or have to relocate
<i>Criteria of Vulnerable households</i>	Poor and women-headed HH with dependents	Poor and those HH currently receiving social assistance	Vulnerable HH include poor, women-headed with dependents and those HH currently receiving social assistance
<i>Consultation and disclosure</i>	Participation of PAPs in planning and implementation, specially confirming the eligibility criteria for compensation and assistance, and access to Grievances Redress Mechanisms	Focus mostly on consultation during planning (consultation on draft plan of compensation, support and resettlement and plan for training, career change and facilitating job searching); information sharing and disclosure.	Consultation and participation incorporated into RAP design, along with information sharing with PAPs and stakeholders.
<i>Grievance redress mechanism</i>	Grievance redress mechanism should be independent from decision makers regarding land acquisition and compensation.	The same governmental body makes decisions on compensation and resettlement, and also handles grievances at the first step.	More effective Grievance and Redress mechanism is established, built on the existing governmental system, with monitoring on implementation by an independent monitor
Monitoring & Evaluation			

Subjects	World Bank's OP 4.12	Government of Vietnam	Project Measures
<i>Monitoring on resettlement implementation</i>	<i>Internal and independent monitoring are required</i>	<p>Citizens are allowed to supervise and report on breaches in land use and management on their own (or through representative organizations), including land recovery, compensation, support and resettlement (Article 199, Land Law 2013).</p> <p>There is no explicit requirements on monitoring of the resettlement works, including both internal and independent (external) monitoring</p>	Both internal and external (independent) monitoring are regularly conducted (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 have been achieved.

To ensure fair compensation and suitable living standard recovery for DPs due to land clearance and housing/property damages during the project implementation, the RPF for the project was developed based on the legal documents mentioned above. Following all principles of RPF will contribute to successful implementation of the project. The RPF has established the gaps between the national Laws and the Bank's resettlement policy and mechanisms to bridge these gaps.

V. ELIGIBILITY AND ENTITLEMENTS

1. Objectives of resettlement

Policies and principles which are approved for the project will replace those articles of relevant laws and decrees currently in force in Vietnam in case there is a difference between the World Bank's regulation (OP 4.12) and Vietnamese law.

The main objective of the Resettlement Plan (RP) is to ensure that all Displaced Persons (DPs) caused by the NDTDP project will be compensated and/or assisted for their losses and be provided with restoration measures to improve, or at least to maintain, their pre-project living standards and income earning capacity.

2. Resettlement Principles of the project

The principle of the resettlement policy of the project will be as follows:

- Acquisition of land and other assets, and resettlement of people will be minimized as much as possible.
- All DPs residing, working, conducting business or cultivating land within the required area under the Project as of the cut-of-date are entitled to be provided with rehabilitation measures that are sufficient to assist them in improving or at least maintaining their pre-Project living standards, income earning capacity, and production levels. Lack of legal rights to the assets lost will not bar the DPs from being entitled to such rehabilitation measures.
- The rehabilitation measures to be provided are: (i) compensation at replacement cost without deducting for depreciation or salvage materials for houses and other structures; (ii) provision of

subsistence allowances and livelihood/income rehabilitation allowances; and (iii) Provision of relevant vocational training for DPs according to their requirements.

- Replacement residential land will be as close as possible to the land that was lost, and acceptable to the DP. In case replacement land at location acceptable to the DP is not available, or at the informed request of the DP, cash compensation will be applied. If a DP loses 20% or more of his or her agricultural land holding, then in addition to the compensation for lost land, the project will provide rehabilitation /assistance measures.
- The resettlement transition period will be minimized, and the rehabilitation measures will be provided to the DPs no later than one month prior to the expected start-up date of the works in the respective Project site.
- Plans for acquisition of land and other assets and provision of rehabilitation measures will be carried out in consultation with the DPs to ensure minimal disturbance. Entitlements will be provided to DPs no later than one month prior to expected start-up of the works at the respective project site.
- The previous level of community services and resources will be maintained or improved.
- Adequate budgetary support will be fully committed and will be made available to cover the costs of land acquisition, resettlement, and rehabilitation within the agreed implementation period. Physical resources for resettlement and rehabilitation will be made available when required.
- The contractors should only start their civil works in those project's sections where compensation payment and rehabilitation assistances are made in accordance with the project's resettlement policy.
- Institutional arrangements will ensure effective and timely design, planning, consultation and implementation of the Resettlement Plan (RP).
- Appropriate reporting, monitoring and evaluation mechanisms will be established and set in place as part of the resettlement management system. Evaluation of the land clearance process and the final outcome will be conducted independently by the executing agency.

3. Eligibility criteria

Those who are affected by the project will be eligible for compensation and assistance as follows:

- (a) Those who have land use right certificate (LURC);
- (b) Those who currently have no LURC but meet requirements of government for granting LURC;
- (c) Those who cannot meet requirements of government for granting LURC.

Persons who are subject to (a) and (b) are compensated for their land and other affected assets, if created before a cut-off date, at replacement costs and provided with relevant assistances. Persons who are subject to (c) are provided with resettlement assistances in lieu of compensation for the land they occupy, and other relevant assistance, as necessary, to achieve the objectives set out in this RP, if they are present in the project area prior to a cut-off date. Persons who encroach on the area after the cut-off date determined in the RP are not entitled to compensation and/or any other form of resettlement assistance. The cut-off date proposed for this project is the starting date of the DMS to be carried out by Nghia Hung District's Resettlement Committee.

4. Compensation Policy of the project

Those who are affected by the project will be entitled to compensation, assistance, and resettlement according to the regulations of Vietnam and the World Bank's OP4.12 policy on Involuntary Resettlement. Project affected persons will not be considered eligible to receive compensation or assistance when entering

the project area after the publication of the cut-off date of the project. The poor/vulnerable households who are certified as such by local authorities will be considered for additional assistance on a case-by-case basis as special cases. DPs' rights and entitlements are in accordance with the policy of the project as follows:

Compensation and Assistance for Loss of Agricultural Land

“Land for land” compensation is a priority of the government and the World Bank. However, in the project area, there is no agriculture land available for “land for land” compensation, because all agriculture land of the project communes has been allocated to individuals/households for long-term use according to Decree 64/1993/ND-CP. Therefore, cash compensation for agriculture land at replacement cost will be applied for all affected households. In addition to compensation for land, a job training/job creation allowance and subsistence allowance will be provided to affected households (AH) as follows:

- (i) Support for all AHs who directly cultivate on the affected land will receive an allowance in cash, equal to 3 times the value of the recovered agricultural land. The affected land area eligible for support must not exceed the quota of land allocation for household in the locality; AND
- (ii) A subsistence allowance in cash, equal to market value of 30kg of rice per person per month, will be provided to all members of severely affected households who lose 20% or more of total agriculture land holding as follows: for households losing 20% to 70% of agriculture land, they will receive support for 6 months if they are not relocated, and 12 months if they are relocated; for households losing more than 70% of agriculture land, they will receive support for 12 months if they are not relocated and 24 months if they are relocated.
- (iii) If the viability of the remaining land is less than the minimum viable economic unit, then the entire piece of land would be acquired and the HHs would fall under the category (ii).
- (iv) For severely affected HHs, one training course free of charge will be provided for those of working age (15-59) if it is required. The persons of working age of affected HHs may take the training course at any time during 3 years after the land is cleared. Severely affected households will be entitled to participation in a livelihood restoration program which will be prepared and implemented during project implementation.

Where the land is rented through civil contracts between individuals, households, organizations, or communes, the compensation for land will be paid to the owners who have legal/legalizable land use rights, while compensation for crops, trees or aquaculture products attached to the affected land will be paid to the affected land cultivators.

Compensation for Residential Land

Compensation for residential land under this project is as follows:

- (i) Households and individuals who possess a LURC or are eligible for issuance of a LURC according to the Land Law of 2013, the compensation for land shall be done as follows:

In case the entire residential land of AH is acquired or the remaining area of the inhabited land is ineligible for residence according to the regulations prescribed by the province People's committee and AH has no other land or houses in the commune for residence, the compensation in the form of land shall be made to them. There are 03 such AHs in Nghia Son commune. Based on the residential land fund available at Nghia Son, the local authority could provide compensation in the form of land for these AHs. In case self-relocation is selected by the relocated HHs or they have other houses and/or residential land within the project commune, cash compensation at replacement cost for land will be provided for the HHs. There are 27 such AHs in Nghia Lac commune. If any affected HH

would prefer to receive compensation in the form of land, it shall be considered on a case by case basis according to residential land fund available.

In the case of compensation in the form of land, if there is more than one relocated household living under one roof before the cut-off date and wish to separate, and/or two or more relocated households co-owning the acquired parcel, each HH is entitled for allocation of a plot for residence and has to pay for land levies.

- (ii) If households or individuals are subject to relocation but are ineligible for compensation for affected land and they have no other land or houses in the project commune, the local authorities shall allocate inhabited land with land levies to them; land levies shall be stipulated by the province People's committee.
- (iii) In case a portion of the inhabited land subject to expropriation is agricultural land and not yet recognized as inhabited land, conversion of such portion of land into inhabited land shall be accepted by the State upon demand by households or individuals as owners thereof. However, the portion of land to be converted into inhabited land must fall within the quota of residential land allocation by locality and such conversion of use purpose, households and individuals must perform their financial obligations as stipulated by the Law on collection of land levies, land rent, and water surface rent.

Compensation for Loss of Houses/Structures

Compensation for houses and structures on the affected land shall be done as follow:

- i. In the case of houses and structures entirely affected or partly affected but the remaining part is unusable, there will be compensation for the entire house and structure at replacement cost without deduction of salvageable material;
- ii. For houses and structures partially affected and the remaining part is still usable, compensation shall be made for the affected part at replacement cost, plus expenses for repairing the remaining part without deduction of salvageable materials.

Under the project, there are 41 HHs losing houses and/or other structures, of which 30 HHs will lose entire houses and will have to relocate, 11 HHs will lose portions of their houses and/or structures. They will be compensated according to the rules mentioned above.

Compensation for loss of Standing Crops and Trees

For annual and perennial standing crops, regardless of the legal status of the land, compensation will be paid to households who cultivate on the land, according to the market value of the affected crops and/or at replacement cost for affected perennial trees. Regarding the removable affected trees, the compensation will be equal to the actual transportation cost plus actual loss.

Compensation for Loss of Income from Business

The Project will not affect any businesses, temporally or permanently.

Compensation for movement of tombs, graves

For movement of tombs and graves, compensation shall be made for land, expenses for movement and construction of new tombs and graves and other relevant expenses. The province People's committee shall decide specific compensation according to customs and conditions in the locality.

Compensation for Temporary Impact during Construction

At present, necessary technical information for identification of temporary impacts on land and properties is not available. During project implementation, the updated detail measurement surveys will cover all actual impacts, including those that are temporary. The DPs who will be temporarily impacted by the Subproject will be entitled to the following:

For arable land that will be temporarily affected:

- Compensation for one harvest of crops/trees at full market prices;
- Compensation for loss of net income from subsequent crops that cannot be planted for the duration of project temporary use;
- Restoration of land to its previous or better quality;
- If the duration of project's use of the land exceeds more than two years, then the DPs have an option to: 1) Continue using land and get compensation for income loss, OR, 2) "Give it to the Project and be compensated and assisted as permanent loss.

For temporary loss of residential land:

- To be sure that no house will be temporarily affected
- Compensation for all affected movable properties at full replacement cost;
- Restoration of land to its previous or better quality.

For damages caused by contractors to private or public structures:

Damaged property will be restored by contractors immediately after completion of civil works to its former condition. Under their contract specifications, the contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages do occur, the contractor will be required to immediately restore the damaged equipment/place or pay compensation to affected families, groups, communities, or government agencies at the same compensation rates that shall be applied to all other assets affected by the Project.

Compensation for Loss of public services provision

The Policy of Compensation for Loss of Community Assets are as follow: (i) Restoration of affected community buildings and structures to at least previous condition, or (ii) Replacement in areas identified in consultation with affected communities and relevant authorities, or (iii) The compensation will be provided at replacement cost without depreciation but includes deduction of salvage materials.

If income loss is expected (e.g. irrigation, community forest, community grazing land), the village is entitled to compensation for the total production loss. This compensation should be used collectively for income restoration measures and/or new infrastructure.

A total of 11 community infrastructures, including water sources, roads, dykes, power line, ferry, and telecommunication systems will be impacted (see Annex 1). PMU-W and contractors will ensure that these impacts are mitigated and restored or repaired at no cost to the community.

PMU-W has conducted a series of consultations with different stakeholders, including the Department of Transport, Department of Agriculture and Rural Development, Power Company, Irrigation management Company, EVN NPT, local authorities, and local people on the project impacts and the mitigation measures to manage and resolve project impacts. Following is summary of mitigation measures, including compensation:

Do Muoi ferry: Related parties agreed to temporarily relocate the ferry 50m to the south, along the left bank of the Day River. The relocation will be completed prior to construction, so as to ensure the operating continuity of the ferry. After dyke construction completion, the ferry will be restored to its current location under the same conditions as before construction. All related works of relocation and construction of the ferry will be carried out by the project's contractors. The cost of ferry relocation and construction will be included under the contractor's package value and therefore will be financed under the project's cost. The relocation will not disrupt activities by local vendors located at the ferry station, nor will it disrupt activities by the ferry operator.

High-voltage electric lines 110KV and 35KV on DNC: Related parties agreed to relocate the electric lines before DNC construction. The relocation will be completed in the shortest time as possible to ensure power supply to factories and local communities. All costs related the electric line relocation will be covered by the project.

Provincial road 490: Related parties agreed to construct the permanent fixed-span bridge crossing DNC canal to replace the lost road section before breaking the road section. Therefore, construction of the canal will have no impact on the through-connectivity provided by road 490. All related costs will be covered by the project.

Dyke on the left bank of Day river and dyke on the right bank of Ninh Co river: Parties agreed that reinforcement of affected dyke sections will be timely done before the flood season to ensure no risk occurs due to the project impact. All related costs will be covered by the project.

Irrigation system: Parties agreed that a temporary irrigation system will be timely built before construction of the canal to ensure agriculture production of the farmers. The irrigation system will be restored to previous or better condition. All related costs will be covered by the project.

Inter-village local road and domestic electric lines: Local roads and domestic electric line damaged by the project will be timely recovered to ensure living condition and production activities of local people. All related costs will be covered by the project.

Underground communication cable a long road 490: The cable line will be relocate before commencing construction of the canal. A temporary cable may be used during relocation and the relocation will be done for the shortest time as possible to minimize interruption of local communication.

Social Assistance and Incentive Bonus

Social assistance: The relocated DPs, who are currently receiving social assistance, besides the common entitlements, will be provided with additional social assistance in accordance with local regulations. In Nam Dinh province, the poor/vulnerable HHs will be provided an additional allowance of 3,000,000 VND/HH.

Incentive Bonus: The DPs who voluntarily hand the affected land to the project in accordance with the time regulated and announced by the project will be entitled to a bonus of 5% of the total compensation amount but not exceeding 7,000,000 VND/land user/house owners in accordance with the local regulations.

Livelihood restoration program

In addition to compensation and allowances provided for households and individuals losing productive land and directly involved in agricultural production as mentioned above, a livelihood restoration program (LRP) will be provided to severely affected households to help them have more opportunities to find new jobs to restore and/or improve their income and livelihood. This program will be prepared during resettlement implementation by conducting a needs assessment and in consultation with affected households and other stakeholders in the project localities. The program should include specific rehabilitation activities, a budget scheme, involvement of responsible agencies/persons, a timeline, and monitoring and evaluation. An agriculture extension program will be provided to affected farmers who

have the remaining agriculture land viable for continued cultivation. They will also receive seeds, young trees, breeders, fertilizer and technical support, according to the Land Law of 2013. Support for vocational training and/or job creation for labourers whose land is acquired will be followed in accordance to Decision no. 63/2015/QĐ-TTg of the Prime Minister.

PMU-W will recruit livelihood specialist and social development specialists to conduct a needs assessment and prepare the LRP. The LRP will be reviewed by the World Bank and updated in the RAP before implementation. Periodical monitoring on implementation of the programs must be included in internal and external monitoring reports and submitted to the Bank. All costs for the above programs and supports are covered by the project.

Resettlement Allowances for relocated households

- *Transport allowance:* An allowance of 3,500,000 VND will be provided for HH relocating within the city/province and 6,000,000 VND for HH relocating in another province.
- *Subsistence allowance* is applied following World Bank guidelines and current policy of Nam Dinh province. Subsistence allowance is equivalent to the market value of 30 kg of rice/person/month for 6-12 months if HHs have to relocate to a new site. There are **30** relocated households that will receive subsistence allowance.
- *Allowance for house rent:* Relocated households will receive cash assistance for renting accommodation during the creation of new shelters. The period of assistance will be defined from the date when the HHs hand over land to the project until they receive relocated land according to the notification of PMU-W, plus 6 months for building a new house. The rent is regulated by the Provincial People's Committee.
- *Assistance for Self-Relocation:* Self-relocated households are entitled to receive an allowance for preparing and levelling ground floor at the new resettled place as regulated in Decree 43/2014/ND-CP. The amount will be provided as per Provincial People's Committee regulations.

Entitlements matrix

Entitlements of APs are prepared based on actual impacts of APs, replacement costs and resettlement policies of government and the Bank. Detailed entitlements of APs are presented in Annex 4.

Relocation arrangements

Of the 30 relocated households, 27 HHs in Nghia Lac commune have other land and houses in the commune for residence, so they will receive compensation in cash and relevant allowances; 03 HHs in Nghia Son commune have no other land or houses elsewhere in the commune for residence, so they will be allocated residential land within the commune in order to construct new houses and maintain their livelihood and get benefits from the project.

However, to make sure that the households would not be in difficulty of relocation and creation of new shelters, the project implementation agencies in combination with local authorities shall provide support for purchasing land (if any) and constructing new houses, providing water supply and power connection, telephone connection, granting LURC for their land and ownership of non-land assets, etc. Compensation and allowances must be fully paid at the same time and before land clearance. PMU-W and independent monitoring agency will monitor the resettlement progress of the households and reflect same in the periodical monitoring reports.

VI. INSTITUTIONAL ARRANGEMENTS

The implementation of resettlement activities of this Corridor 3 subproject requires the involvement of agencies at the national, provincial, district, and commune levels. The Ministry of Transport (MOT) will be responsible for the overall implementation of the NDTDP's RPF and the DNC Canal RP. Resettlement committees shall be established at the subproject's district of Nghia Hung. The provisions and policies of the RPF and this RP will form the legal basis for the implementation of resettlement activities in the DNC Canal subproject. The following is a general overview of key resettlement responsibilities at/for each level/unit involved in Project implementation with respect to land acquisition and resettlement.

1. Central Level

Ministry of Transport (MOT)

The MOT, on behalf of the Government, is responsible for the realization of NDTDP, including its RPF.

A Project Steering Committee (PSC) will be set up at the ministerial level, chaired by a senior official (vice-minister) of the MOT and consists of representatives of the Ministry of Planning and Investment, Ministry of Finance, the State Bank of Vietnam and MOT, including representatives of PMU-W. It is responsible for (i) overall supervision and coordination for the project implementation between the Implementing Agencies and related Ministries; (ii) Monitoring the Project progress; (iii) Review of technical and financial audit reports, social and environmental monitoring reports, the project evaluation and monitoring reports, and (iv) ensuring the project related policy and institutional reforms are achieved. The PSC will be responsible for all activities of the project including resettlement and land acquisition.

Project Management Unit – Waterways (PMU-W)

The PMU-W under management of MOT has direct responsibility and day-to-day management oversight for implementing all aspects pertained to the Waterway's works, including planning, programming, budgeting, design, implementation, monitoring, evaluation, ensuring overall project's coordination and supervision of resettlement activities and coordination/liaison with the World Bank. The responsibilities of the PMU-W towards the project's resettlement issues include the following, but are not limited to:

- i. Update RP based on detailed design, results of DMS and replacement cost survey.
- ii. Guide DRCs, CPCs in updating DMS based on detailed technical designs to identify exact number of DPs and their impacts levels, serving as a legal basis for compensation payment;
- iii. Guide DRCs, CPCs to execute resettlement activities in accordance with provisions of the Resettlement Policy Framework (RPF) and the RP of the Subproject;
- iv. Guide the DRCs, CPCs on procedures of preparation and submission for approval of documents related to compensation and resettlement;
- v. Provide overall supervision of the progress of project's compensation and resettlement implementation and supervising the coordination between civil works in each road/waterway sections with respective resettlement activities;
- vi. Provide necessary resettlement training to DRCs, CPCs;
- vii. Establish standard procedures for information meetings and stakeholder consultation with DPs. Implement Project resettlement information campaign, including the delivery of public resettlement information documents and conducting consultation with DPs in accordance with the project established guidelines;

- viii. Provide coordination between various agencies involved in the RAP's implementation and monitoring the RP implementation. Establish liaison mechanisms to ensure proper technical and logistical support to implementing agencies;
- ix. Review and advise the project's PPCs to make adjustment, if necessary, on compensation rates for land and house/structures in accordance with the provisions of this RAP and the NDTDP's RPF;
- x. Provide budget for the project's resettlement implementation;
- xi. Establish procedures for coordination between contractors and local communities and prompt evaluation and compensation for community assets impacted during civil works;
- xii. Establish procedures for prompt implementation of correction measure and actions in response to DPs' grievances;
- xiii. Coordinate supplying the project-related employment to DPs (consult with contractors on employment opportunities for local population, inform them about such opportunities and advise them how to utilize the chance);
- xiv. Establish procedures for ongoing internal monitoring and prepare project progress reports and ensuring compliance with project resettlement policy provisions;
- xv. Manage a standardized DPs database, serving practical resettlement implementation needs;
- xvi. Recruit and supervise consultants, including livelihood specialist for preparation and implementation of LRP, the external independent organization for resettlement monitoring;
- xvii. Implement accounting of resettlement implementation for the subproject;
- xviii. Coordinate with relevant agencies to implement corrective action plan for non-compliance issues identified by the external monitoring (if any).
- xix. Prepare project progress reports on land acquisition and resettlement for submitting to the MOT and WB.

2. Local Level

Nam Dinh Provincial People Committee (PPC)

The PPC is the body responsible for overall direction of compensation and resettlement implementation in accordance with principles and policy of the approved Resettlement Policy Framework, within its provincial boundaries. The PPC is responsible for compliance of provisions the project's RPF approved by the Prime Minister and the RAP for as a condition to participate in the Project.

Based on local needs of resettlement implementation, in each project implementation stage, the PPC will delegate responsibilities of resettlement implementation to respective level agencies in accordance with the Decree 43/2014/ND-CP:

- Advise the PPC on making the final decision on compensation unit costs, subsidies, allowances, and on supporting policies for severely DPs, poor and vulnerable affected groups, in accordance with this RPF and the approved RAP that compensation payment should be done at replacement costs;
- Direct coordination between the related institutions and provincial departments for the implementation of the RAP;

- Review and submit to PPC for approval compensation options, and land clearance in accordance with delegated responsibilities;
- Ensure that the subproject's resettlement activities in its provinces would be carried out in compliance with policies and provisions of the RPF and this RAP. If any mistakes or shortcomings are identified through internal and/or external monitoring of RP implementation, the PPCs should take responsible to ensure that the objectives of the RAP are met;
- Cooperate with project management and implementation units to assist the PPC in making decision to promptly resolve grievance and complaints from DPs or from local district/communes, according to their competence and responsibilities. .

Districts People Committees (DPCs)

The District's People Committee is responsible for the following:

- Direct district resettlement committee and relevant agencies to implement resettlement of the project.
- Identify and issuance of legality of land user rights or ownerships of affected land and structures;
- Appraise and approve compensation options for DPs within their administrative competence;
- Issue regulations and procedures of solving administrative matters and grievance of affected people related to the project resettlement and compensation implementation within their administrative boundaries;
- Establish and appoint members of the District's RCs and assigning functional tasks for the district's RCs.

District's Resettlement Committees (DRCs):

The DRCs will be responsible for the following:

- Prepare Plan and implement all daily resettlement activities of the subproject within their administrative boundaries, in accordance with their delegated competences;
- Conduct DMS, prepare and complete compensation options, prepare compensation charts to submit to the DPCs or PPCs/City's PC for approval in accordance with their delegated competences and implementing compensation payment to each DPs;
- Prepare available land and carry out procedures for relocation of resettled DPs.
- Receive and appoint inspectors to redress DPs' grievances related to resettlement policies and entitlements;
- Establish, if necessary, ward's/commune's resettlement Board (W/CRCs) and directing their operations during the implementation of the resettlement activities;
- Pay special attention to the needs and demands of specific groups and vulnerable people (poor, children, the elderly and woman/single headed households).

Wards/Commune People Committees

Wards/CPCs are responsible for followings:

- Participate as member of DRCs

- Assign concerned ward/commune officials/professionals to help carry out all resettlement activities in its ward/commune;
- Assist others bodies/agencies, including the PMU-W, to implement project information disclosure, and facilitating public meetings and consultation with DPs;
- Assist the respective agencies/bodies in charge of census surveys, replacement cost survey, DMS, and other resettlement-related activities;
- Check and affirm the legality status of affected land, houses, structures and other assets/losses of organization;
- Participate in all activities related to land acquisition and allocation, resettlement, rehabilitation measures and social development support activities;
- Support DPs in all resettlement and rehabilitation-related activities. Co-sign compensation documents with the DPs;
- Verify the list of the poor or disadvantaged DPs; and
- Ensure DP's grievances redress mechanisms are appropriate and properly in place. Document DPs grievances and maintain records of all grievances. Assist and advise DPs on speedy redress of grievances.

3. External Monitoring Agency

An agency or institute, specialized in social sciences, must be identified and engaged in order to carry out socio-economic surveys, monitoring, and evaluation of the RP's implementation for the subproject. The PMU-W will hire an External Monitoring Agency (EMA or, in other words, IMO – Independent Monitoring Organization). External monitoring cost will be paid from the IDA credit or from the Central budget. The IMO will submit periodic reports on the implementation progress and make recommendations for solving the identified issues.

VII. PUBLIC PARTICIPATION, CONSULTATION, AND GRIEVANCE MECHANISMS

1. Objectives of Public Information and Consultation

To understand the opinions and concerns of the community on projects, especially those affected HHs by the construction and operation of the project. On this basis, these concerns can be resolved rationally in the process of setting up the project, selecting design solutions:

- To listen to the community's comments and concerns on the project, especially the direct impact on community life.
- To resolve conflicts in recommendations from the community with environmental problems and delays in implementation of the construction plan of the government.
- To confirm the rationality and legality of the administration's decision to meet the legal requirements of the local people, to consider proposals from the community and local government.
- To understand the main problems that the project area people are interested in, to propose the most reasonable solutions.

2. Consultation during Subproject Preparation

In 2012 : According to the guidance of the Circular No. 26/2011/BTNMT dated July 18, 2011 regarding detailed regulation on some articles of Decree No. 29/2011/NĐ-CP dated April 18, 2011 of the government regulating on Strategic Environmental Impact Assessment, Environmental Impact Assessment,

Environmental Protection Commitment, the representative of the Project owner – Project Management Unit of Navigation Inland Waterways (PMU-W) had sent an official letter with a brief report on the project (contents of the project, environmental impacts and mitigation of impacts) to People Committees, Fatherland Front Committees of communes, wards of Nam Dinh province, to inform of work items, environment negative impacts, project environment protection solutions and to request the agencies to send their feedback/comments in writing.

In 2015 : According to the guidance of the Circular No. 27/2015/TT-BTNMT dated May 29, 2015 regarding detailed regulation on some articles of Decree No. 18/2015/ND-CP dated February 14, 2015 of the government regulating on Strategic Environmental Impact Assessment, Environmental Impact Assessment, Environmental Protection Commitment, the representative of the Project owner – Project Management Unit of Waterways (PMU-W) had sent an official letter with a brief report on the road and bridge projects (contents of the project, environmental impacts and mitigation of impacts) to People Committees, Fatherland Front Committees of communes, wards of Nam Dinh province, to inform of work items, environment negative impacts, project environment protection solutions and to request the agencies to send their feedback/comments in writing.

SYNTHESIZE COMMENTS OF THE COMMUNE’S PEOPLE COMMITTEE AND FATHERLAND FRONT IN THE PROJECT AREA

RESULTS 2012

Total communes/ward/town consulted: 5 (five)

Received response: 4 (four) communes/ward/town

Not receive reply: 1 (one) - (signed by the recipient)

The general opinions of the commune / ward / township agree with the projects and with the safeguards and means proposed to minimize the environmental impact of the project. The mains comments concern the water quality, dust and noise emission. The communes close to DNC care also about salinity intrusion risk in the Day River from the Ninh Co River.

However, projects need to strictly supervise and manage the implementation of the environmental protection commitments outlined in the project. In addition, the project needs to look at the compensation plan, support for the relocation of public works and the local people lose their land in farming and agriculture.

A new public consultation should be organized to update the information including the last lay out of the road and bridge.

Opinions of People Committee of communes and wards:

Opinions of People Committee of communes and wards	Contents	Feedback from Project owner
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Nghia Son commune

<i>The project's negative impacts on natural environment and socio-economy.</i>	Agree	-
<i>Solutions and measures of project bad impact mitigation to natural, socio-economic environment</i>	Agree	-
<i>Recommendation to Project owner</i>	Agree	-
Nghia Lac commune		
<i>The project's negative impacts on natural environment and socio-economy.</i>	Agree	-
<i>Solutions and measures of project bad impact mitigation to natural, socio-economic environment</i>	Agree	-
<i>Recommendation to Project owner</i>	Project owner follows the state regulated documents	Project owner commits to implement in accordance with the contents stated in EIA and the approval decision of Ministry of Natural Resource and Environment.

Khanh Thanh commune		
<i>The project's negative impacts on natural environment and socio-economy.</i>	Agree with project's assessment but there is no assessment of Day river water salinity when flow in -Ninh Co connecting canal circulates.	Project owner will include this contents in EIA and simultaneously will have specific mitigation measures (if necessary)
<i>Solutions and measures of project bad impact mitigation to natural, socio-economic environment</i>	<i>Recommendation to Project owner</i>	-
<i>Recommendation to Project owner</i>	There are many vehicles operating in DNC canal head, near ferry stage 10 which makes complication of river transport security.	Project owner will include this contents in EIA and simultaneously will have specific mitigation measures (if

	Ninh Co river water with high salinity will intrude in to Day river affecting agricultural production of communes along Day river.	necessary)
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Nghia Phuc commune		
<i>The project's negative impacts on natural environment and socio-economy.</i>	Agree, however the project design shall ensure the maximum mitigation of impacts on environment as the project area is for aquaculture.	Project owner commits to limit maximum the project impacts on environment.
<i>Solutions and measures of project bad impact mitigation to natural, socio-economic environment</i>	Agree, project implementation shall be in compliance with planning design.	Project owner commits to implement in accordance with approved design.
<i>Recommendation to Project owner</i>	Implement in accordance with project design regulations.	Project owner commits to implement in accordance with approved design.

Comments from Fatherland Front Committee of communes and wards:

Comments from Fatherland Front Committee in wards, communes	Contents	Feedback from Project owner
Nghia Son commune		
<i>The project's negative impacts on natural environment and socio-economy.</i>	Agree	-
<i>Solutions and measures of project bad impact mitigation to natural, socio-economic environment</i>	Agree	-
<i>Recommendation to Project owner</i>	Agree	-
Nghia Lac commune		
<i>The project's negative impacts on natural</i>	Agree	-

<i>environment and socio-economy.</i>		
<i>Solutions and measures of project bad impact mitigation to natural, socio-economic environment</i>	Strongly agree with state's document and management procedures.	-
<i>Recommendation to Project owner</i>	Strongly agree with state's document and management procedures. Project owner implements in accordance with state regulated documents	Project owner commits to implement in accordance with the contents stated in EIA and the approval decision

KhanhThanh commune		
<i>The project's negative impacts on natural environment and socio-economy.</i>	Implement in accordance with Vietnam's current legislation.	Project owner commits to implement in accordance with the contents stated in EIA and the approval decision
<i>Solutions and measures of project bad impact mitigation to natural, socio-economic environment</i>	Commits to implement fully minimum the project negative impacts on environments in all periods.	Project owner commits to implement in accordance with the contents stated in EIA and the approval decision
<i>Recommendation to Project owner</i>	Project owner must commits to follow design alternative in accordance with approved planning and work design standards.	Project owner commits to implement in accordance with the approved design.
Nghia Phuc commune		
<i>The project's negative impacts on natural environment and socio-economy.</i>	Agree that it's necessary to minimize the project impacts on natural and socio-economic environment.	Project owner commits to minimize the negative impacts on natural and socio-economic environment.
<i>Solutions and measures of project bad impact mitigation to natural, socio-economic environment</i>	It's necessary to strictly implement treatment of impacts on environment.	Project owner commits to implement in accordance with the contents stated in EIA and the approval decision.
<i>Recommendation to Project owner</i>	Necessary to ensure environmental hygiene and commits not to affect aquaculture and living activities of local people.	Project owner commits to minimize the impacts on aquaculture area and living activities of local people.

CONSULTATION RESULTS IN 2015

Total communes/ward/town consulted: 2 (two)

Received response: 2 (two) communes/ward/town

A new public consultation has been organized on December 18th, 2015 to update the information including the last layout of the road and bridge. The general opinions of the commune / ward / township agree with the projects and with the safeguards and means proposed to minimize the environmental impact of the project. The main comments concern the water quality, dust and noise emission. The communes in DNC project care about salinity intrusion risk in the Day River from the Ninh Co River. However, projects need to strictly supervise and manage the implementation of the environmental protection commitments outlined in the project. In addition, the project needs to look at the compensation plan, support for the relocation of public works and the local people lose their land in farming and agriculture.

Results of Public consultation in Nghia Son Commune

Location: Do Muoi village, commune Nghia Son
Participants: People Committee in Nghia Son Commune
Time: 9:00 a.m. December 28, 2015

21 households are affected relating to cultivation land
9 households are affected relating to residential land (Mr Hai, Loi, Vinh)

- 1) Beside 4 directly affected households, 4m of local road is narrow, the project should consider to widen to 5m (Nguyen Van Nhung, village 16)
- 2) Total: 21 households are affected by bridge
- 3) Field compensation:
People Committee will be responsible for this compensation.
- 4) Propose the project to compensate reasonably → propose PMU-W to support job creation to local people (Nguyen Van Thin)
- 5) What local road will be made of? It will be made of concrete

Results of Public consultation in Nghia Lac Commune

Location: Nghia Lac commune
Time: 2:00 p.m., December 28, 2015

Contents:

- Project introductions:
 - + Area of rice: 50ha
 - + Total affected households: 60
- Discussion:
 - + Many wood piles driven at 6m deep in DNC canal (information from commune head)
 - + B52 bomb in Han field

Question	Answer
During construction, residential people will be given a job?	Before project and at present, local people have been interviewed if they need jobs or not If yes, the government will support according to law

Commune head: Mr. Bach+ 28 households lost residential land, most of them work in agriculture, they wonder that they will not study any occupations	Acknowledged and will inform to higher level to minimize affection level
DNC canal opens and closes if irrigation will be affected?	Lock ship is 15m wide, 110m long therefore it will not affect irrigation system
MR Bach: if machine can't access to the field although they are compensated, the remaining area is too small	If the remaining area is too small, there will be a policy to compensate all.
Will local road be affected?	It will be restituted

Comments from Communal chairman:

- 34 ha are lost and 27 households are affected; 59 households are cultivating rice in Dong An village ;
- Had a meeting with district:
- + Previous alternative: 30 ha lost and now 34 ha lost;
- + Province and district must plan resettlement;
- + Propose to government to measure in details;
- + Inform to 59 households before harvest in order that they will plan to harvest;
- + What is policy on residential land and reclaimed land so that local people orient?

Public consultations at Nghia Son and Nghia Lac communes – December 18th, 2015

FEEDBACK AND COMMITMENT OF THE PROJECT OWNER

In the spirit of listening, absorbing, and recording the comments of the People’s Committee and Fatherland Front Committee of the commune affected by the project, the Project Owner will collect and analyze the above comments. For the key issues that the People’s Committee as well as the Fatherland Front Committee of communes and towns is interested in, the Project Owner would have the answers and commitments as follows:

- Project owner commits to implement the project in accordance with the contents stated in the EIA and the approval decision and minimize the negative impacts on the environment and local people;
- Project owner and contractors commit to strictly follow the environmental standards and minimize exhaust gas, dust, noise, and construction equipment and machines in accordance with the Vietnamese regulated standards;
- Resettlement Plan is made by social/resettlement teams associated with provincial departments to solve the impacts reasonably, and any problems are to be presented in a specific report.

3. Consultation Proposed during Implementation

Information Dissemination and Consultation

In the stage of the sub-projects implementation, PMU-W will undertake the following:

- i. Provide project’s information to resettlement committees at all levels through training workshops. Detailed information on project resettlement policies and implementation procedures will be provided;

- ii. Conduct information dissemination to, and consultations with, DPs throughout the life of the project;
- iii. Update the Replacement unit prices for compensation, and confirm land acquisition and impact on properties through a Detailed Measurement Survey (DMS) in consultation with DPs;
- iv. The DRCs will then apply updated Replacement unit prices for compensation, calculate compensation entitlements, and complete the Compensation options for each affected household. Information on entitlements will then be presented on an individual basis to DPs by the DPCs in conjunction with the PMU-W in the DMS follow-up community consultations/meetings;
- v. The Compensation options, showing the household's affected assets and compensation entitlements, will then need to be signed by the DPs to indicate their agreement with the assessment. Any complaints the DPs have about the contents of the form will be recorded and will be solved at this time;
- vi. A letter/questionnaire about resettlement options will be given to all DPs entitled to relocation to: (a) inform them of resettlement options (a clear explanation of the consequences of choosing each option will be given); (b) request that DPs confirm their choice of resettlement option and their preliminary confirmation of resettlement site location; and (c) identify the DPs' relocation needs and assistances measures;
- vii. Consultation regarding DPs preferred option for restoration measures. This applies to severely affected and vulnerable DPs. The resettlement committee will inform DPs of options and entitlement to restoration measures before asking them to indicate preferences for such restoration measures.

Public Meetings

Prior to the beginning of the detailed design, a public meeting was held in each ward/commune to provide DPs with additional information and an opportunity for an open discussion about resettlement policies and procedures in each affected commune. A letter of invitation was sent to all DPs 1 week before the meeting in their area. This meeting was intended to clarify information given to date and to provide DPs with the opportunity to discuss issues of concern and obtain clarification. In addition to a letter informing the DP, other means were used to inform DPs and the general public, such as posters in prominent locations in the communes and districts where DPs currently reside, radio, newspaper and public poster announcements. The letter and notices advised the time and location of the meeting, and who can attend. Men and women from affected households, as well as other interested community members, were encouraged to attend. The meeting explained the Project, and households' rights and entitlements, and there were opportunities to ask questions.

Public meetings will be conducted periodically during the life of the Project. The affected people and other key stakeholders could access the information on the project at the office of local commune people's committee in accordance with the government's regulations. Relevant information will be given to the DPs at the meetings (verbally, graphically, and/or on printed information sheets). Extra copies of the printed information sheets will be available at township and district offices throughout the project area. The meetings are proposed to have the following format:

- i. Explanations given verbally and in visual format, including written information and drawings of the proposed design for the different component of the Project;

- ii. Adequate opportunities will be provided for DPs to respond with questions and comments. DPs will be encouraged to contribute their ideas for DPs restoration measures options;
- iii. DRCs will establish a complete list of all DPs present at the meetings;
- iv. DRCs will make a complete record of all questions, comments, opinions and decisions that arise during the information/consultation meetings, and present a report of all the meetings to the PMU-W.

Information about the following will be given to DPs:

- i. **Project introduction and Information Dissemination methods.** General information on projects is provided to DPs. At the same time, DPs are also given addresses of organizations where they could easily approach to get related information.
- ii. **Project impacts.** Impacts on the people living and working in the affected areas of the project, including explanations about the need for land acquisition for each subproject components;
- iii. **DPs' rights and entitlements.** These will be defined for DPs (with the cut-off date). The rights and entitlements for DPs with different impacts, including the entitlements for those losing businesses, jobs and income, will be explained. Options for land-for-land and cash. Options regarding reorganizing and individual resettlement, and provisions and entitlements to be provided for each. Entitlement to restoration assistance and opportunities for project-related employment;
- iv. **Grievance mechanism and the appeal process.** DPs will be informed that the project policies and procedures are designed to ensure that their pre-project living standards are restored. DPs will also be informed that the resettlement committee can help resolve problems if there is any confusion or misunderstanding about any aspect of the Project. If they have complaints about any aspect of the land acquisition, compensation, resettlement, and restoration process, including the compensation rates being offered for their losses, they have the right to make complaints and to have their complaints heard. DPs will receive an explanation on how to access grievance redress procedures;
- v. **Right to participate and be consulted.** The DPs will be informed of their right to participate in the planning and implementation of the resettlement process. The DPs will be represented in District's resettlement committees, and the representative for the DPs will be present whenever commune/district/provincial committees meet in order to ensure their participation in all aspects of the project;
- vi. **Resettlement activities.** DPs will be given information and discussion regarding compensation prices, compensation calculations, compensation payments; restoration programs; participation and monitoring mechanism.
- vii. **Relocation arrangement**
Relocated households will be consulted about relocation areas, related allowances, relocation schedule, and procedures for issuance of LURC.
- viii. **Organizational responsibilities.** DPs will be informed of the organizations and the levels of Government involved in resettlement and the responsibilities of each, as well as the names and positions of the government officials with phone numbers, office locations, and office hours, if available;

- ix. **Implementation schedule.** Implementation schedules and charts will be provided to DRCs and CPCs. Suitable resettlement activities are planned and implemented in the manner ensuring that DPs have enough time to receive compensation, to build new house at new living area as regulated. DPs will receive the proposed schedule for the main resettlement activities and informed that physical works will start only after the completion of all resettlement activities and clearance from the project area are completed. It will be clarified that they will be expected to move only after full payment of compensation for their lost assets are made.

Payment of Compensation and restoration allowance

A letter of notification will be sent to each DP with the time, location, and procedure for receiving compensation payment. Severely affected and vulnerable DPs will be personally contacted to confirm their preferences for rehabilitation assistance.

Public Information Booklet (PIB)

To ensure that DPs, their representatives, and local governments in the affected areas fully understand the details of the resettlement program, and are also informed about the compensation and rehabilitation packages applicable to the Project, a Public Information Booklet (PIB) will be prepared by PMU-W, in consultation with the World Bank. This booklet will be distributed to all DPs in the project area. General contents of the PIB will include the following: Brief Description of the Project, Implementation Schedule, Project Impacts, Entitlements and Rights of DP, Resettlement and Rehabilitation Policies for All Types of Impacts, Institutions Responsible for Resettlement, Information Dissemination to and Consultations with Project Displaced Persons, What to do if DPs have a Question or a Problem, Grievance Procedure, and Independent Monitoring.

Disclosure of RPF and RP

In addition to disclosure to displaced persons and communities, the Resettlement Policy Framework and the RP are available at the Provincial Information Center, in PMU-W and the World Bank (VDIC at Hanoi and InfoShop in Washington DC).

4. Grievance Redress Mechanism (GRM)

DPs can lodge their complaints regarding any aspect of compensation policy, rates, land acquisition, resettlement and entitlements relating to rehabilitation assistance programs. Complaints by DPs can be lodged verbally or in written form, and where they are lodged verbally, the local people's committee to which it is lodged will write it down during the first meeting with the DP. DPs will be exempt from administrative and legal fees. The GRM will be disclosed to people during public meetings.

The chairman of the commune people's committee will be the first one who is responsible for solving of DP's emerged complaints/grievances.

To facilitate process of resolving complaints and grievances of DPs, a four-stage procedure for redressing grievances is proposed as follows:

Stage 1- Complaints from DPs on any aspect of the resettlement program, or losses not previously addressed shall first be lodged verbally or in written form to the people's committee at commune level. The complaints can be discussed in an informal meeting with the plaintiff and the chairman of the people's committee at commune level. The People's Committee at commune level will be responsible for resolving the issue within 15 days from the day it is lodged;

Stage 2 - If no understanding or amicable solution can be reached, or if no response from the people's committee at the commune level is received by the DP after 15 days from registering the

complaint, he/she can appeal to the District People's Committee (DPC). The DPC will provide a decision within 30 days from the registering of the appeal with support of District's Resettlement Committee and other competent agencies;

Stage 3 - If the DP is not satisfied with the decision of the DPC or its representative, or in the absence of any response by the DPC after 30 days since lodged day, the DPs can appeal to the Provincial/City's People's Committee. The City's/Provincial People's Committees together with the representative of the Provincial/City's RCs will provide a decision on the appeal within 30 days from the day it is lodged with the PPCs;

Stage 4 - If the DP is still not satisfied with the decision of the PPCs/City's PC or PRCs/City's RC on its decision, or in absence of any response from the PPCs/City's PC within the stipulated time, the DP, as the last resort, could submit his/her case to the district/province court.

VIII. IMPLEMENTATION SCHEDULE

The implementation schedule is as follows:

1. Information Dissemination Prior to Detailed Design. Prior to the commencement of detailed design, the PMU-W will provide information about the Project throughout the project area. Information meetings will be held in all potentially affected wards/communes to inform the communities on: (i) the project scope; (ii) impacts; (iii) entitlements for all categories of loss; (iv) schedule of activities beginning with the detailed measurement survey; (v) institutional responsibilities; and (vi) the grievance mechanism. The PIB will be prepared and distributed to all affected communities during the meetings;

2. Establishment of Resettlement Committees. District Resettlement Committee (DRC) will be established by District People's Committee to implement resettlement for the project. Responsibilities of the DRC were regulated by the DPC and mentioned in chapter VII.

3. Training for Resettlement Staff. PMU-W will hire Resettlement specialists to conduct training in resettlement implementation of the project for DRC staff. The training should focus on but not limited the following issues:

- Objectives of RP;
- Resettlement Principles and policies of the project and entitlements of DPs;
- Consultation and information dissemination methods;
- Implementation steps, procedures, and schedule;
- Grievance redress mechanism;
- Monitoring and evaluation on resettlement implementation; and
- Powers and obligations of individuals/agencies and DPs involved in the process of resettlement programs.

4. Detailed Measurement and Census Survey. Based on the approved detailed technical design, DRC will carry out DMS for affected assets. Results of the DMS will serve as a basis for compensation and for updating the RP. Data will be computerized by DRC in close consultation with the independent land appraiser. Nam Dinh PPC has full responsibility on exactness as well as full coverage of the data. The data will be transferred to the PMU-W for information and review.

5. Conducting replacement cost survey. DRC will hire qualified and experienced agency to value affected land and assets to ensure compensation at replacement cost. Results of the land valuation will be consulted with affected people and submitted to PPC for approval and applied for compensation.

6. Pricing Application and Compensation to DPs. District’s Resettlement committees will be responsible for pricing application and preparing compensation plan for each affected household based on quantity of losses and replacement costs and entitlement of AHs. Before submitting compensation plan to competent agencies for verifying and approval, the compensation must be disclosed to AHs for comment as stipulated in the Land Law of 2013. All compensation options must be checked and signed by the AHs to indicate their agreement.

7. Delivery of Compensation and allowances. AHs will be informed by letter on schedule and venue of the payment at least 10 days before payment. All AHs will receive full amount of compensation and allowances before land clearance. Payment of compensation will be handled under the supervision of representatives of CPCs, DRCs, PMU-W and DPs’ representatives.

8. Livelihood restoration Program. PMU-W will hire livelihood specialists and social consultant to conduct a vocational training need assessment to establish training program for members of AHs. The program should include detailed activities, responsibilities, budget, implementation schedule and monitoring and evaluation to submit to the Bank for review and PPC for approval before implementation.

9. Award of Civil Works Contract. After all DPs have been compensated in accordance with the approved RP for each section, award of contract can be given for respective civil works.

10. Monitoring. Internal monitoring implemented by PMU-W and external monitoring implemented by external consultant shall start as soon as from beginning to the end of the project implementation to ensure the implementation of resettlement in compliance with the Bank policy and government policy.

The RP will be carried out in accordance with project implementation schedule. Schedule for Resettlement implementation is proposed as follows (See Table below):

Table 23. Resettlement Implementation Schedule of the DNC of the NDTDP

No	Activities	Year	TND*													
		Month	1	2	3	4	5	6	7	8	9	10	11	12	13	
I	Preparation															
1	Establish a Compensation & Resettlement Committee. Conduct dissemination of project information and consultation with DPs at community							
2	Sign resettlement contract and hire independent monitoring organization including land appraiser															
3	Update the final technical design and map															
4	Conduct DMS and socio-economic survey on DPs															
5	Update resettlement plan															
II	Compensation payment															

6	Prepare compensation price unit and calculate compensation and rehabilitation.																		
7	Consult compensation plan with DPs and submit for approval																		
8	Make compensation payment and site clearance for construction																		
III	Monitoring																		
9	Internal and independent monitoring																		
10	Organize independent monitoring to confirm the completion of resettlement for each resettlement contract																		
11	The World Bank confirms to accept each resettlement contract																		
IV	Start of Civil work of the project																		

*Time not defined

All resettlement activities for each section must be satisfactorily completed before the World Bank will give a no objection for award of contract for the respective section.

IX. COST AND BUDGET FOR RESETTLEMENT IMPLEMENTATION

1. Principles

The compensation will be paid to the project DPs based on the following principles:

- (i) Productive Land (agricultural, aquaculture, garden and forest) based on current market prices that reflect recent land sales in the project area or, in the absence of such recent sales, based on recent sales in adjacent or other locations with comparable attributes, or in the absence of such sales, based on productive value;
- (ii) Residential land based on current market prices that reflect recent land sales or, in the absence of such recent land sales, based on prices of recent sales in other locations with comparable attributes;
- (iii) Houses and other fixed structures based on current market prices of materials and labour without depreciation or deduction for salvaged building materials to build the new house/structure with similar technical standards of the affected house/structure;
- (iv) Annual crops equivalent to the prevailing market value of crops at the time of compensation;
- (v) Perennial crops, cash compensation equivalent to their current market value given the type, age and productive value (future production) at the time of compensation.
- (vi) Timber trees based on the type and breast height at current market prices.

2. Replacement Cost Survey

The Replacement Cost Survey for this RP was carried out by PMU-W consultants in November 2015. These costs are used for the purpose of preparing cost estimates for the RP.

To do the survey for the replacement cost, the survey teams carried out the following works including site visit to the project localities:

(i) Desk study of the implications of the national legal orders to the compensation principles when the Government acquires land for the purposes of national, defence, public works, and economic developments such as the Land Law of 2013; Decrees No. 47/2014/ND-CP; Decree 43/2014/ND-CP; Circular37/2014 of MONRE on price determination method and price frame for different kinds of land as well as the policies on compensation and resettlement assistance of the project province.

(ii) Meet with DOF, DONRE, DOC, and MARD of the Project provinces. The teams interviewed and obtained the comments from the above mentioned departments of the provinces and districts about the current costs which are used to compensate for the DPs by land acquisition in their localities.

(iii) Interviewed different local officials (DCRC and leaders of selected communes) as well as local people on the current market rates of land in their districts and commune localities. For communes that have no active market for non-residential land in the project communes, based on other empirical facts, such as productive and location attributes, discuss and determine the replacement values for non-residential land.

(iv) Canvass of construction materials from the local suppliers, construction material shops in the selected districts and communes, interviewed designers of local design and construction companies, local contractors and local builders in the selected districts, communes to learn about the current costs of materials, labour and cost of construction for buildings and other popular sub-structures such as houses class 4, class 5 and temporary structures, fence, well, yards etc.,

(v) Meet with vendors and agriculture specialists in the selected districts and communes, including officials of the Department of Agriculture in the districts, to learn about and to establish the current market rates of perennial and annual crops; wooden trees, fruit trees.

(vi) Analyzed the results of survey and define the unit costs for compensating fixed assets (land, structures), perennial and annual crops affected by the project in the selected communes.

In the stage of resettlement implementation, the compensation rates will be determined by an independent appraiser to reflect current market prices of land in accordance with provision of the Land Law of 2013 and the Decree 47/2014/ND-CP.

3. Resettlement Cost

Costs for resettlement include the following:

i) Preparation work cost:

- All work at the office such as design study, preparation of survey form;
- Survey work: census and inventory, socio-economic survey;
- Survey work is carried out in two stages: Preliminary stage (for RP preparation) and Detailed Measurement Survey (at the early time of project and RP implementation).

ii) Compensation and rehabilitation cost:

- Compensation for permanent land acquisition;
- Compensation for houses and other/secondary structures attached to the affected land
- Compensation for trees and crops affected due to the temporary and/or permanent loss of land (including the cost of cutting the trees);
- Rehabilitation assistance to relocated and reorganized DPs, severely affected business DPs and/or farmers losing more than 20% of land holdings.

iii) *Administrative/Management cost consists of:*

- Expenses for equipment, power, salary and allowance for full-time and/or part time resettlement staff of DRC.
- Cost for trainings, workshop, information campaign etc.

iv) *Monitoring cost*

PMU-W is responsible for contracting with an external organization, specialized on social sciences or anthropology to carry out the independent monitoring of the subproject's resettlement implementation. Because the cost of monitoring work has not yet detailed norms set by the Government, it is estimated that it needs about 1.0 % of the total compensation base cost.

v) *Contingency cost*

It is learned from the implemented projects, the rate for contingency should be at about 10% of total cost of compensation and RP preparation

Total Resettlement Cost: The summarized total compensation base cost for the DNC Canal activity of Sub-component A2 of the NDTDP is presented in the Table below. The total resettlement plan implementation cost, compensations and assistance is around 119,400,000,000 VND (~ 5,425,000 USD).

Table 24. Estimated resettlement cost of DNC - NDTDP

No	Content	Unit	Quantity	Unit price	Total
				(VND)	(VND)
A	Compensation				
1	<i>Land</i>	<i>ha</i>	45	550,000,000	24,750,000,000
2	<i>House</i>	<i>m2</i>	3100	2,000,000	6,200,000,000
3	<i>Structure</i>	<i>m2</i>	3300	250,000	825,000,000
4	<i>Crops and tree</i>	<i>ha</i>	32.2	80,000,000	2,576,000,000
5	<i>Tomb relocation</i>	<i>unit</i>	14	25,000,000	350,000,000
6	<i>Public constructions</i>	<i>unit</i>	11		25,000,000,000
	Total (A)				59,701,000,000
B	Support and allowance				
7	Support for job change and creation	HH	259	145,000,000	37,555,000,000
8	Support for the poor, vulnerable	HH	48	3,000,000	144,000,000

9	Subsistence allowance	HH	252	15,000,000	3,780,000,000
10	Transport allowance	HH	30	3,500,000	105,000,000
11	House renting allowance	person	18	1,200,000	21,600,000
12	Incentive Bonus	HH	264	5,000,000	1,320,000,000
	Total (B)				42,925,600,000
C	Detailed land measurement	<i>ha</i>	45	60,000,000	2,700,000,000
	Total (A)+(B)+(C)				105,326,600,000
D	Monitoring (1%)				1,053,266,000
E	Management (2%)				2,106,532,000
	Total (A)+(B)+C+(D)+(E)				108,486,398,000
F	Contingencies (10%)				10,848,639,800
	Total: (A+....+F)		VND:		119,335,037,800
			USD:		5,424,320

1 USD = 22,000 VND

4. Financing

Budget for RP implementation will be provided through counterpart funds. The MOT will provide a budget for implementation of the RP of this NDTDP subproject. It will be included in the project total investment cost.

PMU-W will be responsible for channelling funds for land acquisition and resettlement to the respective subproject provincial Treasuries for the payment of compensation directly to affected persons for land, crops, trees, and for the rehabilitation assistance.

X. MONITORING AND EVALUATION

1. Monitoring

Monitoring is the continuous process of assessment of project implementation, in relation to agreed schedules, the use of inputs, infrastructure and services by the Project. Monitoring provides all stakeholders with continuous feedback on implementation. It identifies actual or potential successes and problems as early as possible to facilitate timely correction during project operation.

Monitoring has two purposes:

- To verify that project activities have been effectively completed including quantity, quality, and timeliness; and
- To assess whether and how well these activities are achieving the stated goal and purpose of the Project.

Regular monitoring of the RP implementation will be conducted by the implementing agency (PMU-W) as well as by an independent external monitoring organization hired by the PMU-W.

2. Internal Monitoring

The Central Management agencies (PMU-W) are responsible for internal monitoring of the RP's implementation for their respective components. The agencies will oversee the progress in resettlement preparation and implementation through regular progress reports.

The main indicators that will be monitored regularly are:

- payment of compensation to DPs in various categories, according to the compensation policy described in the RP;
- delivery of technical assistance, relocation, payment of subsistence, and moving allowances;
- delivery of income restoration and rehabilitation assistance entitlements;
- public information dissemination and consultation procedures;
- adherence to grievance procedures and outstanding issues requiring management's attention;
- priority of DPs regarding the options offered; and
- Coordination and completion of resettlement activities and award of civil works contract.

The PMU-W will collect information every month from the different resettlement committees. A database of resettlement monitoring information regarding the Project will be maintained and updated every month.

The PMU-W will submit a monitoring report on the progress on implementation of the RP to the PPCs/City's PC and the Bank as part of their regular quarterly report to Bank. The internal monitoring reports shall include the following key issues:

- The number of DPs by category of impact per component, and the status of compensation payment and relocation and income restoration for each category.
- The amount of funds allocated for operations or for compensation and the amount of funds disbursed for each.
- The eventual outcome of complaints and grievances and any outstanding issues requiring action by management.
- Implementation problems.
- Revised actual resettlement implementation schedule.

3. External Monitoring

Objectives: The general objective of the external monitor is to provide an independent periodic review and assessment of achievement of resettlement objectives, the changes in living standards and livelihoods, restoration of the economic and social base of the displaced persons people, the organizational effectiveness, impact and sustainability of entitlements, the need for further mitigation measures if any, and to learn strategic lessons for future policy formulation and planning.

Agency Responsible: In accordance with the World Bank requirements for consultant procurement, the PMU-W will hire external organizations for the independent monitoring and evaluation of RP's implementation. This organization, to be called the Monitoring Organization (MO), should be specialized in the Social Sciences and experienced in resettlement monitoring. The MO/s should start their work as soon as the updated RP have been approved.

Monitoring and Evaluation Indicators: The MO will monitor key indicators but not be limited to the following:

- (i) Public consultation and disclosure activities;
- (ii) Awareness of affected people on resettlement rights and entitlements, grievance redress, resettlement process, and project schedule
- (iii) Establishment of market rates for land and non-land assets;
- (iv) Documentation of impacts and payments (DMS, compensation documents,) as per agreed RP;
- (v) Coordination of resettlement activities with construction schedule; (vi) Land recovery and transfer procedures;
- (vi) Relocation of households, public assets, and sacred structures
- (vii) Quality of preparation and adequacy of planned relocation sites
- (viii) Level of satisfaction of AHs with the provisions and implementation of the RPs;
- (ix) Effectiveness and efficiency of grievance redress mechanism (documentation, process, resolution);
- (x) Effectiveness, impact and sustainability of entitlements and rehabilitation measures/income restoration programs, and the need for further improvement, as required;
- (xi) Gender impacts and strategy;
- (xii) Capacity of AHs to restore/re-establish livelihoods and living standards, especially the severely affected, poor and vulnerable households. Monitor and assess the assistance and support provided or to be provided to these households;
- (xiii) Unanticipated impacts, or any resettlement impacts caused during construction activities;
- (xiv) Participation of AHs in RP planning, updating and implementation;
- (xv) Institutional capacity, internal monitoring and reporting;
- (xvi) Channelling of government funds for payment of land, non-land assets and allowances to the affected households (if done transparently, efficiently, and effectively);
- (xvii) Integration with host community;
- (xviii) Restoration/improvement of affected public, communal, and community assets.

Method of monitoring: Monitoring of RP implementation should be based on desk review and field visits. Qualitative and quantitative methods including group discussion, in depth interview and questionnaire survey need to be used for monitoring. Gender and vulnerable group should be integrated in the monitoring. The post-resettlement evaluation should be conducted 6 months after completion of all resettlement activities with the same sample to assess whether income and livelihoods of APs are restored or improved comparing to pre-project. Monitoring indicators and findings will be disaggregated by gender.

Schedule and report: The Independent monitoring activities will be carried out in accordance with the project's resettlement implementation progress. Monitoring reports will be submitted to PMU-W no later than 2 weeks after completion of the field independent monitoring. The MO is required to conduct monitoring and submit the findings reports to the Bank every 6 months. These monitoring reports shall be submitted to the World Bank as an annex of its progress report.

Evaluation: Evaluation is an assessment at a given point of time of the impact of resettlement and whether stated objectives have been achieved. The external monitor will conduct a post-resettlement evaluation of the resettlement implementation within 6 to 12 months after completion of all resettlement activities, using the same questionnaire and sample as used during the monitoring activities.

ANNEX 1

AFFECTED PUBLIC PROPERTIES

	Affected public properties/ constructions	Location
1	Do Muoi ferry	Nghia Son commune (DNC canal)
2	300 m high voltage 110 KV transmission lines	Nghia Son commune (DNC canal)
3	300 m high voltage 35 KV transmission lines	Nghia Son commune (DNC canal)
4	300 m electricity transmission lines for a church	Nghia Son commune (DNC canal)
5	300 m irrigation canal from Day river	Nghia Son commune (DNC canal)
6	260 m left dyke of Day river	Nghia Son commune (DNC canal)
7	260 m inter-villages roads	Nghia Son commune (DNC canal)
8	260 m right dyke of Ninh Co river	Nghia Lac commune (DNC canal)
9	300 m of road grade 3 in plain	Nghia Son and Nghia Lac communes
10	260 m drainage canal to Ninh Co river	Nghia Lac commune (DNC canal)
11	300 m of underground communication cable	Nghia Son and Nghia Lac communes

ANNEX 2

**SOCIO-ECONOMIC INVESTIGATION TABLE
OF IMPACTED HOUSEHOLDS**

(NORTHERN DELTA TRANSPORT DEVELOPMENT PROJECT- WB6 PROJECT)

- Full name of householder:----- Householder’s gender: Male ; Female
- Number of people in the household:.....
- Ethnic group :
- Full name of householder’s wife/husband :-----
- Address:-----
- Phone:-----
- Full name of interviewee:-----; Relationship with householder:-----

1. POPULATION IN THE HOUSEHOLD

TT	Full name	Relationship with householder <i>0= householder 1= householder’s wife/husband; 2= householder’s parents 3= offspring; 4= Daughters/sons in law; 5= Nieces,/nephews; 6= householder’s sister/brother; 7= Other relationship(provide the details)</i>	Gender <i>1=Male 2=Female</i>	Age	Education <i>(Which form are you in among 12 year education system, for example 2/12)</i>	Vietnamese population registration <i>1=Permanent residence 2=Temporary residence 3=Stay for long time but not register 4 =Other (provide the details)</i>	Children at school age (6 - 18 year old) <i>1=still go to school 2= Not go to school</i>
1							
2							
3							
4							
5							
6							

2. OCCUPATION AND INCOME OF FAMILY MEMBERS

STT	Full name	Occupation			Monthly income (VND)
		1= State Employees	6= Staff of enterprises	11= Home-makers	
		2= Handicraft production	7= Small business	12= Retirees	
		3= Livestock production	8= Trading / Services	13= Unemployed people	
		4= Seasonal employment	9= Farmers	14= Fishing	
		5= Workers (contracted per month)	10= Students/pupils	15= <i>Other (provide the details)</i>	
		Code	Occupation		
1					
2					
3					
4					
5					
6					
	TOTAL				

3. MONTHLY AVERAGE EXPENDITURE OF HOUSEHOLD (VND)

3.1. Expenditure in the family

STT	Monthly average expenditure	Amount (VND)
1	Food cost	
2	Electricity cost	
3	Running water cost	
4	School fee	
5	Telephone cost	
6	Accommodation rent cost	
7	Rent for layout for the production/trade/service	
8	Petrol cost	
9	Housing tax	

	1= Neighbors / Friends 2= Relatives 3= Personal	4= Bank 5= Social support fund 6= Local credit funds 7= Others	loan / grant	grant
	Code (from 1 – 7)	Loan (V); Support (T)		
1				
2				
3				
4				

7. LIVING FACILITIES IN THE FAMILY

Assets	Number	Assets	Number
1.Car		8. Video recorder	
2.Motor boat		9.gas cooker	
3. Motor bikes		10.Fans	
4. Bicycle		11.Rice cookers	
5.Washing machine		12.Air conditioners	
6.Refrigerator		13.Computers	
7.TV		14.Other (provide the details)	

8. OPPORTUNITIES TO USE PUBLIC AND FAMILY UTILITIES (current)

Type of public service

Distance
 (1) Near<1 Km;
 (2) Not very far: 1-3 Km
 (3) Far> 3Km

Yes (X) No (0)

a. Domestic water

Rain water

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Water from river

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Well water

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Running water

b. Latrine

Two-compartment latrine

Detritus pit

Temporary latrine

Eliminate in the rice field

c. Daily cooking by

Woods

Straw

Coal furnace

Gas

Electric cookers

d. Health care service

Medical stations

Hospitals / clinics

Private clinic

Pharmacy

e. Market

Market

Temporary Market

f. Schools

Kindergartens

Primary schools

Secondary school

Upper secondary school

g. Electricity, telephone

Electricity meter

Electricity united from neighbors

Telephone

Internet

h. Road

Rural commune / village road

Canals (use regularly)

River (use regularly)

i. Belief, culture, sport work

Communal house in the village/pagoda/ temple / church

Cultural center

Sports ground

Other recreation ground

9. COMPENSATION AND RESETTLEMENT

9.1 If your family must move to other places, what is your most concern?

1. Compensation cost
2. Move ancestors' tombs
3. Loose the jobs
4. Difficulties in establishing relations with new neighbors
5. More debt by building a new home or buy new land
6. Others (*provide the details*)

9.2 If your family must move to other place, what solution will you choose among below ones?

1. Not define yet
2. Build the house in the remaining land
3. Receive compensation and build the new accommodation yourself
4. Move to available or under construction residential areas
5. Where will you stay if you move to other new place:
 1. Adjacent place
 2. Other districts/communes
 3. Other province

9.3 If your income is affected, what are your wills?

1. Remain with the same job
2. Take other jobs

9.4 What measures do you wish to recover your income?

1. Compensate by new agricultural land
2. New job training
3. To be supported by capital for business
4. To be given by agricultural equipment and material
5. To be supported by agricultural production technology (agricultural or fishery encouragement)
6. To be arranged new business place
7. To be introduced a new job
8. Others (provide the details)

.....

9. What is your job category selection to be trained?

.....

9.5 What is your wish to be compensated for your loss?:.....

Thanks for the comments of your households.

Day... month, 20

Interviewee

Investigator

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.....

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c. Auxiliary house No 2

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2. Impacted works: (*Workshop, manufacturing facilities, business shop*)

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3. The secondary affected works (*drying ground, sewers, wells, embankment, graves, fence*)

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Notes: - *Investigators must fully record the following information: owned area; lost area, remaining area; percentage of lost area, work structure.*

- *In case the work has distinctive characteristics, investigators need to measure and make the details*
- *Temporary works will not be recognized*

II. LOST LAND

- **Ownership status:** cooperative land; The householder has no rights, illegal use
- Rented land (Private; State owned Ownership of householders; Others
- **Legal Status:** Land use rights certificate is being processed
- Land use rights certificate is available
 - Buy with agreement paper No papers at all
 - being disputed Others.....

- Type of lost land:

- Living land
- Land for factory, warehouse
- Garden land
- Land used for community
- Non-agricultural land
- Rice land (1 crop ; 2 crop ; 3 crop - Crop land
- Pond (Extensive farming ; intensive farming Fallow Accretion riparian land
- Other land.....

1. Lost land:

No	Type of land	Owned area	Lost area	Remaining area	Percentage of loss
1					
2					
3					
4					
Total (1)					

2. Land area of the households in the non-affected area of the project

No	Type of land	Owned area	Ownership status	Legal Status	Distance to affected land (m)
1					

2					
3					
4					
Total (2)					

3. Lost land assessment

Total of owned land = Total (1) + Total (2) = m²
 Total of lost land = Total (1)= m²;
 Total of remaining land = Total (1) + Total (2) = m²;
 Total percentage of lost land = Total (1)= m²

Notes: - Measure, draw and fully recorded the form of house, works, land, ponds, ditches ... within the impacted scope.

- If the land is divided into several parts to be used for many different purposes, it needs to specify the size of each part

- Record the names of household at 4 directions around the investigated household

IV. IMPACTED PLANTS AND CROP

No	Name of plants and crop	Units (tree - m ²)	Classification	Note
				- Classify the trees in accordance with root diameter if they are timbers, fruit trees - Classify short-term crops in accordance with newly planted trees, to be harvested soon or being harvested)

.....Day.....month..... 20

Interviewee

Respondent

Annex 4: Entitlement Matrix

No	TYPE OF LOSS	APPLICATION	DEFINITION OF ENTITLED PERSON	COMPENSATION POLICY	IMPLEMENTATION ISSUES
1.	Permanent loss of arable land	HHs losing agricultural land	User with legal or legalizable rights to use the affected land.	<p>(i) If the HHs lose less than 20 % of their agricultural land, cash compensation for the lost land at replacement cost, AND <i>Support for job change and creation</i> in cash equal to 3 times the agricultural land price for the whole area of recovered agricultural land; The land area eligible for support must not exceed the quota of land allocation in the locality;</p> <p>(ii) If the HHs lose from 20% to 70 % of their agricultural holding, then, in addition to the (i), they are entitled to a <i>subsistence assistance</i> equivalent to the market value of 30 kg of rice /person/month for 6 months if the HHs do not have to relocate to new place, and for 12 months if HHs have to be relocate;</p> <p>(iii) If the HHs lose more than 70 % of their agricultural holding, then, in addition to the (i), they are entitled to a <i>subsistence assistance</i> equivalent to the market value of 30 kg of rice /person/month for 12 months if the HHs do not have to relocate to new place, and for 24 months if HHs have to be relocate;</p> <p>(iv) members (at labor age) of affected HH of (ii) and (iii) are provided one training course free of charge if required. The labor of affected HHs may take the training course at any time during 3 years after the land is cleared.</p>	<p>If the viability of the remaining land is less than the minimum viable economic unit, then the entire parcel of land would be acquired and the HHs would fall under the category (iii).</p> <p>Where the land is rented through civil contracts, the compensation for land be paid to the persons who have legal land use right, while compensation for crops or trees attached to the affected land be paid to the affected land cultivators.</p> <p>In case the HHs casually utilize the public land for growing crops/trees, which is subjecting acquisition by the project, then she/he will not be compensated for land, but will be compensated for crops and trees at market prices/replacement cost.</p>

2	Loss of residential land	Land acquired without structures built therein.	User of the affected land with LURC.	Cash compensation for land at replacement cost of the land acquired to the legal/legalizable users;	
		Land acquired with structures built therein and the remaining land is sufficient to rebuild on	HH of this category have to rebuild their main house on remaining land. The HH has legal right to use land.	a. Cash compensation for land acquired at replacement cost of the land acquired to the legal/legalizable users; b. (ii) If HHs have to rebuild their main house, then they will receive cash subsistence allowance equivalent the market value of 30 kg of rice/person/month for 12 months.	

		<p>Land acquired with structures built therein and the remaining land is not sufficient to rebuild on</p>	<p>Relocating DPs.</p>	<p>(1) Compensation policy for land:</p> <p>(a) Cash compensation for lost residential land at full replacement cost to the DPs, who have legal or legalizable rights to the affected land;</p> <p>(b) Compensation in cash for the remained investment put on the land to the land borrowed users plus information and relevant relocation assistances, where cash compensation for acquired area to the legal land users</p> <p>(2) Rehabilitation assistance:</p> <p><i>Transportation allowance</i> of 3,500,000 per HH, if DPs relocate to new site within the city/province, to 6,000,000 VND per HH if they relocate into another province;</p> <ul style="list-style-type: none"> • <i>Subsistence allowance</i> equivalent to the market value of 30 kg of rice/person/month for 6-12 months if DPs have to relocate to new site depending on how much their agriculture land acquired; • <i>House renting assistance.</i> If the project cannot provide location to the relocating DPs prior the land acquisition, then the DPs will be given a house renting allowance at level regulated by local PPC/City's PC, for a duration: (i) from the moment handing the acquired land to the moment receiving a new plot in RS plus 6 months of house construction, if DPs opt/are allocate new land; or (from the moment handing land to the moment receiving new apartment, if DPs entitled to rent or buy apartment in multi-stored living building; or, (iii) for 6 months if the DPs opt to relocate by themselves. 	<p>At the time of compensation, allowances will be adjusted to account for inflation.</p>
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3	House/structures and graves	Houses/structures located in the project recovered area.	Owners of affected structures.	<ul style="list-style-type: none"> • Compensation in cash for all affected structures will be provided at replacement cost for materials and labor. The amount will be sufficient to rebuild a new structure the same as the former one at current market prices. • If house/structure is partially affected, the project will provide a house/structure repairing cost, in addition, to DPs to restore it to former or better conditions. • Compensation and assistance will be provided in the form of cash. 	No deductions will be made for depreciation or salvageable materials.
4	Loss of standing crops and trees	Crops affected.	Owners of affected crops	DPs are entitled to compensation for affected crops in cash at market value.	DPs will be given notice several months in advance regarding evacuation. Crops grown after issuance of the deadline will not be compensated.
		Trees affected.	Owners of affected trees.	DPs are entitled to compensation in cash at market value on the basis of type, age, and productive value. If affected trees are removable, the compensation will be equal to the transportation cost plus actual loss.	

5	Temporary impact during construction	Temporary loss of arable land	Users of affected land	<p>(i) Compensation for one harvest of crops/trees at full market prices</p> <p>(ii) Compensation for loss of net income from subsequent crops that cannot be planted for the duration of project temporary use, <u>AND</u></p> <p>(iii) Restoration of land to its previous or better quality by providing measures to improve land quality in cases of land being adversely affected or acidified, <u>AND</u></p> <p>(iv) If the duration of project's use the land exceed more than two years, then the DPs have option to: 1) Continue to use land and receive compensation for subsequent crops, OR, 2) Give it to the Project and be compensated as permanent loss</p>	If the quality of land will be radically changed when return to DPs, requiring DPs to change in the types of land use, then DPs should be compensated for all envisaged cost of losses
		Temporary loss of residential land	Users of affected land	<p>(i) Compensation for affected assets at replacement cost</p> <p>(ii) restoration of land to former conditions</p>	
		Temporary impact on business	Owner of business	<p>(i) Compensation for loss of income during transition period, equivalent average monthly net income at least for three months.</p> <p>(ii) Compensation for affected assets at replacement cost</p> <p>(iii) restoration of land to former conditions</p>	

		Damages by contractors to private or public structures or land	Owner or person with use rights	(i) The contractor will be required to pay compensation immediately to affected families, groups, communities or government agencies. (ii) Damaged property will be restored immediately to its former condition.	
6	Loss of community assets	Affected structures, roads, power supply or communication lines... affected by temporary or permanent land acquisition or spoil disposal.	Village, commune, agencies, organizations	(i) Restoration of affected community buildings and structures to at least previous condition, or (ii) Replacement in areas identified in consultation with affected communities and relevant authorities, or (iii) The compensation will be provided at replacement cost without depreciation but includes deduction of salvage materials	If income loss is expected (e.g. irrigation, community forest, community grazing land), the village is entitled to compensation for the total production loss this compensation should be used collectively for income restoration measures and/or new infrastructure.
7	Other allowances	Social assistance	Relocated DPs who are currently receiving social assistance	Relocated DPs who are currently receiving social assistance are entitled to additional social assistance from 1,000,000 VND/HH to 5,000,000 VND/HH as provided by respective local regulations	
		Incentive bonus	DPs who timely hand the affected land to the project voluntarily	A bonus of 5% of the total compensation amount, but not exceeding 7,000,000 VND/HH	