

Resettlement Planning Document

Resettlement Plan
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Viet Nam: Thanh Hoa City Comprehensive Socioeconomic Development Project

Prepared by Thanh Hoa Provincial People's Committee

The Resettlement Plan is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or Staff and may be preliminary in nature.

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- Attachment 2: Draft Terms of Reference for Replacement Cost Study
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CURRENCY EQUIVALENTS

(as of January 2008)

Currency Unit	–	Vietnamese Dong (VND)
	-	US Dollar (\$)
\$1.00	=	D16,000

ABBREVIATIONS

ADB	-	Asian Development Bank
AP	-	affected person
DMS	-	detailed measurement survey
EA	-	executing agency
EMA	-	external monitoring agency
GOV	-	Government of Vietnam
IOL	-	inventory of losses
LARU	-	Land Acquisition and Resettlement Unit
LURC	-	land use rights certificate
MOF	-	Ministry of Finance
MOLISA	-	Ministry of Labor, Invalids and Social Assistance
MONRE	-	Ministry of Natural Resources and Environment
MARD	-	Ministry of Agriculture and Rural Development
MOT	-	Ministry of Transport
PIU	-	Project Implementation Unit
PPC	-	Peoples' Committee (Provincial/City/Commune)
PPMU	-	Provincial Project Management Unit
RCS	-	replacement cost study
ROW	-	right-of-way
RP	-	Resettlement Plan
SES	-	socio-economic survey
VND	-	Vietnamese dong

Definition of Terms

Affected person (AP)	-	<p>Refers to any person or persons, household, firm, private or public institution that, on account of changes resulting from the Project, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (including residential, commercial, agricultural, forest and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement.</p> <p>In the case of affected household, it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components.</p>
Cut-off date	-	<p>This refers to the date prior to which the occupation or use of the project area makes residents/users of the same eligible to be categorized as AP. Persons not covered in the census are not eligible for compensation and other entitlements, unless they can show proof that (i) they have been inadvertently missed out during the census and the IOL; or (ii) they have lawfully acquired the affected assets following completion of the census and the IOL and prior to the conduct of the detailed measurement survey (DMS).</p>
Detailed Measurement Survey (DMS)	-	<p>With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of APs earlier done during RP preparation. The final cost of resettlement can be determined following completion of the DMS.</p>
Entitlement	-	<p>Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the APs, depending on the type and severity of their losses, to restore their economic and social base.</p>
Host community	-	<p>Means the community already in residence at a proposed resettlement or relocation site.</p>
Income restoration	-	<p>This is the re-establishment of sources of income and livelihood of the affected households.</p>
Inventory of Losses (IOL)	-	<p>This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project right-of-way (ROW) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of APs will be determined.</p>
Land acquisition	-	<p>Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.</p>
Relocation	-	<p>This is the physical relocation of an AP from her/his pre-project place of residence and/or business.</p>
Replacement Cost Study	-	<p>This refers to the process involved in determining replacement costs of affected assets based on empirical data.</p>
Severely affected households	-	<p>This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the Project.</p>
Vulnerable groups	-	<p>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) female headed households with dependents, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) children and the elderly households who are landless and with no other means of support, and (v) landless households, (vi) indigenous people or ethnic minorities.</p>

EXECUTIVE SUMMARY

Introduction. The Thanh Hoa City Comprehensive Socio-economic Development Project (or the Project) is an integrated development plan to establish the City of Thanh Hoa as a competitive, livable, and sustainable city, leading to socioeconomic development. The Project has five components, namely: (i) road and transport; (ii) water supply; (iii) sanitation; (iv) infrastructure training; and (v) tourism infrastructure. Four of the five Project components have each subproject that will require land acquisition which has been identified during the PPTA are as follows: (i) the proposed ring belt and peripheral road connections under the Road and Transport Component; (ii) the waste water treatment pond under the Sanitation Component; (iii) expansion and upgrading of Thanh Hoa Vocational College of Industry under the Infrastructure Training Component and (iv) the establishment of an Information Centre in Ham Rong Ward, and Beautification of Le River under the Tourism Infrastructure.

Scope of Land Acquisition and Resettlement Impacts. An estimated 49.5 hectares (has) of land will be permanently acquired by the Project. Almost all land to be acquired are agricultural land (48.1 has) while the rest are residential land (0.4 ha) and government land (0.9 ha).

A total of 734 project affected persons or APs were identified through the IOL, of which 725 are households and 9 are institutions and communes. An estimated 369 households will be severely affected due to (i) loss of 10% or more of their productive assets (i.e., paddy land) and (ii) relocation of houses (21 households).

Table ES-1: Number of Project Affected Persons

Subprojects	Land Acquisition (in hectares)	Affected Persons		
		Institutions	Households	Total
Ring Belt and Peripheral Roads	14.1	4	326	330
Waste Water Treatment Pond	20.0	1	179	180
Vocational College of Industry	7.5	-	161	161
Information Center and Le – River	7.8	4	59	63
Total	49.4	9	725	734

Legal and Policy Framework. The legal and policy framework for compensation, resettlement and rehabilitation under the Project is defined by the relevant laws and regulations of the Government of Viet Nam and the ADB policies. In case of discrepancies between the Borrower's laws, regulations, and procedures and ADB's policies and requirements, ADB's policies and requirements will prevail, consistent with Decree No. 131/2006/ND-CP which provides that in case of "discrepancy between any provision in an international treaty on Official Development Assistance, to which the Socialist Republic of Viet Nam is a signatory, and the Vietnamese Law, the provision in the international treaty on ODA shall take precedence" (Article 2, Item 5).

Project Objectives, Compensation and Entitlement Policy. The overall objective of the compensation and entitlement policy for the Project is to ensure that all people affected by the Project will be able to restore their pre-project conditions while the poor and vulnerable households will be able to improve their pre-project living standards and income-earning capacity through compensation for the loss of physical and non-physical assets and, as required, other assistance and rehabilitation measures. Compensation will be based on the principle of replacement cost while additional assistance in cash and in-kind will also be provided depending on the severity of impacts. Income restoration measures or programs for severely affected and vulnerable households will be designed and implemented in consultation with APs during RP updating.

Consultations and Disclosure. Prior to the conduct of the census, socio-economic and inventory of losses surveys, the APs were informed about the proposed Project, potential

impacts, RP preparation activities, project entitlements (i.e., compensation payment at replacement cost) and schedule. Copies of Project Information Sheet (PIS) in Vietnamese language have been distributed to communes, wards and APs in July 2008. Meetings were also held and will continue during RP updating in order for APs to be provided with additional information about the Project and an opportunity for open discussion about resettlement policies and procedures.

Ethnicity, Vulnerability and Gender Issues. All affected households are Kinh. The census identified 112 households who are considered vulnerable households as the household head or members of the household fall on one or more types of vulnerability: female-headed household, elderly households, and poor households as defined by the Ministry of Invalids and Social Affairs (MOLISA). These vulnerable households will take part in the income restoration measures/programs under the Project. Separate meetings will be held with them during RP updating and implementation to ensure that their special needs and concerns are identified and addressed and that restoration or improvement of their socio-economic conditions will be carefully monitored.

Implementation Arrangements. The executing agency (EA) for the Project is the Thanh Hoa Provincial People's Committee (THPPC) through the Provincial Project Management Unit (PPMU), including this RP, with support from the 5 Project Implementation Units (PIUs). They will draw support from the City People's Committee of Thanh Hoa, Communes People's Committees, City Resettlement Committee, and the consulting team for the updating, implementation and monitoring of the Resettlement Plan.

Grievance Mechanism. A well-defined grievance redress and resolution mechanism will be established to address the grievances and complaints of APs regarding land acquisition, compensation and resettlement in a timely and satisfactory manner. APs are entitled to lodge complaints regarding any aspect of the land acquisition and resettlement requirements; compensation policy, entitlements, rates and payment; and, strategies and procedures for resettlement and rehabilitation assistance programs. A four-stage procedure for redress of grievances is provided in the main report.

Monitoring. Regular monitoring will be undertaken by the PPMU and PIUs and will submit quarterly progress reports to ADB. Moreover, an external monitor will also be engaged to carry out its own independent review and assessment of RP updating and implementation. The external monitor will be mobilized prior to DMS activities. External monitoring reports will be submitted to PPMU and ADB on a quarterly basis.

Resettlement Budget. The total budget for updating and implementing this RP is USD4.8 million. This amount covers compensation and allowances, design and implementation of income restoration measures/programs, administration cost and contingency. As cost of land acquisition and resettlement will be funded under the loan, in line with ADB's Loan Disbursement Handbook, Second Generation Imprest Account (SGIA) will be established in Thanh Hoa City Resettlement Committee at a commercial bank acceptable to the Government and ADB. Use of these SGIAs will be limited to PPMU providing funds for payments: (i) to APs for land and other assets acquired to facilitate the construction of the various components; (ii) to APs for resettlement compensation and allowances as set out in the approved updated RP; (iii) relocation site development and income restoration program, and (iv) for incremental expenses incurred by the City Resettlement Committee necessary for the implementation of the approved updated RP.

A qualified appraiser will be hired during RP updating to carry out replacement cost survey for land and non-land assets. The rates established by the qualified appraiser will be used as basis for compensation payment by the PPMU and City Resettlement Committee. PPMU and City Resettlement Committee, with the help of project supervision consultants, will set-up a system to ensure that channeling of funds are done transparently, efficiently and effectively, monitoring is in place, and timely submission of resettlement audit reports are met. ADB staff will have the right conduct spot or random checks of expenditures covered

by the SGIA. Financial and audited statements will also be made available to the external monitor.

Implementation Schedule. The RP will be updated following detailed design. All resettlement activities will be coordinated with the civil works schedule. Land acquisition and relocation of affected households cannot commence until the updated RP has been reviewed and approved by ADB. PPMU will not allow construction activities in specific sites until all resettlement activities have been satisfactorily completed, agreed rehabilitation assistance is in place, and that the site is free of all encumbrances.

Table ES-2: Resettlement Schedule

Activities	Schedule
RP Preparation	June – August 2008
ADB Approval of Draft RP	August 2008
RP Updating	July 2009 – December 2009
Submission and ADB approval of updated RP	September 2009 – January 2010
Implementation of the approved updated RP	October 2009 – July 2010
Internal Monitoring (Submission of Quarterly Progress Reports)	July 2009 - onwards
External Monitoring (intermittent)	July 2009 – onwards
Start of Civil Works (upon completion of RP implementation)**	November 2009 - onwards

* RP updating may be carried out by component, depending on the completion of detailed design.

** Compensation, clearance of land, and relocation of houses completed but income restoration may still be ongoing.

Disclosure of resettlement planning and monitoring documents. Key information in the draft RP were disclosed to APs in late August 2008 through the distribution of public information booklets translated into Vietnamese language. Similarly, copies of the RP in Vietnamese will be placed in provincial, city and commune/ward offices. Also, the draft RP will be uploaded on the ADB website. Following detailed design, the draft and final updated RP will again be disclosed to the APs and will be uploaded on ADB website.

I. INTRODUCTION

A. Project Background

1. The Thanh Hoa City Comprehensive Socio-economic Development Project (THCCSDP, or the Project) is an integrated development plan to establish the City of Thanh Hoa as a competitive, livable, and sustainable city, leading to socioeconomic development. The Project will be used as a vehicle for Thanh Hoa City to become a city of Class 1 in 2025. This classification will require a level of scores, which justifies the launching of multi-sectoral consistent projects to create a suitable investment for the City to allow its take-off such as in industrial and tourism development, and to contribute in building a strong back-bone of intermediary towns playing an important role in the region and in national scale. In the background of the City's new classification, it is a matter of urban growth, of rural population attraction and reorientation, and of job creation, which are all essential for poverty alleviation. The Project also intends to set up a model of intervention that can be replicated in other medium size cities in Vietnam.

2. The overall expected impact of the Project is the transformation of Thanh Hoa City to a competitive, bankable, livable and sustainable city which promotes the socioeconomic development of Thanh Hoa Province. THCCSDP is included in the country's Poverty Reduction Agreement with Asian Development Bank (ADB) dated February 25, 2002 and in ADB's Country Operations Business Plan for 2008-2010.

B. Project Components

3. The Project has five components, namely: (i) urban road development; (ii) water supply expansion and upgrading; (iii) drainage and wastewater treatment; (iv) human resource development; and (v) tourism development.

- a) The Urban Road Development will initiate an intermediary stage of development to allow the integration of activities in the future expansion of the City's urban area through the implementation of an eastern and western ring belt designed as a municipal internal road.

This will cover the proposed ring belt road network and peripheral road connections. It will be a new road network in Thanh Hoa City with total length of 11.8 km. The width of the rights-of-way (ROWs) is designed to 23 m, but some sections will be wider by 26 m due to strengthening of the base particularly in agricultural lands where the road surface will be elevated. About 12.0 m will be provided for carriageway, 3.0 m irrigation canal, 2.5m for each shoulder on both sides and 1.5 m for each pavement.

The implementation of this road network includes also the civil works of the accompanying facilities, i.e. wastewater, power, telecommunication and streetlighting. Because the water supply is considered separately, this component includes the construction of (i) 20.2km sewer system and 11.2km of power and telecommunication infrastructure.

The subproject will cut through agricultural lands and some portions of residential lands in three communes and two wards, namely: (a) Tan Son Ward, (b) Quang Thinh Commune, (c) Dong Ve Ward, (d) Quang Thanh Commune, and (e) Quang Thang Commune. It will be connected with the two sections of National Road (NR) 47; one on the southeast at Dong Son, the other on the northeast at Tan Son, and will cross NR 1A in Dong Ve at southeast. The corridor of impact (COI) used for permanent land acquisition is 23.5 m. Some 7m each on both sides of the ROW from

COI boundaries were provided as allowance for determining the temporary use of lands required for mobility of heavy equipment during the road construction. This does not include the borrowed land for temporary station of equipment and field office.

- b) The Water Supply Expansion and Upgrading Component will involve the improvement and extension of water supply services which consist of (a) replacing about 18.7 km of corroded or leaky pipes in the urban core, and (b) extension of the network along the proposed ring belt road in the first Component to 18.5km in order to serve the current village population and the forecasted 63,700 inhabitants in 2025 within the influence areas of the ring belt road.
- c) The Drainage and Wastewater Treatment Component is intended for the completion of the ongoing ADB-assisted Central Region Urban Environmental Improvement Project¹ (CRUEIP) designed to reduce flooding and removal of wastewater from the 8 inner urban wards, and the construction of 27.7 km sewer system in the urban core, 9.5km interceptor, and a 15,000 m³/day wastewater treatment pond for possible connections outside the influence zone.

The subproject with land acquisition requirements is the 20-ha waste water treatment pond in Quang Thinh. It will be located inside the space limited by the 1A Road, the proposed western ring belt road, the R 45 and the north canal.

- d) The Human Resource Development Component is shared to (i) the training of the teaching staff in various skills and (ii) the renovation or/and construction of facilities for vocational courses.

It includes the proposed expansion and upgrading of the Thanh Hoa Vocational College of Industry in Dong Cuong Commune which is targeted as a Model School is in line with the Central Government's Education Strategy to Year 2010. Construction will be undertaken for student accommodation, administration facilities, training workshop in Quang Thang Commune and other multi-purpose buildings.

- e) The Tourism Development Component will provide institutional support for the City and Provincial administrative authorities in Thanh Hoa, education and vocational training and the craftsman association. Likewise, it invest for the (a) construction of THC Information Centre, (b) development of municipal park, (c) acquisition of equipment and development of Botanical Park, and (d) beautification of Mat Son spot

Physical investments for this component involves the: (a) establishment of an Information Centre in Ham Rong Ward, and (b) the Beautification of Le River and the establishment of Art Park within the vicinity of Dong Ve Ward and Quang Thang Commune.

II. LEGAL AND POLICY FRAMEWORK

4. The legal and policy framework for compensation, resettlement and rehabilitation under the Project is defined by the relevant laws and regulations of the Government of Viet Nam and the ADB policies. In case of discrepancies between the Borrower's laws, regulations, and procedures and ADB's policies and requirements, ADB's policies and requirements will prevail, consistent with Decree No. 131/2006/ND-CP which provides that in case of "discrepancy between any provision in an international treaty on Official

¹ This is under ADB Loan No. 2034 – VIE (SF).

Development Assistance, to which the Socialist Republic of Viet Nam is a signatory, and the Vietnamese Law, the provision in the international treaty on ODA shall take precedence” (Article 2, Item 5).

A. Relevant Vietnamese Legislation

5. The Constitution of the Socialist Republic of Viet Nam (1992) confirms the right of citizens to own and protect the ownership of a house. In addition, the Government has enacted a number of laws, decrees and regulations that constitute the legal framework for land acquisition, compensation and resettlement. The principal documents include the Land Law No. 13/2003/QH11, providing Viet Nam with a comprehensive land administration law; Decree No. 197/2004/ND-CP, on compensation, rehabilitation and resettlement in the event of land recovery by the State, as amended by Decree No. 17/2006/ND-CP; Decrees No. 188/2004/ND-CP and 123/2007, specifying the methods for land pricing and land price frameworks in the event of land recovery by the State. There is also Decree No. 84/2007/ND-CP, which stipulates issue of LURC, land acquisition, land use right implementation, procedure of compensation, assistance in the event of land recovery by the state and grievance redress.

6. Other laws, decrees and regulations relevant to land management, land acquisition and resettlement include the Construction Law 16/2003/QH11 on compensation and relocation of people affected by ground clearance for investment projects, Decree 16/2005-ND-CP on the implementation of the Construction Law, Decree 182/2004/ND-CP on penalties for administrative violations in land issues, Decree 198/2004/ND-CP on land use fees.

7. Laws, decrees and decisions relevant to public disclosure of information include Land Law, No. 13/2003/QH11, Article 39, requiring disclosure of information to affected people prior to recovery of agricultural and non-agricultural land of, respectively, 90 and 180 days minimum and Decision 3037/QĐ-BGTVT, 2003, making the Project Management Unit (PMU) together with the Resettlement Committee responsible for public disclosure through mass media of the Project policies and the extent of site clearance to local people, particularly those that will be affected.

8. Decrees relevant to protection and preservation of cultural property include Decree No. 172/1999/ND-CP, Article 25, requiring that sites currently recognized for cultural and historical preservation and that are situated within the boundaries of waterway safety corridors, should be kept intact according to current legal regulations.

B. ADB Policies on Involuntary Resettlement and other Relevant Policies

9. The aim of ADB Policy on Involuntary Resettlement (1995) is to avoid or minimize the impacts on people, households, businesses and others affected by the acquisition of land and other assets, including livelihood and income. Where resettlement is unavoidable, the overall goal of the ADB policy is to help restore the living standards of the affected people to at least their pre-Project level by compensating for lost assets at replacement costs and by providing, as necessary, various forms of support and assistance. This policy is guided by Operations Manual on Involuntary Resettlement (2006). Following are the key principles in the Bank’s policy on involuntary resettlement

- a. Involuntary resettlement should be avoided where feasible.
- b. Where population displacement is unavoidable, it should be minimized by exploring all viable project options.
- c. All compensation is based on the principle of replacement cost.

- d. Each involuntary resettlement is conceived and executed as part of a development project or program
 - e. Affected people should be fully informed and consulted on compensation and/or resettlement options.
 - f. Institutions of the affected people, and, where relevant, of their hosts, are to be protected and supported. Affected people are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted.
 - g. The absence of a formal legal title to land is not a bar to ADB policy entitlements.
 - h. Affected people are to be identified and recorded as early as possible in order to establish their eligibility through a population record or census that serves as an eligibility cut-off date, preferably at the project identification stage, to prevent a subsequent influx of encroachers or others who wish to take advance of such benefits.
 - i. Particular attention must be paid to the needs of the poorest affected households and other vulnerable groups that may be at high risk of impoverishment. This may include affected households without legal title to land or other assets, households headed by women, the elderly or disabled, and ethnic minority peoples. Appropriate assistance must be provided to help them improve their socio-economic status.
 - j. The full costs of resettlement and compensation should be included in the presentation of project costs and benefits.
 - k. Relocation and rehabilitation may be considered for inclusion in ADB loan financing for the project, if requested, to assure timely availability of the required resources and ensure compliance with involuntary resettlement procedures during implementation.
10. Other policies of the ADB that have bearing on resettlement planning and implementation are the (i) Indigenous People; (ii) Gender; (iii) Public Communications Policy, and (iv) Accountability Mechanism.

III. PROJECT POLICIES

A. Objectives and Principles

11. The overall objectives of this resettlement policy are (i) to avoid, if not, minimize resettlement impacts; (ii) if impacts are unavoidable, RP is prepared in a way to ensure that affected persons are not worse off; rather, they should be able to at least maintain or otherwise improve their pre-project living standards and income-earning capacity. Principles adopted for this Project are presented below:

- (i) The acquisition of land and other assets and the relocation of affected persons (APs) will be minimized as much as possible by exploring all viable options.
- (ii) APs are entitled to compensation at replacement cost for their lost assets, incomes and businesses, including temporary losses or impacts.
- (iii) Rehabilitation assistance will be provided to severely affected people and other vulnerable groups to assist them to improve or at least restore their pre-project living standards, incomes and productive capacity.

- (iv) Particular attention will be paid to the needs of the poorest people and vulnerable groups that may be at high risk of impoverishment. This may include those without legal title to land or other assets, landless households, households headed by females, the elderly or disabled and other vulnerable groups. Appropriate assistance must be provided to help them improve their socio-economic status.
- (v) APs that lose only part of their physical assets will not be left with a portion that will be inadequate to sustain their current standard of living. The minimum size of remaining land and structures will be agreed during the resettlement planning process.
- (vi) Lack of legal title to affected assets will not bar APs from entitlement to compensation and assistance to achieve the stated objectives of this Resettlement Policy Framework.
- (vii) As a priority, loss of agricultural land will be compensated with alternative land of equal size and productive capacity. If suitable replacement land is not available and/or at the "informed request" of APs, compensation will be paid in cash at replacement value base on current market prices for agricultural land of the same category (or productive capacity) as the affected land.
- (viii) Replacement land for agriculture and residential purposes will be provided with secure tenure status; all fees and/or other surcharges associated with transfer of land title will be waived.
- (ix) Compensation for permanent houses and other structures will be determined according to replacement value for materials and labour to rebuild similar structures, at current market prices in the locality. In determining replacement costs, depreciation of assets and salvage value of materials will not be taken into account.
- (x) In the determination of compensation for movable structures including houses, where the structures can be moved easily, relocation and repair allowances will be calculated. An assessment of material replacement will be made, based on the condition of materials, with valuations calculated based on market prices.
- (xi) In the case of the relocation of APs, replacement houses and/or agricultural land will be located as close as possible to the assets that were lost, and at locations acceptable to APs. Relocated APs will receive relocation and transition subsistence allowances.
- (xii) Efforts shall be made to maintain, to the extent possible, the existing social and cultural institutions of the resettled people and host communities.
- (xiii) APs will be fully consulted and will participate in the preparation and implementation of RPs for each sub-project. The comments and suggestions of affected people and communities will be taken into account during the design and implementation phases of resettlement activities.
- (xiv) Adequate resources will be identified and committed during resettlement planning for each sub-project and the overall Project. This includes adequate budgetary support fully committed for each sub-project and made available to cover the costs of land acquisition, compensation, resettlement and rehabilitation within the agreed implementation period for the sub-project; and, adequate human resources for supervision, liaison and monitoring of land acquisition, resettlement and rehabilitation activities.
- (xv) Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system. Monitoring

and evaluation of the land acquisition, resettlement and rehabilitation processes and the final outcomes will be conducted by an independent monitoring agency.

- (xvi) Detailed RPs will be translated into Vietnamese or, where necessary, the local language and placed in the commune offices for the reference of APs as well as other interested groups.
- (xvii) ADB shall not approve of any award of civil works contract for any sub-project to be financed from the loan proceeds unless the Resettlement Plan following detailed design and based on detailed measurement survey (DMS) has been submitted to and approved by ADB. The Provincial People's Committee of Thanh Hoa shall ensure that civil works contractors are not issued a notice of possession of site for construction works with respect to any subproject unless it has (i) satisfactorily completed, in accordance with the approved RP, the compensation payment and relocation of APs to new sites; and (ii) ensured that required rehabilitation assistance is in place and the area required for civil works is free of all encumbrances.

B. Reconciliation of Government and ADB Policy on Resettlement

12. With the promulgation of Decree 197/2004/ND/CP (3/12/2004) and relevant decrees stated above, the policies and practices of the Government have become more consistent with ADB's social safeguards policies. Nonetheless, provisions and principles adopted in this Resettlement Framework will supersede the provisions of the relevant decrees currently in force in Viet Nam wherever a gap exists, as provided for under Decree 131/2006/ND-CP (November 2006), which regulates the management and use of official development assistance.

13. It should also be noted that as per Decree 197/2004, Article 32, it states "*Apart from the supports prescribed in Articles 27, 28, 29, 30 and 31 of this Decree, basing themselves on the local realities, the provincial-level People's Committee presidents shall decide on other supporting measures to stabilize life and production of persons who have land recovered; special cases shall be submitted to the Prime Minister for decision*", therefore, if additional gaps not mentioned below are found during RP updating, the required assistance or support will be included in the Updated RP.

14. The differences between the Government's Laws and Decrees and ADB Policy with regard to resettlement and compensation, and how to address these gaps for this Project are shown in the table below.

Table 1: Gaps Between National Laws and ADB Policy

Key Issues	National Laws	ADB Policy	Project Policy
Definition of severely affected households	Decree 197/2004 states that severely affected households are those who lose 30% or more of their productive land.	Severely affected households are those who will be physically displaced or will lose 10% or more of their productive, income generating assets.	Severely affected households are defined as those who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; or (iii) lose 10% or more of their total income sources due to the Project.
Non-titled users	Decree 197/2004, Articles 6 and 121, the Peoples' Committees of the provinces or centrally-run cities shall consider providing such support on case-by-case	Non-titled APs, including displaced tenants, sharecroppers and squatters, are not entitled to compensation for land but are entitled to payment for non-land assets and	Poor and vulnerable non-titled users will be provided appropriate assistance to help them improve their socio-economic status. The type of assistance will be identified during RP

Key Issues	National Laws	ADB Policy	Project Policy
	basis.	assistance to restore their pre-project living standards. If they are poor and vulnerable, appropriate assistance must be provided to help them improve their socio-economic status.	preparation as per consultation with APs.
Compensation of land at replacement cost	Decree 123/2007 which amends Decree 188/2004, sets price limits of land and authorizes Provincial People's Committees to set local land prices by establishing ranges for all categories of land and land prices in each category. The price limit would not be allowed to exceed a benchmark price by more than 20 per cent nor undercut the benchmark price by more than 20 per cent. However, in a remote, isolated areas, or an area with socio-economically difficult conditions, poor infrastructure, when the actual price of land in the market is lower than minimum price limit in the Decree, the provincial people's committee will adjust the specific price to be applied locally and report it to the Ministry of Finance.	All compensation is based on the principle of replacement cost, which is the method of valuing assets to replace the loss at current market value, plus any transaction costs such as administrative charges, taxes, registration and titling costs. In the absence of functions markets, a compensation structure is required that enables affected people to restore their livelihoods to level at least equivalent to those maintained at the time of dispossession, displacement, or restricted access.	Payment for land will be at replacement cost.
Houses and structures	Decree 197/2004, Articles 18-20: Houses and structures constructed prior to land use plans or the right of way announcements will be assisted at 80% of replacement cost. Houses and structures constructed after land use plans or the right of way announcements will be provided assistance on case-by-case basis.	For non-land assets, all eligible affected people, whether titled, legalizable, or non-titled, need to be compensated at replacement cost, through cash or replacement assets.	Payment for structures, regardless of tenure status will be at replacement cost.
Provision of rehabilitation assistance	Decree 187/2004, Articles 28-29: APs losing more than 30% of productive land will be entitled to living stabilization and training/job creation assistance. Decree 17/2006 strengthens this provision and provides for the long term assistance to poor households (support not less than 3 years and not more than 10 years).	Rehabilitation assistance is required for those who lose 10% or more of their productive income generating assets and/or being physically displaced. Focus on strategies to avoid further impoverishment and create new opportunities to improve status of the poor and vulnerable people.	Rehabilitation assistance will be provided to those who lose 10% or more of their productive income generating assets, being physically displaced, and households who belong to poor and vulnerable groups.

C. Cut-Off Date and Eligibility

15. For the Project, the cut-off-date for eligibility for entitlement is defined as the completion of the IOL on affected land. For the five sub-projects, their respective IOL have been completed in July 2008 in which cut-off dates are the following: (i) July 2, July 3, July 4 and July 11, 2008 covering 5 wards and communes for the Ring Belt Road; (ii) July 28, 2008 for two tourism subprojects affecting two wards and a commune; (iii) July 28, 2008 for Thanh Hoa Vocational College Industry in one commune; and (iv) August 2, 2008 for Waste Water Treatment Pond for one commune. Those whose livelihood activities that may be affected by temporary land acquisition as the result of civil works will also receive compensation and assistance.

16. Persons who occupy the project area after the cut-off date will not be eligible to any compensation or assistance.

D. Principle of Replacement Cost

17. All compensation will be based on the principle of replacement cost. Replacement cost is the amount calculated before displacement which is needed to replace an affected asset without deduction for taxes and/or costs of transaction as follows:

- a. Productive Land (agricultural, aquaculture, garden and forest) based on actual current market prices that reflect recent land sales in the area, and in the absence of such recent sales, based on recent sales in comparable locations with comparable attributes, fees and taxes for LURC or in the absence of such sales, based on productive value.
- b. Residential land based on actual current market prices that reflect recent land sales, and in the absence of such recent land sales, based on prices of recent sales in comparable locations with comparable attributes; fees and taxes for LURC.
- c. Houses and other related structures based on actual current market prices of materials and labor without depreciation nor deduction for salvaged building materials.
- d. Annual crops equivalent to current market value of crops at the time of compensation.

IV. LAND ACQUISITION AND RESETTLEMENT IMPACTS

A. Methodology

18. The total land requirements were obtained through the inventory of losses (IOL) on affected persons (APs) in 3 wards and 4 communes in July 2008, in coordination with commune officials. Survey instruments were used for recording the losses of 100% affected persons (APs) while socioeconomic survey instruments were used in the interview of 10% of the total APs and 20% of severely affected households. The information obtained served as the bases for identifying the impacts of land acquisition and the appropriate measures that can assist the APs to recover from their losses.

B. Scope of Land Acquisition and Resettlement Impacts

19. Based on the census and inventory of losses carried out, there are 725 households and 9 institutions that will be affected by the Project.

Table 2: Distribution of APs by Subproject

Subprojects	Affected Persons			Percent Share
	Institutions	Households	Total	
Ring Belt and Peripheral Roads	4	326	330	45.0%
Waste Water Treatment Pond	1	179	180	24.5%
Vocational College of Industry	-	161	161	21.9%
Information Center and Le – River	4	59	63	8.6%
Total	9	725	734	100%
Percent Share	1 %	99%	100%	

C. Impacts on Paddy and Residential Land

20. The Project will acquire 495,150 m² of legal/legalizable land which consist 481,950m² of agricultural land, 3,885 m² residential land and 9,315 m² of public land. Most of the land acquisition concern is agricultural land (88.0%). Below is the summary of the total land acquisition for the subprojects by project location.

Table 3: Summary of Land Acquisition

Project components/Location	Permanent Acquisition Total Area (m2)	Type of Land (m2)		
		Residential land	Agricultural land	Government Land
Ring Belt Road	141942	3885	136742	1315
Com. Quang Thanh	20352	0	20352	
Ward Dong Ve	55021	461	54560	
Com. Quang Thang	53081	3354	49727	
Com. Quang Thinh	6287	0	6287	
Ward Tan Son	7201	70	5816	1315
Education component	75496	0	75496	
Com. Dong Cuong	73446		73446	
Com. Quang Thang	2050		2050	
Tourism component	78126	0	70126	8000
Com. Quang Thang	18967		18967	
Ward Dong Ve	2973		2973	
Ward Ham Rong	56186	0	48186	8000
WWTP component	199586		199586	
Com. Quang Thinh	199586		199586	
TOTAL	495,150	3,885	481,950	9,315

D. Impacts on Houses

21. A total of 20 residential plots will be affected by the Project. Of these, owners of 17 residential plot will be required to relocate to either existing resettlement sites within the ward or by self-relocation as their plots will be fully acquired or remaining land will no longer viable while 3 owners of residential plots have remaining land to rebuild their house and will be able to reorganize on residual residential land.

22. It should be noted that apart from the 20 houses built on residential land, the Project also found houses built on agricultural land (5 houses) and commune land (1 house). Houses built on agricultural land are only used as secondary houses (i.e., to guard agricultural land) and owners have their main houses within the village. The household who built house on commune land requested a plot at one of the resettlement site and the local authorities already agreed to allocate one plot for this household.

Table 4 : Affected Houses

Area	House on Residential Land	House on Agricultural Land	House on Commune Land (Agricultural Land)	Total Number of Houses
Ring Belt Road				
Quang Thinh			1	1
Dong Ve	6*			6
Quang Thang	13			13
Tan Son	1	2		3
Waste Water Treatment Pond				
Quang Thang		3		
Total	20	5	1	26

* Of the 6 houses, 3 households will lose foundation only, houses are currently being constructed when survey was carried out.

E. Impacts on Secondary Structures

23. This structure refers to the 110 m² swimming pool of 1 household that will be affected by the Ring Belt and Peripheral Roads.

F. Impacts on Crops

24. The compensation for loss of crops will be provided for 706 APs who own the 481,950 m² of agricultural lands in case they would not be able to harvest their rice crops on time. An additional of 157,080 m² of agricultural land is assumed not to be utilized by 306 APs due to temporary use for mobility of heavy equipment and bulldozers during the construction of the Ring Belt Road. The area for temporary use of land was arrived at by extending 7m² from the boundary of the corridor of impact on both sides of the road multiplied by its planned length to be constructed. The estimated loss per m² of agricultural land in Thanh Hoa is 0.61 kg of rice or 6.1 metric tonnes per ha per one season, as supplied by the local office of the Ministry of Agriculture and Water Resources.

G. Average Productive Landholding and Severity of Impacts

25. With the exception of Tan Son which has an average landholding of paddy land at 2,300 m² per household, the average landholding of paddy land in the remaining commune/ward is about 2,000 m² per household. The average landholding to be acquired is found in Tan Son at 1,200 m² and Quang Thinh at 900 m².

Table 5 : Average Productive Landholding and Severity of Impacts

	Prov/distr/comm.	Average HH's land holding of HHs (m ² /HH)	Maximum land holding (m ² /HH)	Minimum land holding (m ² /HH)	Average loss of land (m ² /HH)	Maximum loss (m ² /HH)	Minimum loss (m ² /HH)
1	Quang Thanh comm.	2408	4150	460	420	1150	50
2	Dong Ve distr.	2215	5600	530	270	2000	30
3	Quang Thang comm.	2140	4500	530	315	1395	30
4	Quang Thinh comm.	2300	5200	550	860	3110	20
5	Tan Son	2500	4500	1000	1180	2120	50
6	Dong Cuong comm.	2500	4940	530	465	1369	33

26. There are 519 households losing more than 10% of their productive land. However, 150 households derive their main source of income from non-farm business, trading and as

government employees. Households who own agricultural land in Quang Thinh Commune where the proposed waste water treatment plant also reported that the said land is of poor quality and therefore does not often produce the expected yield.

27. The remaining 369 households who will lose 10% or more of their productive land are farmers and derive their main source of income from the land that will be acquired by the Project. Therefore, they are considered as severely affected households.

H. Impacts on Institutions

28. There are nine public/collective institutions that will also be affected by the Project. There will be Public land will be affected.

V. PROJECT ENTITLEMENTS

29. The project entitlements developed and presented in the entitlement matrix below correspond to the impacts identified during the census and inventory of losses. Entitlements adopted are based on Government Decisions, and ADB-funded projects in Viet Nam². It should be noted that these entitlements may be enhanced, as necessary, following the conduct of DMS and consultation with APs to ensure that losses are restored, if not improved.

Table 6: Entitlement Matrix

No.	Type of Loss/Impacts	Application	Eligible Persons	Entitlements
1.	Productive Land (Agricultural)	Marginal loss (i.e., land is still economically viable for use or meets the expected personal yield) This will be determined by the RC and concurred with by the affected household during the detailed measurement survey or DMS.	Owners with LURC; in the process of acquiring LURC or are eligible to acquire LURC.	<ul style="list-style-type: none"> For the portion to be acquired permanently: Cash compensation at replacement cost (free from taxes and transaction costs). For the portion to be used temporarily during construction: (i) rental in cash which will be no less than the net income that would have been derived from the affected property during disruption (ii) restoration of the land within 3 months after use Affected households to be notified at least 4 months prior to the date that the Project will actually be acquired by the Project
		Severe loss (i.e., land no longer viable for continued use or does not meet the expected personal yield, therefore the entire property to be acquired.) This will be determined by the RC and concurred with by the affected household during DMS)	Owners with LURC; in the process of acquiring LURC; are eligible to acquire LURC.	<ul style="list-style-type: none"> Cash compensation at replacement cost (free from transaction costs) for the entire land, or land-for-land of equivalent productive value and with secure tenure. Entitled to take part in the income restoration program Affected households to be notified at least 4 months prior to the date that the Project will actually be acquired by the Project
		Temporary impacts during construction	Owners with LURC; in the	<ul style="list-style-type: none"> Contractors will be responsible for paying rental in cash which will be no

² TA Loan: Viet Nam Expressway Corporation: Noibai-Lao Cai Highway Project, 2007 and HCMC-LT-DG Expressway Project, 2008.

No.	Type of Loss/Impacts	Application	Eligible Persons	Entitlements
		(for soil dumping, borrow sites and contractor's camps)	process of acquiring LURC; are eligible to acquire LURC.	<p>less than the net income that would have been derived from the affected property during disruption. Restoration of land within 3 months after use.</p> <ul style="list-style-type: none"> Affected non-land assets cause during construction will be paid at replacement cost by the Contractor
2.	Residential Land	<p>Marginal loss (i.e., land is still viable for use and house not requiring relocation)</p> <p>This will be determined by the RC and concurred with by the affected household during the DMS</p>	Owners with LURC; in the process of acquiring LURC; are eligible to acquire LURC.	<ul style="list-style-type: none"> For the portion to be acquired permanently: Cash compensation at replacement cost (free from taxes and/or transaction costs). For the portion to be used temporarily during construction: (i) rental in cash to be negotiated by RC with the affected households; (ii) restoration of the land within 3 months after use; Government will pay replacement cost if contractor fails to restore the affected land within 3 months after end of use. Affected household to be notified at least 6 months prior to the date that the Project will actually be acquired by the Project
		<p>Severe loss (i.e., no or insufficient remaining land for viable use)</p> <p>This will be determined by the RC and concurred with by the affected household during DMS</p>	Owners with LURC; in the process of acquiring LURC; are eligible to acquire LURC.	<ul style="list-style-type: none"> Cash compensation at replacement cost (free from taxes and transaction costs) for the entire land, or land-for-land of similar attributes with secure tenure If the plot at the new site is more than the value of the affected land, affected household will receive new plot at no additional cost. If the plot at the new site is less than the value of the affected land, affected household will receive the difference in cash Affected households to be notified at least 6 months on the date that the Project will actually be acquired by the Project
		Temporary impacts during construction (for soil dumping, borrow sites and contractor's camps)	Owners with LURC; in the process of acquiring LURC; are eligible to acquire LURC.	<ul style="list-style-type: none"> Contractors will be responsible for paying rental based on existing or ongoing rental agreement in the area or as per negotiation with the affected person. Restoration of land within 3 months after use. Affected non-land assets cause during construction will be paid at replacement cost by the Contractor
3.	House on Residential Land	<p>Severe impact (i.e., house is no longer viable for continued use and the entire structure is to be acquired. This will be determined by the RC and concurred with by the affected household during DMS.</p>	Owners of the structures with or without acceptable proof of ownership over the land; with or without building permit	<ul style="list-style-type: none"> Cash compensation based on current market prices of materials and labor without depreciation or deductions for salvaged building materials for the entire structure. For poor and vulnerable households, additional assistance in cash or in kind (construction materials) to improve new house to meet the minimum standard house in the area. For allowances see Item 10 below
4.	Secondary Structures (pool)	Loss of, or damage to, assets	Owners of the structures with	Cash compensation based on current market prices of materials and labor

No.	Type of Loss/Impacts	Application	Eligible Persons	Entitlements
			or without acceptable proof of ownership over the land; with or without building permit	without depreciation or deductions for salvaged building materials
5.	Annual Crops	Loss of, or damage to, assets	Owners regardless of tenure status	Cash compensation equivalent to current market value of crops;
9	Loss of Income/Livelihood due to loss of productive land	Severe impacts due to loss of 10% or more of their total productive land and income sources	Owners with LURC; in the process of acquiring LURC; are eligible to acquire LURC; and affected households with lease agreement over the affected land	Transition subsistence allowance equivalent to 30 kg of rice per person for 6-12 months while they are participating in various income restoration programs to be provided under the Project. The number of months will be determined during RP updating to reflect impacts, type of income restoration programs, and estimated time for APs to be able to restore their income.
10	Impacts on Houses and Will Require Relocation	Severe impacts on houses	Relocating households (houses) regardless of tenure status	<ul style="list-style-type: none"> • Transition subsistence allowance equivalent to 30 kg of rice per person for not less than 6 months. Additional cash and in-kind assistance to the participating affected households will be provided as and when necessary. • Materials transport allowance not less than VND 3,000,000/ household or equivalent to the actual cost of relocation expenses (labor, transport) if relocating within the city. Affected households opting to transfer to another province will be provided not less than VND 5,000,000/ household or equivalent to the actual cost of relocation expenses (labor, transport). • Bonus Allowance for Timely Moving will be 3 VND million per household
12	Higher risks of impoverishment /hardship due to loss of resource base	Loss of Land and Non-Land Assets	Affected vulnerable groups regardless of severity of impacts	<ul style="list-style-type: none"> • Entitled to take part in Income Restoration Program. • Allowance for households as per Government regulation (social policy households, heroic mothers, wounded, dead soldiers)..

VI. SOCIO-ECONOMIC PROFILE

30. SES and IOL were carried out from July 2 to August 2, 2008. The socioeconomic data provide information on the social situation of households including: (i) demographic characteristics and income analysis as well as other information related to head of the households; (ii) living conditions of affected households; (iii) households' income sources; and, (iv) poverty situation. The aims of social-economic analysis are to determine issues related to compensation and site clearance, provide the basis for evaluation, and monitoring the capacity to recover the living standards for affected households after implementing resettlement.

A. Socio-economic Conditions of Affected Households

1. Household Population and Labor Force

31. The affected households have a total population of 3,014 people. Given the number of households, it indicates an average member of 4 members per household. Based on locations of subprojects, the households that will be affected by Waste Water Treatment Pond in Quang Thanh has the highest number of affected population with 4.5 persons per household while that of the sites for Le River Beatification and Information Center in the 3 ward and communes has the lowest, at 3.4 persons per household. By age category, those household heads with age in the range between 40 – 49 years old and 60 – 69 years old have higher membership than those in the other categories. **Table 6** shows the household population that will be affected by land acquisition in wards and communes, as represented by the subprojects.

Table 7: Household Population

Data	Ring Belt and Peripheral Roads	Waste Water Treatment Pond	Vocational College Industry	Info Center and Le River Beatification	Total
No. of HHs	326	179	161	59	725
Male-Headed	217	142	125	23	512
Female-Headed	109	37	36	37	214
Population	1,351	798	660	205	3,014
No. of Males	694	417	342	103	1556
No. of Females	657	381	318	102	1458
Average HH size	4.1	4.5	4.0	3.4	4.1

Source: IOL

2. Educational Background

32. Education of the household heads is generally high. Around 76% of the household heads have attended the lower and upper secondary schools. Such pattern is observed among households in areas covered by the Ring Belt and Peripheral Roads, while the rest of the areas affected by the other subprojects typically have educational attainments of primary to lower secondary. Meanwhile, about 20% have primary education while nearly 4% did not attend any school at all. This group is mostly comprised by those above 70 years old. The profile on the educational background of the household heads that will be affected by each subproject is provided in **Table 8**.

Table 8: Education Profile of Household Heads

Areas of Subprojects	None	Primary	Lower Secondary	Upper Secondary	College	Total
Ring Belt & Peripheral Roads	14	53	178	77	4	326
Waste Water Treatment Pond	2	41	98	37	1	179
Vocational College Industry	4	41	104	12	0	161
Info Center and Le River	5	13	32	9	0	59
Total	26	148	412	135	5	725
In Percent	3.58	20.39	56.75	18.60	0.69	100.00

Source: IOL

3. Household Occupation

33. Since large portions of lands to be acquired will come from agricultural lands, more than half (58.3%) of the household heads are farmers. About 41.7% are engaged in other livelihood activities to sustain their incomes, such as, employment in government offices

(2.8%), trade and business (7.3%), and self-employment (8.4%). About 5% are pensioners and 8% are beneficiaries of the state. Having the most number of households, such type of households are found in the communes and wards that will be affected by Ring Belt Road with the second highest in the live in commune that will host the waste water treatment pond.

4. Household Income

34. The average household income per affected household is VND 1,006,000/month. A high disparity is noted between incomes of households headed by 511 men and those by 214 women; the former have average monthly income of VND1, 219,000 while the latter have VND 672,000. However, this pattern does not hold for all households in all subprojects. The average monthly incomes per subproject location also vary, it can be assumed that the higher income levels of the households are largely influenced by those who are into non-farm activities. **Table 9** shows the average monthly income per household in each subproject location.

Table 9: Monthly Incomes of Households per Subproject Area

Areas of Subprojects	Male	Female	Overall
Ring Belt and Peripheral Roads	VND 1,384,000	VND 553,000	VND 939,000
Waste Water Treatment Pond	VND 529,000	VND 778,000	VND 560,000
Vocational College Industry	VND 1,186,000	VND 319,000	VND 1,058,000
Le River and Information Center	VND 1,776,000	VND1,038,000	VND 1,467,000
Overall	VND 1,219,000	VND 672,000	VND 1,006,000

Source: IOL

35. The analysis shows that, of the 705 respondents, only about 26% have per capita incomes of above VND 1,000,000 per month while 48.5% have very low to low per capita monthly incomes. There are 146 households whose incomes fall below VND 260,000 per month, the poverty threshold established by the Ministry of Labor, Invalids and Social Affairs (MOLISA). Some of the 196 households whose incomes are classified as low likewise live below this threshold, while the rest are either living just within this poverty line or a little bit higher as shown in **Table 10**.

Table 10: Income Bracket of Households

Subproject Areas	Very Low	Low	Average	Above Average	Fairly Wealthy	High Income
Ring Belt Road/Peripheral Rd.	50	107	82	54	13	19
Waste Water Treatment Pond	54	53	63	6	2	1
Vocational College Industry	27	25	13	24	46	8
Le River and Information Ctr.	15	11	19	8	3	2
Total AP	146	196	177	92	64	30
In Percent	20.7%	27.8%	25.1%	13.0%	9.1%	4.3%

Note: (i) Very Low = below 250,000VND; (ii) Low = 251,000 -500,000VND; (iii) Average = 501,000 – 1,000,000VND; (iv) Above Average = 1,001,000 – 1,500,000VND; (v) Fairly Wealthy = 1,500,000 – 2,000,000VND; and (vi) High Income =More than 2,000,000 VND.

5. Infrastructure

36. Given the proximity of their settlements in City's urban center, all the affected households in the project area are connected to the national electric network and thus, make use of electricity primarily for lighting purposes. The existing roads, such as NR 47 and NR 1A and other existing roads in subproject vicinities, provide them access to basic social and urban services, such as hospital, schools, public market and to amenities found in the city's urban center. They have access to clean water, which is derived from local water supply systems.

6. Toilet Facilities

37. Of the 115 responses, 48 (41.7%) households indicated that they own simple toilet facilities while more than the majority at 57.4% own flush toilet types. Only 1 household was found to be still using public toilet facilities.

Table 11: Toilet Facilities Used by the Households

	Simple	Flush	Public	Total
Ring Belt & Peripheral Roads	25	49	1	75
Waste Water Treatment Pond	9	7	0	16
Vocational College Industry	10	5	0	15
Info Center and Le River	4	5	0	9
Total	48	66	1	115
%	41.7	57.4	0.9	100.0

7. Vehicle Ownership

38. Owning more than one or more vehicles, the 155 households who responded indicated that the most widely owned type is the bicycle owned by 88.7% of the respondents. This is followed by the motorbike as admitted by 77.4% of respondents, while only 3 households own cars, 2 of which come from the area covered by the Ring Belt & Peripheral Roads subproject.

Table 12: Ownership of Transportation

Sub-district	Bicycle	Motorbike	Car
Ring Belt & Peripheral Roads	71	66	2
Waste Water Treatment Pond	9	8	0
Vocational College Industry	12	6	0
Info Center and Le River	10	9	1
Total	102	89	3
%	88.7	77.4	2.6

B. Socio-economic Conditions of Female-Headed Households

8. Female-Headed Household Population

39. Of the 725 total household respondents representing affected families by the 4 subprojects, around 29% are headed by females. Population-wise, the number of females comprising the total of 3,014 persons makes up 48%, almost equaling the number of males. On a sub-project basis, the table below shows that 33% of total households affected by the Ring Belt and Peripheral Roads are female-headed, while only about 20% were headed by females in the area where the Waste Water Treatment Pond will be hosted. On a similar proportion as the latter, 22% of households covered by the Vocational College Industry sub-project comprise of female-headed households. However, it is in the area where the Information Center and Le River Beautification will be established that has the highest proportion of female-headed families at 58%.

40. In terms of the population, it can be noted that, in general, the ratio between males and females is not too far from 1. This is particularly true for the areas covered by the Information Center and Le River Beautification and those of the Vocational College Industry. The gender gap is also not very wide in the case of the other locations covered by the two remaining subprojects.

Table 13: Number of Households and Population (by gender)

Data	Ring Belt and Peripheral Roads	Waste Water Treatment Pond	Vocational College Industry	Info Center and Le River Beatification	Total
No. of HHs	326	179	161	59	725
Male-Headed	217	142	125	23	512
Female-Headed	109	37	36	37	214
Population	1,351	798	660	205	3,014
No. of Males	694	417	342	103	1556
No. of Females	657	381	318	102	1458

9. Education profile of Female-Headed Households

41. Exactly 50% of female heads of households attained lower secondary schooling, while 11% reached upper secondary. Almost 30% was able to get primary education as highest attainment. Nearly 9% does not have any formal education at all. On a subproject basis, it can be observed that a typical pattern points to primary level and lower secondary schooling as the two most common educational attainments of these female heads.

Table 14: Education Profile of Female Household Heads

Areas of Subprojects	None	Primary	Lower Secondary	Upper Secondary	College	Total
Ring Belt & Peripheral Roads	9	24	59	14	2	108
Waste Water Treatment Pond	1	13	14	6	1	35
Vocational College Industry	4	16	16	0	0	36
Info Center and Le River	4	9	18	4	0	35
Total	18	62	107	24	3	214
In Percent	8.41	28.97	50.00	11.21	1.40	100.00

10. Occupation of Female Members of Households

42. Among female-headed households, there are 912 household members who are of working age. Of this total population, almost 65% are farmers, about 10% are employees of the government, slightly over 6% are workers/laborers, and almost 4% are engaged in trading and other forms of businesses. Meanwhile, 12% are still students, 1% pensioners and less than 2% are into other livelihood or employment pursuits.

Table 15: Occupation of Female Members of working age

Areas of Subprojects	Farmers	Govt Staff	Trade and Business	Workers/Laborers	Pensioners	Other	Student	Total
Ring Belt & Peripheral Roads	223	47	26	53	8	14	44	415
Waste Water Treatment Pond	202	8	1	2	2	0	35	250
Vocational College Industry	159	4	3	0	0	0	25	191
Info Center and Le River	8	32	6	4	0	0	6	56
Total	592	91	36	59	10	14	110	912
In Percent	64.91	9.98	3.95	6.47	1.10	1.54	12.06	100.00

11. Vulnerable Female-Headed Households

43. Of the 214 female-headed households, 40 of these households are considered vulnerable falling under one or more types of vulnerability, namely (i) elderly, (ii) living alone or with 1-2 household members only, (iii) poor as per MOLISA poverty threshold; (iv) receiving social policy from the Government, and/or (v) engaged in farming as main source of livelihood. The socio-economic conditions of these households are discussed per component.

Table 16: Vulnerable Female-Headed Households

Areas of Subprojects	Number of Vulnerable Female-Headed Households
Ring Belt & Peripheral Roads	20
Waste Water Treatment Pond	4
Vocational College Industry	11
Info Center and Le River	5
Total	40

- a) **Ring Belt Road.** In the areas covered by this subproject, 20 female-headed households were identified and who are also considered vulnerable due to current state of poverty based on MOLISA categories. The average age of the female head is 58, with the youngest pegged at 46 years old and the oldest at 81. Of the total female-headed households, 17 are engaged in farming. Meanwhile, the remaining 3 female-headed households are receiving social assistance from the Government as 1 female head is disabled, 2 are too old to work and they do not have household members to depend on since they live alone. Based on the inventory of losses conducted, 9 female-headed households stand to lose more than 10% of their productive land.
- b) **Waste Water Treatment Pond.** This subproject is slated to be implemented in areas where 4 female-headed households were identified. The ages of the female heads range from 70 to 86, averaging at 77 years and all live alone. All of these female heads are considered poor, with two of them able to receive social assistance from the Government. The assessment yielded the fact that all four female heads will lose more than 10% of their productive land. Two of them derive income from land that will be affected by the subproject.
- c) **Vocational College Industry.** Among all the households that will be affected by this subproject, 11 are female-headed. While average age of these female heads is 75, their ages actually range between 50 and 90 years old. Of the 11, 5 female heads

with ages within the range of 56 to 76 are still engaged in farming for livelihood. Based on MOLISA standards, all of the 11 female-headed households are considered poor and are receiving social assistance from the government. Most of the female heads are living alone, while 2 continue to live with 1 or 2 members of their households. Of the 11 female-headed households, 8 will lose more than 10% of their productive land, 6 of whom indicated that their main source of income is derived from these lands.

- d) **Info Center and Le River.** In the areas covered by this sub-project, there are 5 female heads of households with ages ranging from 76 to 94 years old. Average age among them is 84 years old. All 5 female-headed households receive social policy allowance from the Government. Of the total 5 female-headed households, 4 will lose more than 10% of their productive land.

C. Other Vulnerable Households

44. In total, there are 112 households are considered vulnerable. Apart from the 40 female-headed households who are considered vulnerable, other households have members that can fall under this same category as they may either be poor, elderly or has some form of disability. Of these 112 households, almost 70% are below the poverty threshold, 22% have elderly members and 7% households have members with some form of disability. The households covered by the Vocational College Industry subproject have the most number of vulnerable households, followed by those affected by the subproject on Ring Belt and Peripheral Roads. Meanwhile, there are no ethnic minority households that will be affected by the Project since all households are Kinh.

Table 17: Other Vulnerable Households

Areas of Subprojects	Vulnerable Female-Headed Households	Below Poverty Line	Elderly	Disabled	Other	Total*
Ring Belt & Peripheral Roads	20	29	3	3	1	36
Waste Water Treatment Pond	4	9	9	2	0	20
Vocational College Industry	11	36	8	3	0	47
Info Center and Le River	5	4	5	0	0	9
Total	40	78	25	8	1	112

VII. CONSULTATION AND DISCLOSURE

45. The main purposes of the participation and consultation process are to:

- i) provide complete and timely information to APs about the Project and related activities, and ensure that they are able to make fully informed decisions about matters that will directly affect their livelihoods, incomes and living standards;
- ii) obtain the cooperation and participation of APs and other stakeholders for resettlement planning and implementation – that is, gather information about the needs and priorities of APs regarding compensation, relocation and other activities to be undertaken as part of resettlement planning and implementation; and, obtain the reactions of APs and other stakeholders to proposed policies and activities; ensure that local authorities will be included in resettlement planning and decision-making and that APs working in collaboration with local

authorities will take part in resettlement activities, e.g., property evaluation, compensation, resettlement monitoring;

- iii) reduce the potential for conflicts, as well as the risk of project delays; and
- iv) Enable the Project to design the resettlement and rehabilitation program in a manner to fit the needs and priorities of APs.

46. Prior to the conduct of the socio-economic surveys (SES) and IOL, the PPTA consultants have informed all the leaders of concerned communes, wards and APs about the proposed Project. This included potential impacts, RP preparation activities, project entitlements (i.e., compensation payment based on current market rates) and schedule of IOL and SES. The listing of consultation meetings conducted as well as the names of the participants from the affected households is shown in the Table below. For these meetings, all concerned commune officials sent invitation to all affected households and with the commune offices used as venue.

Table 18: Public Meetings

Time/Venue	Participants	
	Local leader/officer	Affected people
Roads		
Morning, June 9, 18, 25-26, 2008 All 5 communes Morning in respected commune offices	<ul style="list-style-type: none"> • Mr. Nguyen Van Sam – Vice chairman • Mr. Nguyen Tuan Anh- land management officer • Mr. Nguyen Xuan Huan Chief of Quang Xa cooperative • Mr. Bao, incharge of Mat Son cooperative • Mr. Le Dinh Quy, Chairman • Mrs. Nguyen Thi Hop Land management officer • Mr. Do Ngoc Quyet, Vice chairman • Mr. Truong Tien Dung, Land management officer • Mr. Yen Van Luan, chairman • Mr. Pham Van Toi, Land management officer 	10 APs
08.00- 9.30 AM August 30, 2008 Yen Bien village/ Quang Thang Commune	<ul style="list-style-type: none"> • Mr. Do Anh Bac, Admin. Officer of Quang Thang commune; • Mr. Nguyen Duy Trinh, party's secretary of Yen Bien village • Mr. Ngo Ngoc Phu, chief of block • Mr. Nguyen Duy Oanh, chief of block 6 	25 APs (11 women)
1.30-3.00 PM August 30, 2008 Khu Bac village/ Quang Thang Commune	<ul style="list-style-type: none"> • Mr. Do Anh Bac, Admin. Officer of Quang Thang commune; • Mr. Mai Huu Quy, chief of block 7 • Mr. Truong Sy Trung, chief of block 8 	26APs (14 women)
3.30 -5.00 PM August 30, 2008 Thanh Yen village/ Quang Thanh Commune	<ul style="list-style-type: none"> • Mr. Le Van Toan, vice-chief of village • Mr. Truong Tien Dung, Land management officer 	17 APs (6 women)
07.00- 09.00 August 31, 2008 Block 9 Quang Thang commune	<ul style="list-style-type: none"> • Mr. Do Anh Bac, Admin. Officer of Quang Thang commune • Mr. Le Xuan Luu, chief of block 9 • Mr. Trinh Van Khang, party secretary 	14 APs (6 women)
15.00 – 17.00 September 9, 2008. Mat Son 3 village Dong Ve Commune	<ul style="list-style-type: none"> • Mr. Nguyen Cong Hoan, chairman of Mat Son co-operative; • Mr. Nguyen The Bao, clerk; • Mr. Nguyen Tran Xuyen, chief of village 1; • Mr. Nguyen Dinh Truyen, chief of village 2 • Mr. Le Dinh Hung, Chief of village 3; 	53 APs (20 women)

	<ul style="list-style-type: none"> • Pham Huu Toan, accountant 	
16.00-17.30 Thanh Mai village Quang Thanh commune	<ul style="list-style-type: none"> • Mr. Nguyen Thanh Tuan, chief of Thanh Mai village; • Mr. Dinh Xuan Tuan, rep. for local APs • Mr. Dung, land management office 	10 APs (2 women)
9.00-10.00 September 4, 2008 Tan Son ward	<ul style="list-style-type: none"> • Mr. Le Dinh Quy, Chairman • Mrs. Nguyen Thi Hop Land management officer 	7 APs (2 women)
15.30 -17.00 September 4, 2008 Quang Dai Co-operative Dong Ve ward	<ul style="list-style-type: none"> • Mr. Nguyen Xuan Huan, chairman of Quang Dai co-operative; • Mr. Nguyen Van De, vice- chair; • Mrs. Pham Thi Luyen, accountant 	37 APs (18 women)
Education		
14.00-16.00 September 4, 2008 Block 5+6 Dong Cuong Commune	<ul style="list-style-type: none"> • Mr. Le Ngoc Lay – Chief of block 6; • Mr. Nguyen Thai Lan, chief of block 5 • Mr. Nguyen Xuan Toan, party's secretary of block 5; • Mr. Le Xuan Nghinh, party's secretary of block 6 	139 APs (42 women)
Waste water Treatment		
20.00-21.30 Truong Son village Quang Thinh Commune	<ul style="list-style-type: none"> • Mr. Le Van Quy, party's secretary • Mr. Do Khac Lam, Head of village; • Mr. Le Van Hung, public security officer 	145 APs (57 women)

47. It was noted during the meetings that the issue of compensation is the main concern of the participants. From their point of view, the government rates for various types of land are low. The APs used terms such as “reasonable, acceptable, fair, equal, adequate, equivalent to market price” at the time of compensation with regard to compensation for their affected assets.

Other important issues raised by the project affected households are as follows:

- Compensation for land must be equivalent to current market prices in order for them to buy similar plots of land in the area / restore pre-project conditions.
- The Project should take into account the actual productivity of land that will be acquired as the price will be higher than the other less productive land.
- The Project should carry out market survey for the land and consult the APs.
- The Project should not look at the percentage of loss of land alone but also consider the total land area of APs as they may likewise be severely affected even if the land loss will be minimal.
- Severely affected households should be given financial assistance / access to credit so they can invest on livestock raising.
- The Project should pay attention to severely affected households.
- The Project should give suitable training courses especially catered to the youth.
- The Project should give job opportunities to the APs. Land acquisition if not done properly will cause joblessness, which in turn will cause “social evils”.
- All impacts should be compensated properly including for example, power grid or water supply networks that APs already paid for.
- The project should be completed on time so people will be able to stabilize their lives at the soonest possible time.
- The Project should acquire productive land that is deemed to be small and will no longer be viable.
- The Project should also consider unforeseen impacts during construction such as those on irrigation/drainage system.
- To provide special care to the elderly households who does not have any support from their family.

- Project information should be properly disclosed to the public even during implementation. Presenting detailed maps during meetings are very helpful to APs.
- Relocation site should be similar or better with basic facilities. The price of a plot of land in the relocation site should be similar or affordable to relocating households.
- The Project should also consider environmental impacts.
- Land acquisition should be after harvesting or before planting season to ensure no crops will be destroyed.
- The Project should still check or monitor APs after acquiring APs' land.
- Land acquisition and compensation activities should be transparent and allow APs to participate during monitoring.
- Apart from compensation, appropriate assistance and rehabilitation programs should be provided to APs in order to restore their livelihood.

48. The project information sheet in Vietnamese with content presented in **Appendix 1** has been distributed to commune, wards and APs in July 2008. With regard to disclosure of the RP, key information in the draft RP was already disclosed to affected people in late August 2008. A public information booklet has been prepared and translated in Vietnamese. The PIB includes the following information: (i) a brief background of the Project, specifically the civil works to be undertaken, (ii) a broad indicative time scale for the planning and implementation of the project and the adverse social impacts, (iii) bases used for asset valuations, (iv) the key principles for compensating and assisting households under the Project, (v) the entitlements due to the households, included in a summary entitlement matrix; (vi) consultation processes, (vii) procedures to hear and redress grievances; (viii) monitoring and evaluation procedures; and (ix) the main contact person at PPMU. Apart from the distribution of booklets to APs, the PIB and RP will also be uploaded on the City People's Committee website. These activities will be completed by end 10 September 2008.

VIII. RP UPDATING AND IMPLEMENTATION

49. Resettlement implementation (i.e., disbursement of payment to APs, land clearance and relocation of APs) can only commence once the updated RP has been reviewed and approved by ADB.

50. Consultations will be conducted with APs, particularly with the vulnerable and severely affected households.

A. Conduct of Detailed Measurement Survey

51. The conduct of the updated Census and Detailed Measurement Survey (DMS) will be undertaken following final design. The procedures for the DMS are similar to those for the IOL; i.e., detailed recording of all land and non-land assets. The DMS form, together with the result of the replacement cost survey as reviewed and approved by the PPC, will be the basis of preparation of the Compensation Plan.

52. It should be noted that at the time of DMS activities, all APs are required to submit copies of LURCs or any legal papers to assist RC in the preparation of the Compensation Plan. All DMS forms are reviewed and signed by APs.

53. The official list of APs, their losses, and corresponding payments due will be disclosed to the affected people.

- During DMS, APs to participate and give copy of LURC/legal papers to RC
- RC to prepare Compensation Plan (as per DMS and RCS rate approved by PPC)

- RC to disclose Compensation Plan to APs
- APs to review Compensation Plan and sign for concurrence
- RC to submit to Department of Finance (DOF) for review and approval
- DOF to submit to PPC for approval
- RC to include DMS and Compensation Plan in the updated RP

54. Any disagreement on the DMS and Compensation Plan will not be signed by AP until it is resolved following the grievance redress process.

55. A new socio-economic survey will be carried out if RP updating does not commence within two years as demographic and socio-economic factors may change significantly. It will cover 20% of severely affected households and at least 10% of other affected households.

B. Conduct of Replacement Cost Survey by a Private Appraiser

56. A private appraiser will be engaged to carry out replacement cost survey for land and non-land assets. The said appraiser will undertake its activity in parallel with the DMS activities. The RCS report will be submitted to the PPMU and PPC.

C. Consultation and Disclosure

57. Consultations will be conducted with APs, particularly with the vulnerable and severely affected. All consultation and disclosure activities will be properly documented. All minutes of meetings, photos, attendance sheets will be prepared and recorded.

58. Disclosure of the updated RP to APs will be carried out prior to its submission to ADB for review and approval. The RC will disclose (i) draft updated RP prior to submission for review and approval by ADB; (ii) final updated RP approved by PPC and ADB, and (iii) any revisions to the updated RP as a result of changes in scope or design layout. Key information in the updated RP to be disclosed to the affected households, will include (i) compensation, relocation and rehabilitation options, (ii) DMS results, (iii) detailed asset valuations, (iv) entitlements and special provisions, (v) grievance procedures, (vi) timing of payments, and (vii) displacement schedule. The information will be made publicly available in Project and commune offices and provided to the affected households in the form of a summary RP, an information leaflet or brochure. Social monitoring reports will also be made available to affected households and will be uploaded on ADB website.

D. Relocation of Households

59. In consultation with the City Government's Land Clearance and Resettlement Committee (LCRC), they have resettlement sites for 17 AHs within the same communes if the Project will start at the later part of 2009: The 6 AHs in Dong Ve can be relocated in resettlement area in Le Thanh Tong Street, also in Dong Ve. The 10 of the 12 AHs in Quang Thang can be transferred to MB77 also in Quang Thang while the 2 AHs shall be in Quang Thanh. One affected household in Tan Son can be resettled in Phu Son Resettlement Area. These resettlement sites are already inhabited, have access road and electricity and water connections.

60. Relocating households will be further consulted with regard to their preference (if cash at replacement cost or plot of land at any of the relocation sites) as part of RP updating.

E. Income Restoration Measures

61. Experience has it that, unless mitigated, involuntary resettlement resulting from development projects often gives rise to severe economic, social, and environmental problems: production systems are dismantled; people face impoverishment when their affected productive assets or income sources are not replaced; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost. In addition, there are people who on account of their position in society and/or their physical and economic situation are less capable of re-establishing themselves than the others and, therefore, face greater risks of impoverishment. These people are those who fall in any of the groups of vulnerable households.

1. Availability of Replacement Land (Productive Land)

62. Based on consultation with APs and local authorities, there are no state-land available, therefore, APs losing land cannot be provided with state-owned land. It should be noted however, that APs prefer cash compensation provided that they receive payment for their land at current market rates in order for them to buy similar productive land in the area. According to households, there is buying and selling in the area. This was further confirmed by local authorities that there is an active land market in the City and that people can buy land they choose.

2. Possible Employment Opportunities and Income Restoration Activities

63. Apart from compensation and assistance for land and non-land assets, the Project will plan and implement a responsive and sustainable income restoration activity for eligible households as needed.

64. All households who will be severely affected by loss of productive assets, i.e. losing 10% or more of productive land or those who are left with land that cannot be considered viable as it cannot produce the required personal yield, and vulnerable households regardless of severity of impact are eligible to take part in the income restoration program. Such activities include agricultural programs that will increase the yields of their farms: (i) provision of information on crop diversification and sources of quality seeds of rice and other cash crops; (ii) technical assistance on the study of their farm soils as to their compatibility with type of crops to be grown and kinds fertilizers to be applied on their farm lots. The type of technical assistance can be done through the Ministry of Agriculture and Rural Development (MARD) in the provincial or city office in Thanh Hoa or other organizations involved in agricultural programs in the area.

65. There are also other programs, farm-based and non-farm based activities/programs, that are generic in nature and can be used for consideration in the planning of a responsive income restoration program that will cater to the needs and preparedness of each eligible households as shown below:

- a. Piloting of selected production and income generating opportunities that are endorsed by the province and city.
- b. Priority employment for qualified persons of both genders during the construction and operation of the Project.
- c. Skills training program for persons wishing to receive training on selected fields such as (i) vocational courses; (ii) intensive farming; (iii) animal husbandry; (iv) managing small business.

- d. For households who wish to venture into small businesses, the Project will provide seminars on entrepreneurship (idea generation and visioning, basic sales, marketing and finance management).

66. During the conduct of detailed measurement survey (DMS), the Project, with the assistance of project consultants will help design and implement the income restoration program and will spearhead the process of identifying the livelihood activities of each household by evaluating the household's specific needs against the household's preferences, inclination and preparedness, and by assessing the availability of external support needed by the household to pursue its chosen livelihood activities. The said consultants will investigate and evaluate possible employment, credit facility and provider of training when conducting needs and opportunities assessment for each participating eligible household.

67. Moreover, depending on its needs, preferences, and available human and material resources within the household and those that the Project could provide, each participating eligible household may engage in one main source of livelihood to be augmented by secondary livelihood activities, especially when the main livelihood does not yield immediate returns, such as livestock and crop production. Secondary livelihood activities will help provide for the daily sustenance of the household in the interim. A key ingredient of the Program is to ensure that each AP household has the means for daily sustenance.

68. Information pamphlets for each program will be made available to households and in commune offices. Information will include but not limited to the following:

- Production (farm and non-farm based)/Income-generating activities: type of program, investment costs and net returns, time-frame for income stream to develop, sustainability, and risks.
- Project-related opportunities: type of workers needed, duration of contract, minimum salary and benefits, schedule, basic requirements/qualifications of workers, contact persons.
- Employment opportunities: name and address of organization, nature of organization, number of required workers, basic requirements/ qualifications of workers; trainings to be provided; minimum salary and benefits, contact persons,
- Skills Trainings: type of trainings, objectives, duration, cost to trainee, qualification of trainee, type of certification to be issued upon completion of training; links to jobs.
- Access to Credit: type of loans; requirements to avail loan, term of payments and interest rates, risks involved.

69. The process of planning appropriate income restoration activities of eligible households begins about the same time as that of the DMS. Data gathering and in-depth investigation of needs and opportunities will be done in parallel with the DMS. The various income restoration activities planned and agreed with the participating households will be included in the updated RP. The implementation of the program will be monitored on a quarterly basis to ensure that targets are achieved and will be included in the resettlement progress report that will be submitted to ADB. The programs will be modified as and when necessary and supplementary cash and in-kind assistance may be provided based on the results of the monitoring and assessment of activities. The EMA is also tasked to carry out its independent monitoring and evaluation of income restoration activities.

70. An evaluation of the income restoration program will be conducted to sum up what has been achieved, to identify additional interventions, as needed; and to draw out lessons and insights.

F. Gender Strategy

71. The gender strategy includes specific activities to ensure project benefits for women.
- a) Consultation meeting on resettlement activities will be held separately with women, female headed households and elderly women;
 - b) The resettlement committee will include representatives from city and commune Women's Union and women from affected households;
 - c) At the inception of the Project, a capacity building training program on resettlement activities will be designed for the women and men commune officials, and women and men from affected households to orient them about resettlement activities. Participation of poor women, female headed households and ethnic in the training will be ensured; The training will also include representatives from PPMU, respective line agencies and representatives from commune Women's Union, Youth Union involved in resettlement committees;
 - d) The training will include information on resettlement activities, compensation, management of compensation money, grievance procedures and impact of the project on livelihood activities related to loss of agricultural produce, and other productive assets. The objective of the training is to provide affected communities with understanding of resettlement issues and better access to compensation resources and information on grievance procedures;
 - e) The capacity building training on resettlement issues will be conducted separately for women including the female-headed households; Ensure that ethnic minority women are included in the training;
 - f) During the conduct of the DMS, men and women from the households will participate in the said activity;
 - g) Livelihood activities will be planned with active involvement of women; need assessment for livelihood activities and skill development of livelihood activities will be conducted separately for women members, poor women, female-headed households, elderly women, ethnic minority women;
 - h) Compensation payment and cash assistance will be given to both men and women from the households; Specific attention will be provided for the poor women headed households, elderly women in paying the compensation on time and developing suitable livelihood activities for elderly and poor female headed households;
 - i) Joint registration of land rights in the names of husband and wife and female headed households will be issued in instances where land is acquired;
 - j) Separate discussion with women members, female headed households, elderly women, ethnic minority household for selection of relocation sites, housing structure, and other social infrastructures, including timing of relocation;
 - k) Special measures will be taken in the relocation of elderly, disabled and female headed households in terms of location of new site together with their extended families/relatives. For elderly and disabled women and men, apartments will not be offered as this type of arrangement will not be suitable for them.
 - l) Disaggregated monitoring indicators by gender will be developed for monitoring of Social benefits, economic opportunities, livelihood program, and resettlement activities.

G. Focus on Vulnerable Households

72. As each household may have more than one type of vulnerability, impacts on these households, even minor, expose these households to higher risk of impoverishment/hardship if their special needs are not properly identified and addressed in a timely manner. Women and other vulnerable groups were consulted separately after the commune meetings specifically in the following villages: a) Khu Bac Village, Yen Bien, Thanh Mai, and Block 9 villages in Quang Thanh Commune; and b) Mat Son Village, Dong Ve; c) Truong Son and

Dong Cuong villages, Quang Thinh. The issues they raised is similar to the issues raised by the other APs in terms of compensation and special assistance for them (see Section 7 on consultation).

73. Therefore, the Project will continue to consult with these households and identify suitable mitigation measures. Internal and external monitoring will pay special attention to all vulnerable households focusing on their capacity to restore/improve their income/livelihood. Focus will also be given to achieving project objectives of improving the socio-economic status of these households.

H. Internal Monitoring

74. The Project Management Unit of the THPPC will serve as the Project's internal monitoring body. As such, the PMU will maintain a file of all data gathered in the field, including a data base on the affected households. Each PIU will submit quarterly monitoring report to the PMU starting from the commencement of RP updating, which coincides with the conduct of the detailed measurement survey and other RP updating activities. The PMU in turn will include updates on resettlement in its regular progress reports to ADB. Social monitoring reports will be made available to the affected households and will be submitted to ADB for web posting.

75. Internal monitoring and supervision will have the following objectives:

- a. Compensation and other entitlements are computed at rates and procedures as provided in the approved RP, with no discrimination according to gender, vulnerability, or any other factor;
- b. Affected households are paid their compensation and other entitlements as per approved Updated RP, ensuring that all entitlements are delivered as planned and agreed, including compensation in cash or in kind, allowances, replacement land, resettlement sites developed and people moved onto them;
- c. income restoration programs designed and delivered including modifications in the programs and provision of additional cash and in-kind assistance to the participating affected households as and when necessary;
- d. Public information, public consultation and grievance redress procedures are followed as described in the approved RP;
- e. Capacity of APs to restore/re-establish livelihoods and living standards. Special attention given to severely affected and vulnerable households. Focus will also be given if the objective of improving socio-economic condition of vulnerable households is achieved.
- f. Affected public facilities and infrastructure are restored promptly; and
- g. The transition between resettlement and commencement of civil works is smooth and that sites are not handed over for civil works until affected households have been satisfactorily compensated and resettled.

I. External Monitoring

76. The main objective of external monitoring is to provide an independent periodic review and assessment of (i) achievement of resettlement objectives; (ii) changes in living standards and livelihoods; (iii) restoration and/or improvement of the economic and social base of the affected people; (iv) effectiveness and sustainability of entitlements; and (v) the need for further mitigation measures.

77. Strategic lessons for future policy formulation and planning will also be drawn from the monitoring and evaluation of resettlement. This is possible through a Post-Resettlement Implementation Evaluation Study that will be carried out carry out 6-12 months following completion of all resettlement activities.

78. The external monitoring agency (EMA) will be recruited prior to RP updating activities. Relative to compliance monitoring during resettlement implementation, the main activities of the EMA will revolve around the following:

- a. Review existing baseline data and gather additional socio-economic information, as necessary, on sample affected households;
- b. Monitor updating and implementation of the RP;
- c. Identify any discrepancy between policy requirements and actual implementation of resettlement;
- d. Monitor the resolution of complaints and grievances of affected households; and
- e. Provide recommendations for improving resettlement updating and implementation.
- f. Review compliance with regard to use of ADB loan funds for land acquisition and resettlement.
- g. Issue certification that each AP has received the full payment.
- h. Carry out resettlement audit.

79. Specific to resettlement updating and implementation activities, the EMA will monitor and evaluate specific issues such as the following:

- Public consultation and awareness of resettlement policy and entitlements;
- Coordination of resettlement activities with construction schedule;
- Land acquisition and transfer procedures;
- Construction/Rebuilding of replacement houses and structures on residual land or to new relocation sites;
- Level of satisfaction of APs with the provisions and implementation of the RP;
- Grievance redress mechanism (documentation, process, resolution);
- Effectiveness, impact and sustainability of entitlements and income restoration programs and the need for further improvement and mitigation measures
- Relocation site development (housing and market) from identification of sites in consultation with APs, to resettlement site development and relocation of APs. Land title issues and process of land title granting.
- Capacity of affected households to restore/re-establish livelihoods and living standards. Special attention will be given to severely affected households and vulnerable households focusing on achieving project objectives of improving socio-economic stats of vulnerable households;
- Resettlement impacts caused during construction activities.
- Participation of APs in RP updating and implementation

80. With regard to use of ADB loan funds for land acquisition and resettlement, the EMA will monitor and report on the following:

- Channeling of funds (if done transparently, efficiently and effectively).
- Compliance to use of loan funds (thru Second Generation Imprest Account or SGIA) which are limited to PPMU providing funds for payments: (a) to project affected persons for land and other assets acquired to facilitate the construction of the HLD Expressway; (b) to AP for resettlement compensation and allowances as set out in the approved updated Project Resettlement Plan, and (c) for incremental expenses incurred by the RC necessary for the implementation of the approved updated RP (e.g., relocation site development, income restoration program).

- Proper documentation on liquidation of any amount paid from any SGIA for land or other assets (a) a valid validation certificate issued by an external valuer acceptable to both the Government and ADB; (b) the results of the detailed measurement survey (DMS) for the AP receiving the payment, signed as agreed by AP, setting out the assets to be acquired; (c) that receipt of payment is acknowledged by the AP.

81. The EMA is also required to be present during disbursement of compensation to APs and to issue certification that each AP has received the full payment.

82. The methods to be employed by the EMA in its monitoring work are summarized hereunder:

- a) Review of detailed measurement survey documents to be able to establish a baseline for monitoring and evaluating project benefits. The EMA to check on a random basis the DMS process with APs from identification to agreement on DMS results. During the conduct of the DMS, the EMA will also monitor the DMS process to determine and assess if DMS activities are being carried out in a participatory and transparent manner.
- b) Review of Socio-economic Survey (SES) baseline prepared during PPTA. If land acquisition does not occur for at least two years, EMA will carry out another SES. A post resettlement survey will be carried out one year following completion of resettlement activities. Sampling will include 20% of severely affected APs as well as at least 10% of all other APs. The same APs interviewed during RP updating will be interviewed. Special attention will be paid to the inclusion of women, ethnic groups, the very poor, the landless and other vulnerable groups, with set questions for women and other target groups; and, the database disaggregates information by gender, vulnerability and ethnicity.
- c) Participatory Rapid Appraisal (PRA), which will involve obtaining information, identifying existing or potential problems, and finding specific time-bound solutions through participatory means including: a) key informant interviews; b) focus group discussions on specific topics such as compensation payment, income restoration and relocation; c) community public meetings to discuss community losses, integration of resettled households in host communities or construction work employment; d) direct field observations, for example, of resettlement site development; e) formal and informal interviews with affected households, women, ethnic minority, and other vulnerable groups to monitor and assess the progress the APs are making to restore their living standards; and, f) in-depth case studies of problems are identified by internal or external monitoring and required special efforts to resolve. The PRA will also focus on good practice.
- d) Resettlement audit will be conducted during the monitoring period. The EMA report will include resettlement audit per monitoring period.

83. The EMA will submit the report to PMU and ADB within 15 days after the monitoring period. All EMA reports will be uploaded on ADB website. The EMA will be present at the time of disbursement of payments to APs during monitoring. The EMA report will include resettlement audit per monitoring period.

J. Implementation Arrangements and Capacity Building Interventions

1. Thanh Hoa Provincial People's Committee

84. As executing agency of the Project, the Thanh Hoa Provincial People's Committee (THPPC) will be responsible for the overall management and implementation of THCCSDP through the Provincial Project management Unit (PPMU). PPMU is tasked to collaborate with the City and Provincial People's Committees to ensure that the updated RP complies with the RP approved by PPC and ADB and submit the same to ADB for approval;

85. The detailed tasks of the PPMU with regard to resettlement will include the following

- a. Together with the resettlement committee (RC) and PIU, spearhead field activities in connection with the preparation, updating, and implementation of the RP, such as dissemination of project information and consultation with affected households and other Project stakeholders;
- b. Together with the RC, coordinate with the Provincial/City Land Administration Offices for the expeditious allocation of replacement land to eligible affected households;
- c. Supervise and monitor the preparation, updating, and implementation of the RP, ensuring that it is carried out according to the approved Updated RP;
- d. Prepare quarterly progress reports on RP updating and implementation for submission to PPC and the ADB. This includes resettlement audit on SGIA (payment and allowances to APs, cost of development of relocation sites, cost of income restoration programs, external monitoring, administrative costs, and use of contingencies).

2. Project Implementation Unit

86. The five PIUs will report directly to the PPMU Vice Director, and will be staffed with highly qualified professionals. Related to resettlement function, the PIU, together with the RC will be responsible for RP updating and implementation, i.e, carry out DMS and consultation activities, act as grievance officers, coordinate with respective offices with regard to availability of land, meet with APs with regard to their final option for relocation, resettlement sites, assist in the preparation of internal monitoring reports, and ensure compliance during implementation. The PIU will also be tasked to monitor compliance of civil works contractor during construction.

3. City Resettlement Committee (RC)

87. The Resettlement Committee (RC), will be headed by the Vice-Chairman of the City People's Committee and have members from the Finance Department; the Natural Resources and Environment Department; Transport Department; Agriculture Department; and PPMU. In addition, members are also from the Farmers' Association, Women's Union, and affected households. In collaboration with PPMU, the main responsibilities of the RC are the following: (i) coordinate and manage resettlement activities with PPMU and PIU, commune people's committees; (ii) Spearhead verification of census and conduct of detailed measurement survey; (iii) carry out consultation and disclosure activities, design and development of relocation sites design and implementation of income restoration programs; (iv) prepare Updated RP for endorsement to the PPC; (v) along with the CPC, carry out timely delivery of compensation payment and other entitlements to affected persons; (vi) Act as grievance officers; and (vii) prepare quarterly resettlement progress reports.

88. As part of the progress reports to be submitted to PPMU, the RC is also tasked to liquidate amount paid from SGIA by submitting (i) statement of account and (ii) SGIA Reconciliation Statement or SGIARs, and (iii) SGIARs supporting documents (see Annex 3).

4. Commune People's Committees (CPC)

89. The CPC will assist the RC in their resettlement tasks. Specifically, the CPC will be responsible for the following: (i) participate in the updating and implementation of RP; identify potential replacement land for affected households; (iii) ensure that vulnerable and severely affected households are properly consulted and that the concerns and grievances of these households are heard, recorded and addressed in a timely manner; (iv) certify DMS and payments made to affected households; and (v) assist in the resolution of grievances.

5. Project Supervision Consultants

90. The Project Supervision Consultants (PSC) will assist THPPC, RC and PIUs in the updating and implementation of the RP, including the design and implementation of suitable livelihood programs for severely affected and vulnerable households. The updating of the RP will be done in conjunction with the conduct of the detailed measurement survey. The consultants will review and assess the (a) capacity of the responsible institutions at central and project levels to update and implement the resettlement plan and (b) trainings and capacity buildings provided during the PPTA. Design and implement necessary training and capacity-building interventions.

91. During implementation of the Updated RP, the main responsibilities of the resettlement/social development team include the following:

- a. Design and implement procedures for (i) minimizing adverse social impacts from land acquisition and loss of other assets throughout the implementation phase (e.g., coordinating resettlement and compensation activities on the various components, avoiding if not minimizing impacts caused during construction and ensuring that losses that cannot be avoided are recorded and compensated as per approved updated RP;
- b. Carry out consultation and disclosure programs. Ensure that options of or agreements reached with APs in terms of replacement of assets, i.e., cash or in-kind are provided in a timely manner;
- c. Implement gender strategies to ensure that concerns women are addressed during updating, implementation and monitoring. Activities gender-specific consultation and information disclosure; special attention to guarantee women's assets, property and land-use rights to ensure the restoration of their living and income standards;
- d. Assist in the design and implementation of suitable income restoration programs for people severely affected by loss of livelihood and income and for vulnerable households;
- e. Assist in the design and implementation of liaison mechanisms to ensure proper technical and logistical support to the RC, and procedures for a management information system, resettlement audit, and internal monitoring;
- f. Coordinate with the external monitoring agency. Ensure that findings and recommendations made by the external monitoring agency are discussed with

PPMU and PIUs for appropriate action to ensure that resettlement implementation is undertaken properly and effectively;

- g. Assist in the review of all liquidations submitted by the RC with regard to resettlement costs and assist in the preparation of quarterly progress reports on resettlement;
 - h. Review and assess grievance redress mechanism and ensure that the responsibilities, reporting requirements, and budget allocation to support the committee's functions are in place. Provide trainings to RC on grievance handling and proper reporting; and
 - i. With the exception of ongoing income restoration program activities, assist in the preparation of a Resettlement Completion Report to properly document the actual resettlement impacts, resettlement implementation and resettlement audit. The report will be based on the internal and external monitoring and evaluation reports and ADB Review mission Aide-Memoires and Memorandum of Understanding.
92. The Consultants will have the following specialists on an intermittent:
- one international resettlement specialist, 9 person-months;
 - one international social development specialist, 3 person-months
 - one national resettlement specialists, 18 person-months;
 - one national livelihood specialists specializing in community-based micro-livelihood program and micro-financing, 6 months;

K. Grievance Redress Mechanism

93. A well-defined grievance redress and resolution mechanism will be established to address AP grievances and complaints regarding land acquisition, compensation and resettlement in a timely and satisfactory manner. All APs will be made fully aware of their rights, and the detailed procedures for filing grievances and an appeal process will be publicized through an effective public information campaign. The grievance redress mechanism and appeal procedures will also be explained in the project information booklet that will be distributed to all APs.

94. APs are entitled to lodge complaints regarding any aspect of the land acquisition and resettlement requirements such as, entitlements, rates and payment and procedures for resettlement and income restoration programs. AP complaints can be made verbally or in written form. In the case of verbal complaints, the committee hearing the complaint will be responsible to make a written record during the first meeting with the AP.

95. For the purposes of grievance redress and resolution, the respective PIUs will also serve as grievance officers. The commune officials will make all reasonable attempts to settle AP issues at the commune level through community consultation. All meetings will be recorded by the commune and resettlement committees and copies will be provided to APs. Copies of minutes of meetings will be provided to PPMU and ADB upon request.

96. A four-stage procedure for redress of grievances is proposed:

- (i) Stage 1: Complaints from APs are in the first instance lodged verbally or in written form with the Commune's People's Committee (CPC). The complaint will be discussed in an informal meeting with the AP and the CPC. It will be the responsibility of the CPC to resolve the issue within 15 days from the date the complaint is received. All meetings will be recorded and copies of the minutes of meetings will be provided to APs.

- (ii) Stage 2: If no understanding or amicable solution can be reached or if no response is received from CPC within 15 days of registering the complaint, the AP can appeal to the City Resettlement Committee (RC). The AP must lodge the complaint within 30 days of registering the original complaint and must produce documents that support his/her claim. The RC will provide a decision within 1 month of receiving the appeal.
- (iii) Stage 3: If the AP is not satisfied with the decision of the RC or in the absence of any response, the AP can appeal to the Provincial People's Committee. The PPC will review and issue a decision on the appeal within 30 days from the day it is received.
- (iv) Stage 4: If the AP is still not satisfied with the decision of PPC or in the absence of any response within the stipulated time, the AP as a last resort may submit his/her case to the court.

97. The procedure described above is consistent with the legal process for resolution of disputes in Viet Nam.

98. The external monitoring agency will be responsible for checking the procedures for and resolutions of grievances and complaints. The said EMA may recommend further measures to be taken to redress unresolved grievances. The PSC will provide the necessary training to improve grievance procedures and strategy for the RC staff as and when required.

L. Source of Funds and RP Cost Estimates

1. Conditions for Use of ADB Loan Funds for Land Acquisition and Resettlement Costs

99. As cost of land acquisition and resettlement will be funded under the loan, in line with ADB's Loan Disbursement Handbook, Second Generation Imprest Accounts (SGIA) will be established in Thanh Hoa City Resettlement Committee at a commercial bank acceptable to the Government and ADB. Use of these SGIAs will be limited to PPC providing funds for payments:

- a) to APs for land and other assets acquired to facilitate the construction of the various components,
- b) to APs for resettlement compensation and allowances as set out in the approved updated RP,
- c) relocation site development and income restoration program, and
- d) for incremental expenses incurred by the RC necessary for the implementation of the approved updated RP.

100. PPMU and RC, with the help of PSC, will set-up a system to ensure that channeling of funds are done transparently, efficiently and effectively, monitoring is in place, and timely submission of resettlement audit reports are met. ADB staff will have the right to conduct spot or random checks of expenditures covered by the SGIA. Financial and audited statements will also be made available to the EMA.

2. Key Activities, Disbursal Milestones and Auditing Requirements

101. Key activities for which funds will be used and disbursal milestones

- a) Training of RC and respective departments on ADB's Disbursement procedures and requirements
- b) First Generation Imprest Account will be established in MOF and Second Generation Imprest Accounts (SGIA) will be established in Thanh Hoa City (Resettlement Committee) at a commercial bank acceptable to the

- c) Government and ADB
- c) Preparation of Updated RP, including a valid validation certificate issued by an external valuer acceptable to both the Government (as per City People's Committees' Decision) and ADB.
- d) Approval of Updated RP by ADB
- e) Disbursement of RP Costs as per Approved Updated RP
- f) RC to liquidate amount paid from SGIA by submitting to PPMU (i) Statement of Account and (ii) SGIA Reconciliation Statement or SGIARS (see Annex 3) and (iii) SGIARS supporting documents.
- g) PPMU to submit resettlement audit report including (i) Statement of Account and (ii) SGIA Reconciliation Statement or SGIARS as part of the quarterly progress reports to ADB and external monitoring agency

102. ADB staff will conduct spot or random checks of expenditures covered by the SGIA. External monitor will carry out its independent resettlement audit.

3. Disbursement of Payment to APs

103. With regard to disbursement of payment to APs, the following procedures will be followed:

- a) AP will be notified through the village chiefs two weeks in advance of the final schedule of payment of compensation and other entitlements. The affected households will be advised to have with them the required documents (such as LURC, ID, civil registration certificates, DMS record, Agreement Compensation Form, etc.) when claiming their compensation and other entitlements. If the affected household is unavailable to claim the compensation payment on the scheduled date, he/she will inform local authorities as soon as possible with a written authorization for a representative to claim the same on his/her behalf, or the affected household may request the RC to reschedule a later date for him/her to claim payment.
- b) RC to disburse payment to APs (in commune office or location both acceptable to APs and RC)
- c) APs to sign Compensation Plan and Official Receipt and get copy for record
- d) RC to document status of payment, update records as part of the quarterly progress report that will be submitted to PPMU.

4. Liquidation

104. Liquidation of any amount paid from any SGIA as set out in the approved Updated RP will cover (i) payment to APs for land and other assets and cash allowances, (ii) income restoration program, (iii) relocation costs; and (iii) incremental expenses incurred by the RC necessary for the implementation of the approved Resettlement Plan.

105. With regard to payment of compensation for land and non-land assets and allowances to APs, the SGIARS will include supporting documents as follows:

- a) a valid validation certificate issued by an external valuer acceptable to both the Government and ADB;
- b) the results of the detailed measurement survey (DMS), signed as agreed by AP, setting out the assets to be acquired and allowances. The DMS supporting documents;
- c) receipt of payment is acknowledged by the AP and certified by PIU and PPMU and

- d) certification by the External Monitoring Agency (EMA) that the AP has received the full payment.

106. The supporting documents for the income restoration program, relocation plan, and incremental expenses incurred by the PPMU and RC will also be attached as itemized in the approved Updated RP following ADB's Disbursement Loan Disbursement Handbook.

5. Basis of Land and Non-Land Assets Valuation - Conduct of Replacement Cost Survey

107. **Agricultural Lands.** The prices for agricultural lands in the 11 wards and communes were based on the recent assessment value as of June 2008. These were obtained from private development firms which were used in development projects in Thanh Hoa. This RP adopted the unit price of VND60,000/m² vis-à-vis the price set by the Provincial People's Committee at VND,35,000/m².

108. **Residential Land.** The prices supplied by private development firms were also adopted in calculating the budget for compensation of residential lands. The prices were on locations in the city which were also in other subproject locations for the purpose of budgeting in this RP. These are summarized in **Table 19**.

Table 19: Value of Residential Lands in Affected Ward and Communes

Location	Value per Square Meter (in VND)	
	On both sides of the street	In Alleys
Quang Thang	8,000,000	2,000,000
Dong Ve	10,000,000	-
Tan Son	18,000,000	-

109. **Structures.** For the affected structures, the unit prices were adopted from the Decision on Adjustment and supplementary prices issued by the Provincial People's Committee of Thanh Hoa in 2008. The following unit prices were adopted for the affected structures under the subproject road: (i) for IV grade with tile roof, VND1,025,000/m²; (ii) for IV grade with concrete roof, VND1,201,000/ m²; and (iii) for III grade with two stories or more, VND1,427,000/ m². For the affected swimming pool, the unit price used is VND1,000,000/ m², based on replacement cost.

110. **Loss of Crops.** The price of unhusked rice was based in early August 2008 average prices of VND 5,400 per kg. and applied to the estimated losses of AHs, based on the individual impact of land acquisition. The budgets for crops were provided for permanent potential losses on land and for the temporary losses due to the use of land during construction, at 0.61 kg per m² (para. 72). The permanent losses on crops were based on impacts at below 10% and more than 10% or more, where AHs will be compensated equivalent to one harvest season and two harvest seasons, respectively.

6. Basis of Allowances

111. The types of assistance below are based on the existing national decrees and provincial decisions of the people's committee. The unit rates are estimates only and the duration of assistance will be decided during the DMS as impacts on each household vary not to mention the existing socio-economic and vulnerability of each household.

112. For severely affected households due to loss of 10% or more of their productive assets, transition subsistence allowance is based on Decree 197/2004 which is equivalent to 30 kg of rice per person per month for 3 months. However, income restoration activities

may not automatically yield result within 3 months. Therefore, the Project has 6-12 months transition and this will be confirmed during RP updating and implementation. For budget purposes, an average of 9 months per household has been applied, i.e., 10,800,000 VND/household (30 kg x 8,000VND/kg x 5pax x 9months).

113. With regard to various cash allowances for relocation, the following will be provided

- Materials transport allowance. Not less than VND 3,000,000/ household or equivalent to the actual cost of relocation expenses (labor, transport) if relocating within the city. Affected households opting to transfer to another province will be provided not less than VND 5,000,000/ household or equivalent to the actual cost of relocation expenses (labor, transport).
- Transition subsistence allowance. Not less than 6 months, i.e., 7,200,000 VND /household (30 kg x 8000VND/kg x 5 person x 6months). This will cover miscellaneous/ living expenses costs rebuilding of house for a period of six months.
- Bonus Allowance for Timely Moving. Will be between 2.5 VND million to 5 VND million per household.

114. For vulnerable households, the Project shall provide cash assistance amounting from 3 million to 5 million VND/ household. If one household belongs to more than one type of vulnerability (poor and elderly), only one lump sum assistance will be applied.

7. RP Cost Estimates

115. The total budget for updating and implementing this RP is estimated at VND 77 billion (USD4.8 million). This amount covers compensation and allowances, income restoration program, external monitoring, administration and contingency. The amount will be finalized to cover the actual impacts, rates to be applied to reflect replacement cost at the time of compensation payment, option of APs on relocation and income restoration activities, and other RP updating activities indicated above. The final RP cost will be reflected in the updated RP.

Table 20: Budget Summary for Updating and Implementing the RP

Details	Ring Belt & Peripheral Roads	Waste Water Treatment Pond	Vocational College Industry	Information Centre and Le River	Total (in VND)	Total (in USD)
I Compensation for Land and Non Land Assets						
Agricultural Land	8,283,000,000	11,975,000,000	4,530,000,000	1,316,000,000	26,104,000,000	1,631,500
Residential Land	14,702,000,000	123,000,000	-	-	14,825,000,000	926,563
Public Land	-	-	-	1,929,000,000	1,929,000,000	120,563
Houses and Structures	2,597,000,000	123,000,000	-	-	2,720,000,000	170,000
Crops	920,000,000	498,000,000	201,000,000	72,000,000	1,691,000,000	105,688
II Transition Allowances						
Relocating HHs						
Transport Allowance (3 VND million/HH)	69,000,000				69,000,000	4,313
Bonus Allowance (3 VND million/HH)	69,000,000				69,000,000	4,313
Life Stabilization Allowance (7.2 VND million/HH)	165,600,000		-	-	165,600,000	10,350
Households Losing 10% of more productive assets						
Transition Allowance while taking part in IRP (10.8 million/HH)*	2,106,000,000	1,782,000,000	1,371,600,000	345,600,000	5,605,200,000	350,325
Vulnerable HHs						
Transition Allowance (3 VND million/HH)**	108,000,000	60,000,000	141,000,000	27,000,000	336,000,000	21,000
SUB-TOTAL (I + II)	29,019,600,000	14,561,000,000	6,243,600,000	3,689,600,000	53,513,800,000	3,344,613
III Income Restoration, Monitoring, Admin and Appraisal						
Income Restoration Activities (20%)	5,803,920,000	2,912,200,000	1,248,720,000	737,920,000	10,702,760,000	668,923
Administration Cost (10%)	2,901,960,000	1,456,100,000	624,360,000	368,960,000	5,351,380,000	334,461
External Monitoring					480,000,000	30,000
Qualified Appraiser/Valuer					320,000,000	20,000
SUB-TOTAL (III)	8,705,880,000	4,368,300,000	1,873,080,000	1,106,880,000	16,854,140,000	1,053,384
TOTAL	37,725,480,000	18,929,300,000	8,116,680,000	4,796,480,000	70,367,940,000	4,397,996
Contingency (10%)	3,772,548,000	1,892,930,000	811,668,000	479,648,000	7,036,794,000	439,800
GRAND TOTAL (in VND)	41,498,028,000	20,822,230,000	8,928,348,000	5,276,128,000	77,404,734,000	4,837,796
GRAND TOTAL (in USD)	2,593,627	1,307,389	558,022	329,758	4,837,796	

* Transition may take 6-12 months before AP can restore livelihood, used an average of 9 months for budget purposes

** PPC local practice providing additional allowance to vulnerable HHs

M. Indicative Implementation Schedule

116. The RP will be updated following detailed design. All resettlement activities will be coordinated with the civil works schedule. Land acquisition and relocation of affected households cannot commence until the updated RP has been reviewed and approved by ADB. THPPC will not allow construction activities in specific sites until all resettlement activities have been satisfactorily completed, agreed rehabilitation assistance is in place, and that the site is free of all encumbrances. Depending on the timing of completion of detailed design for each component, RP updating may cover one or more components for ADB approval in order for RP implementation to commence and avoid delay of civil works. Nevertheless, RP updating for all components will follow the activities presented in the table below. With the exception of ongoing income restoration program, it is estimated that compensation and relocation of households will be completed in the first two years of project implementation.

Table 21 : Implementation Schedule

Land Acquisition and Resettlement Activities	Starting Date	Completion Date
RP Updating		
Establish Resettlement Committee	Month 1	Month 1
Mobilize Project Supervision Consultants (resettlement)	Month 1	Month 1
Carry out necessary training/capacity building to RC and PIU	Month 1	Month 1
Engage external monitor	Month 1	Month 1
Conduct of land availability survey	Month 1	Month 2
Coordination and confirmation with City PC on space availability in the City' resettlement sites	Month 1	Month 2
Conduct public consultations (throughout RP Updating)	Month 1	Month 18
Conduct DMS based on detailed design	Month 2	Month 4
Mobilize private appraiser to carry out replacement cost survey*	Month 3	Month 4
Consult APs on project impact, entitlements and final options	Month 4	Month 4
Prepare Updated RP	Month 4	Month 5
Disclose the draft Updated RP and consult APs and stakeholders.	Month 5	Month 5
Finalize the RP incorporating comments of APs	Month 5	Month 5
Submit to ADB for review	Month 5	Month 5
Review and approval of Updated RP by ADB	Month 5	Month 6
Disclose approved Updated RP to APs and Uploading on ADB website	Month 6	Month 6
Submission of internal and external monitoring reports	Quarterly	Quarterly
RP Implementation		
Disbursement of Compensation and Payment to APs	Month 6	Month 9
Processing and issuance of LURC for replacement lands.	Month 6	Month 9
Implementation of Income Restoration Measures/Programs	Month 6	Month 18
Relocation of APs and Clearing of land	Month 10	Month 13
Submission internal progress reports	Quarterly	Quarterly
Submission of external monitoring reports	Quarterly	Quarterly
External monitor assess compliance to Project policies and submit findings to ADB.	Month 11	Month 14
ADB review and approval of RP implementation and confirmation of "No Objection" for Notice of Possession of Site to Civil Works Contractopr.	Month 12	Month 15

* Private appraiser may need to update replacement cost during RP implementation if there's delay in disbursing of funds to APs.

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

SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom - Happiness

_____(Project Name)
Detailed Measurement Survey and Valuation

Sub-project: Date:.....

This minutes is made with the presence of:

1. Representative to AP:

Mr/Mrs:

Task Team Component:

1. Representative to SEPMU:

Mr/Mrs: Position:

2. Representative to DRC:

Mr/Mrs: Position:

3. Representative to CPC:

Mr/Mrs: Position:

4. Representative to Consultant:

Mr/Mrs: Position:

5. Representative to Affected People:

Mr/Mrs: Position:

All parties agree on the following:

1. IDENTIFICATION OF AFFECTED PEOPLE

- 1.1 Village/hamlet:_____ 1.2 Village code:_____ (if requires)
- 1.3 Name of owner/head of household: _____ 1.4 Sex of head of household: Male ☐ 1 Female ☐ 2 1.5 Age of head of household : _____
- 1.5. Name of wife/husband:_____
- 1.6 Identifacation number:_____ Issue place _____ Issue date _____ 1.7 AP #: _____(issued by the project)
- 1.8 Village Roster HH:_____
- 1.9 (Optional for AP identification) Digital AP Photo No:_____ Camera No 1 ☐ 2 ☐
- 1.10 Total number of people in HH _____ 1.11 Number of main labours:_____
- 1.12 Vulnerable HH: (select relevant)
- | | | | |
|---------------------------|----------------------------|--------------------------|----------------------------|
| 1.12.1 Elderly Head of HH | <input type="checkbox"/> 1 | 1.12.2 Handicapped | <input type="checkbox"/> 2 |
| 1.12.3 Ethic Minority HH | <input type="checkbox"/> 3 | 1.12.4 Others (specify) | <input type="checkbox"/> 4 |
- 1.13 Does the encroached land is your primary source of income? ☐ 1- No ☐ 2- yes
- 1.14 Which HH members are reponsible for the primary source of income (select one only)
- | | | | |
|--|----------------------------|---------------------------|----------------------------|
| 1.14.1 HH Head only | <input type="checkbox"/> 1 | 1.14.2 HH Head and spouse | <input type="checkbox"/> 2 |
| 1.14.3 HH Head and spouse and adult children | <input type="checkbox"/> 3 | 1.14. Adult children only | <input type="checkbox"/> 4 |
| 1.14.5 Others (please specify)):..... | <input type="checkbox"/> 5 | | |
- 1.15. Estimated total monthly HH income (primary + secondary + others): VND.....
- 1.16. Estimated average monthly expenditures for food : VND

Note:

2. PRELIMINARY DRAW OF AFFECTED ASSETS AREA : corridor of impact (COI):.....m (land type.....) Chainage :
.....

<div>← Direction</div>		Right <input type="checkbox"/>
<div>↑ Centerline ↓</div>	<div></div>	
	<div>Corridor of impact (COI)</div>	Left <input type="checkbox"/>
<div>Assets description:</div>		

3. Acquired land:

Total inused land (including other places): 1.11.1 Resident land :.....m2 1.11.2 Agricultural land:.....m2 1.11.3. others:.....m2 (specify.....)

[illegible]

Note:

(1) Type of land: 1. Annually tree growth, aquaculture 2. Perennial land 3. Forestry 4. Sold product land 5. Rural resident land 6. Urban resident land

(9) Location, grade: According to Decision of Provincial people committee (Guidance in the attached appendix)

(10) Legal status: 1. Legal 2. Illegal 3. Borrow /occupation year date, month, year

(12) Location of replacement land: Village, commune

(15) Coefficient: Permanent acquirement, legal land, Land owner: Factor 1 Permanent acquirement, temporary onwed land and borrowed land: Factor 0.3

Temporary acquirement:

4. LAND TENURE (to be filled up if necessary)

4.1 Land Tenure: Type of land: Chainage/Location/Plot No.....

Land tenure	Yes (1)	No (2)	Clarification	
4.1.1 Owner:				
4.1.2 Any land dispute?			4.1.3 Reason:	
4.1.4 Any co-ownwer?			4.1.5 Name of co-owner	
			4.1.6 Your share	%
4.1.7 Photo of affected assets?				

Land Tenure: Type of land: Chainage/Location/Plot No.....

Land tenure	Yes (1)	No (2)	Clarification	
4.1.1 Owner:				
4.1.2 Any land dispute?			4.1.3 Reason:	
4.1.4 Any co-ownwer?			4.1.5 Name of co-owner	4.1.4 Any co-ownwer?
			4.1.6 Your share	
4.1.7 Photo of affected assets?				

5. ASSETS ON THE ACQUIRED LAND

[illegible]

Note:

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6. TREES, CROPS, FISH, SALT etc ON THE ACQUIRED LAND

[illegible]

Note:

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.....

.....

7. OTHER LOSSES (Including income)

Type of loss	Plot Number/ Chainage	Calculation method	Compensation cost	Note
Rent from house				
Rent from shop/business				
Rent from land				
Income loss-shop/business				
Income loss-sale of fish from fish pond				
Income loss-other (specify)				
Others (specify)				

Note:

8. BUSINESS AND EMPLOYEES

8.1. is your business? ☐ 1- Registered, Registration number ☐ 2- Small household business (refer to 8.4).....

8.2 If business is registered, what are the after-tax revenues per month from your business?.....

8.3 Does this income vary: ☐ 1- yes ☐ 2- no, Month to month ☐ 3- No, Season to season ☐ 4- Others (specify):

8.4 If you have employees (for example employees of registered businesses, small household businesses, hired labour for farming/shrimp farming, etc.)

Number	Name of employee	Position (farm laborer, mechanic, clerk, cook..)	Employment status (Full time, Part time, Seasonal, Other (specify))	Income (dong)

Note:

.....

.....

.....

.....

9. SUPPORTING ALLOWANCE AND ASSISTANCES:

No	Item	Yes/no	Unit	Level (rate)	Unit rate	Cost (Dong)	Note
1	Transition allowance						
2	Progress Bonus						
3	Infrastructure development allowance						
4						
5							
6							
7							
8							
9							
10							

Income Restoration Program: Yes ☐ No ☐

Note:

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.....

.....

10. SUMMARY OF COMPENSATION COSTS AND ASSISTANCE ALLOWANCES

A- COMPENSATION IN CASH:

Permanent Acquisition

1. Land: VND.....
2. Strcuture/Assets: VND.....
3. Crops/tressVND
4. Assistance Allowances and Bonus: VND

Temporary Acquisition

5. Land: VND.....
6. Crops/tressVND
7. Assistance Allowances and Bonus: VND

Total compensation costs and allowances in cash: VND

(In words.....)

B- COMPENSATION IN REPLACEMENT LAND:m2

(In words:.....)

C- COMPENSATION IN REPLACEMENT MATERIALS:

[illegible]

11. CERTIFICATION

I,....., Head of HH agree that as soon as compensation is received, that the HH shall dismantle all structures, remove crops, and trees on acquired land by the notified date, when the site should be handed over to the DRC of And commits that the HH shall not reoccupy acquired land and not cause any difficulties for contractors during construction implementation in any ways. It is recognized that addition impacts not detailed above will be discussed and negotiated with the APs as soon as possible.

Attach certified copies of the following documents within 15 days:

.....
.....
.....
.....
.....
.....Date:Month.....Year 200.....

AP Representative
(Sign, Fullname)

APs Representative
(Sign, Fullname)

CPC Representative
(Sign, Fullname)

Consultant
(Sign, Fullname)

DRC Representative
(Sign, Fullname)

PPMU Representative
(Sign, Fullname)

Thanh Hoa City Comprehensive Socioeconomic Development Project

TERMS OF REFERENCE FOR THE CONDUCT OF REPLACEMENT COST STUDY (DRAFT)

I. Objectives

The team shall verify and establish compensation rates for land, crops, trees, structures, and other non-land based income (e.g. fishponds) to ensure that Project Affected Persons (APs) are compensated at replacement costs.

II. Approach

The establishment of replacement costs will be carried out based on information collected from both Desk research and Direct interviews with people in affected area, both those persons who are affected and those not affected.

Desk research will focus on relevant publications, materials of Government authorities, both at central and local levels. However, these materials will play the supporting role only. As the work is aimed at obtaining reasonable replacement costs for different types of affected assets, market evidences are the factors which most strongly base the formulation of these costs. Direct interviews with people in the affected area, both those, whose assets are affected by the Project and those, whose assets are not, will produce reliable data for establishment.

III. Basis for Valuation

The basis for valuation assessment of both land and real estate should be (i) research and market investigations carried out by the Valuer, (ii) accumulated market evidence already held by the valuation organization, (iii) the results of any valuation surveys carried out by any other organization that is available and (iv) survey maps of the land to be valued and surrounding land.

3.1 Data collection

The methodology, data to be collected, as presented below can be modified as necessary. Sample size will be determined by the valuer.

3.1.1 Structures

The objective of this establishment is to determine whether the city prices will enable APs to rebuild their affected structures. The establishment of compensation for affected structures is based on the principle of replacement cost. The information to base the establishment will mainly be collected from direct interviews with parties involved, including owners of structures (both those whose structures are affected by the Project and those whose structures are not affected), construction contractors specialized in residential building.

The interviews will be conducted based on a pre-developed interview guide, which will cover the following issues:

- Interviews with owners of structures:
- Construction materials:

- + Main materials they used for their current structures
- + Type of shops where they bought construction materials
- + Distance of transport
- + Origin of the materials (local or overseas)
- + Costs of various materials
- Labor
 - + Who built the structures: Owners themselves or Contractors, if owners built themselves, they use their own labor or hire other people

Interviews with construction contractors:

- Main materials which are most used by the local people to build their structures
- Costs of those main materials
- Cost of labor
- Average construction cost (cost per sq.m floor) for different types of houses according to different categories
- Validation of provincial construction prices (cost per sq.m floor for each category)

The structures will include but not limited to the following:

- Houses
- Kitchens (in case they are separated from houses)
- Toilets, bathrooms (in case they are separated from houses)
- Breeding facilities
- Wells
- Any other structure associated to the house

3.1.2 Land

The objective of this establishment is to determine whether the provincial prices are sufficient or not to purchase the same quality and quantity of land. The establishment of compensation for the loss of land is based on its market value. The best way to obtain this market value is to gather data of some sales of land, which have just taken place. However, the transfer of land use right does not always go along with such sales, which makes details of such sales not recorded. The team will make their best effort to collect those sales evidence to support the verification of city prices. In addition, information to base the establishment will be collected from direct interviews with owners of land in Project affected area, including those, whose land is affected and those whose land is not. The interviews will cover the following issues:

- The recent land use rights transfer in the area
- The price, at which owners (affected and not affected persons) are willing to sell their land

Price of land will be differentiated based on the use of land, including:

- Residential land
- Garden land
- Agricultural land
- Land with water surface for fishery cultivation

The price of agricultural and land with water surface for fishery cultivation will also be differentiated by quality of land and its capacity to produce income for the households.

Apart from determining the rates for various types of land. The valuer also need to determine the transaction costs involved such as administrative charges, taxes, registration and titling costs. The valuer should bear in mind that when establishing replacement cost for each type of assets, transaction costs should be clearly specified and should be shouldered by the Project.

3.1.3 Crops and Trees

The objective of this establishment is to determine whether the provincial prices paid to APs are equivalent, lower or higher than the average market price. The basis of the establishment is to determine the average market price for each type of crops and trees. The information to base the establishment will be collected from:

- Secondary sources
 - + Publications of respective ministries (environment, agriculture, forestry)
 - + Publications of Price Committee (if available)
- Primary source:
 - interviews with people who own the same crops and trees in the locality. The interviews will cover:
 - + Price, at which owners are willing to sell each type of their crops and trees. The prices for perennial trees will be differentiated by the age of the trees.
 - Market, team will investigate the sales price of outputs of different types of crops and trees in the market.

3.1.5 Other community-based development projects and other facilities (electric posts, water supply system, water pipes)

For those facilities, the establishment will be based on the replacement costs. Similarly in the case of structure, cost to construct those facilities will be determined to see whether the compensation is enough to reconstruct them. Information to base the evaluation will be conducted with officials in charge of constructing such facilities to determine material cost and labor cost.

IV. Replacement Cost = Current Market Value + Transaction Cost

Apart from determining the rates for land and non-land assets indicated above. The valuer also need to determine the transaction costs involved such as administrative charges, taxes, registration and building permit costs. The valuer should bear in mind that when establishing replacement cost for each type of assets, transaction costs should be clearly specified to ensure that these expenses or costs are shouldered by the Project and should not be deducted from the compensation payment that each AP will receive. A separate section in the report should present how transaction costs are calculated.

V. Establishment of Replacement Cost.

A. Current Market Value

Based on the activities carried out, (i) present the methodology used and (ii) prepare a table and discuss among the team the unit rates to be applied for the project.

Table:

Type	Government Rates (Date)	Current Market Value	Proposed Project Unit Rate
Example Only Land (Agri-Category 1)			
Building Materials			
Cement (per bag)			
Wood			

B. Transaction Costs

<i>Asset</i>	<i>Types of Transaction Cost</i>	<i>Calculation / Formula</i>
<i>Land</i>	<i>Taxes</i>	
	<i>Registration</i>	
	<i>Etc</i>	
<i>House</i>	<i>Building permit</i>	
	<i>etc</i>	

* State administrative charges, taxes, registration, building permits, titling costs, etc.

VI. Eligible Organization

The organization/company must be a licensed valuer to prepare valuations that are (i) prepared using internationally accepted methodologies, (ii) reflect market values and clear transaction costs and (iii) are independent.

SECOND GENERATION IMPREST ACCOUNT RECONCILIATION STATEMENT (SGIARS)

LOAN/GRANT NO. _____

Project Implementation Unit: _____
Account Number _____

With (Bank) _____
Bank Address _____

**1 PRESENT OUTSTANDING AMOUNT ADVANCED
TO THE SGIA NOT YET RECOVERED¹**

LC X,XXX,XXX US\$ XXX,XXX.XX

**2 BALANCE of Imprest account as of _____
per bank statement (copy attached)**

LC X,XXX,XXX US\$ XXX,XXX.XX

**3 ADD: Amounts submitted for PIU for liquidation but not yet
replenished at date of bank statement**

LC X,XXX,XXX US\$ XXX,XXX.XX

<u>Date</u>	<u>Reference</u>	<u>Amount</u>
dd/mmm/yyyy	xxxxx	xxxxx
dd/mmm/yyyy	xxxxx	xxxxx
dd/mmm/yyyy	xxxxx	xxxxx

4 ADD: Petty Cash balance at date

LC X,XXX,XXX US\$ XXX,XXX.XX

**5 UNLIQUIDATED EXPENSES- expenditures withdrawn from
SGIA but not yet claimed for replenishment
(Itemize expenses)**

LC X,XXX,XXX US\$ XXX,XXX.XX

5.1 _____
5.2 _____
5.3 _____
5.4 _____

6 TOTAL ADVANCE ACCOUNTED FOR

LC X,XXX,XXX USD XXX,XXX.XX

Explanation of any discrepancy between totals appearing in lines 1 and 6 above (e.g., earned interest credited to the account, bank charges, etc.):

Authorized Representative

NOTE:

If SGIA is maintained in local currency, please indicate exchange rates used at the time of advance/replenishment from the main Imprest Account.

¹ Total amount advanced should tally with amount shown in item no. 5 (a) of the main Imprest Account Reconciliation Statement (IARS).

PUBLIC CONSULTATION ON RESETTLEMENT

Time/Location/components	Encounters		Consultation/Feed backs
	Local leader/officer	Affected people	
Roads			
i) 08.00- 9.30 AM August 30, 2008 Yen Bien village/ Quang Thang Commune	<ul style="list-style-type: none"> • Mr. Do Anh Bac, Admin. Officer of Quang Thang commune; • Mr. Nguyen Duy Trinh, party's secretary of Yen Bien village • Mr. Ngo Ngoc Phu, chief of block • Mr. Nguyen Duy Oanh, chief of block 6 	25 APs	<p>1.Consultant: 1)To notified project to the local; 2) to examine local's livelihood/occupation; 3) local's point view reagarding feasibility project; 4) advantages/issue to the local regarding land acquisition/job transaction; 5) consulted about compensation price/ assistant for affected households;</p> <p>2. Comments/suggestions from local APs:</p> <ol style="list-style-type: none"> 1. Mr. Thuan and Mr. Trinh showed willingness towards proposal project; besides addressed/suggested that the compensation price should following the actual at the period of inventory; 2. Mr Trinh: Project should disclosure at commune's bulletin all the informations regarding land acquisition inventories, list of affected househols, applying price, and so on. Aslo expected that project will not caused adverse impact on dailly living of local residents because of unequal/incommensurate compensation; 3. Mr. Tinh: <ul style="list-style-type: none"> + Looking for finance assistant from the project, of which able borrowing money for transaction into husbandary. + Provide job training for young people of affected households; 2. Mr. Vinh: Expected that project will soon finished and so that people can stablize their living and production <ul style="list-style-type: none"> + The compensation should following market price at the inventory period
ii) 1.30-3.00 PM August 30, 2008 Khu Bac village/ Quang Thang Commune	<ul style="list-style-type: none"> • Mr. Do Anh Bac, Admin. Officer of Quang Thang commune; • Mr. Mai Huu Quy, chief of block 7 	26APs	<p>1.Consultant: 1)To notified project to the local; 2) to examine local's livelihood/occupa-tion; 3) local's point view reagarding feasibility project; 4) advantages/issue to the local regarding land acquisition/job transaction; 5) consulted about compensation price/ assistant for affected households;</p>

	<ul style="list-style-type: none"> Mr. Truong Sy Trung, chief of block 8 		<p>2. Comments/suggestions from local APs:</p> <ol style="list-style-type: none"> Mrs. Yen Thi Gioi : Expected for an ediquately compensation price, also with assistants from gov. And the project regarding benefit of Aps ; Mr. Dinh: Project should also acquire any the piece of land of which after occupied, the rest area is defined too small and doesn't enough for culvitation; Have good policy for job transaction. Mr. Vi: PPMU should keep project's implementation in line with noticed schedule.
<p>iii) 3.30 -5.00 PM August 30, 2008 Thanh Yen village/ Quang Thanh Commune</p>	<ul style="list-style-type: none"> Mr. Le Van Toan, vice-chief of village Mr. Truong Tien Dung, Land management officer 	17 APs	<p>1.Consultant: 1)To notified project to the local; 2) to examine local's livelihood/occupation; 3) local's point view reagarding feasibility project; 4) advantages/issue to the local regarding land acquisition/job transaction; 5) consulted about compensation price/ assistant for affected households</p> <p>2. Comments/suggestions from local APs:</p> <ol style="list-style-type: none"> Mr. Ngo Xuan Hat and Mr. Bui Xuan Tiep: <ul style="list-style-type: none"> + Expected to be clarify about assistant policy for Aps + Epexted for commensurate compensation + APs need to be given training for job transaction. Mr. Hoang Ngac: <ul style="list-style-type: none"> + If possible, project should help complete 800 m of main water supply pipe to the village which was unfinished by Thanh Hoa WSC. + In case inadiquately compensation, it's needed to held negotiation between APs and PPMU untill satisfying. Mr. Dao Van Ben: <ul style="list-style-type: none"> + Project should also acquire any the piece of land of which after occupied, the rest area is defined too small and doesn't enough for reculvitation. + Project should take into account predictions of possible impacts while implement the works (such as preserve the irr gating/drainaging system to the Le river, of which might be corrupt after construction

			<p>new works.</p> <ul style="list-style-type: none"> + Pay consideration to environmental impacts on local residents while construction. + Pay care to elderly APs whoms are single or without the help. + To disclosure project's informations to the public and so that people can access/monitoring implementation.
<p>iv) 07.00- 09.00 August 31, 2008 Block 9 Quang Thang commune</p>	<ul style="list-style-type: none"> • Mr. Do Anh Bac, Admin. Officer of Quang Thang commune • Mr. Le Xuan Luu, chief of block 9 • Mr. Trinh Van Khang, party secretary 	14 APs	<p>1.Consultant:</p> <p>1)To notified project to the local; 2) to examine local's livelihood/occupation; 3) local's point view reagarding feasibility project; 4) advantages/issue to the local regarding land acquisition/job transaction; 5) consulted about compensation price/ assistant for affected households</p> <p>2. Comments/suggestions from local APs:</p> <ol style="list-style-type: none"> 1. Mr. Hai: Proposed reside to a stable relocation area of the city with the equivalent infrastructure condition of existing; 2. The compensation amount must ensure exchangeable to a new relocation area, because APs don't want paying more than current on account of leave for the project; 3. Mr. Thuc: As actual, the land use right by certificate of several households are less than the real existing, because since 1980s they were themselves reclaimed the extension area. So the compensation should pay at the rate of inventory area.
<p>v) 15.00 – 17.00 September 9, 2008. Mat Son 3 village Dong Ve Commune</p>	<ul style="list-style-type: none"> • Mr. Nguyen Cong Hoan, chairman of Mat Son co-operative; • Mr. Nguyen The Bao, clerk; • Mr. Nguyen Tran Xuyen, chief of village 1; • Mr. Nguyen Dinh Truyen, chief of village 2 	53 APs	<p>Consultant:</p> <p>1) To notified project to the local; 2) to examine local's livelihood/occupa-tion; 3) local's point view reagarding feasibility project; 4) advantages/issue to the local regarding land acquisition/job transaction; 5) consulted about compensation price/ assistant for affected households</p> <p>2. Comments/suggestions from local APs:</p> <ol style="list-style-type: none"> 1. Mr. Nguyen Huu Thao: The most concern is about compensation price. 2. Mr. Chuyen: project should acquisite entirely the plot(s) of land in

	<ul style="list-style-type: none"> Mr. Le Dinh Hung, Chief of village 3; Pham Huu Toan, accountant 		<p>case 2/3 of land to be revoke, because with 1/3 remaining it's hard to cultivating;</p> <p>Project should give corresponding training courses for job transfer</p>
vi) 16.00-17.30 Thanh Mai village Quang Thanh commune	<ul style="list-style-type: none"> Mr. Nguyen Thanh Tuan, chief of Thanh Mai village; Mr. Dinh Xuan Tuan, rep. for local APs Mr. Dung, land management office 	10 APs	<p>Consultant:</p> <p>1) To notified project to the local; 2) to examine local's livelihood/occupa-tion; 3) local's point view reagarding feasibility project; 4) advantages/issue to the local regarding land acquisition/job transaction; 5) consulted about compensation price/ assistant for affected households</p> <p>2. Comments/suggestions from local APs:</p> <ol style="list-style-type: none"> Mr. Nguyen Van Gipa: Support the proposal project. Local APs are most concern is about compensation price; Mr. Trinh Van Tich: Project should disclosure the MP to the local and so that people possible arrange production/haverts; Mr. Bui Van Tac: project should acquisite entirely the plot(s) of land in case 2/3 of land to be revoke, because with 1/3 remaining it's hard to cultivating; Mr. Dinh Xuan Tuan: Project should give corresponding training courses for job transfer Project should pay attention to environmental impacts while carrying out construction.
vii) 9.00-10.00 September 4, 2008 Tan Son ward	<ul style="list-style-type: none"> Mr. Le Dinh Quy, Chairman Mrs. Nguyen Thi Hop Land management officer 	7 APs	<p>1. Consultant:</p> <p>1) To notified project to the local; 2) to examine local's livelihood/occupation; 3) local's point view reagarding feasibility project; 4) advantages/issue to the local regarding land acquisition/job transaction; 5) consulted about compensation price/ assistant for affected households</p> <p>2. Comments/suggestions from local APs:</p> <ol style="list-style-type: none"> Generally, the compensation rates for agricultural land, resident land, houses and other structures affected by development projects - as stipulated by the Thanh Hoa City People's Committee in 2008 - are low and not equivalent to current market value of assets. In some

			<p>project's severely affected households who lost much of their agricultural land complained that the assistance was inadequate for their job transition or retraining; some other projects have impacted on surrounding areas in terms of transportation and irrigation system of local communities;</p> <ol style="list-style-type: none"> 2. Compensation rates should be reasonable and equivalent to market prices, and help APs to restore their living conditions at least at pre-project conditions; 3. Mr Trung's family expected reside to new relocation area nearby the existing living also with a resonable compensation for him to stable living condition. 4. Local leader suggest that the attention should pay to family of Mr Trung, because this is social care one.
<p>viii) 15.30 -17.00 September 4, 2008 Quang Dai Co-operative Dong Ve ward</p>	<ul style="list-style-type: none"> • Mr. Nguyen Xuan Huan, chairman of Quang Dai co-operative; • Mr. Nguyen Van De, vice- chair; • Mrs. Pham Thi Luyen, accountant 	37 APs	<p>1. Consultant:</p> <p>1) To notified project to the local; 2) to examine local's livelihood/occupation; 3) local's point view reagarding feasibility project; 4) advantages/issue to the local regarding land acquisition/job transaction; 5) consulted about compensation price/ assistant for affected households</p> <p>2. Comments/suggestions from local APs:</p> <ol style="list-style-type: none"> 1. Mr. Nguyen Huu Mac: Project should pay consideration to APs after land acquisition; Give priority for APs households in job transaction To protect environment; 2. Mr. Nguyen Van Kim: Expects this project will tobe come true and would finished as proposed scheme, should not on the paper project; 3. Serveral previously projects still remain bad impacts on environment and unequal on compensation which directly affected local residents. Do hope this project make a change. 4.

Education			
ix) 14.00-16.00 September 4, 2008 Block 5+6 Dong Cuong Commune	<ul style="list-style-type: none"> • Mr. Le Ngoc Lay – Chief of block 6; • Mr. Nguyen Thai Lan, chief of block 5 • Mr. Nguyen Xuan Toan, party's secretary of block 5; • Mr. Le Xuan Nghinh, party's secretary of block 6; 	139 APs	2. Comments/suggestions from local APs: <ol style="list-style-type: none"> 1. Le Do Vuong and Mr Le Van Su: All the area proposed acquire for the project is land of grade I, with very high productivity. Project should take in to account/think about the substitute location where the area to be acquired should be of exhausted land/low productivity land; 2. Project should give corresponding training courses for job transfer, especially for young generation to reduce social evils of which can caused by jobless after land acquisition; 3. Compensation rates should be reasonable and equivalent to market prices, and help APs to restore their living conditions at least at pre-project conditions. 4. Project should predict of possible impacts or plan to built the substitute work while implement project of which might be corrupt the existing irrigating system after construction new works.
Waste water Treatment			
x) 20.00-21.30 Truong Son village Quang Thinh Commune	<ul style="list-style-type: none"> • Mr. Le Van Quy, party's secretary • Mr. Do Khac Lam, Head of village; • Mr. Le Van Hung, public security officer 	145 APs	1.Consultant: <p>1)To notified project to the local; 2) to examine local's livelihood/occupa-tion; 3) local's point view reagarding feasibility project; 4) advantages/issue to the local regarding land acquisition/job transaction; 5) consulted about compensation price/ assistant for affected households;</p> 2. Comments/suggestions from local APs: <p>+ Expected for an ediquately compensation price, also with assistants from gov. and the project regarding benefit of Aps ;</p> <p>+ Project should also acquire any the piece of land of which after occupied, the rest area is defined too small and doesn't enough for cultivation;</p> <p>+ Creat favorable condition/give training course for job transaction.</p>