RESSETLEMENT ACTION PLAN

VIET NAM EMERGENCY NATURAL RISK DISASTER RECONSTRUCTION PROJECT (ENDR)

Ha Tinh Subproject
RESETTLEMENT ACTION PLAN
Ha Tinh Subproject

VIET NAM EMERGENCY NATURAL RISK DISASTER RECONSTRUCTION PROJECT (ENDR)

REPRESENTATIVE OF CLIENT  CONSULTANT FIRM

JUNE, 2017
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CURRENCY EQUIVALENT
(As of 05/05/2017)

Unit – Dong (VND)

$1.00 = VND 22,700

ABBREVIATIONS

AHs AFFECTED HOUSEHOLDS
PMU PROJECT MANAGEMENT UNIT
GoV GOVERNMENT OF VIETNAM
DMS DETAILED MEASUREMENT SURVEY
DRC DISTRICT COMPENSATION AND RESSETLEMENT COMMITTEE
FS FEASIBILITY STUDY
WB WORK BANK
RPF RESSETLEMENT POLICY RESSETLEMENT
TOR TERM OF REFERENCE
PC PEOPLE’S COMMITTEE
## GLOSSARY

**Affected persons (APs)**  Individuals, organizations or businesses that are directly affected socially and economically by WB-funded projects caused by the involuntary taking of land and other assets that results in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location. In addition, affected person is one for whom involuntary restriction of access to legally designated parks and protected areas that result in adverse impacts on livelihoods also.

**Cut-off-date**  Is the date when the PPC issues the Notification of Land acquisition for the relevant project (Article 67.1 of Land Law 2013) before implementation of detailed measurement survey. Affected persons and local communities will be informed of the cut-off date for each project’s component, and that anyone moving into the project component areas after that date will not be entitled to compensation and assistance under the Project.

**Eligibility**  The criteria to receive benefits under the resettlement program.

**Entitlements**  Include compensation and assistance for APs based on the type and extent of damage.

**Income (livelihood) restoration**  A set of activities to be provided to the affected people who lost income sources or means of livelihoods to restore their income and living standard, as equal to or better than pre-project level.

**Inventory of Losses (IOL)**  Is process of accounting for physical assets and income affected by project.

**Livelihood**  A set of economic activities, involving self-employment, and or wage employment by using one’s endowments (both human and material) to generate adequate resources for meeting the requirements of the self and household on a sustainable basis with dignity.

**Project impact**  Any consequence immediately related to the taking of a parcel of land or to restrictions in the use of legally designated parks or protected areas. People directly affected by land acquisition may lose their home, farmland, property, business, or other means of livelihood. In other words, they lose their ownership, occupancy, or use rights, because of land acquisition or restriction of access.

**Replacement cost**  The term used to determine the amount sufficient to replace lost assets and cover transaction costs. For losses that cannot easily
be valued or compensated for in monetary terms (e.g. access to public services, customers, and supplies; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities.

**Resettlement**

In accordance with the World Bank’s Operational Policy on Involuntary Resettlement (OP 4.12), it covers the involuntary taking of land that results in (i) relocation or loss of shelter, (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location.

**Severely Displaced Person**

Means DPs who will (i) lose 20% (10% for vulnerable households) or more of their total productive land and assets and/or more of their total income sources due to the Project, (ii) have to relocate.

**Stakeholders**

Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.

**Vulnerable groups**

Groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) women headed household (single, widow, disabled husband) with dependents, (ii) disabled (loss of working ability), the elderly alone, (iii) poor people according to the criteria issued by the MOLISA, (iv) the landless, and (v) ethnic minority people.
EXECUTIVE SUMMARY

Description of the Project

1. The Government of Vietnam proposed to borrow a loan from the World Bank for Vietnam Emergency Natural Disaster Reconstruction Project. The investment project will be implemented in five provinces of Ha Tinh, Quang Ngai, Binh Dinh, Phu Yen and Ninh Thuan. The Project Development Objective (PDO) is to reconstruct and rehabilitate infrastructure assets in disaster-affected project provinces (85 percent) and strengthen the capacity of the Government to effectively respond to future disaster events (15 percent). The PDO will be achieved by rebuilding key infrastructure assets based on a ‘build back better’ approach emphasizing all stages of infrastructure life cycle including design, construction, and maintenance and strengthening institutional capacities for climate and DRM. The Project consists of four main components:

   - Component 1: Resilient Reconstruction of Flood-Damaged Infrastructure at the Provincial Level
   - Component 2: Disaster Recovery Capacity Enhancement
   - Component 3: Project Management

Objectives of Resettlement Action Plans (RAPs)

2. With regard to land acquisition, 02 RAPs will be prepared for Ha Tinh province Subproject, of which the first will cover work items to be implemented in the first 18-month phase and the later to be prepared for the remaining works items. This RAP report is prepared for works items under the first 18-month phase, and to guide activities of land acquisition and compensation during project implementation in Ha Tinh province. The report is prepared based on inventory of losses (IOL) in the project area, replacement cost survey, review and check entitlements set-out in approved RPF in the context of actual impacts by the Ha Tinh subproject. This Resettlement action plan contains scope of impacts resulting from land acquisition and resettlement, policy principles on entitlements and eligibility for compensation, implementation arrangements; monitoring and evaluation, community’s participation and consultation, grievances and grievance redress mechanism, cost estimate...

Scope and Impacts of Land Acquisition

3. The implementation of works items under first 18-month phase in Ha Tinh province will affect 47 households, of which 22 households are directly affected by land acquisition and 25 households are indirectly or economically affected by cultivation on land area managed by commune/ward PCs.

4. It is estimated that $9,939 \mathrm{m}^2$ of land owned by 22 households, 05 commune/ward PCs will be acquired. Of which, Agricultural land area: 750 \mathrm{m}^2; Public land area: 9,189 \mathrm{m}^2 managed by 05 commune/ward PCs include specialized land, river, stream land and transport land.

5. In addition, the Subproject’s works items implementation also temporarily affects 4,700 \mathrm{m}^2 of public land managed by commune/town PCs.

6. Out of 47 households affected with land and asset on land, none of households is affected with residential land, houses and have to relocate. However, 06 vulnerable households are severely affected by losing 10% or more of agricultural land area.
7. Out of 47 households affected by the Subproject’s works items implementation under the first 18-month phase, 12 households fall into vulnerable group (including, 04 poor households; 2 policy households; 01 elderly households and 05 households with woman-headed with independents).

Mitigation Measures

8. In the process of project designing, Ha Tinh Provincial Project Management Unit of Dam Rehabilitation and Safety Improvement Subproject (now Ha tinh agriculture and rural development work construction project management unit) have cooperated closely with the project preparation consultants and resettlement consultant to avoid or minimize scope of land acquisition. Measures to minimize the negative impacts of the project were carried out by studying the project design plans in order to not only promote the project investment efficiency but also minimize magnitude of the land acquisition.

9. Simultaneously, the plans to minimize the temporary impacts in the construction phase have been studied and proposed, in order to avoid and/ or minimize these impacts during the implementation of project.

Policy Framework and Entitlements

10. The entitlements for affected households of Ha Tinh sub-project will be complied with WB’s policy on involuntary resettlement (OP/BP 4.12) and the laws, regulations of the GoV and the Resettlement Policy Framework (RPF) which has been agreed between the Government of Vietnam and the World Bank.

11. The basic principles applied for the preparation of this Resettlement Plan is that all AHs of the project (APs) will be compensated at replacement cost and assisted with restoration measures to help them improve or at least maintain the living conditions and the capacity to make income before the project.

Livelihood Restoration Program

12. Livelihood restoration program is an important activity of the compensation, assistance and resettlement plan. In this project, a vocational training and job introduction program will be provided by the Job Introduction Center under the Department of Labor - Invalids and Social Affairs of Ha Tinh Province, contributing to restore the AH’s livelihoods and ensure their living standards at least equal to or better than the pre-project level. In addition, if at the AH’s demands, they will also get a loan from the Social Policy Bank of Ha Tinh Province for household economy development with preferential policies and specific instructions and/ or free costs of procedures and related papers.

Implementation Arrangements

13. The compensation, assistance and resettlement of the project will be subject to the management and supervision of Ha Tinh Provincial Project Management Unit of Dam Rehabilitation and Safety Improvement Subproject and implemented by the District/City Land Fund Development Center (LFDC)/ the District/City Compensation and Resettlement Committee (CRC). During the implementation process, there should have the close coordination between the members of the Compensation and Resettlement Councils. In the implementation process, these organizations should have close coordination with the relevant authorities, the authorities at wards/ communes level and the communities in the project area to ensure that the compensation, assistance and resettlement activities are performed openly, transparently, at time-bound and in compliance with the approved RAP.

Consultation and Participation
14. The RAP is prepared with the close coordination of the local authorities, representative of local community and affected people. Local authorities at the wards, communes and representatives of the affected households were involved in the consultations through the various forms and channels, including meetings and public consultations, questionnaire-based survey for almost of households in the project area. Information collected during the consultation will serve as a basis for preparing resettlement policy of the project, including compensation plan and income restoration program.

**Monitoring and Evaluation**

15. This RAP will be implemented under the supervision of Ha Tinh Provincial Project Management Unit of Dam Rehabilitation and Safety Improvement Subproject. At the same time, Ha Tinh PMU will also recruit an independent monitoring agency/individual for monitoring the implementation of the RAP.

16. Upon completing the project, the independent monitoring agency (IMA) will also evaluate to determine whether or not the objectives of the resettlement policy have achieved. In case it is found that these objectives are not achieved; Ha Tinh Provincial Project Management Unit for Dam Rehabilitation and Safety Improvement Subproject will propose the follow-up measures as the basis for the World Bank to continue the monitoring until WB finds it suitable.

**Grievances and Redress Mechanism**

17. The Project will establish a Grievance Redress Board to support in resolving and monitoring the processes related to grievances, complaints and inquiries as a result of the project intervention. The mechanism established by the project aims to allow affected persons (APs) to lodge their complaints and receive the resolutions under the project’s resettlement policy framework (RPF) and the project’s operational guidelines. The Ha Tinh PMU’s officers in charge of resettlement will also work directly with AHs as an official first step of resolving complaints prior to coming up with the Grievance Redress Board. The AHs will be fully informed of the information of grievance redress mechanism via the appropriate measures.

**Cost Estimate**

18. Cost estimate for implementing this RAP is VND 651,185,600 (equivalent to US$ 28,687). This budget includes costs of compensation/ assistance for land, structures, assets affected by project, the income restoration program, transitional assistance, cost of monitoring and evaluation, cost of implementation management and contingency. Estimated cost for the site clearance will be updated according to the detailed design and the time of land acquisition based on the results of the independent valuation agency).

19. All costs for implementation of compensation, assistance and resettlement, replacement cost survey, resettlement training (if any), and independent monitoring will come from counterpart fund.
1. PROJECT DESCRIPTION

1.1. General Context

1. The Government of Vietnam received a loan from the World Bank for Vietnam Emergency Natural Disaster Reconstruction Project including Ha Tinh, Quang Ngai, Binh Dinh, Phu Yen and Ninh Thuan provinces (hereafter called the ENDR\(^1\)). The project has been implemented to rebuild priority infrastructure works in some flood-damaged provinces in 2016 and to strengthen capacity to effectively respond to future disasters in five provinces. The project will benefit affected persons by natural disasters, including the poor, women and ethnic minorities, by improving access to essential infrastructure and services and increasing adaptation capacity as well as supporting for agricultural production through improvement of irrigation works. Specific investment items by the project have been currently identified with the objectives without causing serious negative social impacts.

2. The project will be completed from 2017 to 2020 with total fund of US $118 million, of which IDA loan is US $ 115 million, including 03 components: 1) Resilient Reconstruction of Flood Damaged Infrastructure; 2) Disaster Recovery Capacity Enhancement 3) Project Management;

3. The Project Development Objective is to reconstruct infrastructure assets in the project areas. The PDO will be achieved by rebuilding key infrastructure assets based on a “build back better” approach emphasizing all stages of infrastructure lifecycle including design, construction and maintenance and strengthening institutional capacities for climate and disaster risk management.

4. Specific objectives of the Project include:

- Repairing, improving and upgrading of production infrastructure (including irrigation works, dykes, river embankments, sea embankments, irrigation canals, domestic water supply, etc.) in order to restore production, protect lives and property of the local people, reduce risks caused by natural disasters.

- Overcoming damages on traffic infrastructure to facilitate travel, business and production development of the people, facilitate transportation of rescue forces, materials and equipment for emergency rescue for local people in flooded and drought areas in case natural resources and floods in the region.

- Support for capacity strengthening of the Client in the project implementation.

1.2. Emergency Natural Disaster Reconstruction – Ha Tinh Subproject

5. The Emergency Natural Disaster Reconstruction Project – Ha Tinh Subproject will be implemented in Ha Tinh province, at locations affected by disaster, in which, the project focuses on rehabilitation of essential infrastructure works to ensure life, restore production and ensure smooth transportation.

6. It is estimated that about 226,527 households living the project districts of Ha Tinh province will benefit directly from the reconstruction and rehabilitation of works of the Subproject. Besides, agricultural production organizations in the region will also benefited from the Subproject thanks to improved irrigation works; saving time and cost of travelling in the project area thanks to improved traffic works.

7. According to preliminary estimation, total estimated investment capital of the Ha Tinh Subproject is US $ 20,2 million. Of which:

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\(^1\) English name of the Project: Vietnam Emergency Natural Disaster Reconstruction Project (hereafter called ENDR).
- Preferential credit loans (IDA) from the World Bank: US $ 18 million
- Counterpart fund of Government of Vietnam: US $ 2,2 million

8. Vietnam Emergency Natural Disaster Reconstruction Project – Ha Tinh Subproject consists of 03 components as follow:

❖ **Component 1: Resilient Reconstruction of Flood Damaged Infrastructures**

   a. **Agriculture and Rural Development**

9. This component will fund rehabilitation and reconstruction of 7.0 km of river dyke, repairing, upgrading of 01 spillway and 02 culverts along with 1.57 km of dyke through 04 works, including: (1) Rehabilitation, repairing of culverts, spillway on river 19/5 and dyke with length of 1.57 km; (2) Rehabilitation, repairing of Huu Nghen dyke, Thach Ha district with L=3.86km; (3) Rehabilitation, repairing, upgrading of Dong Mon dyke, L=3.0 km; (4) Rehabilitation and upgrading of Khe Tria culvert, Nghi Xuan district.

   b. **Transport**

10. This component consists of 05 works items with estimated finance for repairing, rehabilitation, upgrading of transport roads with total length of 22.52km, repairing and newly build bridges, spillway works: (i) Rehabilitation, upgrading of Son Ninh – Son Tien transport roads, Huong Son district with length of 4.78km (from K0+00 to K4+780) and repairing of on-route works; (ii) Rehabilitation, repairing of main roads into center of Son Loc, My Loc communes, Can Loc district; Thach Dai commune, Thach Ha district with total length of 12.04 km and on- route works; (iii) Rehabilitation of bridge and roads at both sides of Hong Phuc and Troc Vac bridges; (iv) Rehabilitation, repairing, upgrading of roadbase and pavement for the provincial road 552, section from Cho Bong market to Ho Chi Minh road: with length of 5.7km and on- route works; (v) Rehabilitation, upgrading of Tan Dua and My Thuan spillway bridges. Details of works under Subcomponents are presented in the Table 1 below.

❖ **Component 2: Capacity Building**

11. In order to well manage construction works and improve the effectiveness of disaster prevention activities, the Project will finance a budget from the counterpart fund of the province to carry out some activities including training, capacity building, community communication and initial costs for O & M activities. These activities will support the sustainable operation and management of works in the future.

12. In addition, the World Bank also commits to find a number of non-refundable aids to carry out a number of research, capacity building and training activities to promote the effectiveness of funded works of the Project. The details of this component will be clarified during the preparation phase of feasibility study report.

❖ **Component 3: Project Management**

13. The objective of this component is to provide support for effective project implementation, including project auditing, monitoring, and mid-term and end-term evaluation, supply of equipment and technical assistance to the PMU during the project implementation process and individual consultancy services and PMU operating costs. This component will also provide reports and project management support to other components. It will provide institutional support and capacity building for project management, coordination, review and evaluation of technical, environmental and social safeguards aspects and project evaluation monitoring. This component will provide workshops to enhance the awareness of management officials and community-related to natural disasters. On the other hand, this
component will also provide budget support for key project officials, including project managers, construction engineers and specialists in the field of natural disaster risk management, compliance monitoring, finance, bidding and other related fields of the Project. These key staff will be hired under Time and Scheduled Contracts of the Project.

**Table 1: Estimated invested works of Ha Tinh province Subproject**

<table>
<thead>
<tr>
<th>No.</th>
<th>Package</th>
<th>Scope of works</th>
<th>List of communes under the works</th>
<th>No. of beneficiaries</th>
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<tbody>
<tr>
<td>A</td>
<td>Component 1: Reconstruction of Damaged Works and Flood Prevention in the future</td>
<td>Repair and reconstruction of spillway, culvert on 19/5 river along Phuc Long-Nhuong dyke, Cam Xuyen district</td>
<td>Cam Phuc commune and Thien Cam town, Cam Xuyen district</td>
<td>43,000</td>
</tr>
<tr>
<td>I</td>
<td>AGRICULTURE AND RURAL DEVELOPMENT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>HT-01-XL</td>
<td>Repair and reconstruction of spillway, culvert on 19/5 river along Phuc Long-Nhuong dyke, Cam Xuyen district</td>
<td>Repair and reconstruction of spillway, culvert on 19/5 river along Phuc Long-Nhuong dyke, Cam Xuyen district</td>
<td>43,000</td>
</tr>
<tr>
<td>2</td>
<td>HT-02-XL</td>
<td>Repair and reconstruction of Huu Nghen dyke in Thach Ha district</td>
<td>Repair and reconstruction of Huu Nghen dyke in Thach Ha district</td>
<td>29,067</td>
</tr>
<tr>
<td>3</td>
<td>HT-03-XL</td>
<td>Repair and reconstruction of Dong Mon dyke from Cut river bridge to Phu bridge in Ha Tinh city</td>
<td>Repair and reconstruction, scope of research of Dong Mon dyke from K16+430 to K19+450 with total length of 3,020m along with works of drainage, transport and local works on dyke.</td>
<td>33,000</td>
</tr>
<tr>
<td>4</td>
<td>HT-04-XL</td>
<td>Repair and reconstruction of Khe Tria drainage, in Nghi Xuan district</td>
<td>Khe Tria culvert and access canal over culvert</td>
<td>Xuan Vien commune, Nghi Xuan district</td>
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<tr>
<td>II</td>
<td>TRANSPORT</td>
<td></td>
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</tr>
<tr>
<td>1</td>
<td>HT-05-XL</td>
<td>Rehabilitation and upgrading of the road with length of 4.78km (from K0+00 to K4+780) and repairing of on-route roads;</td>
<td>Rehabilitation and upgrading of the road with length of 4.78km (from K0+00 to K4+780) and repairing of on-route roads;</td>
<td>Son Ninh, Son Tien, Son Hoa, Son An, Son Tien communes, Huong Son district</td>
</tr>
<tr>
<td>2</td>
<td>HT-06-XL</td>
<td>Route 1: Km0 + 0.00 connects with concreted road at Son Loc commune’s center, ending point at Km 4+347,11 connects with hamlet</td>
<td>Route 1: Km0 + 0.00 connects with concreted road at Son Loc commune’s center, ending point at Km 4+347,11 connects with hamlet</td>
<td>Son Loc, Ngoc Son communes, Thach Ha district</td>
</tr>
<tr>
<td>No.</td>
<td>Package</td>
<td>Scope of works</td>
<td>List of communes under the works</td>
<td>No. of beneficiaries</td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td>----------------</td>
<td>----------------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>1</td>
<td>Son Loc and My Loc communes in Can Loc district, Thach Dai commune, Thach Ha district</td>
<td>10, Ngoc Son commune.</td>
<td>My Loc commune, Thach Ha district</td>
<td>7,500</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Route 2: Km0+0.00 connects with National Highway 15B chainage at km4+010, ending point at Km1+591.71 connects with concreted road of My Loc commune.</td>
<td>Route 3: Starting point at Km0+00 connects with Quan Gac – Thach Dai roads, ending point at Km6+102.28 connects with the main road of Thach Huong commune.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Route 3: Starting point at Km0+00 connects with Quan Gac – Thach Dai roads, ending point at Km6+102.28 connects with the main road of Thach Huong commune.</td>
<td>Thach Dai, Thach Huong communes, Thach Ha district</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>HT-07-XL Rehabilitation of Hong Phuc, Troc Vac bridges and road on both side of bridges</td>
<td>Bridge and road on both side of Hong Phuc bridge, Hong Linh town</td>
<td>Thuan Loc commune, Hong Linh town</td>
<td>12,900</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Troc Vac bridge</td>
<td>Kim Son 1 commune, Huong Son district</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>HT-08-XL Repair and reconstruction of provincial road 552 - section from Cho Bong bridge to Ho Chi Minh road</td>
<td>Rehabilitation of the provincial road 552, section from Cho Bong bridge to Ho Chi Minh road</td>
<td>Duc Bong commune, Vu Quang town, Vu Quang district</td>
<td>20,000</td>
</tr>
<tr>
<td>5</td>
<td>HT-09-XL Repair and reconstruction of Tan Dua and My Thuan spillway bridge</td>
<td>Tan Dua spillway across Ngan Sau river</td>
<td>Huong Trach commune, Huong Son district</td>
<td>9,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>My Thuan spillway</td>
<td>Ky Son commune, Ky Anh district</td>
<td></td>
</tr>
</tbody>
</table>

**B Component 2: Capacity Building**

**C Component 3: Project Management**

**Phased Investment**

14. In the above-mentioned list, to priority recover the flood prevention works in the next storm season up to 2017, Ha Tinh province discussed with the concerned agencies and agreed with the division into two (02) phases:

- **First 18-month Items** (estimated to be started since Quarter 3, 2017): including 3 work items: (1) Repair and reconstruction of spillway, culvert on 19/5 river along
Phuc Long-Nhuong dyke, Cam Xuyen district; (2) Repair and reconstruction of Khe Tria drainage, in Nghi Xuan district; (3) Repair and reconstruction of Tan Dua and My Thuan spillway bridge;

- Remaining Items (estimated to be started from Quarter 2/2018): including 06 works (1) Repair and reconstruction of Huu Nghen dyke in Thach Ha district; (2) Repair and reconstruction of Dong Mon dyke from Cut river bridge to Phu bridge in Ha Tinh city (3) Repair and reconstruction of Son Ninh - Son Tien road in Huong Son district; (4) Repair and reconstruction of roads to central of Son Loc and My Loc communes in Can Loc district, Thach Dai commune, Thach Ha district; (5) Rehabilitation of Hong Phuc, Troc Vac bridges and road on both side of bridges; (5) Repair and reconstruction of provincial road 552 - section from Cho Bong bridge to Ho Chi Minh road.

15. Beside activities related to the above-mentioned component, the Project will implement some soft-works such as research on natural disaster emergency response in the next time, activities related to strengthening the community’s participation in disaster emergency response, post-investment asset management activities, etc.

2. OBJECTIVES AND PRINCIPLES OF RESETTLEMENT ACTION PLAN

2.1. Objectives of Resettlement Action Plan

16. Pursuant to Article 51 of Decree No.16/2016/ND-CP dated 16 March 2016 of the Government on management and use of Official Development Assistance (ODA) and concessional loans from donors stating one basic principle in compensation, assistance and resettlement: “Compensation, assistance and resettlement in implementing the program and project will be implemented in accordance with the applicable regulations and international treaty on ODA and preferential loan, of which Vietnam is a member. In case of any differences between GoV’s regulations and provisions of the international treaty, the provisions of the international treaty will prevail”. The Land Law No. 45/2013/QH13, Clause 2, Article 87 states that: “For projects using loans from international or foreign organizations for which Vietnam has committed to a policy framework for compensation, assistance and resettlement, the policy framework will prevail”.

17. Resettlement Policy Framework (RPF) of the project was prepared based on the Resettlement Plan approved by the Prime Minister and cleared by the WB before the time of Agreement negotiation to ensure harmony between the World Bank’s OP/BP 4.12 and the Vietnam's laws and regulations on compensation, assistance and resettlement.

18. Basic objectives:

(i) Involuntary resettlement should be avoided where feasible or minimized by all viable alternative technical designs;

(ii) Wherever involuntary resettlement is unavoidable, resettlement activities should be conceived of and executed as sustainable development programs, providing sufficient investment sources to enable affected persons to share project’s benefits; Directly or

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2 Selection of contractors with ensured capacity, shortening time of selecting contractors aims to urgently recover and reconstruct 2016 flood damaged sections, ensure safety of works and reduce damages in case of flood.

3 Currently, spillway bridges works were collapsed and seriously damaged, local people living along river banks cannot travel, affecting the daily lives of people, therefore, emergency rehabilitation of works mentioned above is so essential to ensure smooth transport connectivity, ensure timely rescue forces, and reduce damages by flood.
indirectly affected persons must be consulted and participated in the process of planning and implementing resettlement programs;

(iii) Affected Persons should be assisted in efforts to improve their livelihoods and living standards or at least to restore them, in real terms, to pre-project levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

19. All projects affected persons (PAPs) who have assets within or reside within the project area before the cut-off date are entitled to compensation for their losses. Those who have lost their income and/or livelihoods will be eligible for livelihood rehabilitation assistance based on the criteria of eligibility defined by the project in consultation with the PAPs. If, by the end of the project, livelihoods have been shown not to be restored to pre-project levels, additional measures will be provided.

20. This RAP will give guidelines for implementing activities related to compensation and land acquisition during the implementation of items that involved in land acquisition, compensation and resettlement regardless of financial sources.

2.2. Scope of Resettlement Action Plan

21. The Emergency Natural Disaster Reconstruction Project – Ha Tinh Subproject consists of 04 components with 09 works items. During the first 18-month phase, the Subproject will take priority over investing 03 works items under Component 1: Resilient Reconstruction of Flood Damaged Infrastructures and Future Disaster Prevention.

22. Hence, this Resettlement Plan is prepared for works items of the Subproject in the first 18-month period, which is summarized as following table:
Table 2: Work Items of Subproject Are Prioritized In the First 18-Month Period

<table>
<thead>
<tr>
<th>No.</th>
<th>Sign of package</th>
<th>Name of package</th>
<th>Location</th>
<th>Objectives</th>
<th>Scope of works</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Component 1: Reconstruction of Flood Damaged Infrastructures and Future Disaster Prevention.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>AGRICULTURE AND RURAL DEVELOPMENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>HT-01 - XL</td>
<td>Repair and reconstruction of spillway, culvert on 19/5 river along Phuc Long-Nhuong dyke, Cam Xuyen district</td>
<td>Cam Phuc commune and Thien Cam town</td>
<td>Repairing, upgrading of spillway, culvert on 19/5 river aims to provide domestic and irrigation water resource for the project area with area of 700ha, along with dyke, contributing to mitigation of flood, protection of lives and property of local people with the protected area of 3300ha.</td>
<td>Culvert 19/5 is open-culvert with 05 gates, width is 2.5m, and bottom is reinforced concrete.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Construction of spillway 19/5 with width of 79m including lock chamber with width of 12.5m.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Upgrading of the right dyke as class 4 dykes with length of 1,142, dyke surface is 2.15m and width is 3.5m. 2m dyke roof’s structure is freestone with reinforced concrete framework, field dyke roof is planted with grass.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Upgrading of left dyke with length of 428.94m</td>
</tr>
<tr>
<td>2</td>
<td>HT-04- Xi</td>
<td>Repair and reconstruction of Khe Tria drainage, in Nghi Xuan district</td>
<td>Xuan Vien commune, Nghi Xuan district</td>
<td>To ensure flood drainage, inundation mitigation, embankment protects 618 ha of production, garden, residential land in Xuan Vien commune.</td>
<td>Study cope of Dong Mon dyke, section from K16+430 to K19+450 with length of 3,020m with works of drainage, transport, and local works on dyke.</td>
</tr>
<tr>
<td>No.</td>
<td>Sign of package</td>
<td>Name of package</td>
<td>Location</td>
<td>Objectives</td>
<td>Scope of works</td>
</tr>
<tr>
<td>-----</td>
<td>----------------</td>
<td>----------------</td>
<td>----------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Ensure travelling of local people, community trade, production development and facilitate emergency rescue for Xuan Vien, Xuan Linh commune in particular, Nghi Xuan district in general.</td>
<td>The bridge has length of 167m, is built by reinforced concrete.</td>
</tr>
<tr>
<td>II</td>
<td>TRANSPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>HT-09-XL</td>
<td>Repair and reconstruction of Tan Dua and My Thuan spillway bridge</td>
<td>Huong Trach commune, Huong Son district</td>
<td>Repairing and upgrading of Tan Dua spillway for transport roads in Huong Trach commune and neighboring communes; repairing and upgrading of My Thuan spillway bridge for transport roads in Ky Son and Ky Lac communes.</td>
<td>Road on both sides of bridge is built as plain 5 class road standard, with width of 7.5m, pavement is 5.5 m wide, road on both sides of bridge is 170m long. The bridge has length of 167m, is built by reinforced concrete.</td>
</tr>
</tbody>
</table>
3. POTENTIAL IMPACTS

3.1. Mitigation Measures of Land Acquisition and Resettlement

2.2.1. Objectives

23. The first principle in the WB's OP/BP 4.12 requirement is to avoid or minimize impacts of land acquisition and resettlement. Wherever involuntary resettlement is unavoidable, adequate compensation for affected households should be applied.

2.2.2. Measures to minimize negative impacts

24. During the project design process, the Ha Tinh Provincial Project Management Unit of Dam Rehabilitation and Safety Improvement Subproject has worked closely with the project preparation consultant and resettlement specialists to avoid or minimize magnitude of land acquisition and to ensure that the scope of resettlement impact is mitigated in all work items or packages in Ha Tinh province.

25. In detail, to mitigate the project impacts of land acquisition and resettlement, to both physically or directly affected households and economically or indirectly affected households, mitigation measures have been implemented as follows:

(i) The Ha Tinh PMU has coordinated with the technical design consulting firms of the project to carry out survey and study on the position and scope of each works item in order to propose the best design options with the aim of minimizing level of land acquisition impacts on households. Technical options for reducing design scales, width of embankments, route alignments or intersections have been analyzed and selected. Accordingly, works items on roads and bridges will be mainly re-built or rehabilitated based on the existing ones. For embankment routes, the best design options have been selected to minimize the impacts that acquired land will be mainly public uses, i.e transport, irrigation and agricultural land.

(ii) During the process of project preparation and the RAP preparation as well, many public consultations have been organized by the Ha Tinh PMU and the resettlement consultant firm in the project area to publicize (i) information on the project and (ii) expected impacts, as well as land acquisition and compensation and resettlement measures, etc. This will enable households to get information about and be aware of the location and benefits of the project as well as expected impacts. From there, it is possible to minimize impacts.

(iii) In the consultations, many issues were raised and discussed: the project assistance and compensation policies, income restoration programs for severely affected households in order to provide corrective measures. All local people are very supportive of the project and expect the project to be implemented soon.

(iv) To minimize the impacts on households living on both sides of the road during the construction/rehabilitation phase, resettlement consultants consulted with the local authorities and the households living along the roads to propose appropriate mitigation measures to each locality. Accordingly, a number of mitigation measures during the construction process will be applied, e.g carrying out the rolling construction, finishing the construction of each section.

(v) As agreed during consultation, construction time will be publicly announced according to regulations to local authorities and affected households so that AHs can arrange suitable farming plans.
The resettlement consultant firm has also organized the meetings with the design consulting units of the project to discuss about location of the local works, public works and the selection of design solutions in order to avoid / minimize negative impacts on local people, etc. At the same time, develop criteria together to minimize impacts during the construction process such as establishment of occupational safety plans (in case construction is close to residential areas), arrangement of suitable materials and tools (signboards, partitions with residential areas, etc.), time, and construction schedule and so on. To minimize temporary impacts during the construction process as well as when the project puts into operation.

Despite application of many mitigation measures as described above, the impacts of land acquisition and site clearance on the project's construction works is inevitable. The scope and impact magnitude of the project in Ha Tinh province are shown in section 3.2 below:

2.3. Scope of Land Acquisition and Resettlement

2.3.1. Overall on Land Acquisition

A survey, including inventory of losses, observations... was carried out for the affected people under work items or packages prioritized during the first 18-month phase with the purpose of determining the loss of land and fixed assets such as works, trees, livelihoods and access to community resources due to land acquisition for the project implementation.

Result of the survey show that the implementation of the subproject works items in the first 18-month phase will affect 47 households. In addition, the project implementation also affects 05 organizations (05 commune/town PCs in the project implementation).

Table 3: Number of Affected Households by the Subproject’s Items within the First 18-Month Phase

<table>
<thead>
<tr>
<th>No.</th>
<th>Sign of packages</th>
<th>Items</th>
<th>Location</th>
<th>No. of affected AHs</th>
<th>No. of affected organizations</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Component 1: Reconstruction of Flood Damaged Infrastructures and Future Disaster Prevention.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>AGRICULTURE AND RURAL DEVELOPMENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>HT - 01 - XL</td>
<td>Repair and reconstruction of spillway, culvert on 19/5 river along Phuc Long-Nhuong dyke</td>
<td>Thien Cam town</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Cam Phuc commune</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>HT - 04 - XL</td>
<td>Repair and reconstruction of Khe Tria drainage, in Nghei Xuan district</td>
<td>Xuan Vien commune</td>
<td>15</td>
<td>1</td>
</tr>
<tr>
<td>II</td>
<td>TRANSPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Sign of packages</td>
<td>Items</td>
<td>Location</td>
<td>No. of affected AHs</td>
<td>No. of affected organizations</td>
</tr>
<tr>
<td>-----</td>
<td>------------------</td>
<td>-------</td>
<td>----------</td>
<td>---------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>3</td>
<td>HT - 09 - XL</td>
<td>Repair and reconstruction of Tan Dua and My Thuan spillway bridge</td>
<td></td>
<td>24</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>a</td>
<td>Rehabilitation of upgrading of Tan Dua spillway bridge</td>
<td>Huong Trach commune</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>b</td>
<td>Rehabilitation of upgrading of My Thuan spillway bridge, Ky Anh district</td>
<td>Ky Son commune</td>
<td>22</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
<td></td>
<td>47</td>
<td>5</td>
</tr>
</tbody>
</table>

(Source: Resettlement Survey Results, March 2017)

29. Out of 47 affected households, none of households is affected with residential land, houses as well as structure works. The survey results show that out of 47 affected households, ethnic minorities’ households could not be found. Number of affected households and organizations are summarized in detailed in the Table as follow:

Table 4: Summary of impacts magnitude of the Subproject

<table>
<thead>
<tr>
<th>Contents</th>
<th>Unit</th>
<th>Affected volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of affected households</td>
<td>HHs</td>
<td>47</td>
</tr>
<tr>
<td>Household members</td>
<td>Person</td>
<td>201</td>
</tr>
<tr>
<td>1. Households of affected by land acquisition</td>
<td>HHs</td>
<td>22</td>
</tr>
<tr>
<td>In which: + Households are affected with partially agricultural land</td>
<td>HHs</td>
<td>22</td>
</tr>
<tr>
<td>2. Number of affected agencies, organizations</td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>4. Number of households are affected with trees and crops</td>
<td>HHs</td>
<td>47</td>
</tr>
<tr>
<td>- No. of directly AHs by land acquisition</td>
<td>HHs</td>
<td>22</td>
</tr>
<tr>
<td>- No. of indirectly AHs by land acquisition (Cultivation on land area managed by CP)</td>
<td>HHs</td>
<td>25</td>
</tr>
<tr>
<td>5. Number of households have to relocate</td>
<td>HHs</td>
<td>0</td>
</tr>
<tr>
<td>6. Number of vulnerable households</td>
<td>HHs</td>
<td>12</td>
</tr>
<tr>
<td>+ Poor households</td>
<td>HHs</td>
<td>4</td>
</tr>
</tbody>
</table>
### Contents

| Policy households | HHs | 2 |
| Elderly households | HHs | 1 |
| Households with woman-headed with independents | HHs | 5 |

7. Households are affected 20% or more of total agricultural land area (Vulnerable households affected 10% or more of total agricultural land area) | HHs | 6 |

8. Number of households are affected by loss of business | HHs | 0 |

(Source: Resettlement Survey Results, March 2017)

30. The project implementation in the first 18-month period will directly affect 9,939 m² of land owned by 22 households and managed by 05 commune/town PCs. Of which:
   - Affected agricultural land area: 750 m²
   - Affected public land area: 9,189 m² managed by 05 commune/ward PCs, including specialized land, stream, river land, transport land and so on.

31. In addition, during the project implementation, 4,700 m² of public land area managed by commune/ward PCs are also temporary affected. Impact magnitude of land acquisition under each item of the project is presented in Table below:

#### Table 5: Summary of Land Acquisition Impacts Magnitude

<table>
<thead>
<tr>
<th>No.</th>
<th>Sign of packages</th>
<th>Items</th>
<th>Location</th>
<th>Permanently affected land area</th>
<th>Temporarily affected area land (m2)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Agricultural land</td>
<td>Public land</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>No of AHs</td>
<td>Area (m2)</td>
</tr>
</tbody>
</table>

A  Component 1: Reconstruction of Flood Damaged Infrastructures and Future Disaster Prevention

1  AGRICULTURE AND RURAL DEVELOPMENT

1  HT - 01 - XL
   Repair and reconstruction of spillway, culvert on 19/5 river along Phuc Long-Nhuong dyke
   Thien Cam town
   Cam Phuc commune
   0 0 1 3,600 3,400

2  HT - 04 - XL
   Repair and reconstruction of Khe Tria drainage, in Xuan Vien commune
   Xuan Vien commune
   0 0 1 3,000 1,300
<table>
<thead>
<tr>
<th>No.</th>
<th>Sign of packages</th>
<th>Items</th>
<th>Location</th>
<th>Permanently affected land area</th>
<th>Temporarily affected area land (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Agricultural land</td>
<td>Public land</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>No of AHS</td>
<td>Area (m²)</td>
</tr>
<tr>
<td>II</td>
<td>TRANSPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>HT - 09 - XL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Repair and reconstruction of Tan Dua and My Thuan spillway bridge</td>
<td>22</td>
<td>750</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>a</td>
<td>Rehabilitation of upgrading of Tan Dua spillway bridge</td>
<td>Huong Trach commune</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>b</td>
<td>Rehabilitation of upgrading of My Thuan spillway bridge, Ky Anh district</td>
<td>Ky Son commune</td>
<td>22</td>
<td>750</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Source: Resettlement Survey, March 2017)

32. As survey result, all affected households as above mentioned are entitled to receive compensation, assistance and resettlement (if any) for their land and other affected assets in compliance with approved RPF, details are shown in Section 6 of the report.

2.3.2. **Land Acquisition and Other Assets**

2.3.2.1. **Impacts on Agricultural Land**

33. Out of 03 works items of the Subproject to be prioritized in the first 18-month period, only works of Rehabilitation and upgrading of My Thuan spillway bridge in Ky Anh district under Package HT – 09 – XL will affect 750 m² of rice land area owned by 22 households. Out of 22 affected households on agricultural land, 06 households are severely affected by lost 10% or more out of their existing cultivation land area (including 03 poor households; 2 policy households and 01 households with woman-headed with independents).

2.3.2.2. **Impacts on Trees and Crops**

34. According to the preliminary inventory results, the project will affect trees, crops owned by 47 households. Of which, 22 households are directly affected with rice by physical land acquisition and 25 households are indirectly affected with trees and crops by cultivation on land area managed by communes/wards CP.
35. Total 859 fruit trees; 127 timber trees and about 1,560 bamboo trees are affected, in addition, about 750 m$^2$ of rice; 600 m$^2$ of corn and 500 m$^2$ of peanut are affected by the project. Table belowed summarizes volume of trees and crops affected by the Subproject:
Table 6: Summary of Affected Volume of Trees and Crops

<table>
<thead>
<tr>
<th>No.</th>
<th>Sign of packages</th>
<th>Items</th>
<th>Location</th>
<th>No. of AHs</th>
<th>Impacts on Trees</th>
<th>Impacts on Crops</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>No. of AHs by land acquisition</td>
<td>Banana (trees)</td>
<td>Bamboo (trees)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>No. of indirectly AHs by land acquisition (Cultivation on land area managed by CP)</td>
<td>Timber trees</td>
<td>Rice (m²)</td>
</tr>
<tr>
<td>A</td>
<td>Component 1: Reconstruction of Flood Damaged Infrastructures and Future Disaster Prevention.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>AGRICULTURE AND RURAL DEVELOPMENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>HT - 01 - XL</td>
<td>Repair and reconstruction of spillway, culvert on 19/5 river along Phuc Long-Nhuong dyke</td>
<td>Thien Cam town</td>
<td>0</td>
<td>6</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>HT - 04 - XL</td>
<td>Repair and reconstruction of Khe Tria drainage, in Nghi Xuan district</td>
<td>Xuan Vien commune</td>
<td>0</td>
<td>15</td>
<td>859</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>II</td>
<td>TRANSPORT</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>HT - 09 - XL</td>
<td>Repair and reconstruction of Tan Dua and My Thuan spillway bridge</td>
<td>Huong Trach commune</td>
<td>22</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>Rehabilitation of upgrading of Tan Dua spillway bridge</td>
<td>Huong Trach commune</td>
<td>0</td>
<td>2</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>No.</td>
<td>Sign of packages</td>
<td>Items</td>
<td>Location</td>
<td>No. of AHs</td>
<td>Impacts on Trees</td>
<td>Impacts on Crops</td>
</tr>
<tr>
<td>-----</td>
<td>------------------</td>
<td>----------------------------------------------------------------------</td>
<td>-------------------------------</td>
<td>------------</td>
<td>------------------</td>
<td>------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rehabilitation of upgrading of My Thuan spillway bridge, Ky Anh district</td>
<td>Ky Son commune</td>
<td>22</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Banana (trees)</td>
<td>Rice (m²)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Timber trees</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Bamboo (trees)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Corn (m²)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Peanut (m²)</td>
</tr>
</tbody>
</table>

|     |                  |                                                                      |                               | 22         | 25               |                       |
|     |                  |                                                                      |                               |            | 859              | 750                 |
|     |                  |                                                                      |                               |            | 127              | 600                 |
|     |                  |                                                                      |                               |            | 1,560            | 500                 |

| Total |                  |                                                                      |                               |            |                  |                       |

(Source: Resettlement Survey, March 2017)
2.3.2.3. **Impacts on Public land**

36. In addition to impacts on land, assets owned by households, the Subproject’s works implementation to be prioritized in the first 18-month period also affects 9,189 m² of public land managed by 05 commune/ward PCs, including specialized land, stream, river land, and transport land. For acquired public land area managed by commune/wards, it will be assisted 70% of agricultural land price at the same kind in the land price table as Ha Tinh PPC’s current regulations.

2.3.2.4. **Impacts on Income and Business**

37. The preliminary inventory results showed that out of 47 affected households by the project implementation, none of households is directly affected by loss of business by land acquisition.

38. However, out of 22 affected households by losing agricultural land, 06 vulnerable households losing more than 10% out of total existing cultivation land area. For this households affected by loss of income and business, in addition compensation and assistance as stipulated in the approved RPF, these households will be eligible to participate in Income Restoration Program. Details of Livelihood and Income Restoration Program are presented in the next chapter of this report.

2.4. **Temporary Impacts in the Construction Process**

39. The preliminary inventory results showed that the works implementation under the Subproject will temporarily affect total 4,700 m² of public land area managed by 05 commune/wards. During the construction process, temporarily affected land area is mainly gathering location of materials, bypass, and transportation road of materials. Compensation, assistance for temporarily affected land area will be paid based on affected level and detailed construction time of the project by contractors. In case if any structures, crops and trees found affected by the construction activities, it will be compensated in accordance with project policies (see Section 6.2.2).

2.5. **Linked projects**

40. Screening results showed that there is no project linked or associated with the Emergency Natural Disaster Reconstruction Project – Hà Tĩnh Subproject.
3. SOCIO-ECONOMIC INFORMATION

4.1. Overview of Ha Tinh province

- Natural conditions

41. Ha Tinh province is located in North Central with natural area of 6,055 km², stretching from 17°54’ to 18°37’ of North latitude and from 106°30’ to 105°07’ of East longitude: with 13 administrative units including Ha Tinh city and 12 districts, towns.

- It borders Nghe An province to the North;
- It borders 02 provinces of Laos (Bo Ly Kham Xay and Kham Muon) to the West;
- It borders Quang Binh province to the South;
- It borders Gia Lai province on boundary of Ba To district to the West;
- It borders the East Sea to the East.

- Socio-economic Conditions

Population and Labor Characteristics

42. Ha Tinh province has main population of Vietnamese (Kinh people) accounting for 99% of the population. The Thai, Muong, Chut and Lao minorities have only several hundred or several dozen, they often live together in some communes in Huong Khe, Huong Son and Vu Quang districts.

43. By 2015, Ha Tinh province’s population reaches about 1.28 million people, the average population density of the whole province is 213 persons / km². There are about 324,000 households in the whole province with an average of 3.75 people / household. The urban population accounts for 14.62% and the rural population makes up 85.38%. This is the abundant labor force of the province.

Economic growth situation:

44. The average economic growth rate in the period 2011-2020 will be 18.4%/year, including 15.8%/year in the period 2011-2015 and 21.1% /year in 2016-2020 period. GDP per capita (current price) reaches VND 35 million in 2015 and reaches VND 97.7 million in 2020.

45. Economic restructuring: Economic restructuring follows the direction of increasing the proportion of industries and services. By 2020, the share of agriculture will be 13.1%, industry will account for 54.7% and services will make up 32.2%

46. Increased growth rate of export-import turnover value: Import-export turnover through the area in 2015 is estimated at US $ 2,882 million, of which, export turnover is estimated at US$ 122.05 million, reaching 43% of the plan, decreasing 11.4% over the same period, import turnover is expected to attain US$ 2,760 million, increasing 10.6% compared to that in 2014. The value of import-export turnover in 2020 is estimated to reach US $ 5 billion.
47.  **Natural population growth rate**: In the period 2011-2015, the natural population will increase about 1.15% / year and the period from 2016 to 2020 is about 1.1% / year. By 2015, the population will reach about 1.28 million people and about 1.56 million people in 2020.

48.  **Rate of poor households**: The rate of poor households in the period 2016-2020 is reduced by 2.5-3%/year. In 2015, the province’s poverty rate is only 5.82%, decreasing 18.1% compared with early 2011. Rate of near-poor households is 8.9%, reducing 7.7% compared to early 2011. 90% of the communes meet the requirements on National health standards with 8.5 doctors/ten thousand people; 90% of health stations have doctors; over 80% of the population participates in health insurance; the rate of malnourished under-five children is below 10.2%.

49.  **Rate of trained workers**: The percentage of trained workers is over 70%; Over 50% of the labor force participating in social insurance; more than 35% of the labor force involve in unemployment insurance. The labor structure is shifted towards reducing the proportion of working population in the agriculture, forestry and fishery sector and gradually increasing the labor force working in the industrial and service zone.

### 4.2. Socio-economic Information of Affected Households in the Project Area

50. Emergency Natural Disaster Reconstruction Project– Ha Tinh subproject consists of 04 components with 9 works items. In the first 18-month period, the Subproject will take priority over implementation of 03 contract packages with 03 works items under Agriculture and rural development and transport. The works prioritized for investment in the first 18-month period will be implemented in 05 communes/wards of Xuan Vien, Huong Trach, Ky Son, Cam Phuc and Thien Cam town. Socio-economic information of the project communes/wards is presented in the Table as follow:

**Table 7: Socio-economic information of the communes/wards for implementation of Subproject’s items in the first 18-month period.**

<table>
<thead>
<tr>
<th>No.</th>
<th>Communes/ Wards</th>
<th>Districts/ Cities</th>
<th>Area (ha)</th>
<th>Population (People)</th>
<th>No. Of HHs (HHs)</th>
<th>Rate of natural population increase (%)</th>
<th>Rate of poor households (%)</th>
<th>Rate of near poor households (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Xuan Vien Nghi</td>
<td>Xuan</td>
<td>2,124.7</td>
<td>4208</td>
<td>1322</td>
<td>0.63</td>
<td>6.22</td>
<td>-</td>
</tr>
<tr>
<td>2</td>
<td>Huong Trach Khe</td>
<td>Huong Khe</td>
<td>11,230.06</td>
<td>7245</td>
<td>1857</td>
<td>0.86</td>
<td>7.34</td>
<td>-</td>
</tr>
<tr>
<td>3</td>
<td>Ky Son Ky Anh</td>
<td></td>
<td>89.99</td>
<td>5848</td>
<td>1342</td>
<td>0.71</td>
<td>15.43</td>
<td>8.73</td>
</tr>
<tr>
<td>4</td>
<td>Cam Phuc Cam</td>
<td>Cam Xuyen</td>
<td>57.36</td>
<td>8,113</td>
<td>1948</td>
<td>0.92</td>
<td>8.2</td>
<td>8.6</td>
</tr>
<tr>
<td>5</td>
<td>Thien Cam town</td>
<td>Cam Xuyen</td>
<td>1,407.17</td>
<td>4939</td>
<td>968</td>
<td>-</td>
<td>11.7</td>
<td>-</td>
</tr>
</tbody>
</table>

(Source: Socio-economic development situation of communes/wards, 2016)

### 4.2.1. Survey Approaches and Methodologies

**Approaches**
51. The participatory approach is used in preparing the Resettlement Action Plan. Accordingly, affected people were engaged in preparatory phase of this resettlement plan by mean of in-depth interviews, focus group discussions, and observation. The representatives of Ha Tinh PMU and Ward/Commune PCs were also invited to participate.

\[ \textit{Methodologies} \]

52. The RAP applied to priority investment items during the first 18 months involved in land acquisition and site clearance. The methodologies applied in the process of preparing the RAP include:

- **Desk review**

53. The Consultant collected, reviewed, studied and analyzed/assessed the documents relating to compensation, assistance and resettlement of the Project. Those documents were collected at Ha Tinh PMU, the PCs of project wards/communes, including: (i) Project documents (Statement and Design Drawings of project work items; Resettlement Policy Framework, etc.); (ii) Cadastral maps, copies of maps and Socio-economic reports provided by commune/ward PCs; (iii) relevant policies of the World Bank, the Government of Vietnam and Ha Tinh PPC with aim to (1) find out procedures, regulations proposed and approved from the project documents, (2) find out technical methods proposed for each Project component; (3) review socio – economic reports of localities, (4) propose mitigation measures and guidelines for follow-up actions.

- **Qualitative research method**

- Consultation and discussion with various stakeholders, including the implementation agencies, social organizations, representatives of leaders of local authorities through consultation meetings, in-depth interviews and group discussions. The minutes of working is attached to this report in Appendix 02.
- Focus group discussions, in-depth interviews with affected households, such as severely affected households, relocated households and vulnerable households. The minutes of working is attached to this report in Appendix 02.
- Field survey to the project area to determine the potential impacts on local residents during the project implementation.

- **Quantitative research method.**

- During the period from 14/03/2017 to 18/03/2017, resettlement consultant agencies carried out socio-economic survey \(^4\) and survey on affected land/ assets in 05 communes/towns in the project area including: Xuan Vien, Cam Yen, Cam Nam, Huong Trach, Cam Phuc communes, Thien Cam town.
- Socio-Economic Survey (SES) by questionnaire: 100% of total affected households whose land is acquired under works prioritized to be invested during the first 18-month period were surveyed. Including: (i) households are affected with agricultural land and (ii) households are indirectly affected by the Subproject. As result, total 47 households are socio-economic surveyed by questionnaire in the project area. SES sample for affected households are attached in Annex 3 of this report.
- The Inventory of Losses (IOL) is carried out with 100% affected households.

---

\(^4\) Use SES questionnaire for Emergency Natural Disaster Reconstruction Project – Ha Tinh Subproject
54. Entering and processing data. Information collected from the field visit will be processed by specialized software such as SPSS (Quantitative) and NVIVO (Qualitative).

4.2.2. Results of Socio-Economic Survey of Affected Households in the Project Area

4.2.2.1. Survey Scope

55. Regarding to land acquisition for implementation of the works prioritized during the first 18-month period, results of survey showed that the project might affect 47 households, of which 22 households are directly affected by land acquisition and 25 households are indirectly affected by cultivation on land area managed by communes/wards CP (non-land assets). The project implementation does not affect any public works, sensitive works.

56. Thus, from 14 to 18, March 2017, SES was carried out for 47 affected households (100% total affected households). Detailed data on surveyed scope for each works item of the project prioritized to be invested during the first 18-month period are shown in the Table as follow:

Table 8: Socio-Economic Survey Scope in the Project area

<table>
<thead>
<tr>
<th>No.</th>
<th>Sign of package</th>
<th>Items</th>
<th>Location</th>
<th>No. of surveyed households</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Vulnerable households</td>
</tr>
<tr>
<td>A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>HT - 01 - XL</td>
<td>Repair and reconstruction of spillway, culvert on 19/5 river along Phuc Long-Nhuong dyke</td>
<td>Thien Cam town</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Cam Phuc commune</td>
</tr>
<tr>
<td>2</td>
<td>HT - 04 - XL</td>
<td>Repair and reconstruction of Khe Tria drainage, in Nghi Xuan district</td>
<td>Xuan Vien commune</td>
<td>0</td>
</tr>
<tr>
<td>II</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>HT - 09 - XL</td>
<td>Repair and reconstruction of Tan Dua and My Thuan spillway bridge</td>
<td>Huong Trach commune</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Ky Son commune</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>6</td>
</tr>
</tbody>
</table>

(Source: Resettlement Survey, March/2017)
57. Out of 47 surveyed households, 06 households falling into vulnerable groups lose from 10% of total existing cultivation land area, 16 households are slightly affected and 25 households are indirectly affected by cultivation on land area managed by commune/town PCs.

58. Besides SES with all affected households, public consultation meetings with local authorities and in-depth interview with 11 affected households were implemented to collect qualitative information. By that way, about 6 people are female and 5 people are male.

4.2.2.2. Characteristics of Household Members

59. According to survey data from 47 households affected by subproject’s works prioritized to be implemented during the first 18-month period, the majority of households consists of from 3 to 5 members (accounting for 63.4%), followed by households with 6 - 8 members, making up 26.7% and households with 1 to 2 members, representing only 9.9%. On average, each AH household in the project area has 4.3 persons / household and the average main number of laborers per household is 2.1 persons.

4.2.2.3. Education level

60. According to survey data from 47 affected households, education level of local people in the project area remains quite high, percentage of household heads with high school accounts for 38.2%, 51.1% of households heads graduated from secondary school; 4.3% of household heads graduated from colleges/ university school, only 4.2% of household heads graduated from primary school. Meanwhile, the rate of illiteracy/non-attendance is 2.1%, the illiterate household heads are concentrated mainly in Xuan Vien commune due to difficult economic situation, lack of local infrastructure, it is impossible for them to attend school.

Table 9: Education level of household heads

<table>
<thead>
<tr>
<th>No.</th>
<th>Education level of household heads</th>
<th>Numbers (people)</th>
<th>Rate (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Illiteracy</td>
<td>1</td>
<td>2.1</td>
</tr>
<tr>
<td>2</td>
<td>Primary school</td>
<td>2</td>
<td>4.2</td>
</tr>
<tr>
<td>3</td>
<td>Secondary school</td>
<td>24</td>
<td>51.1</td>
</tr>
<tr>
<td>4</td>
<td>High school</td>
<td>18</td>
<td>38.2</td>
</tr>
<tr>
<td>5</td>
<td>College/University</td>
<td>2</td>
<td>4.3</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>47</td>
<td>100</td>
</tr>
</tbody>
</table>

(Source: Resettlement Plan Survey, March/2017)

4.2.2.4. Occupation of Household Heads

61. The survey results showed that the main source of income for affected households in the affected communes is mainly based on agricultural production activities, including afforestation, growing rice and livestock and so on. Agricultural production is a great determinant of the stability and well-being of the household. Out of 47 surveyed AHs, 41 household heads (accounting for 87.2%) are farmers; 03 household’s heads are civil servants, 03 remaining household heads do other business, including hired labor or free labor.
<table>
<thead>
<tr>
<th>No.</th>
<th>Sign of package</th>
<th>Items</th>
<th>Location</th>
<th>Occupation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Agriculture</td>
</tr>
<tr>
<td>A</td>
<td>Component 1: Reconstruction of Flood Damaged Infrastructures and Future Disaster Prevention</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>AGRICULTURE AND RURAL DEVELOPMENT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>HT - 01 - XL</td>
<td>Repair and reconstruction of spillway, culvert on 19/5 river along Phuc Long-Nhuong dyke</td>
<td>Thien Cam town, Cam Phuc commune</td>
<td>3</td>
</tr>
<tr>
<td>2</td>
<td>HT - 04 - XL</td>
<td>Repair and reconstruction of Khe Tria drainage, in Nghi Xuan district</td>
<td>Vien Xuan commune</td>
<td>15</td>
</tr>
<tr>
<td>II</td>
<td>TRANSPORT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>HT - 09 - XL</td>
<td>Repair and reconstruction of Tan Dua and My Thuan spillway bridge</td>
<td>Trach, Ky Son communes</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
<td></td>
<td>41</td>
</tr>
</tbody>
</table>


4.2.2.5. Income and Expenditure

According to SES results from affected households, income level of affected household’s falls into group with income over 1.5 million VND/person/month (accounting for 59.6%). Followed by rate of household with income level over 1 million - 1.5 million VND/person/month (making up 21.3%); rate of household with income below 1 million VND/person/month accounts for 19.1%, these are poor households, and near poor households, households with the elderly. The poor and near poor households affected by the project are concentrated mainly in Ky Son of Ky Anh district. This commune has also the highest number of poor households in the project area, rate of the poor and near poor households accounting for approximately 24% out of total households in the entire commune.

Specific data on average income/person/month of surveyed AHs are shown in the Table as follow:

<table>
<thead>
<tr>
<th>No.</th>
<th>Sign of</th>
<th>Items</th>
<th>Location</th>
<th>Income level</th>
</tr>
</thead>
</table>

Table 11: Average Income/Person/Month
### Component 1: Reconstruction of Flood Damaged Infrastructures and Future Disaster Prevention

<table>
<thead>
<tr>
<th>Package</th>
<th>Agriculture and Rural Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>HT-01</td>
<td>Repair and reconstruction of spillway, culvert on 19/5 river along Phuc Long-Nhuong dyke</td>
</tr>
<tr>
<td></td>
<td>Thien Cam town, Cam Phuc commune</td>
</tr>
<tr>
<td></td>
<td>From 700,000 – 1,000,000 VND/month</td>
</tr>
<tr>
<td>HT-04</td>
<td>Repair and reconstruction of Khe Tria drainage, in Nghi Xuan district</td>
</tr>
<tr>
<td></td>
<td>Vien Xuan commune</td>
</tr>
<tr>
<td></td>
<td>From over 1,000,000 – 1,500,000 VND/month</td>
</tr>
<tr>
<td>HT-09</td>
<td>Repair and reconstruction of Tan Dua and My Thuan spillway bridge</td>
</tr>
<tr>
<td></td>
<td>Huong Trach, Ky Son communes</td>
</tr>
<tr>
<td></td>
<td>Over 1,500,000 VND/month</td>
</tr>
</tbody>
</table>


64. According to results from SES reports of communes/towns in the project in 2016, average income level of AHs in the project area is approximately 20.6 million VND/person/year. In which, Huong Trach commune has the highest average income level per capita with 33.44 million VND/person/year, Ky Son commune has the lowest average income level per capita with 25.66 million VND/person/year.

65. Out of 6 vulnerable households losing 10% or more of total agricultural land area, there are 5 poor households, 01 policy household, these households are in Ky Son commune of Ky Anh district. The survey results show that most of households have their income below 700 thoundsand dong/person/month.

66. Income level of households is decisive factor on their expenditure, with such income level, majority of surveyed households answered that they do not have enough money to cover their living expenses (including: eating, investment for their children education, medical treatment and so on). Their main source of income mainly depends on agriculture. Thus, during the project implementation process, poor households, ethnic minorities, policy households, etc. should be paid special attention in the case of resettlement, they have to relocate to new places, and their opportunities for restoring income and maintaining lives for these households are so difficult.

#### 4.2.2.6. Households Ownership of Commodities

67. Value of assets in each household depends much on their economic condition. In the surveyed communes/towns areas, rate of poor households and medium-income households is majority, thus, means of living of households are mainly essential, common and low value. Specifically, 100% of households own bicycles, 100% of households own mobile phones,
100% of households own colored television, only 68.1% of households own motorbikes and so on. Furniture ownership situation of households are presented in detailed in the Table as follow:

Table 12: Means of living of households

<table>
<thead>
<tr>
<th>No.</th>
<th>Furniture</th>
<th>No. of HHs</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>High quality wooden furniture</td>
<td>13</td>
<td>27.7%</td>
</tr>
<tr>
<td>2</td>
<td>Motorbike</td>
<td>32</td>
<td>68.1%</td>
</tr>
<tr>
<td>3</td>
<td>Bicycles</td>
<td>47</td>
<td>100%</td>
</tr>
<tr>
<td>4</td>
<td>Radio</td>
<td>5</td>
<td>10.6%</td>
</tr>
<tr>
<td>5</td>
<td>Colored television</td>
<td>47</td>
<td>100%</td>
</tr>
<tr>
<td>6</td>
<td>Fridge</td>
<td>38</td>
<td>80.9%</td>
</tr>
<tr>
<td>7</td>
<td>Washing machine</td>
<td>12</td>
<td>25.5%</td>
</tr>
<tr>
<td>8</td>
<td>Telephone</td>
<td>47</td>
<td>100%</td>
</tr>
</tbody>
</table>


4.2.2.7. Vulnerable households

68. Consultation results with local authorities and survey by questionnaire in the project area showed that, out of 47 households affected by works under the Subproject implemented in the first 18-month period, 12 AHs are vulnerable groups, of which:

- 04 poor households;
- 05 households with single woman headed with dependents;
- 01 household with the elderly;
- 02 policy households.

69. Information of affected vulnerable households for each works under Subproject is shown in the Table as follow:

Table 13: Information on vulnerable households in the project area

<table>
<thead>
<tr>
<th>No.</th>
<th>Sign of package</th>
<th>Items</th>
<th>Location</th>
<th>AGRICULTURE AND RURAL DEVELOPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>No.</td>
<td>Sign of package</td>
<td>Items</td>
<td>Location</td>
<td>No. of vulnerable households</td>
</tr>
<tr>
<td>-----</td>
<td>----------------</td>
<td>-------</td>
<td>----------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Poor household</td>
</tr>
<tr>
<td>1</td>
<td>HT - 01 - XL</td>
<td>Repair and reconstruction of spillway, culvert on 19/5 river along Phuc Long-Nhuong dyke</td>
<td>Thien Cam town, Cam Phuc commune</td>
<td>0</td>
</tr>
<tr>
<td>2</td>
<td>HT - 04 - XL</td>
<td>Repair and reconstruction of Khe Tria drainage, in Nhi Xuan district</td>
<td>Vien Xuan commune</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
</tr>
</tbody>
</table>


70. Out of total 12 households falling into vulnerable group, 06 households are severely affected by losing more than 10% of total agricultural land area, these households are in Ky Son commune of Ky Anh district, and 06 remaining households are only slightly affected.

4.2.2.8. Land Use Right Certificates (LURCs)

71. Through survey of LURCs or LURCs and houses on land (LURCs in general), 82.3% of households have LURCs; 13.4% of households have leased land contracts for agricultural cultivation, only 4.3% of households use stream, river land for agricultural cultivation. They are all entitled to receive compensation and assistances from the project.

4.2.2.9. Access to Utilities and Services

72. Use of electricity: According to consultation results, 96.2% of surveyed households use the national power grid with their own electricity meters and the average electricity consumption of a household is about 136,000 VND / household / month.

73. Use of water for eating, living and production: Out of total 47 surveyed households, 30.7% of households use river and stream water for living and eating; 54.6% of households use drill well water; 14.7% of households use storm water.

74. Use of toilets: Out of total 47 surveyed AHs, 84.7% of households have their own toilets; 15.3% of households do not have toilets. In the project area, majority of households use two-compartment toilet and ash toilet, the septic tank only accounts for 37%.

75. Waste collection: Currently, in the project area, communes use waste collection system; this activity is implemented quite effectively with waste collection frequency of 1 time/1 day. In other communes, without waste collection system, households often throw rubbish into the streams, rivers or into their garden.
4. LEGAL FRAMEWORK

76. In order to guide the implementation of involuntary resettlement, this section provides principles, objectives, and eligibility for AHs as well as benefits, institutional and legal frameworks for compensation and restoration measures based on the World Bank’s OP/BP 4.12 Policy on Involuntary Resettlement (amended in May 2011) and Legal Framework of the GoV.

77. The Resettlement Plan was prepared on the basis of the Resettlement Policy Framework of the project which has been approved by the Prime Minister and obtained No-objection from the Bank. Simultaneously, the Resettlement Plan will comply with the laws, circulars, decrees stipulating the land acquisition, compensation and resettlement in Vietnam, and the WB’s policy on Involuntary Resettlement.

5.1. Legal Framework of GoV

78. The Laws and Decrees with respect to land acquisition, compensation and resettlement in Vietnam are based on the regulations of the city/province at time of preparing RPF and RAP, including:

- Land Law No.45/2013/QH13 dated in 2013, effective on July 1, 2014.
- Decree No. 44/2014/ND-CP dated May 15, 2014 of the GoV on land prices;
- Decree No. 47/2014/ND-CP dated May 15, 2014 of the GoV on compensation, support and resettlement upon land recovery by the State.
- Decree No. 84/2013/ND-CP dated July 25, 2013 of the GoV on development and management of resettlement housing.
- Decree No. 16/2016/ND-CP dated March 16, 2016 of the GoV on management and use of official development assistance (ODA) and concessional loans of foreign donors.
- Circulars No. 36/2014/TT-BTNMT dated June 30, 2014 of Ministry of Natural Resources and Environment on land pricing method; compilation of and adjustment to land price lists; determination of specific land prices and consultancy on land pricing.
- Circular No.37/2014/TT-BTNMT of the MONRE dated June 30, 2014 on compensation, support and resettlement upon land recovery by the State.
- Decision No/63/2015/QD-TTg of the Governmental Prime Minister dated December 10, 2015 on policy on assistance in vocational training and job search for workers whose land is withdrawn by the state.
79. Other relevant laws, decrees and regulations: the Construction Law No.50/2014/QH13 dated June 18, 2014 on construction activities, rights and obligations of organization and individual investing in civil works construction and construction activities; Decree No.102/2014/ND-CP on sanctioning of administrative violations in the field of land; Decree No.15/2013/ND-CP dated February 6, 2013 on quality management of constructions; Decree No. 12/2009/ND-CP dated February 12, 2009 on the management of construction investment projects; Decree No.126/2014/ND-CP on marriage and family Law implementation, stipulating that all documents registering family assets and land use rights must be in the names of both husband and wife.

80. Decrees relevant to protection and preservation of cultural property include Decree No. 98/2010/ND-CP detailed regulations for implementation of some articles of the Law on Cultural Heritage and the Law on editing and supplementing some articles of the Law on Cultural Heritage requiring that sites currently recognized as cultural and historical vestiges, should be kept intact according to current legal regulations.

81. Documents relating to complaints and resolve complaints mechanisms: Complaints Law 02/2011/QH13 dated November 11, 2011; Decree No. 75/2012/ND-CP dated March 10, 2012 on specific provisions a number of articles of the Law on Complaints.

82. Decisions issued by Ha Tinh province related to compensation, assistance and resettlement policies to be applied include:

- Decision No.75/2014/QD-UBND dated November 03 2014 by Ha Tinh PPC on compensation, assistance and resettlement policies when the State acquires land in Ha Tinh province.

- Decision No.03/2017/QD-UBND dated January 20 2017 by Ha Tinh PPC on compensation rate on houses, structures, boats, equipment, machine, agricultural and fishery tools, trees, crops and aquaculture” when the State acquires land in Ha Tinh province.

- Decision No.94/2014/QD-UBND dated December 27 2014 by Ha Tinh PPC on 2015 land price in Ha Tinh province


83. The World Bank recognizes that involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. The Bank’s Resettlement Policy OP 4.12, includes safeguards to address and mitigate the economic, social, and environmental risks arising from involuntary resettlement.

84. Objectives of the WB’s policy on involuntary resettlement are the following:

(i) Involuntary resettlement should be avoided where feasible or minimized by all viable alternative project designs and selection of location where land acquisition is unavoidable but impacts are minimized;

(ii) Wherever involuntary resettlement is unavoidable, resettlement activities should be conceived of and executed as sustainable development programs, providing sufficient investment sources to enable affected persons to share project’s benefits;

(iii) Directly or indirectly affected persons must be consulted and participated in the process of planning and implementing resettlement programs;
(iv) Affected Persons should be assisted in efforts to improve their livelihoods and living standards or at least to restore them, in real terms, to pre-project levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

85. Required measures: To resolve project impacts, the Project Owner prepared a Resettlement Plan that includes measures to ensure that affected persons are:

(a) Informed of their options and entitlements to resettlement;
(b) Consulted on the offered choices and provided with technically and economically feasible resettlement alternatives; and
(c) Provided with prompt and effective compensation at replacement cost for lost assets attributable directly to the project.

5.3. Comparison between GoV’s and WB’s Policies

86. There are still some differences between the Government of Vietnam’s Laws, policies, regulations related to land acquisition/resettlement, and the World Bank’s OP 4.12 on Involuntary Resettlement. Comparison of GoV’s and WB’s policies on compensation, assistance and resettlement and proposed policies under the ENDR project is presented in the approved RPF.

87. Vietnam is a country member of the World Bank, the Government of Vietnam has committed that should the international agreements signed or acceded to by Vietnam and the World Bank contains provisions different from those in the existing resettlement legal framework in Vietnam, the provisions of the international agreements with World Bank shall prevail. According to Clause 2, Article 87 of the Land Law 2013: "For projects using loans from international or foreign organizations for which Vietnam has committed to a policy framework for compensation, assistance and resettlement that framework policy shall prevail."

88. The project Resettlement policy framework confirms that in approving this instrument, the Government of Vietnam and Ha Tinh Provincial People's Committee grant the waivers to the relevant provisions of the Vietnam law that contradict or are not consistent with the objectives set forth in the Resettlement Policy Framework. The measures taken to resolve these differences and compliance with the WB’s policy on involuntary resettlement are addressed under RPF and applied to this RAP.

5. PRINCIPLES AND POLICIES FOR COMPENSATION, ASSISTANCE AND RESETTLEMENT

5.1. General Principles

89. All projects affected persons (AHs) who have assets within or reside within the area of project land-take before the cut-off date are entitled to compensation for their losses. Those who have lost their income and/or livelihood will be eligible for livelihood rehabilitation assistance based on the criteria of eligibility defined by the project in consultation with the AHs. If, by the end of the project, livelihoods have been shown not to be restored to pre-project levels, additional assistance measures will be provided.
(a) The compensation rates will be determined timely and in consultation based on independent land valuation results of the Independent Valuation Unit hired by Ha Tinh PMU. Compensation rates for trees/crops/non-land assets will be applied as those issued annually by Ha Tinh PPC based on market price survey results of Ha Tinh Department of Construction. The independent monitoring agency (IMA) will assess relevance of these compensation rates.

(b) All fees and taxes related to transferring land and/or housing and fee for receiving land use right certificate will be exempted for the relocated HHs who already paid fee before for receiving land use right certificate. The local authorities will ensure that AHs who will be arranged relocation on their own, will also be exempted from transaction fees like the ones who will move to the project resettlement sites.

(c) Land will be compensated “land for land”, or in cash, according to PAP’s choice whenever possible. The choice of land for land must be offered to those loosing 20% or more of their productive land. If land is not available, the borrower must assure itself to meet the Ban’s requirements that this is indeed the case. Those loosing 20% or more of their land will have to be assisted to restore their livelihood. The same principles apply for the poor and vulnerable people losing 10% or more of their productive landholding.

(d) PAPs that prefer “land for land” for residential land will be provided with land plots with the equivalent quality for lost lands or a combination of land (a standard land plot) in a new residential area nearby for residential land, and cash adjustment for difference between their lost land and the land plots provided. The resettlement area will be planned properly and implemented in consultation with the PAPs. All basic infrastructures, such as paved roads, sidewalks, drainage, water supply, and electricity and telephone lines, will be provided.

(e) PAPs that prefer “cash for land” will be compensated in cash at the full replacement cost. These PAPs will be assisted in rehabilitating their livelihoods and making their own arrangements for relocation.

(f) Compensation for all residential, commercial, or other structures will be offered at the replacement cost, without any depreciation of the structure and without deduction for salvageable materials. Structures shall be evaluated individually. Any rates set by category of structure must use the highest value structure in that group (not the lowest).

(g) As for the displaced households affected with shelter (displaced from existing residential land because the remaining land area is not feasible for building house or entire land acquisition), the local resettlement board needs to conduct consultations and makes agreed solutions to assist for new shelter for affected households.

(h) The displaced households affected with shelter that are capable of building a house on the remaining land (not subject to displacement) will have general policies of the project applied in accordance with the agreed entitlement matrix.

(i) The PAPs will be provided with full assistance (including a transportation allowance) for transportation of personal belongings and assets, in addition to the compensation at replacement cost of their houses, lands and other properties.

(j) Compensation and rehabilitation assistance must be provided to each PAP at least 30 days prior to the taking of the assets for those who are not to be relocated and 60 days
for those who will have to be relocated. Exceptions should be made in the case of vulnerable groups who may need more time.

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

(l) Additional efforts, such as economic rehabilitation assistance, training and other forms of assistance, should be provided to PAPs losing income sources, especially to vulnerable groups, in order to enhance their future prospects toward livelihood restoration and improvement.

5.2. Entitlements

90. AHs will be entitled to the compensation, assistance and resettlement policy (if any) in accordance with the regulations of Vietnam and the World Bank OP 4.12. AHs will not be considered for compensation or support from the project for the area to be occupied after the cut-off date announcement.

Compensation policies of project are as below:

5.2.1. Compensation Policy for Permanent Impacts

5.2.1.1. Compensation Policy for Agricultural Land

91. **For legal land users or legalizable land use rights:**

(i) The local agricultural land fund of wards/commune in Ha Tinh province is not available, therefore the cash compensation will be applied instead of the “land for land” compensation to affected agricultural land area and assets on acquired land at 100% replacement cost;

(ii) If area of remaining land after acquisition is not enough to continue cultivation, the project will acquire the entire piece of land and compensation would be implemented in cash for the affected agricultural land area and assets on the acquired land at 100% replacement cost.

(iii) In addition to cash compensation for acquired land area as stipulated above, AHs will be entitled to livelihood restoration assistances as mentioned in the RPF.

(iv) In the case of acquired land exceeding the limit of local land allocation quota (except for land by inheritance, donation or receive transfer of land use rights) this land is not entitled to compensation for land but supported remaining values invested in such lands.

92. **Users with temporary or leased rights to use communal/public land:**

(i) For AHs currently using land assigned by State-owned agricultural or forestry farms on a contractual basis for agricultural, forestry, or aquaculture purposes (excluding land under special use forests and protected forests), compensation shall be provided for the remaining value of investments made on the land, and for all assets attached to the land at 100% replacement cost, and these AHs will also receive additional support for income rehabilitation if they are directly involved in agricultural activities as per Government’s regulations.

(ii) Where AHs receive land on a contractual basis but are other than the individuals specified as point (i) above, they shall only receive compensation for the remaining value of investments made on the land and structures created on land at full replacement cost.
93. **Land Users who do not have formal or customary rights to the affected land:**

(i) For agricultural land which was used before July 1, 2004, of which land users are households and individuals directly engaged in agricultural production will be compensated at 100% as per Article 77.2 of the Land Law.

(ii) For other cases, instead of compensation, the AHs will receive financial assistance of an amount corresponding to the remained value of investment made for the land improvement.

(iii) In case of a physical impediment caused by the project, AHs will receive additional compensation or supports if required to offset.

5.2.1.2. Compensation for Loss of Land for non-agricultural production and business

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

(i) All affected households, individuals with LURC or legalizable:

(ii) If local land fund is available and AHs choice, Compensation “land for land” is priority;

   ii) If land is not available or the AHs prefers to receive cash compensation, they will receive compensation in cash for loss of land and assets on the land acquisition at 100% replacement cost.

(iii) Households and individuals who use leased land acquisition with annual rent payment or lump-sum rent payment but were exempted from rent will not be compensated for land but compensated equivalent to remaining values invested in such lands and assets on the land at 100% replacement cost.

(iv) Valid organizations (economic organizations, public organizations in accordance with financial autonomy) using land for non-agricultural production and business with lump-sum rent payment (rent unused the state budget) with LURs or legalizable LURs will be compensated “land for land” if local land fund is available, if not, will be compensated in cash at 100% of replacement cost.

(v) Valid organizations (economic organizations, public organizations in accordance with financial autonomy) using land for non-agricultural production and business with annual rent payment or lump-sum rent payment but were exempted from rent will not be compensated for land but compensated equivalent to remaining values invested in such lands and assets on the land at 100% replacement cost.

95. In addition to the compensation mentioned above, the project will provide removal allowances of manufacturing and business facilities for affected organizations/Individuals.

5.2.1.3. Compensation for Residential Land

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

**Loss of residential land without structures:**

(i) For legal and/or legalizable land users, all compensation for loss of land will be made in cash at 100% replacement cost.

(ii) For land users who have no recognizable land use right, financial assistance will be provided corresponding to the remained investment put on the land. The amount will be determined by Provincial People’s Committee.

**Loss of residential land with structures built thereon, where the remaining (non-acquired) land is adequate to rebuild the structure (reorganizing AHs):**
(i) Compensation for loss of land will be made in cash at 100% replacement cost for legal and legalizable land users;

(ii) Financial assistance of an agreed amount will be provided to land users who do not have recognizable land use rights. The amount will be determined by Provincial People’s Committee.

(iii) Regardless of legal status of land use, compensation for affected structures at 100% replacement cost.

(iv) If AHs have to rebuild the main house (not necessary to relocate to new area), they will also receive repair allowance as mentioned in the RPF.

Loss of residential land with structures built thereon, and the remaining land is not adequate to rebuild the structure in accordance with regulations of PPC (AHs have to relocate):

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

- If AHs choice is compensation “land for land”: AHs will be compensated land plot/apartment in the project’s resettlement site where infrastructure is fully invested and allocation of resettlement land plot/apartment land will be made according to the provisions of Provincial People’s Committee, depending on local land fund. AHs will be provided with a certificate of land/apartment use without paying any fees.
- In case that the compensation amount to be paid is more than the cost of land plot/apartment compensation in the project’s resettlement site, the difference amount will be paid in cash to AHs.
- In case the compensation amount to be paid is less than the cost of a minimum land plot/apartment in the project’s resettlement site, AHs will be provided the differences.
- If AHs choice is not compensation “land for land”, all compensation for loss of land will be made in cash at 100% replacement cost, plus relocation allowance prescribed by the province for self-relocation.
- In case the remaining land is not large enough to rebuild a house, but in the same plot of land there is a pond/garden/agricultural land, households may propose converting part of the pond/garden/agricultural land into residential use according to the provisions of the PPC to be able to rebuild house on site.

(ii) The AHs, who do not have legal or legalizable rights to the affected land, are entitled to the following:

- Amount of financial assistance will be reviewed and decided by Provincial People’s Committee.
- If the AHs have no place to move, a land plot or an apartment satisfactory to them will be provided in the resettlement site and they can either pay in installments or rent it for living.

97. In case the relocated AHs belong to poor or vulnerable groups or households, additional assistance (in cash and kind) will be provided to ensure that they are able to fully relocate to a new site. Ha Tinh PPC will consider making decision on assistance level for AHs.
5.2.1.4 Compensation for Structures

98. Compensation policy for structures are as follows:

For Loss of Structures:

(i) Owners of affected structures shall be compensated as follows:

- Compensation in cash will be made for all affected private-owned houses/structures, at 100% the replacement costs, regardless of whether or not they have title to the affected land or a construction permit for the affected structure. The compensation amount will be sufficient to rebuild the affected house/structure of the same quality.

- If the house/structure is partially affected, a financial assistance will be provided to enable AHs to repair the affected house/structures to restore it to the former condition, or better, at no additional cost to them.

- Cash compensation will be at full replacement cost. No deductions will be made for depreciation or salvageable materials.

- The calculation of rates will be based on the actual affected area and not the useable area.

(ii) Tenants of state-owned or state organization-owned houses will be entitled to rent or buy a new apartment of an area at least equal to their affected ones; or provided a financial assistance equivalent to 60% of replacement cost of the affected land and houses. The affected structures, crops, trees created by the AHs before cut-off date will be compensated for at full replacement costs.

(iii) Tenants who are leasing a private house for living purposes will be provided with transportation allowance for moving assets, and will be assisted in identifying alternative accommodation.

For Graves:

(i) Compensation for the removal of graves/ tombs will include the cost of excavation, relocation, reburial and other related costs which are necessary to satisfy customary requirements. The compensation amount will be determined by Provincial People’s Committee.

(ii) For ownerless affected graves, Ha Tinh PMU will sign a contract with an independent unit for compensation and relocation of them to a new site.

(iii) Household and individual graves are considered physical cultural resources (PCR) and even though the costs associated with their relocation will be covered in the resettlement plan, the WB OP 4.11 on Physical Cultural Resources should be triggered and relevant cross references should be made to the Environmental and Social Management Plan or Project Operation Manual (POM).

5.2.1.5 For Loss of Crops, Trees and Livestock

99. For annual and perennial standing crops, regardless of the legal status of the land, compensation will be paid to households who cultivate the land at full replacement cost. For trees which have not been harvested yet but can be brought to another location, the transportation cost and the actual damage due to the transportation and re-planting must be compensated.

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

5.2.1.6. Compensation for other assets

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

5.2.1.7. Compensation for Public Works

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

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

5.2.2. Compensation Policy for Temporary Impacts During the Construction

104. In case the land is needed for temporary construction site, it will be rented following regulations stipulated by the Civil Law.

105. Compensation Policy for loss of private or public structures occurring during construction phase:

(i) Damaged property will be restored to its former condition by contractors, immediately upon completion of civil works.

(ii) Under their contract specifications, the contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages do occur, the contractor will be required to repair the damages and may also be required to pay compensation to the affected families, groups, communities, or government agencies at the same compensation rates that are applied to all other assets affected by the Project.

5.2.3. Any other Impacts Identified During Implementation

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

5.2.4. Livelihood Restoration Assisting

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

❖ For Loss of Residential Land

108. Transportation Allowance to relocating households: Relocating households who move to a new location will be provided financial assistance in cash. The amount will be determined by Provincial People’s Committee.
109. **House Renting Allowance** will be provided to AHs who may be forced to relocate from their original homes and are still awaiting the replacement land plots or apartments. In the case of replacement land plots, the rental allowance will extend to the period during which the new house is being built. The allowance amount will be determined by Provincial People’s Committee.

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

111. **Reparation Allowance**: If house/structure is partially affected and the remaining structure is viable for continued use, the project will provide a repair allowance to enable AHs to restore it to former or better conditions. The level of specific support will be determined by Ha Tinh PPC.

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

113. **Subsistence allowance**: AHs who is relocated or rebuilt house on the remaining land area will receive subsistence allowance in the transition period. The amount will be determined by Ha Tinh PPC.

❖ **For Impacts on Agricultural Land**

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

   (i) AHs losing 20 - 70% of their agricultural landholding (or 10 - 70% for the poor and vulnerable groups) will be provided with compensation of 6 months if they do not have to relocate, and 12 months in case of relocation. In some special cases, in extremely difficult areas, the compensation may be provided for a maximum of 24 months;

   (ii) AHs losing more than 70% of their agricultural landholding will be assisted at the above rate for a period of 12 months if they do not have to relocate, and 24 months in case of relocation. In some special cases, in extremely difficult areas, the compensation may be provided up to a maximum of 36 months;

   (iii) Households affected by loss of less than 20% of land, where the remaining land is rendered unviable for continued use, will be assisted with the above support plus any additional support as determined, for a period of 12 months.

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

116. **Allowance for Vocational Training and Job Creation**: The maximum support will be 3 (three) times of price of agricultural land for acquired agricultural land area.

117. Assistance for agricultural, garden and pond land adjacent to, but not included in the category of residential land will be made according to the provisions of Ha Tinh PPC
Support for Loss of Income and/or Business

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

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

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

For Loss of Public Land funds of communes, wards or townships:

121. If land belonging to public land funds of communes, wards or townships is acquired, it will be provided with an assistance of 70% of price of same-type agricultural land in accordance with the land price list issued by the PPC. The assistance amount will be paid into the state budget and allocated in annual budget estimates of communes, wards or townspeople’s committee. The assistance amount should be used to invest construction of infrastructure projects used for public interest purposes of communes, wards or townspeople as stipulated in Article 24 of Decree 47/2014/ND-CP.

Allowances/Assistances for Vulnerable Households

(i) For landless households: Assistance through provision of an apartment with either payment by installment to buy it or rent it for living (at AHs’ choice). Additional assistance will be considered if needed to ensure the AHs have a place to live.

(ii) Social policy Households: Relocated Households which included heroic mothers, heroic armed force, heroic labor, war veterans, wounded or dead soldiers will be provided with support as regulated by Provincial People’s Committee (to be certified by local authority).

(iii) For poor households: apart from received allowance as regulated for the affected ones, further allowance for vulnerable groups shall be also received as follows:
   • Poor AHs who have to relocate or lose more than 10% of their agricultural landholding, poor AHs who lose less than 10% of their land but such land area is not enough to continue cultivation: will be assisted in cash equal to 30kg rice/person/month for a period of 24 months or in accordance with provincial policy; whichever is higher.
• Other poor AHs: will be assisted in cash equal to 30kg rice/person/month for a period of 6 months or in accordance with provincial policy; whichever is higher.

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

❖ **Other Allowances/Assistances**

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

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

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

125. Entitlement Matrix Table below presents details of impacts level and compensation, assistance policy for AHs by the Subproject’s works implementation in the first 18-month period:
### Table 14: Entitlement Matrix

<table>
<thead>
<tr>
<th>Type of Loss/Impacts</th>
<th>Application</th>
<th>Entitlements</th>
<th>Implementation Arrangements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Level of Impact</td>
<td>Eligible Persons</td>
<td></td>
</tr>
<tr>
<td>I - Impacts due to permanent land acquisition</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1. Agricultural land ⁵</td>
<td>1.1.1. Marginal impact (&lt;20% of landholding or &lt;10% for vulnerable group) The remaining area of affected plot is still economically viable for use or meets the expected personal yield.</td>
<td>1.1.1.1. All AHs with LURC, or legalizable (22 households)</td>
<td>For affected agricultural land: (i) The Agricultural land fund of wards/commune in Ha Tinh province is in available, therefore the cash compensation will be applied instead of the “land for land” compensation to affected agricultural land area and assets on acquired land at 100% replacement cost; (ii) If area of remaining land after acquisition is not enough to continue cultivation, the project will acquire the entire piece of land and compensation would be implemented in cash for the affected agricultural land area and assets on the acquired land at 100% replacement cost. (iii) Besides cash compensation for acquired land area as stipulated above, AHs will be entitled to livelihood restoration assistances as mentioned in</td>
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<td>▪ Affected households to be notified at least 90 days before land recovery by the Project. ▪ The owner of land will hand over the land within 20 days from the date District Compensation Board fully pays compensation for land. ▪ In the case that compensation “land for land” is applied, the projects will approval land compensation in the</td>
</tr>
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</table>

⁵ Classification of agricultural land as stipulated in Article 10 of the Land Law
<table>
<thead>
<tr>
<th>Type of Loss/Impacts</th>
<th>Application</th>
<th>Entitlements</th>
<th>Implementation Arrangements</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>the RPF.</td>
<td>order of priority from severely affected households to marginal affected households.</td>
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<td></td>
<td></td>
<td>(iv) In the case of acquired land exceeding the limit of local (except for land by inheritance, donation or receive transfer of land use rights) are not entitled to compensation for land but supported remaining values invested in such lands. The Provincial People's Committee may consider providing supports suitable to the local realities.</td>
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<tr>
<td></td>
<td></td>
<td>Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</td>
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<tr>
<td></td>
<td></td>
<td>Livelihood restoration assistance will be provided, including: allowance for production stabilization; allowance for vocational training and job creation</td>
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<td></td>
<td>In addition to above, for agricultural, garden and pond land adjacent to, but not included in the category of residential land, AHs will receive assistance according to the provisions of the PPC.</td>
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<td></td>
<td></td>
<td><em><strong>Land compensation must meet the following principles:</strong></em> a) equivalent to the affected land area but not exceeding the limit of local; b) same type of soil (or equal productive capacity); c) satisfactory to the AP; d) there is land use rights for the head of household and his/her wife/husband (if any); and e) non-payment of taxes, charges and fees for registration of land use rights. If land compensation size...</td>
<td></td>
</tr>
<tr>
<td>Type of Loss/Impacts</td>
<td>Application</td>
<td>Entitlements</td>
<td>Implementation Arrangements</td>
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<tr>
<td></td>
<td>Level of Impact</td>
<td>Eligible Persons</td>
<td></td>
</tr>
</tbody>
</table>

1.1.1.2. Land Users with temporary or leased rights to use land.  
(25 households)

- For the affected families are using land allocated by the State for purposes of agriculture, forestry or aquaculture (excluding special-use forest, protection forest) of State Forest Enterprises (SFEs), AHs are not compensated for land. Cash is smaller or lower quality, AHs will be entitled to compensation on cash equivalent the differences.
- If area of land acquisition is different between actual measured and recorded on Land Use Rights Certificate (LURC), land acquisition will be compensated according to actual measured area unless otherwise occupied.
### Type of Loss/Impacts

<table>
<thead>
<tr>
<th>Application</th>
<th>Entitlements</th>
<th>Implementation Arrangements</th>
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<tbody>
<tr>
<td>Level of Impact</td>
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<tr>
<td>Eligible Persons</td>
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</tbody>
</table>
| 1.1.2. Severe Loss ≥20% or ≥10% for vulnerable groups | - Compensation and assistances as applicable for sub-item 1.1.1.1 of this matrix, priority for compensation "land for land" if local land fund is available and AHs choice.  
- In addition, they will receive assistance in cash for living rehabilitation as specified in item 3.1.2 of this matrix. | - Rehabilitation assistance will be applied in case if the option "land for land" cannot be available. The forms of assistance should be consulted closely with appropriate and effective measures of agricultural encouragement to assist the poor to |
<table>
<thead>
<tr>
<th>Type of Loss/Impacts</th>
<th>Application</th>
<th>Entitlements</th>
<th>Implementation Arrangements</th>
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<tbody>
<tr>
<td></td>
<td>Level of Impact</td>
<td>Eligible Persons</td>
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<td></td>
<td></td>
<td></td>
<td>restore their income generating capacity and income levels.</td>
</tr>
<tr>
<td>1.2. Crops and Trees, livestock</td>
<td>Loss of, or damage crops and/or trees</td>
<td>Owners of affected crops and trees created before the cut-off date regardless of the legal status of the land (47 households)</td>
<td>For annual and perennial standing crops, regardless of the legal status of the land, compensation will be paid to households who cultivate the land, according to full replacement cost will be paid to the affected persons who cultivate the land. For plants which have not been harvested yet but can be brought to another location, the transportation cost and the actual damage due to the transportation and re-planting must be compensated.</td>
</tr>
</tbody>
</table>

II. ALLOWANCES AND REHABILITATION ASSISTANCE

1.1. For Impacts on Agricultural Land

*Marginal loss (<20% of land holding or <10% for vulnerable group)*

The remaining area of affected plot is still economically viable for use or meets the expected personal

Land users: i) have LURC or legalizable; and ii) contracted by the State and directly engaged in agricultural production *(16 households)*

- Allowance for Vocational Training, Job changing and Job Creation: The maximum support will be 05 times of agricultural land price of the same kind in the local land price list for the whole acquired area but not exceeding the limit of local allocation. The level of specific support will be determined by Provincial People’s Committee.
- Allowance for production rehabilitation: Households, individuals who are
<table>
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<tr>
<th>Type of Loss/Impacts</th>
<th>Application</th>
<th>Entitlements</th>
<th>Implementation Arrangements</th>
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<td>yield.</td>
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</tr>
<tr>
<td>1.1.1. Loss ≥20% or ≥10% for vulnerable groups</td>
<td>Land users: i) have LURC or legalizable; and ii) contracted by the State and directly engaged in agricultural production (06 households)</td>
<td>Compensation and assistances as applicable for item 3.1.1 of this matrix. In addition, they also receive the following allowances: Subsistence allowance (during transition period): in cash equal 30kg of rice per person per month, in particular: (i) AHs losing 20 - 70% of their agricultural landholding (or 10 - 70% for the poor and vulnerable groups) will be provided with compensation of 6 months if they do not have to relocate, and 12 months in case of relocation.</td>
<td>▪ Price of rice is the market price at time of compensation ▪ PPC based on the actual situation will determine the level of support.</td>
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<tr>
<td>Type of Loss/Impacts</td>
<td>Application</td>
<td>Entitlements</td>
<td>Implementation Arrangements</td>
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<td></td>
<td>Level of Impact</td>
<td>Eligible Persons</td>
<td>extremely difficult areas, the compensation may be provided for a maximum of 24 months; (ii) AHs losing more than 70% of their agricultural landholding will be assisted at the above rate for a period of 12 months if they do not have to relocate, and 24 months in case of relocation. In some special cases, in extremely difficult areas, the compensation may be provided up to a maximum of 36 months; (iii) Households affected by loss of less than 20% of land, where the remaining land is rendered unviable for continued use, will be assisted with the above support plus any additional support as determined, for a period of 12 months.</td>
</tr>
</tbody>
</table>

1.2. For public land  
Land acquisition of public land funds of communes, wards or townships  
Communes, wards and towns manage acquired land (05 commune/town PCs)  
For land acquisition of public land funds of communes, wards or townships: assistance level is 70% price of same-type agricultural land in the price list issued by the PPC.  
- Financial assistance will be included in the annual budget estimates of the CPC. It is used to invest construction of infrastructure.
<table>
<thead>
<tr>
<th>Type of Loss/Impacts</th>
<th>Application</th>
<th>Entitlements</th>
<th>Implementation Arrangements</th>
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<tr>
<td></td>
<td></td>
<td>☐ For landless households: assistance through provision of an apartment that AHs can either pay in installment to buy or rent it for living (depending on the choice of the AHs). Additional assistance will be considered if necessary to ensure the affected people have inhabited.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>☐ Social Policy Relocated Households that include heroic mothers, heroic armed force, heroic labor, war veterans, wounded or dead soldiers families will be provided with support as regulated by the (to be certified by local authority)</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>☐ For poor households: apart from received allowances as regulated for the affected ones, further allowance for vulnerable groups shall be also received as follows:</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>a) Poor AHs who have to relocate or lose</td>
<td>☐ The vulnerable groups were identified in the “Glossary” part.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>☐ Price of rice is calculated as the market price at the time of compensation</td>
</tr>
<tr>
<td>1.3. Other</td>
<td>1.3.1. Allowance / Assistance targeted to Vulnerable Households</td>
<td></td>
<td>projects, used for public interest purposes of communes, wards and townships as stipulated in Article 24 of Decree 47/2014/ND-CP.</td>
</tr>
<tr>
<td>Allowances/</td>
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<td>Assistances</td>
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<td>Type of Loss/Impacts</td>
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<td></td>
<td>Level of Impact</td>
<td>Eligible Persons</td>
<td>more than 10% of their agricultural landholding, poor AHs who lose less than 10% of their land but such land area is not enough to continue cultivation: will be assisted in cash equal to 30kg rice/person/month for a period of 24 months or in accordance with provincial policy; whichever is higher.</td>
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<td></td>
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<td></td>
<td>b) Other poor AHs: will be assisted in cash equal to 30kg rice/person/month for a period of 6 months or in accordance with provincial policy; whichever is higher.</td>
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<td></td>
<td></td>
<td></td>
<td>▪ Other vulnerable groups: Female headed households with dependents, household with disabled persons, elderly without any source of support, poor households and ethnic minority households will get the same support given to poor households in accordance with the provincial policy or assisted in cash equal to 30 kg of rice per person per month for 6 months; whichever is higher.</td>
</tr>
<tr>
<td>1.3.2. Incentive Bonus</td>
<td>AHs move out of the affected areas on time</td>
<td>Incentive Bonus: All AHs who vacate the affected land immediately after receiving compensation and allowances will be given an incentive allowance depending on capacity of</td>
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<tr>
<td>Type of Loss/Impacts</td>
<td>Application</td>
<td>Entitlements</td>
<td>Implementation Arrangements</td>
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<tr>
<td></td>
<td>Level of Impact</td>
<td>Eligible Persons</td>
<td>each locality.</td>
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<tr>
<td>1.3.3. Additional allowances/supports (if necessary)</td>
<td></td>
<td>▪ AHs who will lose income sources will be entitled to take part in Income Restoration Programs. Rehabilitation measures like agricultural extension services, job training and creation, credit access and/or other measures as appropriate will be given to AHs losing income sources to ensure their livelihood could be restored to the pre-project level.</td>
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<td></td>
<td>▪ Income and Livelihood Restoration Programs will be designed in combination with current programs of the locality and with the assistance of livelihoods experts.</td>
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<td></td>
<td></td>
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<td>▪ The programs will target the needs of both men and women.</td>
</tr>
</tbody>
</table>

### III - TEMPORARY IMPACTS DURING CONSTRUCTION

#### 3.1. For temporary loss of land/assets on affected land

<p>| Temporary loss of land/assets on affected land | Owners/users affected land and/or assets created where to be used as temporary | In case the project need temporary construction plan, the PMU rents the land of the owners complying with regulations stipulated by the Civil Law. |</p>
<table>
<thead>
<tr>
<th>Type of Loss/Impacts</th>
<th>Application</th>
<th>Entitlements</th>
<th>Implementation Arrangements</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Level of Impact</td>
<td>Eligible Persons</td>
<td></td>
</tr>
<tr>
<td></td>
<td>construction plan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.1 For impact arising from the construction</td>
<td>Damages caused by contractors to private or public structures</td>
<td>Owners/ users affected land and/or assets created on affected land</td>
<td>▪ Damaged property will be restored to its former condition by contractors, immediately upon completion of civil works</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>▪ Under their contract terms and conditions, the contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages do occur, the contractor will be required to repair the damage and may also be required to pay compensation to the affected families, groups, communities, or government agencies at the same compensation rates that are applied to all other assets affected by the Project</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>▪ In case of impacts on livelihoods of AHs, the contractors, construction units have to agree with the households on payment for disruption of business.</td>
</tr>
</tbody>
</table>

**IV. OTHER IMPACTS**

<table>
<thead>
<tr>
<th>4.1 Other impacts</th>
<th>Any other impacts that may be identified during implementation</th>
<th>Individuals, organizations in the project area</th>
<th>▪ In case the Project causes restriction of access to resources or residents’ establishments, such households will be received necessary additional compensation amount or allowances.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>▪ Entitlements to compensation and other assistance could be provided in accordance with the compensation policy.</td>
<td></td>
</tr>
<tr>
<td>Type of Loss/Impacts</td>
<td>Application</td>
<td>Entitlements</td>
<td>Implementation Arrangements</td>
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<tr>
<td></td>
<td>Level of Impact</td>
<td>Eligible Persons</td>
<td>• Secondary impacts on production and business or AHs isolated from access to resources temporarily have to be compensated and supported in accordance with OP4.12 of WB.</td>
</tr>
</tbody>
</table>
6. ELIGIBILITY CRITERIA AND ENTITLEMENTS

6.1. Affected people (AP)

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

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

6.2. Identification of vulnerable groups or households

127. According to the definition of vulnerable group/household in the Project’s Resettlement Policy Framework and the definition of beneficiaries of social sponsorship in Decree No. 67/2007/NĐ-CP dated 13th April 2007 and the Decree No. 13/2010/NĐ-CP dated 27th February 2010 by the Government on support policies for beneficiaries under social sponsorship, the Project’s vulnerable HHs/groups shall include:

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

128. These are special groups that may suffer from inappropriate impacts or are exposed to the risks of further impoverishment from resettlement. Hence, the Compensation Board and the Project Management Unit, during the process of devising compensation, assistance and resettlement methods, must co-operate with the People's Committees of ward/communes to
survey and update the list of vulnerable groups or HHs in order to provide timely and proper assistance.

6.3. **Eligibility**

129. The eligibility for entitlement to compensation is determined by asset ownership criteria as follows:

(i) Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country. In the consideration of such cases, it is also useful to document how long AHs have been using the land or the assets associated with it);

(ii) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the laws of the country or become recognized through a process identified in the RAP;

(iii) Those who cannot legalize the right to land use in accordance with Vietnamese laws or have no recognizable legal right or claim to the land they are occupying.

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

131. As defined, a cut-off-date is the date that a State competent agency issues the announcement of land acquisition before detailed measurements (Point 1, Article 67 of 2013 Land Law). However, to build a basis for designing this RAP, 30th March 2017 (completion date of IOL) is defined as the temporary cut-off-date to identify the extent of impact due to land acquisition. AHs and local communities have been informed about this cut-off date and information related to the Project so that they can work out their own production/investment/construction plans, avoiding damages or losses otherwise caused by a lack of information on the Project.

6.4. **New HHs after the cut-off date**

132. Those households splitting from larger families after the cut-off-date who meet the following conditions shall be recognized as eligible AHs:

(i) Households with multiple generations or many couples living together on a plot of acquired lands who are eligible to separate households;

(ii) Endorsement by the District authority with verification of commune People’s Committee that the household has split;

(iii) Newly born children, spouses of persons named in the household registration books, people who have completed military service, and people who have just returned from schools to live with the AHs from the cut-off date to the date of compensation payment will be entitled to compensation and support outlined in the Resettlement Policy Framework.
133. In case the Gov regulations will be changed and there will be some entitlements, which are better than the ones described in the RPF, these better entitlements will be applied for the affected people (if possible).

7. **LIVELIHOOD RESTORATION PROGRAM**

7.1. **Income Restoration and Assistance Policies**

134. When implementing the project, apart from the construction of works bearing significant socio-economic meaning, the concern about how project-AHs could have normal life is the ensured project sustainability.

135. The objective of income restoration program is to aid subjects-households incurring income damages due to project implementation: (i) changed occupations as a result of loss of agricultural land and (ii) terminated/affected production and business as a result of loss of premises, means of production et. Incomes shall be recovered the same as those before project implementation, or incomes shall be increased further and make sure that AHs will adapt themselves to new conditions at the soonest.

136. The project ensures full compensation and assistance policies at replacement cost for the affected land, buildings and assets. Besides, policies to support income restoration for those AHs are guaranteed and stated fully in the Resettlement Policy Framework of the Project.

7.2. **Income Restoration Measures**

137. From experiences, if the vulnerability due to resettlement is not mitigated, the outcomes of development projects regularly lead to severe environmental and socio-economic problems: As for affected households in consequence of agricultural land acquisition (particularly affected households that lose 20% of total agricultural area and vulnerable households), production systems are destroyed; people must face the loss of production tools, for their production assets are affected or they have no alternative income sources. As for displaced or resettled households, their income sources are affected in several first months after displacement if their income is based on land or business site.

138. From the characteristics of the Project, the livelihood restoration measures for affected households are being developed through coordination by the PMU of Ha Tinh, consulting units, local authorities and relevant agencies such as the Department of Labor, War Invalids and Social Affairs, Vocational Training Center and Job Center of the province, Local Policies Bank Appropriate by support programs and income restoration based community participatory approach.

139. Thus, a livelihood restoration program with policies and restoration measures will focus on the following directions: vocational training and job creation; Support for vulnerable groups; Financial support (financial support for households’ self-business; self-employment), etc. Below are specific income restoration measures:

**7.2.1. Assistance for job changing and job creation**

140. Ha Tinh project will cause land acquisition, including agricultural land, affecting lives of households, especially farmers. Thus, in addition full compensation policies for land, affected works and assets as replacement cost, supports are also provided:

*Support for vocational training and vocational guidance by cash:*
141. For households affected by agricultural land acquisition, these households will be assisted 3.0 times (300%) of agricultural land cost for the entire acquired agricultural land area.

*Training on development of agricultural, livestock programs:*

142. Through consultations with the commune authorities in the project area, currently, the project communes/wards have organizing training courses on agricultural development programs co-organized to be developed by Agricultural Extension Center, the cooperatives and the Divisions of Labor, Invalids and Social Affairs of the districts. Hence, the income restoration program for affected households due to the loss of agriculture in the project area will be proposed in combination with the local vocational training programs for rural workers. Training courses include: (i) Training in veterinary: care and prevention techniques for cattle and poultry; (ii) Technology transfer: growing fruit trees, planting industrial trees.

143. In addition, the program will be applied to those who in the working age are directly affected on agricultural production and have the demands for vocational training, job changing, job introduction, job creation loans under Decision 52/2012/QD-TTg of the Prime Minister, especially:

144. Vocational training assistance: Vocational training allowance includes cost of taking the course: (i) short-term vocational courses (elementary level or vocational training time less than 3 months) under the GoV’s Project on Vocational Training for Rural Workers until 2020; (ii) Vocational training at intermediate and college levels. Vocational training schools in Ha Tinh province include:

   + **Vocational School in Ha Tinh Province**
     Address 1: No.454, Ha Huy Tap, Ha Tinh city, Ha Tinh province
     Address 2: Village 3, Thach Ngoc commune, Thach Ha district, Ha Tinh province
   + **Ky Anh Vocational Training Center - Ha Tinh**
     Address: Hung Binh street, Ky Anh town, Ky Anh district, Ha Tinh province
   + **Ha Tinh Industrial Vocational College**
     Address: Km 500 + 500 National Highway 1A, Thach Trung commune, Ha Tinh city, Ha Tinh
   + **Viet Duc Vocational Industrial School – Ha Tinh**
     Address: 371 Nguyen Cong Tru, Ha Tinh city, Ha Tinh province

145. Support credit loans for pupils and students in accordance with the current regulations. As Decision no. 157/2007/QD-Ttg dated 27/09/2007 by the Prime Minister on maximum loan for a pupil, student of 800,000 Vnd/month (8,000,000 VND/ year). Specific loan level for each pupil, student is determined based on tuition, domestic cost and loan demand of borrower, however, maximum loan is or less than 800,000 VND/ month. In addition, pupils, students included in policy households or difficult households can be exempted from tuition.

146. Domestic job creation support: Consulting services on apprenticeship, job introduction will be provided free of charge at the Job Introduction Center directly under Ha Tinh Department of Labour - Invalids and Social Affairs.

147. Support for contractual abroad working:
- Support 100% tuition fee of vocational training and learning foreign languages and fostering necessary knowledge;
- Support 100% of costs for health examination, passport, visa and judicial records before going to work abroad;
- Support for daily meals during the studying time;
- Support for round-trip tickets from residence to the studying place in a distance of over 15km;
- Also, support loans with preferential interest rates from the Bank for Social Policies to cover the necessary expenses for fixed-term abroad working.

**Job introduction:**

148. The Project will give priorities for capable people, including men and women, during the project construction and operation: The Project will take into account and give priorities to members of relocated households to work as construction workers for the work items under the project.

149. In addition, Ha Tinh province also has job introduction centers directly under Ha Tinh Department of Labor, Invalids and Social Affairs which are operating very effectively in training and job introduction for workers in the province. Namely, Job Service Center of Ha Tinh city (Address: No.156, Tran Phu street, Ha Tinh city. Telephone: 02393.851.295 – 02393.853.505).

150. Implementation arrangements: Parallel to the dissemination of information on projects, disclosure and publicly posting information relating to compensation and assistance and resettlement (if any) and site clearance, the Project will also incorporate to disseminate information on training programs to affected persons.

7.2.2. **Support for Vulnerable Groups**

151. These are special groups that might suffer disproportionately impacts or might suffer risks of impoverishment due to impacts of resettlement. The group includes poor households, policy families, families deserving for the revolutions, the single elder and woman-headed households with dependents. They may be people who can hardly be competitive on the labor market when their livelihoods depend on the land area acquired/affected by the project. Therefore, the special support programs for these groups should be carried out. These programs may coincide with the general assistance programs to all households affected by the project but there are certain priorities for vulnerable households

152. Specific support policies include:

- Giving priority to vocational training or job creation.
- Food or material assistance for extremely disadvantageous households without labor capacity (combined with the social welfare policies of locality)
  + For poor households: in addition assistance as regulations, households affected with land will be assisted as follow:
    - Poor households lose more than 10% of production land area, poor households lose less than 10% of land area, but remaining land area is insufficient for cultivation: will be assisted in cash, equivalent to 30kg of rice/person/month within 24 months or as policies of the province, higher assistance level will be applied.
• Other affected poor households: assisted in cash, equivalent to 30kg of rice/person/month within 6 months or as policies of the province, higher assistance level will be applied.

+ Other vulnerable groups: Households with women-headed, households with the disable, elderly without support sources and ethnic minority households will be additionally assisted seeds as poor households in accordance with the province’s policy or assisted in cash equivalent to 30kg of rice/person/month within 6 months, higher assistance level will be applied.

7.2.3. **Credit Loan Support**

153. In the recent years, the Vietnam Bank for Social Policy (VBSP) – Ha Tinh provincial branch regularly coordinated with other agencies, political and social organizations implementation of credit programs to provide preferential loans to poor households and other policy objects. So, many households have escaped from poverty, appearance of hamlets in Ha Tinh is changing and prospers.

154. Currently, Ha Tinh social policy bank has been implementing 05 credit programs including: loan for poor households, employment solutions, labor export, pupil-student, clean water- rural sanitation. In addition, there are loan programs for production development, program 135, loan as the program 22 of GoV, loan for maintenance, repairing of irrigation works and so on.

155. Thus, the livelihood restoration program, after receiving straight feedbacks and comments for demands and expectations of households, will basically meet the desires/demands of the households. To maximize the effectiveness of the program, the communication of the project to the people will be continued to provide information about the project as well as the income restoration programs during the project implementation and later resettlement phases.

156. In addition to the above-mentioned measures, Ha Tinh PPC will take additional support measures (if necessary) to assist households affected by land acquisition for the project to restore their life.

157. Table below summarizes IRPs for AH by EFRD project- Ha Tinh subproject.

<table>
<thead>
<tr>
<th>No.</th>
<th>IRPs</th>
<th>Participants</th>
<th>Implementation Agencies</th>
<th>Implementation Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Support for vocational training and vocational guidance by cash</td>
<td>Households are affected with agricultural land and forestry land</td>
<td>Site clearance Compensation Committee or districts LFDC</td>
<td>Quarter III/2017</td>
</tr>
<tr>
<td>2</td>
<td>Training on development of agricultural, livestock programs</td>
<td>All affected households</td>
<td>Agricultural Extension Center, the cooperatives and the Divisions of Labor, Invalids and Social</td>
<td>From Quarter III/2017 – Quarter III/2018</td>
</tr>
<tr>
<td>No.</td>
<td>IRPs</td>
<td>Participants</td>
<td>Implementation Agencies</td>
<td>Implementation Plan</td>
</tr>
<tr>
<td>-----</td>
<td>-------------------------------------</td>
<td>---------------------------------------</td>
<td>-------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>3</td>
<td>Job introduction</td>
<td>All affected households</td>
<td>Employment Service Center of Ha Tinh province</td>
<td>From Quarter III/2017 – Quarter III/2018</td>
</tr>
<tr>
<td>4</td>
<td>Support for vulnerable households</td>
<td>- Poor households</td>
<td>Site clearance Compensation Committee or districts LFDC</td>
<td>Quarter III/2017</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Policy households</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Ethnic minorities</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Households with the disable</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Households with the elderly</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Households with women-headed with independents</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Loan support</td>
<td>All affected households</td>
<td>Social Policy Bank of Ha Tinh province</td>
<td>From Quarter III/2017 – Quarter III/2018</td>
</tr>
</tbody>
</table>

### 7.3. Cost estimate for Income Restoration Measures

158. Results of consultations with affected households showed that households will continue to produce on the remaining land area and shared the opinion that the Project should: (i) support households to maintain their lives; and (ii) study compensation plan, provide reasonable support to the people satisfactorily. For 6 vulnerable households when being asked about their needs / desires/ job options after land acquisition, results are as follow: i) there are 1 households requested to be supported capital and farming techniques to continue their farm work on their remaining land area; ii) 5 households wished to be supported by the project in vocational training and job introduction for members at population age without stable employment; iii) 40 households wished to be training on development of agricultural, livestock programs

159. The total cost estimate rof income restoration program for Ahs in subproject Ha Tinh provice about **104,400,000** VND equivalent to **5,788** USD. This budget will be provided by Ha Tinh PPC through counterpart fund.
### Table 16: Cost estimate for Income Restoration Program for AH

<table>
<thead>
<tr>
<th>No</th>
<th>Action</th>
<th>Unit</th>
<th>Qty</th>
<th>Unit cost</th>
<th>Time (Month)</th>
<th>VND</th>
<th>USD (1 USD = 22.700 VND)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Agriculture component</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>63,600,000</td>
<td>3,991</td>
</tr>
<tr>
<td></td>
<td>- Input</td>
<td>Class</td>
<td>2</td>
<td>3,000,000</td>
<td>3</td>
<td>18,000,000</td>
<td>793</td>
</tr>
<tr>
<td></td>
<td>- Support from Agriculture center</td>
<td>Staff</td>
<td>1</td>
<td>7,600,000</td>
<td>3</td>
<td>22,800,000</td>
<td>1,004</td>
</tr>
<tr>
<td></td>
<td>- Support from Farmer's Union</td>
<td>Staff</td>
<td>1</td>
<td>7,600,000</td>
<td>3</td>
<td>22,800,000</td>
<td>1,004</td>
</tr>
<tr>
<td>2</td>
<td>Training component</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>40,800,000</td>
<td>1,797</td>
</tr>
<tr>
<td></td>
<td>- Short term training 3 months</td>
<td>Class</td>
<td>2</td>
<td>3,000,000</td>
<td>3</td>
<td>18,000,000</td>
<td>793</td>
</tr>
<tr>
<td></td>
<td>- Support from Vocational Training Center</td>
<td>Staff</td>
<td>1</td>
<td>7,600,000</td>
<td>3</td>
<td>22,800,000</td>
<td>1,004</td>
</tr>
<tr>
<td>3</td>
<td>Total IRP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>104,400,000</td>
<td>5,788</td>
</tr>
</tbody>
</table>

8. PUBLIC CONSULTATION AND INFORMATION DISCLOSURE

8.1. Objectives of Public Consultation and Information Disclosure

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

- a) To ensure that all affected persons and stakeholders will be involved in the planning and making decisions on involuntary resettlement related to them;
- b) Minimize the adverse impacts caused by involuntary resettlement;
- c) Avoid possible conflicts during project implementation.

161. The AHs need to be fully informed and consulted closely on selected areas for resettlement and compensation and assistance plans. Consulting affected persons is the starting point for all activities related to resettlement. People affected by resettlement may fear that they might lose their livelihoods and communities, or fear they do not prepare well for the complex negotiations on entitlements. AHs will be involved in the resettlement
planning and management to help decrease fears and give opportunities for them to participate in making decisions on what will affect on their lives. The implementation of resettlement without consultation may lead to an inappropriate strategy and ultimately ineffective. If the affected person is consulted promptly, all conflicts related to the project can be resolved timely.

162. The following points should be focused on encouraging the relevant agencies involved in the consultation process of the Project:
   a. Identify and encourage all relevant agencies, and especially the affected persons participate in the consultation and participation;
   b. Develop strategies for relevant agencies to participate in the planning, monitoring, implementation and evaluation;
   c. Explain the strategy and details for the dissemination of information, and establish procedures to allow the affected persons to negotiate their entitlements;
   d. Attractive relevant agencies to participate in making decisions at different stages of project implementation (e.g. compensation mechanism, consulting the affected persons is consult about the compensation progress and implementation, etc.);
   e. Set up a schedule for activities such as providing information, compensation level and the method and establish interests, location and relocation plan;
   f. Establish grievance redress procedures

8.2. The Process of Consultation and Participation

163. Responsible agencies: AHs will be notified by Ha Tinh PMU on the responsibility of organizations/ agencies and local authorities in charge of resettlement and the names and functions of the local government staff along with numbers telephone, address and working time.

164. Implementation process: The AHs will be notified of the process estimated important resettlement activities and building can only begin when the relocation is implemented and finished and the affected persons have to get out of the project area. It is necessary to emphasize that after receiving compensation for their lost property, AHs will soon relocate as stipulated. The CRCs at all levels will be provided with maps, diagrams and statistics concerning the extent of impacts and the implementation plan.

165. Disclosure of information: The RPF will be posted for affected persons and community in public places such as Ha Tinh PMU, District/City/Ward/Commune People's Committees and even at the community household of the residential area.

166. After RAP approved by the PPC, RAP will be disseminated in public places such as Ha Tinh PMU, the District/City/Ward/Commune People's Committees, and on the website of the World Bank in Hanoi and Washington D.C.

8.3. Public Consultation

167. During the project preparation, information disclosure and public consultation aims to collect information to evaluate resettlement impacts by the project and give out recommendations of optimal options. This will minimize or eliminate potential negative impacts on the local residents and cope with problems arising during the implementation process. The methods of information disclosure and public consultation include participatory rural appraisal (PRA) and consultation with stakeholders through visits to affected
households, public meetings, group discussions, focus group discussion and socio-economic survey.

8.3.1. Public Consultation during the Preparation Phase

168. During project’s preparation stage, information disclosure and public consultation aim to gather information for assessing project resettlement impacts and clarify recommendations on possible alternative technical options. This will reduce and/or mitigate potential negative resettlement impacts on local population and to proactively address issues or problems that may emerge during the implementation. AHs have been consulted on the impacts and measures taken to minimize the negative impacts and enhance the entitlements to the community. Local authorities have also been advised of agreements and commitments to implementing the resettlement policy.

169. Ha Tinh PMU, with the assistance of resettlement consultants, conducted consultations on compensation and resettlement with relevant stakeholders, including officials from the ward/ commune People’s Committees, the leaders of the hamlets and the local population in the affected area.

170. Early March 2017, Ha Tinh PMU sent the Dispatch and Public Consultation Plan to the project wards/communes to request the local authorities to coordinate and invite affected households to attend the public consultation meetings to ensure their full and effective participation.

171. In the Mid-2017, public consultation meetings were carried out at the project wards/communes within first 18 months to notify and consult local people and community on the project’s policies and their entitlements. The specific programs are summarized below.

Table 17: Public Consultation On Land Acquisition and Resettlement

<table>
<thead>
<tr>
<th>No.</th>
<th>Location</th>
<th>Time of consultation</th>
<th>No. of participants</th>
<th>Participants</th>
<th>Contents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Ha Tinh provincial Dam Rehabilitation and Safety Improvement Project Management Unit</td>
<td>8h – March 30</td>
<td>25</td>
<td>- Representatives of local authorities and unions: Farmer association, Women’s Union, Fatherland Front, Youth’s Union, etc.</td>
<td>1. Project Description - Introduction about the project (objectives, locations, scale and plan of the project, etc.); - Technical proposal of the project; work items to be implemented in wards/communes. - Policies related to compensation, support and site clearance/resettlement of GoV, WB and the Project.</td>
</tr>
<tr>
<td>2</td>
<td>Head Office of Xuan Vien CPC</td>
<td>13hh30 – March 30</td>
<td>10</td>
<td>- Representatives of affected households of project</td>
<td>2. Public consultation about resettlement issues and options to arrange resettlement for displaced HHs;</td>
</tr>
<tr>
<td>3</td>
<td>Head Office of Thien Can town PC</td>
<td>8h00 –</td>
<td>15</td>
<td>- Representatives of Ha Tinh PMU - Representatives of Consultant</td>
<td></td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>No.</th>
<th>Location</th>
<th>Time of consultation</th>
<th>No. of participants</th>
<th>Participants</th>
<th>Contents</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Head Office of Ky Son CPC</td>
<td>14h00 – March 15</td>
<td>17</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Head Office of Huong Trach CPC</td>
<td>14h00 – March 15</td>
<td>10</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Source: Resettlement Survey, March 2017)

172. Results of the public consultation meetings with the local people showed that in the project area, people actively expressed their opinions on implementation of the project items. Consultation results are shown in the table below:
<table>
<thead>
<tr>
<th>No.</th>
<th>Components/Works</th>
<th>Public opinions</th>
<th>Feedback from the Project</th>
<th>Conclusion</th>
</tr>
</thead>
</table>
| I   | Component 1: Repair and reconstruction of spillway, culvert on 19/5 river along Phuc Long-Nhuong dyke, Cam Xuyen | - Local authorities and people agree with the project and expect the project to be implemented soon in Ky Son commune to ensure transport on roads from Ky Son and Ky Lac commune.  
- In addition, it is necessary to publicize early the satisfactory compensation and assistance policy. | - The project partner will receive comments from the villagers and make the plans which affect the households at lowest level as possible.  
- The compensation policy for AHs will be implemented in accordance with the policies of the Government of Vietnam and donors. In addition to compensation for land and assets on land, AHs will receive additional support such as subsistence, job change and so on. | All participants in consultation in the project wards agreed to support the implementation of the project. AHs are willing to participate in site clearance for the project implementation. |
|     | Rehabilitation of upgrading of My Thuan spillway bridge, Ky Anh district          |                                                                                                                                                                                                                  |                                                                                                                                                                                                                        |                                                                                                                                                                                                        |
| a   | Repair and reconstruction of Khe Tria drainage, in Nghi Xuan district             | - Local authorities and people support the project implementation and expect the project to be implemented soon. To ensure flood drainage, flood mitigation, embankment protects 618 ha of production, garden, residential land from landslide in Xuan Vien commune, ensure being more convenient in traveling, community trade, production development and rescue response in Xuan Vien, Xuan Linh communes in particular, Nghi Xuan district in general.  
- It is recommended that the project                                         | - The project partner will receive comments from the villagers and make the plans which affect the households at lowest level as possible.  
- Prior to conducting work at locality, the project implementation unit will receive a notification as well as a detailed work plan to send to the locality.  
- The compensation policy for AHs will be implemented in accordance with the policies of the Government of Vietnam and donors. In addition to compensation for land | 100% of delegates participating in the project consultation meetings in localities agreed to support the project implementation.                                                                                     |
<table>
<thead>
<tr>
<th>No.</th>
<th>Components/Works</th>
<th>Public opinions</th>
<th>Feedback from the Project</th>
<th>Conclusion</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>team implement closely to ensure the quality progress of the project, promptly implement the project before the flood season.</td>
<td>and assets on land, AHs will receive additional support such as subsistence, job change and so on.</td>
<td>100% of delegates participating in the project consultation meetings in localities agreed to support the project implementation. AHs are willing to participate in site clearance for the project implementation.</td>
</tr>
<tr>
<td>c</td>
<td>Repair and reconstruction of spillway, culvert on 19/5 river along Phuc Long-Nhuong dyke, Cam Xuyen district</td>
<td>- People expect the project to be implemented soon to ensure water resource for domestic activities and irrigation in the project area with 700ha along with dyke, contributing mitigation of flood, protection of lives and property of local people with the protected area of 3300 ha.</td>
<td>- Prior to conducting work at locality, the project implementation unit will send a notification as well as a detailed work implementation plan to localities.</td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Components/Works</td>
<td>Public opinions</td>
<td>Feedback from the Project</td>
<td>Conclusion</td>
</tr>
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<td>-----</td>
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<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>the progress of the project implementation so that AHs are informed and arrange suitable crops</td>
<td></td>
<td>100% of delegates participating in the project consultation meetings in localities agreed to support the project implementation. AHs are willing to participate in site clearance for the project implementation.</td>
</tr>
</tbody>
</table>
| d   | Rehabilitation and upgrading of Tan Dua spillway bridge | - People expect the project to be implemented soon. Upgrading of Tan Dua spillway bridge for traveling on roads in Huong Trach commune and neighboring communes, as well as for traveling on roads in Ky Son and Ky Lac communes.  
  - AHs completely agreed to participate in site clearance, site clearance areas are mainly riverbank land, and there is a section of affected agricultural land | - Prior to conducting work at locality, the project implementation unit will send a notification as well as a detailed work implementation plan to localities.  
  - The project unit would like the local authorities and people to cooperate and support for the project so that the project can be completed on schedule. |                                                                                                                                                                                                                           |
173. After the survey, the meeting with the local authorities for reporting on all survey/consultation results was organized. At the same time, other related information, advantages and disadvantages, experience lessons and proposed measures were discussed and addressed in the resettlement plan and established monitoring index and continue implementing at next steps.

8.3.2. Consultation during the Project Implementation

174. During the project implementation, Ha Tinh PMU, with the support from the Consultant, shall undertake following tasks:

(i) Providing information to relevant agencies at all levels throughout training workshops. Provide detail information on the project policies and implementation procedures.

(ii) Organizing information dissemination and consultation to all affected persons during the project implementation.

(iii) The CRC carries out DMS, updates the compensation rates in the updated RAP and reconfirms the scale of land acquisition and impacts on properties based on the results, consultation to affected persons, develop and complete the compensation plan for each affected household.

(iv) The compensation plan finalizes affected assets and compensation entitlements of households, which must be signed by affected persons to demonstrate their concurrence with the evaluated results. Any questions of affected persons on the content of the compensation plan must be recorded at this time.

(v) A letter/questionnaire about resettlement options will be given to all PAPs entitled to relocation (a) to inform them about resettlement options (a clear explanation of the consequences of choosing each option will be given), (b) to request that PAPs confirm their choice of resettlement option and their preliminary confirmation of resettlement site location, and (c) to propose the PAPs to clarify services that they are using such as education/health/market and distance of access to those services to ensure development of the future infrastructure services.

(vi) Consulting affected people about their desires for the rehabilitation plan. This will be applied for severely affected and vulnerable people. The DCRC will notify affected persons the plan and their entitlement to receive technical assistance before requesting them to make clear their desire on the rehabilitation support.

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

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

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

(i) Explanations given verbally and in visual format, including written information and drawings of the proposed design for the different works supported by the Project.

(ii) Adequate opportunities will be provided for PAPs to respond with questions and comments. PAPs will be encouraged to contribute their ideas for PAP rehabilitation options.

(iii) District/City CRCs will establish a complete list of all PAPs present at the meetings.

(iv) District/City CRCs will make a complete record of all questions, comments, opinions and decisions that arise during the information/consultation meetings, and present a report of all the meetings to Ha Tinh PMU.

178. The following information will be given to PAPs:

(i) **Project components and sub-projects.** This includes the places where they can obtain more detailed information about the Project.

(ii) **Project impacts.** Impacts on the people living and working in the affected areas of the project, including explanations about the need for land acquisition for each project.

(iii) **PAPs rights and entitlements.** These will be defined for PAPs. A cut-off date will be announced to establish eligibility. The rights and entitlements for different impact on PAPs, including the entitlements for those losing businesses, jobs and income will be explained. Available options include for land-for-land and cash compensation, options regarding reorganizing and individual resettlement, provisions and entitlements to be provided for each PAP, entitlement to rehabilitation assistance and opportunities for project-related employment will all be discussed and explained.
(iv) **Grievances redress mechanism.** PAPs will be informed that the project policies and procedures are designed to ensure their pre-project living standards are restored. PAPs will also be informed that if there is any confusion or misunderstanding about any aspect of the Project, the resettlement committee can help resolve problems. If they have complaints about any aspect of the land acquisition, compensation, resettlement, and rehabilitation process, including the compensation rates being offered for their losses, they have the right to make complaints and to have their complaints heard. PAPs will receive an explanation about how to access grievance redress procedures. They will be given information with details of which office to contact and local contact points for grievance redress.

(v) **Right to participate and be consulted.** The PAPs will be informed about their right to participate in the planning and implementation of the resettlement process. The PAPs will be represented in District’s resettlement committees, and the representative for the PAP will be present whenever commune/district/provincial committees meet so that their participation in all aspects of the project is assured.

(vi) **Resettlement activities.** PAPs will be given an explanation regarding compensation calculations and compensation payments; monitoring procedures which will include interviews with a sample of PAPs; relocation to an individual location/self-relocation; and preliminary information about physical works procedures.

(vii) **Organizational responsibilities.** PAPs will be informed about the organizations and levels of Government involved in resettlement and the responsibilities of each, as well as the names and positions of the government officials with phone numbers, office locations, and office hours if available.

(viii) **Implementation schedule.** PAPs will receive the proposed schedule for the main resettlement activities and informed that physical works will start only after the completion of all resettlement activities and clearance. It will be clarified that they will be expected to move only after receiving full payment of compensation for their lost assets. Implementation schedules and charts will be provided to resettlement committees at all levels.

179. **Project Leaflet.** A Project Leaflet providing project information will be prepared and handed out to the PAPs in the project preparation and implementation stages to ensure that the people are well aware of the project benefits. The project leaflet will provide detail of the compensation and assistance policies mentioned in this RPF so as to propose social impact mitigation measures in case of land acquisition and site clearance by the sub-project.

8.4. **Information Disclosure**

180. As requested by WB, the Resettlement Plan was disclosed in Vietnamese at local level, especially in the office of Ha Tinh PMU, the district/city/ward/commune people’s committees, Ha Tinh province’s portal on June 19, 2017 and on the Bank’s website on June 20, 2017.
9. GRIEVANCES AND REDRESS MECHANISM

9.1. Responsibility

181. The agencies are responsible for carrying out the process for settling complaints, questions during the implementation of site clearance compensation including the CPC, the Department of relevant departments, the site clearance compensation council all levels, the local People's Committee which was affected by the project and the organization in charge of compensation and ground clearance for the construction project as well as Ha Tinh PMU. Depending on the functions and responsibilities of each level, the mechanism for settling complaints and queries of the affected households will be defined according to the legal documents issued by the State.

182. To ensure the affected households have the opportunity to present complaints related to compensation, support and resettlement, detailed complaint procedures will be established for the project. The objective is to address the complaints of affected households rapidly and right process. The mechanism will be designed to be simple, straightforward, fast, open and fair. By resolving complaints at each project level, project implementation schedule will certainly be more effective. Those who have land recovered if not agree with the decision on compensation, assistance and resettlement can present complaint in accordance with the law.

183. The grievance redress with the decision of compensation and assistance, clearance and resettlement with responsibility for redressing grievances, validity and procedures for settling complaints shall comply with the provisions of Article 204 of the Land Law 2013, articles 89 and 90 of Decree No. 43/2004/ND-CP dated 15 May 2014 of the Government of Vietnam on the implementation of the Land Law.

184. Cases related to administrative decisions on land management will comply with procedures to address grievances, complaints, recommendations on civil enforcements set forth in 2011 Law on Complaints and Circular No. 02/2016/TT-BTP dated 01 February 2016 of the Ministry of Justice.

9.2. Grievance redress mechanism

185. All inquiries and complaints from complainants on the right of compensation, compensation policies, compensation rate, land acquisition, resettlement and the related entitlements related to restoration programs will be recorded and processed by the competent authorities. Local social organizations such as the Fatherland Front, Farmers' Association, Women’s Union, Reconciliation Council, etc. are mobilized to participate actively in the process of reconciliation and resolution of complaints and inquiries from complainants. The grievance procedures consists of four steps as follows:

**Step 1:** The aggrieved affected household can bring his/her complaint in writing or verbally to any member of the Commune People’s Committee, either through the Village Chief or directly to the CPC. It is incumbent upon said member of CPC or the village chief to notify the CPC of the complaint. The CPC will meet personally with the aggrieved affected household and will have 30 days and maximum of 45 days following the lodging of the complaint, depending on complicated case or distance, to resolve it. The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles.

Land fund development center and/or ward/commune People’s Committees shall be responsible for settling these complaints within 30 days from receipt of the complaints from complainants. For complicated cases, the redressing time may be longer but must not exceed 45 days from the date of receipt of the complaints.
Step 2: If complainants are unsatisfied with judgment of the LFDC and/or Ward People’s Committee, they can send their grievances to the District People’s Committee. Deputy Chairman of the city council chairman clearance organizations responsible for consideration and settlement of complaints of people affected with the participation of relevant agencies are participating menu board. Time to settle complaints by the Board of clearance is within 45 days of receiving the complaint. For complicated cases, the processing time may be longer but must not exceed 60 days from the date of receipt of the complaints and complaints.

In the case of complaints by complainants beyond the competence of the Council of clearance, the Council will report to the city People's Committee for resolving, simultaneously notify the complainants to know. City Resettlement Council (CRC) is responsible for working with the agencies of the City/District People’s Committees to resolve complaints by people affected within 15 days. Upon receipt of the settlement of the city People's Committee, the commune/ward PCs are responsible for the fulfillment of its notification to the complainants.

Step 3: If the AHs still do not satisfy with the decisions of the PPC on their appeals they can submit their cases to the district courts for review within 15 days since they received decisions from Ha Tinh province.

PPC is responsible for directing City Resettlement Council (CRC) and the relevant agencies of the city resolved within 45 days of receiving the complaint PPC. PPC shall notify the complainants of settlement results.

Step 4: If the complainant is still dissatisfied with the decisions of the PPC, the complainant can bring to the provincial People's Council or to the Court to be resolved according to law.

In fact, according to the Law on Complaints 2011, complainants may submit to the court at any given time if they want.

Where the complainants send a complaint to the City People's Council, the People's Council will direct the City/District People’s Committees to consider and settle the complaint. Duration resolve complaints within 45 days from the date of the City People's Council received a complaint. Pending the settlement of complaints, including the resolution of disputes in court, the people affected must hand over the site to the project on schedule. Compensation, support amount will be deposited in a commercial bank account.

186. The agencies responsible for complaints and resolve complaints during site clearance and compensation are City/District People’s Committees, relevant departments. CRC at all levels and communes/wards PCs affected by the project. All records of complaints and resolving complaints related agencies are stored at the LFDC and Ha Tinh PMU. Ha Tinh PMU is responsible for updating the list of complainants and status of complaints expressed in the internal monitoring reports.

10. IMPLEMENTATION ARRANGEMENTS

10.1. Institutional Framework

187. The implementation of resettlement activities requires the involvement of agencies and organizations at national, provincial, district and commune levels. The PC of each Province engaged in the Project will take overall responsibility for the implementation of the general resettlement policy framework and specific resettlement plan of the sub-project of the province. DCRCs will be established at provincial/district levels in compliance with
provisions of Decree No. 47/2014/CP. The provisions and policies of the RPF and the RAP will form the legal basis for the implementation of compensation and resettlement activities of the subproject. Agencies in charge of land acquisition and resettlement include:

- Ha Tinh PPC
- District/City PCs
- Ha Tinh PMU for Dam Rehabilitation and Safety Improvement Project
- District/City LFDC
- People’s Committees of project wards/communes;
- Representatives of community and AHs;
- Independent Monitoring Agency/Unit/Individual

10.2. Responsibilities of Relevant Agencies

10.2.1. Ha Tinh PPC

188. Ha Tinh PPC is responsible to or authorizes the District/City PCs to establish and direct the Appraisal Board in accordance with the Project’s demands. Ha Tinh PPC or the District/City PCs (if authorized) shall be responsible for:

(i) Approving the Resettlement Policy Framework (if authorized by the Government);

(ii) Issuing announcements or authorizing the district/city PCs to announce information on land acquisition when the Sub-Project location has been selected;

(iii) Appraising and approving RAP after their final draft is approved by the Bank;

(iv) Approving land acquisition and allocation in the Project;

(v) Making final decision and releasing unit prices of compensation and assistance rates, and support policies towards AHs and vulnerable groups on the basis of the Resettlement Policy Framework and the approved RAP;

(vi) Directing the coordination among concerned agencies and provincial departments to implement compensation, assistance and resettlement in accordance with the approved RAP;

(vii) Fully funding resettlement activities;

(viii) Ensuring that the resettlement activities of the Sub-Project comply with the Policy Framework and the approved RAP;

(ix) Considering resettlement locations for AHs, if requested.

10.2.2. Ha Tinh PMU for Dam Rehabilitation and Safety Improvement Project

189. Ha Tinh PMU is responsible for implementation of RAP of the Subproject. Accordingly, the project staffs who are qualified and experienced will be appointed or assigned to take responsibility for environmental and social safeguards under the Subproject. They will be involved in training courses in relevant policies and procedures since the first stage of implementation. The list of personnel and their CVs as well as the above-mentioned training programs should be agreed and approved by the WB. In detail, responsibilities of Ha Tinh PMU include:

(i) On behalf of the Client or city to assign the specialized officials in charge of implementing and monitoring resettlement activities in line with the Subproject under
the management of the PPC or DPC to prepare plans, coordinate and monitor the RAP;

(ii) To prepare and/or update RAP in accordance with the approved Resettlement Policy Framework and submit it to the PPC/City PC and WB for approval before deploying the approved RAP;

(iii) To guide all resettlement activities in the project city/wards/communes in conformity with the policies and guidelines of the RAP;

(iv) To establish model procedures/processes regarding information disclosure and relevant consultation organization such as sending a monthly notification to the communities on the Project activities; to coordinate other agencies involved in the RAP, implementing and monitoring resettlement activities;

(v) To check and advise the PPC on the compensation rates of land and other assets in coordination with other related government departments and agencies of the Province, on the basis of the principles of the approved Resettlement Policy Framework;

(vi) To coordinate, supervise, and monitor the implementation of resettlement activities in the Project;

(vii) To establish a contact mechanism to ensure suitable technical assistance and logistics for the implementation of compensation and resettlement;

(viii) To set up database criteria on AHs for each component as well as for the entire Project;

(ix) To establish procedures on internal monitoring to supervise the compliance with the project policies;

(x) To establish procedures on monitoring coordination between contractors and local communities, ensuring timely and prompt identification and compensation for impacts on public and private properties during construction;

(xi) To select, monitor, and implement recommendations from the independent monitoring agency and independent valuation agency;

(xii) To set procedures on promptly implementing necessary measures of adjustments and advising the project owner in handling complaints;

(xiii) To coordinate with related agencies to provide employment related to the Project for AHs;

(xiv) To take over acquired land from HHs and hand it over to construction units;

(xv) To select and mobilize the independent valuation agency to conduct land price survey as a basis for Ha Tinh PPC to make decision on land prices applied to the project and ensure the closeness to the market price.

(xvi) To cooperate closely with the independent monitoring agency; and

(xvii) To report periodically on resettlement activities to the WB.

(xviii) Ha Tinh PMU for Dam Rehabilitation and Safety Improvement Project needs a staff who is in charge of directly working with AHs as a first step in redressing grievances. He/She will support vulnerable groups in appealing grievances. AHs will be free of administrative and legal fees arising during the grievance redressing. Further information about his/her responsibilities are mentioned in Term of Reference for key social safeguard personnel.
10.2.3. District/City/District People’s Committees

190. District/City/District People’s Committees shall be responsible for:

   a) Making announcements on land acquisition if authorized by Ha Tinh PPC;
   
   b) Approving compensation plans prepared by the CRC and submitting them to the PPC for endorsement;
   
   c) Issuing decisions on land acquisition from individuals and HHs;
   
   d) Handling complaints and grievances of the AHs within jurisdiction.

10.2.4. The City/District Compensation and Resettlement Committee (CRC)

191. The City Compensation and Resettlement Committee (CRC) shall take responsibility for compensation and site clearance for the works in the city/districts, including:

   (i) Planning and implementing all daily resettlement activities within the city;
   
   (ii) Making inventories of acquired land, completing compensation lists and tables, and preparing sum-up tables to be submitted to competent authorities for approval and paying compensation directly to each affected person after receiving compensation funds;
   
   (iii) Preparing allocated land and relevant procedures for the resettlement of relocated HHs;
   
   (iv) Appointing staff for conciliation and handling of complaints by AHs on compensation policy and entitlements;
   
   (v) If necessary, establishing commune/ward CRCs and directing them in implementing resettlement activities;
   
   (vi) Paying special attention to the needs and aspirations of special groups of people (ethnic minorities) and vulnerable people (children, the elderly, female/single household heads); and
   
   (vii) Coordinating closely with independent monitoring agencies.

10.2.5. Commune/Town People’s Committees

192. Town/Commune People’s Committees shall be responsible for:

   (i) Establishing ward-level working groups and manage their operations; assigning ward/commune staff to assist the CRC and Ha Tinh PMU in preparing DMS for the Project, preparing documents on land acquisition, preparing RAP and implementing resettlement activities;
   
   (ii) Verifying AHs’ legal titles or certifying their land use or transfer to meet the requirements of compensation;
   
   (iii) Assisting other units and agencies, including Ha Tinh PMU, in posting or disseminating information; holding community meetings; and consulting AHs for comments;
   
   (iv) Assisting other units and agencies, including Ha Tinh PMU, in carrying out demographic surveys, replacement cost surveys, detailed measurement and inventory surveys, and other resettlement activities;
   
   (v) Participating in all operations of land acquisition and allocation, resettlement, recovery support, and social development support;
(vi) Supporting AHs in all resettlement activities and living standard restoration;
(vii) Notifying AHs on compensation schedule, monitoring compensation implementation; and signing in documents on compensation with AHs; and
(viii) Ensuring full implementation of the mechanism of redressing grievances from AHs; recording all grievances and filing all documents on grievances; supporting and advising AHs; and promptly resolve grievances.

10.2.6. Project Affected People (AHs)

193. AHs shall be responsible for:
(i) Coordinating with survey teams in carefully checking and certifying affected land and other assets as well as their entitlements;
(ii) Participating in all phases of the RAP preparation and implementation and giving feedback to improve the quality of the RAP and devise solutions for implementing the RAP smoothly; and
(iii) Moving to new sites in a timely manner after receiving full compensation and entitlements.

10.2.7. Independent Monitoring Agency (IMA)

194. Independent monitoring agency (IMA): It is required to identify and hire an agency/organization or research institute specializing in social sciences, to conduct socio-economic surveys, monitor and evaluate the implementation of the RAP. Ha Tinh PMU will sign a contract with Independent monitoring Agency. Cost for hiring IMA to carry out independent monitoring of resettlement for the subproject will come from the CF. Independent Monitoring Agency (IMA) will report periodically on progress made and to make recommendations concerning resolving the problems detected in the monitoring process.

11. IMPLEMENTATION PLAN

11.1. Main activities

195. To ensure the project is successfully implemented and highly efficient, the main activities should be established through an implementation schedule with timelines. Thereby, the implementation progress of work items at certain times can be evaluated. The plan should be mapped out from the start of the project and prolong throughout the implementation process and continuously to the completion phase of the project. In the resettlement plan, the main contents needed to be done from commencement to completion phase include:
   a. Announcement of the cut-off-date and compensation plan: all project affected households are fully informed of the entitlements, and policies in RAP, including the eligibility, entitlements, methods and compensation rate, schedules, grievances and redress. Project Information Booklet (PIB) will be prepared by PMU and then it will be distributed to affected households or announced at the meeting in population groups, ward, district, or in the public consultation. Besides, leaflets, posters were also distributed to each household, posted at public places like Ward People's Committee/social, cultural houses, clinics, schools, etc. Announced land acquisition policy of the project, decide the investment project approval, approval of the project design…
   b. Socio-economic survey in affected area
c. Development of the plan on development of resettlement sites.
d. Development of the livelihood restoration measures.
e. Compensation, support, resettlement and livelihood restoration.
f. Assessment of the project’s impacts on affected households: One year after the project ended, a social-economic survey in project area will be conducted to assess the impacts of the project on the benefited community and the project affected households. The results of this survey will be served as basis for assessment of the project’s impacts on the community and the lessons learnt for the later project operations and design and implementation.

11.2. Implementation Schedule

196. Implementation schedule for land acquisition of the ENDR – Ha Tinh province is shown in the table below:

**Table 19: Implementation Plan**

<table>
<thead>
<tr>
<th>Main activities</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Resettlement Action plan</strong></td>
<td></td>
</tr>
<tr>
<td>Determine tentative project location and scope of the project’s impacts</td>
<td>Quarter I – 2017</td>
</tr>
<tr>
<td>Socio-economic survey, preliminary inventory of losses (IOL), public consultation with affected persons and preparing RAP</td>
<td>Quarter I – 2017</td>
</tr>
<tr>
<td>Submit RAP to Ha Tinh PMU for reviewing</td>
<td>Quarter II – 2017</td>
</tr>
<tr>
<td>Submit RAP to World Bank</td>
<td>Quarter II – 2017</td>
</tr>
<tr>
<td><strong>Implementation of Resettlement Action Plan</strong></td>
<td></td>
</tr>
<tr>
<td>Preparing cadastral dossiers and land acquisition demarcation</td>
<td>Quarter III – 2017</td>
</tr>
<tr>
<td>Implement public consultation and information disclosure, detailed measurement survey (DMS), replacement cost survey, prepare detailed compensation plan</td>
<td>Quarter III – 2017</td>
</tr>
<tr>
<td>Compensation payment</td>
<td>Quarter III/2017 – Quarter II/2018</td>
</tr>
<tr>
<td>Site clearance, relocation and restoration measures (if any)</td>
<td>Quarter III/2017 – Quarter II/2018</td>
</tr>
<tr>
<td>Post-resettlement evaluation</td>
<td>Quarter III – Quarter IV/2018</td>
</tr>
</tbody>
</table>


12. MONITORING AND EVALUATION

12.1. Monitoring

Monitoring and evaluation activities during the implementation period and after the resettlement stage are to ensure the land acquisition and resettlement activities are to be carried out in accordance with the regulations, guidelines specified in the resettlement plan. Monitoring provides all stakeholders with continuous reflections on the implementation of land acquisition and resettlement. This activity helps assess the actual successful ability and arising difficulties as soon as possible, to facilitate remedying timely in the project operation phase. Monitoring includes 2 following purposes:

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

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

Ha Tinh PMU will hire/recruit an Independent Monitoring Agency (IMA) to regularly monitor and supervise the implementation of RAP.

12.2. Internal Monitoring

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

Internal monitoring aims to:

(i) Ensure that compensation payment for affected households for the different types of damage is implemented according to the compensation policy agreed in the RPF and RAP.

(ii) Ensure that resettlement activities are implemented according to the compensation policy agreed in the RPF and RAP.

(iii) Determine whether the conversion process, income restoration measures and resettlement assistance are provided on time or not.

(iv) Evaluate whether the income restoration supports have been provided or not yet and propose corrective measures if targets of income restoration for households are not achieved.

(v) Disseminate public information and consultation procedures.

(vi) Determine whether the complaint procedures have been followed or not and there is any outstanding issue needed the attention by the management level or not.

(vii) Prioritize for interests and needs of affected people, especially poor and vulnerable households.

(viii) Ensure transition between relocation, clearance and start of construction of civil works proceeds smoothly and that construction area will not be handed over until affected households have been compensated, supported and resettled satisfactorily.
201. The implementation agencies will collect information every month from the different resettlement committees. A database tracking the resettlement implementation of the Project will be maintained and updated monthly, including redressing of grievances (if any).

202. The implementation agencies will submit internal monitoring reports on the RAP implementation as a part of the quarterly report to be submitted to the WB. The internal monitoring reports should contain the following information:

(i) Number of affected persons according to types of effect and project component and the status of compensation, relocation and income recovery for each item.

(ii) The distributed costs for the activities or for compensation payment and disbursed cost for each activity.

(iii) List of outstanding Complaints

(iv) Final results on solving complaints and any outstanding issues that demand management agencies at all levels to solve.

(v) Arisen issues in the implementation process.

(vi) Updated actual schedule of resettlement activities.

12.3. Independent Monitoring

203. Independent monitoring will be conducted by the consulting organization/ non-governmental organization (NGO) experienced in monitoring and evaluation of the implementation of the socio-economic survey. The Project Management Unit will sign a contract with the independent monitoring organization. The implementation of project independent monitoring will be funded by the official development assistance (ODA) for project. The Independent monitoring organization will report every 6 months on the progress and give relevant recommendations to solve any issues arising in the process of monitoring.

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

205. Responsible agencies: In accordance with the World Bank’s requirements for consultant employment, Ha Tinh PMU will hire an IMA to carry out the independent monitoring and evaluation of RAP implementation. This organization is called the Independent Monitoring Agency (IMA) which specializes in social sciences and has experience in independent monitoring of RAP. The IMA should start its work as soon as the project implementation commences.

206. Monitoring indicators include:

a. Compensation payment and assistance for affected households are implemented according to the entitlements agreed in the RAP.

b. Technical assistance, relocation and allowance

c. Income restoration and entitlements to restoration allowances.

d. Information disclosure and public consultation.

e. Grievance redress procedures, results of resolving complaints.
f. Progress of land acquisition

**Methodology and Approach:**

*Survey Sample*

207. A socio-economic survey will be required before, during and after resettlement implementation to provide a clear comparison of success/failure of the resettlement plan. Monitoring will be on a sample basis. Scale of the survey sample may cover 50% relocated households and severely affected households, and at least 10% of the remaining households. Sample survey is implemented twice a year.

208. The sample surveys should include women, elderly, and other vulnerable groups. It should balance representation of male and female respondents.

209. Post-resettlement evaluation is implemented every 6 months, after completion of the resettlement activities. Independent monitoring agency will be responsible for: (i) reviewing the documents on compensation, assistance and (ii) work with the CRC and local authorities to collect necessary information and data, (iii) interviews with the people; and (iv) group discussions.

*Database storage*

210. The IMA will store information on monitoring of resettlement, include the results of independent monitoring, collect and update basic information about the affected households. All the collected and updated data will be submitted to Ha Tinh PMU, the managing agency and the World Bank.

*Monitoring report*

211. The monitoring report will be presented during the meeting between the independent monitoring agency (IMA) and PMU immediately after submitting the report. Solutions will be implemented based on the arising problems are outlined in the report and discussions.

212. Independent monitoring reports are made before, during and after resettlement. This report should reflect contents:

- Verify the internal monitoring results
- Assess whether the resettlement objectives have been achieved or not; how income resources and living standards of the project affected households are restored and improved.
- Considering whether the entitlements of resettlement are appropriate with conditions of project affected households and meet the resettlement objectives or not.
- Evaluate the effectiveness, impacts and sustainability of the resettlement; lessons learnt for the planning and developing the future resettlement policy

*Ex-post evaluation*

213. In fact, this is the evaluation at a given point of time on the impact of resettlement and the achieved objectives. The independent monitoring will conduct an evaluation of the resettlement process and impacts from 6 to 12 months after the completion of all resettlement activities. The survey questionnaires for evaluation are used based on the database in the project database system and the questions used in the monitoring activities.

214. If this evaluation determines that livelihoods of severely affected households have not been restored appropriately with the objectives of the project, an additional fund will be provided to continue support for households above. The Independent Monitoring Report will
be not only sent to Ha Tinh PMU, but also sent directly to the World Bank for following/supervising the progress and effectiveness of the compensation. Or in other words, when a project is not finished, the World Bank will continue monitoring until resettlement activities as mentioned in the RAP have been implemented. When project is completed, the implementation completion report (ICR) will assess the achievements of the resettlement and the lessons learnt and will be incorporated in the evaluation of PMU. This requirement is stated in OP/ BP 4.12, paragraph 12.24. If this evaluation determines the objectives of the resettlement have not been achieved as expected, the ICR will assess the appropriateness of resettlement measures that could be proposed with measures in next time, include follow-up monitoring by the World Bank. The contents of the ICR for next part will be made based on the socio-economic survey of affected households, this survey was conducted at the end of the project (or completion of sub-project), and given the impacts of land acquisition and the impacts on livelihoods for affected households.
13. COST ESTIMATION

13.1. Funding sources

215. The budget for the implementation of the Resettlement Plan will be part of the counterpart fund of Government (budget from Ha Tinh PPC). Ha Tinh PPC will provide counterpart funds for the implementation of compensation and resettlement, and will be included in the total investment cost of the project.

216. Ha Tinh PMU will disburse funds for land acquisition, support and resettlement of the project through the City/District LFDC (District/City CRC). These agencies will be responsible for making compensation payment directly to affected households of the Project.

13.2. Replacement Cost Survey

217. As required by the World Bank’s OP 4.12 on Involuntary Resettlement, Replacement Costs Survey (RCS) will need to be done to establish basis for calculation of replacement costs for all the lands/crops/structures/assets that will be affected by the Project.

218. An independent price appraisal consultant is specialized in assessing costs of land/assets/structures to be affected under the Project, will be engaged by Ha Tinh PMU to conduct replacement costs survey.

219. During the RAP preparation, basis for calculating compensation payment proposed to affected households is at the replacement costs (for land and structures), and at market prices (for crops/trees and aquatic livestock), based on household’s perceptions, local land transactions (for residential land), capacity of agricultural production (for agricultural land), local quotations for construction material and other assets; and referred to other current replacement cost surveys which have been carried out nearby.

13.3. Cost Estimate

220. Cost estimate for RAP implementation includes:
   a. Cost for the compensation, assistance and resettlement: includes of the items which were described in the entitlement matrix.
   b. Cost for independent monitoring:
      - Cost of independent monitoring of RAP implementation is estimated at 1% of total cost of stage of DMS, compensation and restoration support.
      - The independent monitoring consultant will prepare the technical and financial proposals for bidding. Actual cost will be decided through contract value for independent monitoring consultant.
   c. Cost for compensation, assistance and resettlement included costs of detailed measurement survey, land acquisition documentation, independent valuation cost, etc. It is estimated at 2% in maximum of total cost of compensation and restoration support.
   d. Contingency: The rate for contingency should be at about 10% of total cost of compensation and RAP preparation. The contingency will be used in cases of adjusted compensation rates due to inflation, or any adjustments during implementation of the approved RAP.

221. Cost estimate for implementation of RAP for the works under the first 18-month priority Subproject is VND 651,185,600 (equivalent to US$ 28,687). Cost estimate for each
item of the Subproject is presented in Table below. Detailed cost estimate is showed in Annex 1 of this report.

**Table 20: Cost estimate for each item affected by the Subproject**

<table>
<thead>
<tr>
<th>No.</th>
<th>Items</th>
<th>Total amount: exchange rate: US$ 1 = VND 22,700</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>VNĐD</td>
</tr>
<tr>
<td>I</td>
<td>Compensation for land</td>
<td>273,788,100</td>
</tr>
<tr>
<td>II</td>
<td>Compensation for structures</td>
<td>-</td>
</tr>
<tr>
<td>III</td>
<td>Compensation for trees and crops</td>
<td>61,530,000</td>
</tr>
<tr>
<td>IV</td>
<td>Assistance</td>
<td>132,250,000</td>
</tr>
<tr>
<td>V</td>
<td>Cost estimate for IRP</td>
<td>104,400,000</td>
</tr>
<tr>
<td>VI</td>
<td>Total I+II+III+IV+V</td>
<td>571,968,100</td>
</tr>
<tr>
<td>VII</td>
<td>Independent monitoring = 1% VI</td>
<td>5,719,681</td>
</tr>
<tr>
<td>VIII</td>
<td>Management cost = 2% VI</td>
<td>11,439,362</td>
</tr>
<tr>
<td>IX</td>
<td>Cost estimate for RCS = 0.5% IX</td>
<td>2,859,841</td>
</tr>
<tr>
<td>X</td>
<td>Total: VIII+ IX+X</td>
<td>591,986,984</td>
</tr>
<tr>
<td>XI</td>
<td>Contingency (10% of total amount)</td>
<td>59,198,698</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>651,185,600</td>
</tr>
</tbody>
</table>
ANNEXES

Annex 1: Replacement Cost Survey
Annex 2: Project information leaflet
Annex 3: Some Minutes of Public Consultation Meetings At the Project Area
Annex 4: Socio-economic Survey Questionnaire for Affected Households in the Project Area
Annex 5: Some Pictures of Consultation Meetings
Annex 6: List of Affected Households with Different Types Of Impact
Annex 7: TOR for Independent Monitoring