TUcy HOA 220kV SUBSTATION
FEASIBILITY STUDY REPORT

RESETTLEMENT ACTION PLAN (RAP)
(FIRST REVISION)

Khanh Hoa Province - 2005
PROJECT: 15 - 02

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FEASIBILITY STUDY REPORT

RESETTLEMENT ACTION PLAN (RAP)
(FIRST REVISION)

Head of Department : Nguyen Kim Dong

Head of Project Design : Nguyen Cuong

Khanh Hoa Province, 2005

FOR AND ON BEHALF OF
POWER ENGINEERING CONSULTING COMPANY 4

NGUYEN HUU TAP
DEPUTY DIRECTOR
The staffs participating in RAP establishment including of:

<table>
<thead>
<tr>
<th>No.</th>
<th>Full name</th>
<th>Content prepared</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Tran Van Luyen</td>
<td>In charge of presiding RAP establishment</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Mai Thi Hop</td>
<td>Establishing RAP</td>
<td></td>
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### ABBREVIATIONS

- **RAP**  Resettlement Action Plan  
- **PAPs** Project Affected Persons  
- **PAP** Project Affected Person  
- **WB** World Bank  
- **PC** People’s Committee  
- **PPC** Provincial People’s Committee  
- **EVN** Electricity of Vietnam  
- **LC** Land clearance  
- **PRCs** Provincial Resettlement Committees (Boards)  
- **DRCs** District Resettlement Committees  
- **DMS** Detailed measurement survey  
- **PMB** Project Management Board  
- **PECC4** Power Engineering Consulting Company 4  
- **ER** Environmental Resource  
- **RIB** Resettlement Information Booklet  
- **DPs** Displaced persons  
- **S/s** Substation  
- **US** United States Dollar  
- **Trans.** Transformer  
- **FS** Feasibility Study  
- **TD** Technical design  
- **BD** Bidding documents  
- **VND** Viet Nam Dong  
- **ROW** Right-Of-Way  
- **CPPMB** Central Power Projects Management Board  
- **CLDC** Central Regional Load Dispatch Centre  
- **NLDC** National Load Dispatch Centre
SUMMARY

Implementing the Vietnamese Communist Party’s policy on the national industrialization and modernization program, Electricity of Vietnam (EVN) has established the project “Transmission, distribution and overcoming natural disasters” (3034-VN) financed by World Bank (WB). One of its component is “Tuy Hoa 220kV substation” project with permanent land acquisition is 31,095.5 m². The substation is expected to construct on the area of Xom Moi – Mau Lam Bac Villages- Hoa Quang Bac Commune- Phu Hoa District – Phu Yen Province.

The 220kV Tuy Hoa substation is constructed for the purpose of receiving power from Song Ba Ha Hydropower Plant, connecting to the national power network via Quy Nhon – Tuy Hoa and Tuy Hoa – Nha Trang 220kV transmission lines, increasing the reliability in power supply and power quality in the region.

1. Policy framework

The plan on project compensation and resettlement is established based on Decree 197/2004/ND-CP dated December 3, 2004 of the Government regarding the compensation, resettlement support when the State takes back the land; Decree 188/2004/ND-CP dated November 16, 2004 of the Government regarding the method to determine the land price and the price framework of land kinds; Decree 181/2004/ND-CP of the Government regarding the implementation of Land Law, etc... and guideline on RAP establishment of WB (the policy framework of involuntary resettlement OD 4.30). According to this policy, PAPs are people, households, entities with or without juridical personality for their assets on project impacted land and inventoried before the cut-off-date (June 18th, 2004) are entitled to compensation and resettlement.

2. Project impacts

The project causes impacts to the followings:

- Perpetual land acquisition to construct the substation and acess road to the substation is 31,095.5 m².

- Causing damage to trees, crops at the project area.
Resettlement Action Plan (RAP)

Results of project data collection show that there are 27 impacted households with cultivated land, whereas:

+ No household loses over 25% area of agricultural land
+ No affect to cultural relics area, preservation area, pagoda and sensitive areas
+ No ethnic minority household among impacted households.

During public consultation process, impacted households were agreed to select the compensation procedure on land and assets in cash.

3. Compensation policy

The cut-off-date is March 22nd, 2004. The price for making compensation on land, assets and crops is based on the compensation unit price of Phu Yen Province.

All impacted households are entitled according to the policy framework and Vietnam Decrees. Up till now, the survey result and damage inventory shows that no remarkable impacts to people, the community and the public assets. As a result, it is unnecessary to have economical recovery measures.

4. Public consultation

PAPs consultation to get feedback comments will restrict the contradictions and delay when implementing the project. The resettlement plan will be implemented following to the reference comments from the authorities and people in order to maximize their participation in the resettlement plan and implementation as well as socio-economical benefits. The authorities and people are consulted in line route location, the resettlement policy, implementation of resettlement plan, grievance mechanism and the checking, appraisal towards the recovery of life of impacted people after project implementation.

5. Grievance

During project implementation, grievances of impacted people will be solves based on Vietnam law. All grievances will be solved equitably and the grievances procedures will be guided by related authorities. The griever will pay no cost for this grievance.

CPPMB and the local authority are responsible for monitoring the RAP implementation process. In addition, an independent consulting agency will be assigned to supervise independently and appraise the compensation and
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resettlement implementation process in accordance with the policy stated in this dossier. This agency can be selected and awarded the contract by the PMB after the approved resettlement plan or selected and awarded the contract by WB. The supervising activities are implemented from the beginning of project implementation stage. This independent supervising agency will report to PMB or WB about its results of supervising activities.

6. Management organization

CPPMB is the project coordinating unit and cooperates with other agencies such as the People's Committee of Phu Yen Province, the local authority, Power Company of Phu Yen province and WB in implementing detailed works of project, especially the RAP implementation plan.

7. Project implementation schedule

<table>
<thead>
<tr>
<th>Contents</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completing and submitting to the relevant authorities for approval on cost estimate and technical design</td>
<td>June, 2004</td>
</tr>
<tr>
<td>The relevant authorities approve documents related to the cost estimate and technical design</td>
<td>May, 2005</td>
</tr>
<tr>
<td>Preparation of bidding documents for goods and construction</td>
<td>August, 2005</td>
</tr>
<tr>
<td>Land clearance works</td>
<td>September 2005– October 2005</td>
</tr>
<tr>
<td>Construction time and putting the project into operation</td>
<td>November 2005– December 2006</td>
</tr>
</tbody>
</table>

8. Cost estimate

Total project compensation cost is about **VND 697,805,200 (or USD 44,165)**

Total investment capital: **VND 123,841,334,000 (or USD 7,838,059)**

9. Information dissemination

The draft RAP will be disclosed in Phu Yen provinces and the Information Development Center of WB (VDC) at premise of 63 Ly Thai To Street, Ha Noi City. CPPMB will send copies of entitlement statement form to the project district authority. All feedbacks from the local authority and people are considered and supplemented into the RAP.
CHAPTER 1
GENERAL INTRODUCTION

1.1 THE BASIS OF THE REPORT

Based on the document No.1127 EVN/AMT-KH dated March 25, 2004 of Central Power Projects Management Board (CPPMB) about the Feasibility Study Report establishment of the power network project.

Based on the above instruction, the CPPMB has made a contract with PECC4 for preparing Feasibility Study Report, RAP and EMP of the projects.

Carrying out the contract (with CPPMB), PECC4 has been gathering data, surveying at sites and preparing RAP report for the projects.

1.2 PRINCIPLES AND OBJECTIVES

This report is set up with the purpose:

+ Study on policies of compensation, resettlement for households having land acquisition for construction of substation according to Viet Nam laws and WB guidelines.

+ Propose the alternatives of compensation, resettlement and the most efficient way of implementation to the households affected.

+ Help to choose the right design alternative, reduce the degree of damage at the implementation of project and ensure the most economic and social advantages of the project

+ Carry out to make livelihood-socio-economic damage survey of the project area as well as working with the relevant authorities about compensation, resettlement policies for affected households. The investigation work and collection of data are mainly concentrated on the site of installation of substation.

The principle objective of the policy framework of involuntary resettlement (OD 4.30) is:

All PAP’s residing, working, doing business, at least maintain, their pre-project living standards and income earning capacity as of the date of the baseline
surveys are entitled to be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-Project living standards, income earning capacity and production level. Lack of legal rights to the assets lost will not bar the PAP from entitlement to such rehabilitation measures.

During RAP preparation, Decrees and Circulars of Vietnamese Government such as Decree 197/2004/ND-CP, Decree 181/2004/ND-CP, Decree 188/2004/ND-CP, etc and Decisions about compensation unit price issued by The peoples' committees of provinces are applied. The entitlement policy in this RAP are suggested as follows:

+ Apply a compensation rate according to the market price or replacement cost: Compensation of land and crops (short-day crops) at market price. Compensation of house and trees (long-day tree) at conversion price
+ All affected properties are legible from the cut-off-date (March 22nd, 2004). The affected households who have been registered will be compensated.

This RAP will be valid after GOV's and WB's approval.

1.3 VALIDITY OF RAP IMPLEMENTATION

Resettlement and compensation program for PAPs, policy and provisions on resettlement and compensation entitlement in RAP will be applied after approval of WB and Vietnamese Government. To meet RAP's objectives such as minimizing the resettlement and land acquisition, compensation costs at replacement cost or market cost are applied. Thus, before implementing resettlement and compensation program, the project owner and local authorities should check and revise the applied compensation costs in this report. If there is any compensation unit price non-conforming at the time of program implementation, the local authorities and Resettlement and Compensation Board (RCB) need to revise them to ensure sufficient compensation payment for PAPs according to principles stated in RAP.

Survey data in this report base on investigation report in the phase of feasibility study of the project and update them as per the approved alternative.
1.4 DESCRIPTION OF THE PROJECT

1.4.1 The project characteristics

The 220kV Tuy Hoa substation is planned to be constructed on rice-field land and hilly waste land on the area of Xom Moi – Mau Lam Bac Villages- Hoa Quang Bac Commune- Phu Hoa District – Phu Yen Province.

- North adjacent to crops land area
- South adjacent to asphalt road inter-district of Phu Hoa
- East adjacent to crops land area
- Southeast adjacent to populated area of Mau Lam Bac Village
- West adjacent to rice-field of Hoa Quang Bac co-operative

+ Scope of project
  - Voltage level: 220/110/22kV.
  - Installed capacity: 02 transformers x 125MVA - in first stage, 01 transformer 220/110/22kV-125MVA will be installed.
    - 220kV side: 5 feeders
    - 110kV side: 9 feeders

+ Single line diagram:
  - 220kV side: Apply the scheme “Double busbar system with transfer bus, bus-section circuit breaker in combination with bus coupling breaker”.
  - 110kV side: Apply the scheme “Double busbar system with transfer bus, bus-section circuit breaker in combination with bus coupling breaker”.
  - 22kV side: Apply the scheme “Single busbar with non-sectionalizing circuit breaker ”.

The control and supervisory system of Tuy Hoa 220kV substation is controlled by computer, concretely as follows:

The computerized control system permits to perform RTU functions from National Load Dispatch Centre (NLDC) and Central Load Dispatch Centre (CLDC).

The control and supervisory systems consist of 4 levels:

* Level 1: Control centers (NLDC and CRLDC)
* Level 2: Station level
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* Level 3: Bay level with I/O
* Level 4: Equipment level

+ Auxiliary solutions:
  - Service power supply: 380/220VAC, 01 transformer 22/0.4kV-180KVA, 01 transformer 15(22)-180KV and distribution panel are used.
  - 220DVC power supply: 02 battery sets 220V-180Ah is frequently charged through 02 rectifiers and distribution panel.

+ Anti-lightning protection and earthing:
  - Earthing system: Pile and bar types are used.
  - Lightning system: Lightning arrester and lightning rod are installed on the portal poles of switchgear 220kV and 110kV.

* Construction solutions

+ Structure solutions
  - Gantry foundation, equipment support: Reinforced concrete
  - Gantry tower: Hot dip galvanizing figural steel
  - Arms, equipment support: Hot dip galvanizing figural steel
  - Road inside substation: Concrete
  - Road outside substation: Concrete
  - Control house: Structure of one storey, dimension 12m x 36m, height of wall to ceiling 4.2m. Main bearing force structure made of all-block steel concrete, foundation of wall made of hewn stone.

+ Water drainage and supply system:
  - Water supply system: including drilling wells, water pump, water container, water pipeline made by galvanizing steel.
  - Drainage system: including trench, collecting wells

+ Fire extinguishing system: including 01 pumping station in emergency case, 2 water tanks, pipeline and foam fire extinguishers

+ About planning: The construction site of 220kV Tuy Hoa substation is not incorporated in planning projects of Phu Hoa district as well as Phu Yen Province.
+ **Development capacity:** at this site, the connection capacity of 220kV, 110kV and 22kV route lines in and out substation are totally convenient for present as well as for future development.

+ **About infrastructure:** The substation site is near the asphalt road inter-district of Phu Hoa, distant of National road 1A of 10km in the West. There is 15kV inter-district power network (which will be reformed to 22kV), so it’s very convenient for work execution and operation management afterwards.

- **Impact on environment:** The site of installation of substation is on rice-field land and hilly waste land, only adjacent in Southeast to a populated area of Mau Lam Bac village distant of 100m. So the impact on environment in the vicinity is not great.

1.4.2 Project impacts

**Impacts on land and properties:**

- Permanent acquisition land area : 31,095.5m².

- The 220kV Tuy Hoa substation does not impact on house and land tenure but it’s only impact on rice-field land and hilly waste land.

1.5 PROJECT IMPACTS MITIGATION MEASURES

**Selection of substation location:** For the investigation and design of line route completely avoid passing:

- Market areas, densely populated areas.

- Airport, military areas.

- Near or parallel with communication system

- Pagoda, protection forests, natural preserved areas, historic and cultural assets etc.

**Technical solutions thoroughly exploited:**

Design a rational work execution alternative, choose time for work execution at periods of harvest and complete work when next crop is not yet cultivated (land is at rest). Organize work according to many shifts at high productivity, reducing the time of land appropriation. Make definately each item of work, each part of route line to reduce the time of land appropriation. During investigation and work
Resettlement Action Plan (RAP)

execution process, the workers’s camps are set up on vacant lot, on communal office area, not on private land or cultivated land.

Measures of cash indemnification are most rational.

During the stage of operation management, making repairs and overcoming incidents, safety measures are applied such as:

- Safety measures when making contact with electrical equipments
- Safety measures when making operation management works, repairs of substation

1.6 TOTAL COST OF PROJECT

Total Investment Capital : 123,841,334,000 VND
CHAPTER 2
IMPLEMENTATION ORGANIZATION AND LEGAL FRAMEWORK 
FOR COMPENSATION AND RESETTLEMENT

Project Management Board and Local Authorities will be responsible for implementing RAP. It should be on schedule, suitable with approved schedule for the project. The coordination between the project owner and local authorities will be made closely in order to implement RAP smoothly and effectively and to avoid the delay of RAP implementation

2.1 INSTITUTIONAL ARRANGEMENTS
The following institutions/agencies will be involved in implementing RAP:
- People's Committee of Phu Yen Province
- Electricity of Viet Nam (EVN)
- Project Management Board – Central Power Projects Management Board
- Consultant Company – Power Engineering Consulting Company No.4.
- Price – Financing Departments of Phu Yen Provinces
- Land Clearance Board of Phu Yen Province
- People's Committee of Phu Hoa District
- Land offices of Phu Hoa District
- Land clearance Board of Phu Hoa District
- People's Committee of Hoa Quang Bac Commune
- Project affected persons

2.2 FUNCTIONS, TASKS FORCE AND RESPONSIBILITY

Electricity of Viet Nam (EVN)

EVN is the owner of the project and is responsible for managing and organizing of investment policy, investigation, design, construction as well as supervision for RAP implementation. EVN controls the project preparation and implementation via professional agencies, approving decisions concerning resettlement work submitted by PMB; assigning Central Power Projects

FS on Tuy Hoa 220kV substation
* Establishing Provincial Resettlement and Compensation Committee and
directly manages the activities of this Board.

* Directing and managing the coordination between Branches and local
authorities in RAP implementation.

❖ Departments of Finance and Goods Price of Phu Yen Province

To be responsible for issuing detailed compensation unit prices applied in the
provincial area. During the implementation process, Department of Finance-Goods
Price needs to make cooperation with other departments such as Construction
Department, Land Department, Department of Agriculture and Rural Development
and People’s Committee of District where the project constructed in order to
establish the compensation unit price for premises, land, trees and crops.

❖ Provincial Compensation Committee (PCC) of Phu Yen Province

PCC are consulting institutions for provinces about RAP approval, are
responsible for implementing RAP according to the approved schedule. Provincial
Resettlement will be headed by Vice Chairmen of Provincial People’s Committees
Provincial Resettlement Committee is mainly responsible for:

* Assisting owner and compensation committees of district in preparing
detailed plans for compensation and resettlement.

* Checking all inventory of impacts and detailed implementation plans
submitted by Compensation Committees of districts. Approval for implementation
plans within 10 days after receiving the plans submitted by District Resettlement
Committees.

* Checking and submitting RAP implementation plans in province to PPC
for approval.

* Directing and monitoring RAP implementation in province according to
the approved schedule and policy.

* Solving complaints if the redress is fail at the district level.

* Compensation payment for PAPs via Resettlement Committee of Phu Hoa
District

Provincial Compensation Committee will consist the representatives of:
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* Checking the unit prices of compensation as used in RAP, suggest for adjusting the unit prices in conformation with market prices/ replacement costs (if required).

* Co-ordination with PMB, organize the meetings with PAPs, communes, disseminate the RIB, DMS and entitlement forms to PAPs.

* Inventory of project affected households in the district to submit the provincial Resettlement Committee

* Based on the policy and approved process in RAP, preparing the detailed implementation plan and together with PMB pay entitlements to PAPs in a timely manner.

* Directing the compensation works and allowances for PAPs on schedule

* Settling the complaints and grievances of PAPs, solving any difficulties during the implementation period, and suggest the solutions for the outstanding issues to Provincial Resettlement Committees and Owner.

* Making monthly report and send them to Provincial Resettlement Committee, Owner and Chairmen of PC of Phu Hoa District.

Resettlement Committee of district will be headed by Vice Chairmen of district. The Resettlement Committee of district will be consisted of the following departments/ offices:

- Representative of Economic Office
- Representative of Agricultural and Rural Development Office
- Representative of Statistic Office
- Representative of Industrial Office
- Representative of Hoa Quang Bac Commune
- Representative of PAPs

Staffs of District Resettlement Committee will be concurrently having many works during the project implementation, enjoy allowances according to province’s decisions. Only some members will be contracted to work regularly.
People’s Committee of Hoa Quang Bac Commune

* Contributing to census and inventory surveys.

* Co-ordinate with District Resettlement Committees for public meetings, information dissemination, compensation/ allowance payment to PAPs, for classification and defining conformation to regulations of impacted assets.

* Assisting local people in overcoming the difficulties during the construction period assist PAPs in repairing of affected houses. Organizing information dissemination and policies in RAP for PAPs.

Project Affected Persons (PAPs)

* PAPs are responsible for carefully checking on their lost assets and respective entitlements and clearing land in a timely manner once PAPs receive full entitlements.

* Submitting their needs to responsible institutions and monitoring RAP implementation

PMB and Phu Yen Province will arrange adequate and experience staff to make sure that RAP will be implemented smoothly as approved schedules.

2.3 STAFFING ORGANIZATION AND RESPONSIBLES

Table 2.1: Responsibilities of RAP implementing Institutions

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<th>No.</th>
<th>Activities</th>
<th>Institutions</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Organizing meetings with PAPs to disseminate information about RAP</td>
<td>Compensation Committee</td>
</tr>
<tr>
<td>2</td>
<td>Monitoring and approving impacted households and their assets</td>
<td>Project Management Board and Resettlement Committee of Phu Hoa District coordinate with People’s Committee of Hoa Quang Bac Commune.</td>
</tr>
<tr>
<td>3</td>
<td>Detailed measurement survey</td>
<td>Project Management Board, Land Clearance Committee coordinate with People’s Committee of Hoa Quang Bac Commune and relevant Units of local authority.</td>
</tr>
<tr>
<td>4</td>
<td>Informing for PAPs</td>
<td>Project Management Board</td>
</tr>
<tr>
<td>5</td>
<td>Decision on compensation problems</td>
<td>Compensation Committees</td>
</tr>
</tbody>
</table>
2.4 LEGAL FRAMEWORK

This is a project with loan from World Bank so the legal grounds applied will be a combination of Vietnam and WB policies.

a. The Legal Documents of the Government of Vietnam


Article 5: Land Tenure

1. Land is subject to the ownership of all people and the State is the owner’s representative.

2. The State carries out land decision right as follows:
   a. Deciding the land using purpose via the decision, approval of land using plan (hereinafter called plan, land using plan).
   b. Regulating land delivery limit and land using period.
   c. Deciding land delivery, land leasing, land recovery and permit the changing of land using purpose.
   d. Fixing land price.

3. The State carries out the regulating right of income sources from land via financial policies about land as follows:
   a. Collecting land use charge, land leasing charge.
   b. Collecting land use tax, income tax from land use right transfer.
   c. Regulating on the value added part from land not due to investments of land user.

4. The State grants LUR for land user via forms of land delivery, land leasing, acknowledging LUR for stable land users; stipulating right and responsibility of land user.
Article 7: The State carries out the owner representative right of all people about land and implements common state administration about land.

1. The National Assembly passes law on land, decides the plan and land use plan of the whole country, carrying out the supreme supervision right towards the land administration and use in the whole country.

2. The Government decides the plan and land use plan of provinces, Central cities and the plan, land use plan on the purpose of defense, security; implements common state administration about land in all country.

 Ministry of Natural Resources and Environment is responsible with GOV concerning the state administration about land.

3. People’s Councils of all levels carry out the supervision right on land law implementation in local section.

4. People’s Committees of all levels carry out the representative right of land owner and right of state administration about land at local section as per the competence stipulated by law.

In addition, other legal documents are also applied such as:

- Decree No.197/2004/ND-CP issued by GOV on December 3rd, 2004 regulates compensation, resettlement support for recovered land by GOV.

- Circular No.116/2004/TT-BTC issued December 7th, 2004 by the Ministry of Finance provides guidelines to implement Decree No.197/2004/ND-CP issued by GOV on December 3rd, 2004 regulates compensation, resettlement support for recovered land by GOV.

- Decree No.188/2004/ND-CP of November 16th, 2004 on the stipulation of method to determine the land price and the frame for the price of land types.

- Circular No.114/2004/TT-BTC issued November 16th, 2004 by the Ministry of Finance provides guidelines to implement Decree No 188/2004/ND-CP of November 16th, 2004 on the stipulation of method to determine the land price and the frame for the price of land types.

- Decree No.181/2004/ND-CP issued by the GOV concerning the implementation of Land Law.
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- The Government Decree 54/1999/ND-CP, July 8\textsuperscript{th}, 1999 on the protection of the high voltage networks.
- Decree No.118/2004/ND-CP dated May 10\textsuperscript{th}, 2004 regarding the amendment of some articles in Decree No.54-1999/ND-CP dated July 8\textsuperscript{th}, 1999.
- Law on Petition and Accusation approved by National Assembly on December 02, 1998
- Decree No. 67/1999/ND – CP, issued by GOV on 7/81999 regulates in detail the Law on Petition and Accusation.

b. World Bank Policy on Involuntary Resettlement (OD 4.30)
* The primary objective of this policy is to ensure that PAPs who have lost assets are compensated at replacement cost and are provided with recovery measures to help them improve better or at least maintain their standard of life and their income capacity as in pre-project conditions.

* The policy framework is established based on the principles and objectives, selection criteria for PAPs, entitlements, legal framework and institutions, mode of rehabilitation and compensation, the participation of people. Furthermore, procedures of grievance will be guided in the process of compensation, resettlement and rehabilitation for PAPs.

c. Comparison between Government of Vietnam and World Bank Approaches
* There are a number of ways in which the approaches of the Vietnam Government – both in policy and practice – are compatible with World Bank guidelines so that PAPs can have legitimate entitlements. The most important compatibilities are:

- Vietnam has a process whereby most people without legal land rights may meet conditions of legalization and receive compensation for losses.
- Permanent residents are provided with options that include relocation to an improved site, or cash, or a combination of the two.
- Resettlement sites offer not only better-improved infrastructure and services but also represent a higher standard of living.
- Allowances are provided to help the PAPs in the transition period and there is an institutional structure through which people are informed, can negotiate compensation, and can appeal.

Differences between the approaches and measures that need to be addressed within the program also exist. However, in this context, procedures exist within national and City governments that allow the granting of waivers of domestic law on specific projects that may be in conflict with that of the funding agency.

d. Required Waivers

In order to meet the requirements of the World Bank OD4.30 on Involuntary Resettlement a number of articles in various Vietnamese laws and regulations which do not ensure compensation at replacement cost or set eligibility provisions which do not extend the right to rehabilitation and or assistance to households without proper land paper, will be waived.

* Price of Land for Calculation of Compensation

According to Vietnam regulations, the calculation of land price for compensation will be based on Decree 188/2004/ND-CP, Decree 181/2004/ND-CP, etc and Circulars No. 116/2004/TT-BTC, No. 114/2004/TT-BTC.

To ensure that the objectives of the project resettlement policy are met, unit price for land compensation established by the People's Committee of Phu Yen Province will be adjusted to meet at replacement costs.

The Item 4, Article 2 of Decree 17/2001/ND-CP dated May 04, 2001 to guide on the ODA management stipulates that "in the case of the international agreements on ODA have been signed between GOV and sponsor stipulates other contents, then that international agreements will be followed".
CHAPTER 3
ENTITLEMENT POLICY

3.1 DEFINITION OF ELIGIBILITY AND LIMITATION TO ELIGIBILITY

Project Affected Persons (PAPs) including people confirmed by data collected from the survey and investigation process as follows:

- PAPs have land or cultivated land which are partially or totally affected (temporarily or permanently) by the project.
- PAPs have crops (annual and perennial) and trees which are partially or totally affected by the project.
- Encroachers who settled into the proposed affected area after the cut-off date (March 22nd, 2004) will have no entitlement to compensation and resettlement. They will be required to demolish their structure and cut the trees or harvest their crops for land clearance to the project. In the case necessary, they will be forced to be removed out of the proposed project area. Nevertheless, they do not have to pay any fine or sanction.

3.2 RESETTLEMENT AND COMPENSATION PRINCIPLES

The compensation and resettlement plan is established based on fundamental principles, i.e conforming to laws, decrees, policies regulated by Vietnamese Government and WB's guidelines consisting of:

1. Acquisition of land and other assets, and resettlement of people will be minimized as much as possible.
2. All DP's residing, working, doing business or cultivating land in construction site (substation areas, access roads) under the project as of the date of the baseline surveys are entitled to be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income earning capacity and production levels. Lack of legal rights to the assets lost should not bar the DP from entitlement to such rehabilitation measures.
3. The rehabilitation measures to be provided are: (i) compensation at agricultural land for land of equal productive capacity acceptable to the DPs or in cash at replacement cost according to DP’s choice; (ii) replacement of residential/premise land of equal size acceptable to the DP or in cash at replacement cost according to DP’s choice; and (iii) transfer and subsistence allowances.

4. Location of resettlement and relocation should be as close as possible to existing residential area of PAPs.

5. The resettlement transition period will be minimized and the rehabilitation means will be provided to the PAPs not over one month prior to the expected start-up date of works in the respective Project site.

6. The standard of life, the infrastructure of community must be maintained or improved better than their prior place.

7. Institutional arrangements will ensure effective and timely design, planning, consultation and implementation of RAP.

8. Effective and timely supervision, monitoring and evaluation of the implementation of RAP will be carried out.

3.3 ELIGIBILITY TO COMPENSATION ENTITLEMENT

Legitimate PAPs are all the affected households and institutions included in the inventory with or without legal title included in the RAP inventory or able to demonstrate with other means that prior to RAP cut-off date they owned, rented or used land, and properties associated with land as defined in 3.1 item

3.4 ENTITLEMENT POLICY

DPs will be entitled to the following types of rehabilitation and assistance measures:

* PAP’s losing agricultural land and crops

(i) The general mechanism for compensation of lost agricultural land will be through provision of "land for land" arrangements of equal productive capacity, satisfactory to the PAP. However, if the PAP prefers to receive cash compensation then the following applies:
Resettlement Action Plan (RAP)

- if the portion of the land to be lost represents 25% or less than 25% of the total area of the landholding, and the remaining land is still a viable economic holding, cash compensation, at full replacement cost, may be provided to the PAP; or

- if more than 25% of a villager’s agricultural land is acquired and the remaining holding is not viable then the Project will acquire the entire landholding and provide cash compensation at full replacement cost.

(ii) PAP’s will be compensated for the loss of standing crops and fruit or industrial trees at market price. Productive trees will be compensated at replacement cost. Fruit trees will be compensated for the remaining harvests.

(iii) PAP’s whose land is temporarily taken by the works under the each sub-Project will be compensated for their loss of income, standing crops and for the cost of soil restoration and damaged infrastructure. Land will be rehabilitated after the project construction by PMB.

Pursuant to Decree 197/2004/ND-CP issued by the GOV concerning compensation, resettlement support for recovered land by GOV, then PAPs will be supported as follows:

- As per Article 28: Restoration allowance

Households, people directly make agricultural production, when being recovered more than 30% area of assigned agricultural land, will be supported for stabilizing the life within 3 months without relocation and within 6 months with relocation; in case relocate in areas with difficult or especially difficult socio-economical conditions then the support time is maximum of 12 months. The support level in cash for one person per month equivalent to 30 kg of rice calculated as per the average price in local region.

When the GOV recovers land of economical entities, registered business households and causes business pausing, the maximum support level is 30% of an
annual income after tax, according to the average income of three subsequent years before confirmed by the tax agency. The support level in details are regulated by Provincial PC in accordance with the local reality.

- As per Article 29: Support for changing the career and creating employment

Households, people directly make agricultural production, when being recovered more than 30% area of assigned agricultural land, will be supported for changing the career for people in the age of labour. The support level in details are regulated by Provincial PC in accordance with the local reality.

- As per Article 31: Support level when recovering the public land of communes, wards or towns

- Other support such as beside the support regulated in Articles 27, 28, 29, 30 and 31 of Decree 197/2004/ND-CP, pursuant to the local actual situation, the Chairman of Provincial PC decides the other support measures to ensure the life and production stabilization for people who were recovered the land; in special cases, this will be submitted to the Prime Minister for decision.

**Forms of subsidy and bonus for PAPs**

<table>
<thead>
<tr>
<th>Type of subsidy</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Subsidy for life and production stabilization.</td>
<td>30 kg of rice/month/person within 3 months if not displace; within 6 months if displacing the accommodation and within 12 months if displacing to the difficult accommodation. Supporting 30% of the income in one year if affecting to the business.</td>
</tr>
<tr>
<td>- Support for changing the career and creating employment</td>
<td>The impacted household losing over 30% area of the agricultural production land will be supported for changing career.</td>
</tr>
<tr>
<td>- Other subsidy levels</td>
<td>Due to the decision of the Chairman of Provincial PC.</td>
</tr>
</tbody>
</table>
others living mainly in mountainous districts: Song Hinh, Dong Xuan, Son Hoa with irregular distribution. The population living in countryside is 81.1%, city is 18.9%

Socio-economic development objectives in the period 2000 – 2010

- GDP growth rate on average annually 12 -13%.
- GDP per capita on average in 2010 reaching 700 -800 USD.
- Export turnover striving to reach 30 millions USD in 2010.
- Budget revenue striving to reach 12% GDP in 2010.
- Population increase rate will be reduced to 1.7% in the period 2001 – 2010.

4.3 PROJECT IMPACTS

Categories of Project impacts:

Safe corridor for the line route is defined on the Decree No.54-1999/ND-CP dated 8 July 1999 by Gov on security protection for high voltage power network and Decree No.118/2004/ND-CP dated May 10th, 2004 regarding the amendment of some articles in No.54-1999/ND-CP dated July 8th, 1999.

Investigation and statistic of project impacts are carried out from 2004, results of surveys is as follows:

Permanently acquisition land for construction of substation are mainly agricultural land hilly waste land. AFFECTED TREES ARE WET RICE AND SOME OF SHORT-DAY CROPS.

Total acquisition land is 31,095.5 m². where:
- Land area for planted rice and irrigation canal: 18,335.3 m².
- Land area for hilly waste land: 12,760.2 m².
CHAPTER 5
PUBLIC PARTICIPATION AND CONSULTATION

5.1 Objectives of information campaign and consultation program

Information dissemination to consultation with and participation of the affected people and involved agencies (i) reduce the potential for conflicts (ii) minimize the risk of project delays and (iii) enable the project to design the resettlement and rehabilitation program as a comprehensive development program to fit the needs and priorities of the affected people thereby maximizing the economic and social benefits of the project investment.

The objectives of the Public Information Campaign and PAP Consultation Program are as follows:

* To share fully information about the proposed project its components and its activities with the affected people.
* To obtain the cooperation and participation of the affected people and communities required to be undertaken for resettlement planning and implementation.
* To ensure transparency in all activities related to land recovering, compensation, resettlement and rehabilitation for PAPs.
* To obtain information about the needs and priorities of the affected people as well as information about their reaction/feedback to proposed policies and activities.

PAPs will be entitled to participate in different stages during the process of investigation, survey, RAP preparation and implementation. They will be invited to participate in meetings organized by the owner and local authorities in order to offer opinions on replacement alternatives, entitlement policies, listening to procedures, process of grievance implementation, responsibility of competent institutions and responsibility of PAPs during the process of RAP implementation.

5.2 INFORMATION CAMPAIGN, PAPs & AGENCY CONSULTATION

There are two phases of the public information campaign and RAP consultation:
Phase 1:
During RAP planning and survey, make interviews with PAPs for their expectation and selection of compensation measures. During the process of investigation, make coordination with local authorities for agreement on substation site selection.

Phase 2:
After RAP’s approval, PMB and local authorities will organize meetings with PAPs to announce information of project, compensation policy and entitlement, replacement solutions, allowances, subsidy mentioned in RAP plan.

To ensure that PAPs, their representatives and local governments of the affected areas fully understand on the details of RAP, PMB will also announce to all PAPs the compensation and rehabilitation policy applied in the project before making compensation and resettlement payment for PAPs.

The RIB will contain information on the followings:

Part 1
- Project description.
- Project objectives
- Implementation schedule
- Project impacts
- Entitlements policy for the project affected people
- Institutions are responsible for resettlement

Part 2
- Specific entitlements of PAPs
- Description of the detailed impact of the project on the specific household
- Compensation rates for each type of impact
- Legality and Eligibility to compensation
- Resettlement and rehabilitation alternatives.
- Implementation schedule for compensation and resettlement

5.3 INFORMATION DISSEMINATION AND PAP’s CONSULTATION

According to policy applied in this project, all PAPs are entitled to project information, entitlement to compensation. All PAPs have the right to take part in RAP implementation to ensure that they enjoy proper compensation.
Resettlement Action Plan (RAP)

PAPs will be informed and consulted through the following stages:

+ Staffs of PMBs, Resettlement Committees of Phu Yen Province, Phu Hoa district and Hoa Quang Bac Commune authorities had defined, inventoried the structures, land, houses and crops, trees affected by the project with the help of PAPs as well as the public structures affected.

+ PMB and Provincial Resettlement Committee will organize meetings with PAPs, officially informed the participants of the project purposes. PAPs will be asked for their opinions, their options for compensation modes.

**The first time:**

It is expected to organize before carrying out the compensation payment works with the above mentioned content, but the compensation policy is pressed in order to take advantage of PAP’s participation, ensure the fair and adequacy of inventory and survey work.

Participants are:

- Representative of PMB
- Representative of Provincial Resettlement Committee of Phu Yen
- Representative of Phu Hoa District
- Representative of Hoa Quang Bac Commune
- PAPs or their representatives
- Representatives of PECC4

The metings are organized with the affected households with time and composition as proposed:

+ Cadres of PECC4 state the project objectives, make detailed description of the project impact on land, agricultural crops, the policies, principles of implementation as well as inform the policies of compensation about properties, land, agricultural crops of the project Compensation Committee.

+ Reference to opinions during the project execution stage

+ General information on the project
Resettlement Action Plan (RAP)

Right after signing credit agreement and preparation for project commencement, the Project Management Board will organize meetings with involved Provincial People’s Committees of Binh Dinh, Phu Yen and Khanh Hoa, and Quy Nhon city; District People’s Committees of Song Cau, Tuy An, Tuy Hoa, Phu Hoa, Van Ninh, Ninh Hoa and Nha Trang city located along the transmission route so as to inform them about the project policy, suggesting them to coordinate their activities in site clearance work.

+ General information on RAP

When carrying investigation on project impact, a campaign of information and reference on opinions about RAP must be taken including: socio-economic documents, investigation sheet on statistics of land, properties agricultural crops being affected; giving directions about all necessary informations which must be given on the investigation sheet; reunion of habitants to inform on policies of compensation price, the progress of project for affected households and local authorities.

+ Information spread on local multi-media means

The PMB works in combination with the local authorities for information on multi-media means such as local radio system about the project such as the stages of project development, information on RAP and project impact on the community in the project area.

After obtaining the public comments, summarizing the results collected with the agreement of local inhabitants in the project area and RAP is approved, compensation measures will be carried out, and from then implementing the site clearance work and preparing for work execution.
CHAPTER 6

GRIEVANCE AND APPEALS

The main objective of RAP implementation is to ensure the fair and adequacy during compensation payment for PAPs. The resettlement and compensation program should satisfy both parts: Owner and PAPs. Grievances and complaints related to Project Owner and PAPs during RAP implementation. To solve them timely and effectively, relevant institutions such as PMB, Resettlement Committees of Phu Hoa District and Phu Yen Province need to respond to the complaints of the PAPs speedily and sensibly, avoid project delays and difficulty for PAPs. The solution should be agreed by PAPs.

During the project implementation, PAP’s complaints and grievances will be dealt with according to the regulation of Vietnamese laws. PAPs raising complaints will be treated fairly and guided by related agencies on the order, procedures and complaints of RAP, in addition no fee will be paid for their complaints.

Since the entire resettlement and rehabilitation program is being carried out with the participation of the PAPs. However, to ensure that the PAPs have avenues for redressing their grievances related to any aspect of compensation and resettlement, detailed procedures of redresses of grievances have been established for the project. The mechanism is designed to be easy, transparent and fair.

The procedures are as follows:

Complaints and grievances related to any aspect of RAP’s, including the determined area and price of the lost assets, will be handled as follows:

First step:

If any person is aggrieved by any aspect of the resettlement and rehabilitation program, he/she can lodge an oral or written grievance with commune authorities. Commune People’s Committee will resolve the issue within fifteen days from the date it receive the complaint.

Second step:

If any aggrieved person is not satisfied with the decision in stage 1, he/she can bring the complaint to the District People’s Committee (DPC) or District
Resettlement Action Plan (RAP)

Resettlement Committee (DRC) within fifteen days from the date of the receipt of the decision in stage 1. The District People’s Committee (DRC) or District Resettlement Committee (DRC) will reach a decision on the complaint within fifteen days.

Third step:

If the PAP is still not satisfied with the decision at district level, he/she can appeal to the Provincial People’s Committee (PCC) or Provincial Resettlement Committee (PRC) within 15 days of receiving the decision of the DPC or DRC. The Provincial People’s Committee (PRC) or Provincial Resettlement Committee (CRC) will reach a decision on the complaint within fifteen days.

Fourth step:

If the PAP is not satisfied with the decision of the Provincial level, the case may be submitted for consideration by the District Court within 15 days of receiving the decision of the PPC or PRC.

PAP’s will be exempted from all administrative and legal fees.

Coercion for site clearance can not be applied while PAPs are waiting for solving the complaints.

In case an oral compliant is made, it will be written on paper by the commune and processed. Commune People’s Committee will resolve the issue within 02 weeks.

In case of PAPs are illiterate persons, they can make an oral complaint with the representatives of affected households and their representatives will record all queries to submit to authority levels.

Every authority level will resolve the complaints as per the time regulated above.

The disputes are organized publicly and implemented in accordance with law. Detailed procedures for redress of grievances and appeal process shown publicized among the PAPs during participation meetings and also in the offices of RBs.
CHAPTER 7
MONITORING & SUPERVISION

Implementation of RAPs will be regularly supervised and monitored by the respective PCs/PMB in coordination with the respective District and Communes Peoples' Committees and Communes. The findings will be recorded in quarterly reports to be furnished to EVN or MOI.

7.1. INTERNAL MONITORING & SUPERVISION

Internal supervision and monitoring include the following activities:

- Verify that the baseline information of all PAP's has been carried out and that the valuation of assets lost or damaged, and the provision of compensation, resettlement and other rehabilitation entitlements has been carried out in accordance with the provisions of this Policy Framework and the respective RAP.

- Oversee that the Inventories and RAP's are implemented as designed and approved.

- Verify that funds for implementing the Inventories and RAP's are provided to the respective PMBs at local level (provincial/district) in a timely manner and in amounts sufficient for their purposes, and that such funds are used by the respective PMB's in accordance with the provisions of RAP.

- Record all grievances and their resolution and ensure that complaints are dealt with in a timely manner.

7.2. Independent monitoring

An independent agency or individual consultant will be retained by PMB of the MOI and EVN to periodically carry out external monitoring and evaluation of the implementation of RAP's. The independent agencies will be academic or research institutions, non-Governmental Organizations (NGO) or independent consulting firms, all with qualified and experienced staff and terms of reference acceptable to the World Bank.

In addition to verifying the information furnished in the internal supervision and monitoring reports of the respective PMBs, the external monitoring agency will
visit a sample of 20% of household PAPs in each relevant province six months after each RAP implementation to:

- Determine whether the procedures for PAPs participation and delivery of compensation and other rehabilitation entitlements has been done in accordance with this Policy Framework and RAP.

- Assess if the Policy Framework objective of enhancement or at least restoration of living standards and income levels of PAPs have been met.

- Gather qualitative indications of the social and economic impact of Project implementation on the PAPs.

- Suggest modification in the implementation procedures of RAPs, as the case may be, to achieve the principles and objectives of this Policy Framework.
CHAPTER 8
IMPLEMENTATION ORGANIZATION ON
COMPENSATION AND RESETTLEMENT PLAN

8.1. MEASURES FOR THE PROJECT IMPLEMENTATION

8.1.1. Announcement to PAPs

All PAPs shall be thoroughly informed about the rights and policies of RAP including entitlement policies, rate of compensation for every type of impact, the active participation right in land acquisition process, complaint and grievance. RAP information will be prepared by PMB and announced to all PAPs or informed at the meetings in province, district and commune levels; on television, radio, newspaper, hung in public places such as administrative quarters of communes and schools.

Public announcement tasks shall be implemented immediately after EVN and WB’s approval of project is obtained. The information announced consists of:

+ Schedule of project implementation
+ Eligibility and non-eligibility to compensation and resettlement
+ The compensation principle: only make compensation for households using land before inventory making and the official announcement about land acquisition of State.

8.1.2. Compensation deadlines

The project impacts conclude households with areas of agricultural land affected permanently. PAPs agreed to receive compensation amount so the RAP is carried out in package to PAPs. Compensation payment for land, assets, paddy and crops; land delivery for resettlement should be done at least 02 months before the project land acquisition.

PAPs will receive subsidies at the beginning of months and after their receiving, they will have to transfer land for Site Clearance Board at least one month before construction time.

8.2. RAP implementation process

RAP implementation will be included in 3 actions as below:

+ General action: Just at once when beginning the project implementation work
Resettlement Action Plan (RAP)

+ Separately action: at several times, once for each component of the project
+ Continuously action: Continuously action for the stages of RAP implementation.

**Basic actions of the project**

**Action 1:**

After RAP approved, PMB hires qualified agency for independent monitoring, this agency must be approved by EVN and WB.

**Action 2:**

Provincial authorities and PMB are required to supply Resettlement Committees with fully costs and declare the tasks for RAP implementation.

**Action 3:**

District Resettlement Committees carry out the Detail Measurement Survey of affected assets and socio-economic conditions, determining the compensation unit price and if necessary, checking and readjusting it in order to make compensation at market price and conversion price.

**Action 4:**

Immediately the ends of final inventory survey, Resettlement Committees of Districts will inspect and define the official number of PAPs, impacted properties and total compensation amount for PAPs.

**Action 5:**

Resettlement Committees will officially announce the RAP policy, schedule of project implementation and information for RAP to PAPs at public meetings including issues related to compensation, resettlement and land clearance.

**Action 6:**

It is suggested to give priority to compensation payment for households with permanent impacts, assisting them in transferring the production mode and mechanism or with land for resettlement and life stabilizing. After that, making compensation payment for PAPs affected on other properties.

**Action 7:**

During the project implementation, Independent and Internal Monitoring Institutions will supervise/monitor all actions of RAP implementation, at the same
Resettlement Action Plan (RAP)

time giving proposals, discussions or report the changes during project implementation as well as suggest solutions.

8.3. RAP implementation schedule

RAP will be implemented as per the schedule established to ensure the site clearance work and schedule on project construction.

Payment of rehabilitation and furnishing of other restoration/assistance entitlements is made in cash.

Organizational arrangement

Power companies and all project provinces will arrange full experienced staffs to ensure that RAP will be implemented smoothly as per the accepted schedule.
CHAPTER 9
COST AND BUDGETS

9.1. BUDGETS

Budget for RAP implementation will be shareholder equity and capital from loans WB. EVN entrusted Central Power Projects Management Board (CPPMB) with management and directing project’s activities as well as project finance management.

CPPMB has coordinated with the Resettlement Committees of Phu Yen Province, Resettlement Committees of Phu Hoa district, departments of Prices and Finance and People’s Committees at all levels to implement compensation payment.

9.2. COMPENSATION UNIT COST ESTIMATE

Compensation cost estimate for permanent impacted agricultural land, trees and crops based on:


Compensation unit price categories recommended in this project are as follows:

9.2.1. Compensation price for land

Compensation unit price of different types of land as follows:

<table>
<thead>
<tr>
<th>No.</th>
<th>Types of land</th>
<th>Unit Price</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Agricultural land</td>
<td>20,000</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Wild land</td>
<td>10,000</td>
<td></td>
</tr>
</tbody>
</table>

9.2.2 Compensation price for trees and crops

Compensation for trees and crops in ROW and substation site.
Prices and Financial Department of Phu Yen Province in coordination with relevant local authorities will be responsible for offering the rational compensation costs for project impacts.

Table 9.2.2. Compensation unit cost for trees, crops (VND/m²)

<table>
<thead>
<tr>
<th>No.</th>
<th>Type</th>
<th>Unit Price</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Paddy</td>
<td>4,000</td>
<td></td>
</tr>
</tbody>
</table>

9.3 IMPLEMENTATION COSTS

9.3.1. Cost for RAP establishment

Cost for RAP establishment consists of:
- Preparation work: cost for document study, translation, preparation of forms for socio-economic survey and PAPs 'inventory.
- Site survey work: census and inventory performed together with local authority, for detailed measurement of PAPs. To work with local authority for collecting compensation unit cost.
- Summarize data for establishment of report.
- Report works of units and Phu Yen Province, PMB and EVN

Total RAP preparation cost: 44,595,686 VND

Total RAP preparation cost is mentioned in Total investment cost (see in detailed draft for RAP preparation cost of the projects.

9.3.2. Compensation cost

Based on the impacted categories and extent of project impacts which described in the above chapters, compensation costs consisting of:
- Compensation for permanently land acquisition for construction of substation, control house and house for operating workers.
- Compensation for paddy affected in the project area.
- Subsidy for PAPs as stipulated in law.

9.3.3 Management cost

Management cost consists of:
- Cost for staff of PMB and Compensation Committees includes in: physical basis, salary and allowance for administration organization. Organizations of Compensation Committees will be concurrently having many works during the project implementation, only some members will be contracted to work regularly.

- Cost for meetings, information notification to PAPs or their representatives.

- Total management cost is estimated at about 1% of total cost of compensation for project impacts as defined in items 9.3.2

9.3.4 Supervision cost

When carry out the project, PMB will signed a contract with independent monitoring institution(s). Total supervision cost is estimated at about 2% of total cost of compensation and RAP preparation as defined in item 9.3.1. and 9.3.2.

9.3.5 Contingency cost

It is learned from the implemented projects and from the conservative side, the rate for contingency is estimated about 10% of total cost of compensation and RAP preparation as defined in item 9.3.1. and 9.3.2.

9.3.6 Total compensation cost for project

Total compensation cost for project: VND 697,805,200
CHAPTER 10

CONCLUSION AND PROPOSALS

10.1. Conclusion

After investigation, summing up data on damages in the ROW and substation site, consulting opinions of the relevant local authorities and community of affected households. Through the making of RAP, we have the following conclusions:

* As the secure corridor of route line and construction site of substation spreading on the area of Phu Hoa District, at deployment of compensation and making land clearance works of the project, the relevant local committees and services have to work in combination to ensure favourable results.

* Report on determination of land surface, trees and agricultural crops being affected by the project.

* Summing up report and calculation on damages due to the project, then bringing up common compensation price.

* Study and submission of RAP planning for community of affected inhabitants.

10.2. Proposals

* Deep and broad propagation of informations on the project by multi-media system, etc... to the habitants in order to minimize the negative impact of individuals profiting of the standpoint, investment policy of the government.

* The Project Management Committee, Resettlement Committee and Compensation Committee have to inspect closely the execution of compensation and land clearance works in preparation of work execution.

* Appointment of a standing team to solve in time the complaints and claims of affected households.
## ANNEX 1: ENTITLEMENT MATRIX

<table>
<thead>
<tr>
<th>No</th>
<th>Type of Loss</th>
<th>Application</th>
<th>Definition of entitled DPs</th>
<th>Compensation Policy</th>
<th>Implementation Issues</th>
</tr>
</thead>
</table>
| 1  | Permanent land acquisition due to construction of substation and access to the substation. | All PAPs have land and assets on permanently affected land due to construction of substation and access road to the substation. | DPs with/without land certificate included in the inventory or able to prove land occupancy prior to cutoff date (there are 27 affected households) | **For PAP losing productive land:**  
  
  a. *Land loss less than 25% of their total landholdings*  
  - Cash compensation for the lost area if the remaining plot is still economically viable.  
  
  b. *Land loss equal or more than 25% of their total landholdings:*  
  
  PAP can opt for the followings:  
  
  i) “Land for land” with the same area and productive of impacted area if the remaining plots are still economically viable and for the whole impacted plots if the remaining plots are not economically viable.  
  
  ii) Cash for land at the replacement cost.  
  
  - Compensation for trees and affected fruit trees at the | - Consultation for PAP’s options on land compensation.  
  - PMB and local authorities determine and ensure that compensation will be at replacement cost at the time of payment.  
  - Replacement land, and resettlement sites development.  
  - PAPs receiving compensation will demolish the impacted areas and reconstruct/or improve their houses themselves.  
  - Full compensation for trees and fruit trees to PAPs at least 01 month before land clearance. If PAP is requested for cutting affected trees, PMB will pay money for this work. PAP has right for using salvageable trees.  
  - Full compensation for impacted house and allowances to PAPs at least 05 months before land clearance.  
  - No award civil work contract before completion of compensation and reorganizing houses or relocation. |
<table>
<thead>
<tr>
<th>N°</th>
<th>Type of loss</th>
<th>Application</th>
<th>Definition of entitled DPs</th>
<th>Compensation Policy</th>
<th>Implementation Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>replacement cost.</td>
<td>- Rehabilitation assistance.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- For PAP losing Residential and garden land:</td>
<td>- Payment to PAPs will be delivered by PMB and RCs</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- If remaining land is sufficient for reorganizing (more than 60 m² in the urban area and 100 m² in the rural area): Cash compensation for lost area and assets associated with land.</td>
<td>- Finance/ land available for compensation/ rehabilitation and well information disclose/ disseminate:</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- If remaining land is not sufficient for reorganizing: PAP can opt for i) cash compensation at replacement cost for land and assets on land, or ii) “land for land” compensation for the whole residential area which PAP occupied (not only for the impacted areas) and properties associated with occupied land.</td>
<td>- PMB consult with PAP who are eligible to rehabilitation for their options and prepare proposal for rehabilitation programs in the period of RAP implementation.</td>
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<tr>
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<td></td>
<td>- PAPs will be granted with Land Use Right Certificate</td>
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<td>without payment of administrative fees.</td>
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### Annex 2: Cost estimate for compensation of Tuy Hoa 220kV substation

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<th>No.</th>
<th>Items</th>
<th>Unit</th>
<th>Quantity</th>
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<td>Costs for compensation of land, paddy and crops</td>
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### Total cost for RAP implementation of Tuy Hoa 220kV substation

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<th>Items</th>
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<td>Costs for RAP preparation</td>
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<td>5</td>
<td>Supervision cost</td>
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<td>6</td>
<td>Reserved cost</td>
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<td>7</td>
<td>Total cost for RAP implementation</td>
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Resettlement Action Plan (RAP)

Annex 3: Inventory of Project Affected Households for 220kV Tuy Hoa substation

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<thead>
<tr>
<th>Name of Head of Household</th>
<th>No. of persons in Hhold</th>
<th>Total Landholding in m²</th>
<th>Land to be acquired in m² by type</th>
<th>Loss as % of total</th>
<th>Loss of Assets</th>
<th>Other assets</th>
<th>Other Losses</th>
<th>Temporary Losses (specify)</th>
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<td>temporary (m²)</td>
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<td>Type and</td>
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<td>lost (m²)</td>
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FS on Tuy Hoa 220kV substation
Resettlement Action Plan (RAP)

Phu Yen Province  Phu Hoa District  Hoa Quang Bac Commune  Thach Lam Village

<table>
<thead>
<tr>
<th>Survey No.</th>
<th>Name of Head of Household</th>
<th>No. of persons in Hhold</th>
<th>Total Landholding of Hhold in m²</th>
<th>Land to be acquired in m² by type</th>
<th>Loss as % of total</th>
<th>Loss of Assets</th>
<th>Loss of Crops</th>
<th>Loss of Other assets Eg., Tombs, well, etc. (No. &amp; type)</th>
<th>Other Losses</th>
<th>Temporary Losses (specify) Number and type of lost structures</th>
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FS on Tuy Hoa 220kV substation
### Resettlement Action Plan (RAP)

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<th>Survey No.</th>
<th>Name of Head of Household</th>
<th>No. of persons in Hhold</th>
<th>Total Landholding of Hhold in m²</th>
<th>Land to be acquired in m² by type</th>
<th>No. of Total Land to be Lost as % and type of permanent and temporary residence lost</th>
<th>Other Losses</th>
<th>Permanent and temporary crop losses</th>
<th>Permanent and temporary structure losses</th>
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<th>Loss of Crops</th>
<th>Other (Specify)</th>
<th>E.g., Tombs, well, etc. (No. &amp; type)</th>
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*FS on Tuy Hoa 220kV substation*
### Resettlement Action Plan (RAP)

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<th>No</th>
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<th>Population</th>
<th>Area</th>
<th>Compensation</th>
<th>Resettlement</th>
<th>Others</th>
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*FS on Tuy Hoa 220kV substation*
Annex 4: Entitlements of Project Affected Households

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<tr>
<th>Survey No.</th>
<th>Name of Head of Household</th>
<th>Compensation for Land</th>
<th>Compensation for Structures</th>
<th>Compensation for Crops &amp; Trees</th>
<th>Compensation for Other Assets (pond, lake …)</th>
<th>Total in Dong</th>
</tr>
</thead>
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### Resettlement Action Plan (RAP)

**Phu Yen Province**

**Phu Hoa District**

**Hoa Quang Bac Commune**

**Thach Lam Village**

<table>
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<tr>
<th>Survey No.</th>
<th>Name of Head of Household</th>
<th>Compensation for Land</th>
<th>Compensation for Structures</th>
<th>Compensation for Crops &amp; Trees</th>
<th>Compensation for Other Assets (pond, lake ...)</th>
<th>Total in Dong</th>
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<tbody>
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Resettlement Action Plan (RAP)

<table>
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<tr>
<th>Survey No.</th>
<th>Name of Head of Household</th>
<th>Compensation for Land</th>
<th>Compensation for Structures</th>
<th>Compensation for Crops &amp; Tree Assets</th>
<th>Total in Dong</th>
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<td>Quantity Sq. Meters</td>
<td>Unit Price Sq. Meters</td>
<td>Quantity Sq. Meters</td>
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<td>Entitlement in Dong</td>
<td>in Dong</td>
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FS on Tuy Hoa 220kV substation
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*FS on Tuy Hòa 220kV substation*
### Resettlement Action Plan (RAP)

**Annex 5: Socio-Economic Household Data Sheet of Project Affected People**

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<th>Ethnic Group</th>
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*FS on Tuy Hòa 220kV substation*
Resettlement Action Plan (RAP)

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BIẾN PHÁN THAM VĂN CỘNG ĐỘNG VỀ KẾ HOẠCH ĐỀN BỨ VÀ TÁI ĐỊNH CUCCESS


2. Đại diện Cty TVXD Điện 4: Nguyễn Thị Thúy, Giám đốc.

3. Đại diện Cty TVXD Điện 5: Nguyễn Thị Thúy, Giám đốc.

Các văn đề tham vấn cộng đồng:

1. Thông báo về việc tổ chức tập trung đất cho dự án.
2. Thông báo về việc tổ chức đất cho dự án.
3. Thông báo về việc tổ chức đất cho dự án.
4. Thông báo về việc tổ chức đất cho dự án.

- Đổi với mọi trường dự án, xê tài: Nguyễn Thị Thúy, Giám đốc Cty TVXD Điện 4.
- Đổi với mọi trường dự án, xê tài: Nguyễn Thị Thúy, Giám đốc Cty TVXD Điện 5.
- Đổi với mọi trường dự án, xê tài: Nguyễn Thị Thúy, Giám đốc Cty TVXD Điện 7.
- Đổi với mọi trường dự án, xê tài: Nguyễn Thị Thúy, Giám đốc Cty TVXD Điện 8.
- Đổi với mọi trường dự án, xê tài: Nguyễn Thị Thúy, Giám đốc Cty TVXD Điện 9.

Công hoa xã hội chủ nghĩa Việt Nam

Thành phố tham dự:

Đốc lường - TTy d - Hạnh phúc
- Các phương án đến bù, quy trình chi trả đến bù:
  + Giá đến bù, hình thức đến bù:
  + Thời gian thực hiện chi trả đến bù:
  + Quy chế khiếu nại, giám sát:

Xác nhận của Công ty TVXD Điện 4

Xác nhận của người bị ảnh hưởng

Xác nhận của chính quyền địa phương

Nguyễn Duy Khương
CONG HOA XA HỘI CHU NGHIA VIET NAM

Độc lập - Tự do - Hạnh phúc

---000---

Ngày 27 tháng 3 năm 2004

BIEN BAN THAM VAN CONG DONG
VE KE HOACH DEN BU VA TAI DINH CU

Thành phần tham dự:
1. Đại diện UBND: ........................................ Nam...Ie (Chủ tịch)..............
2. Những người ảnh hưởng.............................. Nam...Ie (Chủ tịch)..............
3. Đại diện Cty TVXD Điện 4: ......................

Các vấn đề tham vấn cộng đồng:
1. Phô bien những chính sách liên quan đến denn bu, tái đinh cu.
   - Những khu vực trung dung qạt cho dự án.
   - Dự kiến thời gian tiến hành cho dự án.
   - Phô bien các chính sách của Việt Nam và WB.
   - Các quy định pháp luật Việt Nam và chính sách WB có liên quan.
   - Các chính sách đề bu cho Dự án.
   - Các khu tái đinh cu (nếu có).

2. Y kiến của địa phương về kế hoạch đến bu và tái đinh cu:
   - Khả năng xây ra ảnh hưởng bất lợi của dự án
     + Đối với nhà cửa: ..............................
     + Đối với đất đai: ..............................
     + Đối với cây cỏ: ..............................
     + Đối với môi trường tự nhiên, xã Hội: ....

- Các biện pháp giảm thiểu:
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Xác nhận của người chịu trách nhiệm:

[Signature]

Ngày: 10/10/2023

[Signature]

Ngày: 12/10/2023

Xác nhận của nhân viên Xây dựng Đơn 4

Công ty TNHH Xây dựng Đại Phường

[Signature]

Ngày: 15/10/2023

[Signature]

Ngày: 17/10/2023

Xác nhận của chính quyền địa phương