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DANANG DEPARTMENT OF TRANSPORT

DANANG PRIORITY INFRASTRUCTURE INVESTMENT PROJECT MANAGEMENT UNIT

DANANG SUSTAINABLE CITY DEVELOPMENT PROJECT

(Loan No. 5233-VN)

RESETTLEMENT PLAN

FOR SUPPLEMENTARY ITEMS OF PROJECT

The Works: The Road DH2 from Hoa Nhon to Hoa Son and Upgrading of Two Existing Link Routes

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Danang, September 2015

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REPRESENTATIVE OF CLIENT

CONSULTANT

Danang, September 2015

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CURRENCY EQUIVALENTS

(As of 30 June 2015)

Currency Unit	–	Dong (VND)
$1.00	=	VND 21,500

ABBREVIATIONS

AHs	Affected Households
DPs	Displaced Persons
PMU	Project Management Unit
GoV	Government of Vietnam
DMS	Detailed Measurement Survey
DRC	District Resettlement Committee
EIA	Environmental Impact Assessment
IDA	International Development Association
RP	Resettlement Plan
LIA	Low-income area
MOLISA	Ministry of Labor, Invalids and Social Affairs
FS	Feasibility study
WB	World Bank
RPF	Resettlement Policy Framework
TOR	Term of Reference
CPC	City People's Committee

GLOSSARY

Displaced Person(s) (DPs)	Displaced Person(s**)** (DPs) are the persons who are affected by involuntary taking of land, resulting in: (a) Relocation or loss of shelter; (b) Loss of assets or accessibility to assets; (c) Loss of income sources or means of livelihood, regardless of relocation or not; and (d) Restriction of accessibility to legally designated parks or protected areas causing adverse impacts on their livelihoods.
Involuntary Resettlement	unavoidable resettlement losses resulted by a development project in which affected people have no option but to rebuild their lives, incomes and asset bases elsewhere.
Resettlement Assistance	Additional support provided to APs who are losing assets (particularly productive assets), incomes, employment or sources of living, to supplement the compensation payment for acquired assets to achieve, at a minimum, the full restoration of living standards and quality of life to the pre-project level.
Cut-off date	The date that the sub-project is approved and the project landmarks are made. Affected persons and local communities will be informed of the cut-off date for each Project component by the project management unit and relevant local authorities, and any persons moving into the project area after that date will not be entitled to compensation and assistance under the Project. The cut-off date could be different for the various project components.
Detailed Measurement Survey (DMS)	The finalization and/or validation of the results of the inventory of asset losses (IOL), severity of impacts, and list of APs done during the preparation of the final resettlement plan and with the landmarks made on the ground demarcating for the project areas.
Compensation	Payment in cash or in other forms for impacts on land, houses, income and other affected assets due to land acquisition for the project implementation

Entitlements	The range of compensation, assistance measures and assessments comprising income restoration support, moving assistance, income restoration assistance, relocation and resettlement assistance to the APs to restore their economic and social facilities depending on the type and severity of their losses.
Host community	A community living in the immediate vicinity of the proposed resettlement sites (communities receiving the resettlement).
Income restoration/Livelihood improvement	The restoration and/or improvement of income sources and livelihoods of all APs.
Inventory of Losses (IOL)	The process of tally, location, measurement and identification of assets that will be recovered or adversely affected by, or because of, the project. These include, (without limitation or being in an exhaustive list) lands used for residence, business, agriculture, ponds, dwelling, stalls and shops; other structures such as fences, tombs, and wells; trees with commercial value; and sources of income and livelihood. It also includes assessing the severity of the impacts on the APs' affected land, property, assets livelihood and productive capacity.
Land Acquisition	The process by which the State issued administrative decisions to acquire the land-use rights or land allocated to users as regulated.
Relocation/ Resettlement Site	Relocation means APs' movement away from their old residence and resettlement site means a new residence of APs.
Replacement Cost	The amount of money, which is needed to replace an affected asset and cover the transferring costs for such assets, including costs of materials and labor forces as follows: (i) Replacement cost definition is used to calculate the compensation payment for an affected asset based on the market prices plus transferring costs including taxes, costs of transportation and labor force, etc. (OP 4.12, note 11). Market prices are determined by the PMU with the confirmation of the local authorities and consultation with the affected persons. The methods of determining current market prices should be updated

from time to time.[1]

(iii) Houses and eligible structures which are usable and associated with the land based on current market prices of materials and labor without depreciation or deductions for salvaged building materials plus fees for obtaining the ownership papers;

(iv) Standing crops based on the current market value of the crop at the time of compensation;

(v) Perennial crops and fruit trees will be compensated by cash equivalent to the current market value given for the type, age and productive value of such trees (future production) at the compensation time.

Replacement Cost Survey The process involved in the determination of the replacement cost of land, houses and other affected assets based on market price.

Vulnerable Groups Distinct individuals or groups of people who might suffer disproportionately from the risk of land and property acquisition or building resettlement sites specifically including: (i) households falling under the MOLISA's poverty line, (ii) households with martyrs, wounded and sick soldiers, heroes of the people's armed forces and labor, and families who sacrificed to the Revolutions; and households suffering from Agent Orange; (iii) Any additional group determined by meaningful socio-economic surveys and public consultations.

[1] . PMU will employ a independent valuer for pricing assets

EXECUTIVE SUMMARY

Danang Sustainable City Development Project (Loan No. 5233 VN) funded by WB took effect on 29 July 2013. Accordingly, the construction works are under the progress of detailed designing. Particularly, the first secondary wastewater treatment plant of the city in Hoa Xuan is under the construction. However, during the project implementation, there are some adjustments to the stormwater and wastewater drainage systems such as improvement of drainage systems on some roads such as Ong Ich Khiem, Hoang Dieu, Ly Thai To, construction of infrastructure for the residential areas the residential areas 13 and 14 in Phuoc My ward, residential area 12 in Man Thai ward and some other structures under Component 1, construction of the Depot of the bus rapid transit (BRT) in the airport area (adjacent to the crossing of Nguyen Tri Phuong and Nguyen Van Linh roads), construction of BRT at Bau Tram in Hoa Hiep Nam ward, Lien Chieu district under Component 2, technical assistance for construction of the Hoa Khuong resettlement site under Component 3 and supplementary item of the Road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes.

During the WB's supervision mission in April 2015, the mission agreed on the above-mentioned adjustments, simultaneously requested the city to prepare the respective reports, including FS report and additional Environmental – Social Safeguard Policy Reports for submitting to the WB for consideration.

Objectives of the Resettlement Plan

This Resettlement Plan (RP) prepared for the supplementary items of the Road DH2 from Hoa Nhon to Hoa Son commune and upgrading of two existing routes linking to the road DH2 under Danang Sustainable City Development Project funded by the World Bank. This RP indicates results from collecting census data of the affected people and inventory of affected assets in the project area, the replacement cost surveys, review of entitlements related to any project-related impacts and in the context that Land Law 2013 has been newly established and took effect. Specifically, the RP contains the scope of impacts resulting from the land acquisition and resettlement, proposed principles of policies, entitlements and eligibility to compensation, implementation arrangement, monitoring and evaluation, community participation and consultation framework, grievances and redress mechanism.

Scope and Impacts of Land Acquisition

According to the engineering design, the road DH2 connects from Hoa Nhon commune to Hoa Son commune in Hoa Vang district, Danang city. The road connects from the old National highway 14B to the provincial road DT602 with the length of 9.2km. The start

point of the road (Km0+0,00) intersects with the old National highway 14B at the head of Giang bridge, intersects with Hoang Van Thai road at Km5+0,00 and the end point (Km9+228,07) intersects with the provincial road DT602 at a point which is 200m far from Tung Son bridge. The road DH2 runs toward East- West direction in parallel and 30-1,100m far from Hai Van – Tuy Loan road. The length of road according to the proposed option (Option 2) is 8,924.60m. In addition, the road DH2 will be invested simultaneously in upgrading of two existing routes in length of 1,073.97m in Hoa Nhon commune to connect to the new road with cross section of B= (4+7.5+4)m=15.5m and built with sufficient infrastructures such as lighting system, drainage systems, green trees to ensure smooth connection to the main road and facilitate the movement of people on two existing roads.

The road is located in Hoa Son and Hoa Nhon communes, Hoa Vang district, Danang city.

Regarding land acquisition impacts on the project-affected households, a total of **666 affected entities** (of which 664 households and 02 organizations (Ward/Commune People's Committees) will be impacted. The statistic data of individual category of affected land is shown in the Table 1 bellow:

Table 1 : Summary of Scope of impacts

Items	Unit		Scope of impacts
1. Affected Households (AHs):	***HH***	***:***	666
Household members	People	:	3,037
Of which		:	
+ Affected Residential Land	HH	:	411
+ Affected Agricultural land	HH	:	253
+ Affected other land (managed by the ward/commune People's Committee)	HH	:	2
+ Affected houses	HH	:	276
2. Affected Area	***M2***	***:***	**191,223**
Of which:		:	
+ Residential Land	m2	:	50,977
+ Agricultural Land	m2	:	31,317
+ Land temporarily assigned by CPC	m2	:	1,510
+ Other Land (public land)			107,419
+ Affected Housing Area	m2	:	17,052
3. Physical Relocated households	***HH***	***:***	109

Items	Unit		Scope of impacts
4. Households whose agricultural land is affected 20% or more of their total landholding (10% or more for vulnerable households).	***HH***	***:***	18
5. Affected business households	***HH***	***:***	16

Source: Resettlement survey, May 2015

Mitigation Measures

During the project preparation, a close cooperation between the Engineering Design Consultant and Safeguard Consultant (IAC Vietnam) was established, and through site survey and consultation with affected households, several measures to minimize project's negative impacts were taken by exploring all alternative designs to achieve project investment efficiency while minimizing the land acquisition, when feasible.

Concurrently, the mitigation plan for temporary impacts during the construction phase was studied and proposed to avoid and/or minimize these impacts during the project implementation.

Policy Framework and Entitlements

The basic principle of the RP preparation is that DPs shall be "assisted together with their best efforts to better or at least improve their living standards, their earning capacity and productivity to the pre-project level. The lack of legal basis of land use will not bar affected households from entitlements to compensation and/or economic restoration assistance. The affected assets shall be compensated at replacement costs".

The basic principle applied to prepare this RP complies with the RP that was cleared by the World Bank on 21 December 2012 and approved by Danang city People's Committee under Decision No. 398/QD-UBND on 14 January 2013.

The project cut-off date for the HD2 road of the Project is defined as the date of approving this project item and planning land use boundaries for the scope of works. The cut-off date for each component of the project will be informed widely by the PMU and local authorities to the DPs and local communities. Accordingly, all persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

Resettlement Site

Households and individuals whose houses, residential land are totally acquired or remaining area after acquisition is unviable economically or lower than the local land allocation limit, will be allocated with a new land plot in the resettlement site. According to the results of resettlement survey, the demand of resettlement is 150 land plots (of which, 109 affected households and 41 provisional land plots for the number of arising households).

Currently, the project has 5 resettlement sites as shown in the table below to serve the relocation and resettlement of the affected households. In addition, the PMU planned to arrange other resettlement sites belonging the land fund of the city (upon demands and expectations of the households) to ensure convenience for stabilizing their life. The location for the resettlement site sites was finalized in consultation with relocated persons with the prefer option is that resettlement site is built as closed to their old shelter as possible, built according to the planning and construction standards for the urban areas with full basic infrastructures before affected persons move in.

List of resettlement sites of the project

No.	Resettlement site	Total area (m^2)	Of which	
			Lot area (m^2)	Number of lots
1	Hoa Lien Resettlement site	53,784	28,108	271
2	The Northern resettlement site of Southern belt road (phase 3a)	74,562	28,995	276
3	Resettlement site DT605 – phase 2	43,469	23,175	210
4	My Da Tay resettlement site	61,254	31,459	346
5	Hoa Khuong resettlement site	84,157	32,998	208

Livelihood Restoration Program

The livelihood restoration program is an important activity of the compensation and resettlement plan. For this project, a vocational training and job introduction program managed by the Danang city Employment Service Centre (under Women's Union) has been studied and proposed for the project-affected persons for the purpose of livelihood restoration.

Institutional Arrangements

The compensation, assistance and resettlement of the Project will be supervised and monitored by the Danang Priority Infrastructure Investment Project Management Unit (Danang PIIP – PMU) and implemented by the Land Fund Development Center (LFDC) of

the city. During the project implementation, a close cooperation among staffs of the District Resettlement Committee (DRC), including Chairman of the District People's Committee (DPC) and concerned agencies, the LFDC, the PMU, commune People's Committees and resettlement specialists should be established. In short, Danang CPC is responsible for overall resettlement implementation of the project.

Consultation and Participation

Affected persons and communities, were provided timely and fully with information, consulted on resettlement options, and offered with opportunities to participate in planning, implementing, and monitoring the resettlement activities. Appropriate and feasible grievance mechanisms are also established for these groups.

In doing so, during the project designing, the local authorities, local mass organizations and about 96 affected households were surveyed by questionnaires, and about 51 households were involved in the prior, free and informed consultations. Information collected during the consultations was not only useful to establish the project resettlement policies but also supported in developing the compensation plans during the project implementation.

Monitoring and Evaluation

The RP will be implemented under the supervision of the Danang PIIP-PMU. In addition, an independent monitoring agency (IMA) will be employed to monitor the implementation of RP and evaluate the living standards of affected households after their resettlement.

Upon completion of the project, the IMA will undertake an assessment to determine whether the objectives of the resettlement policy framework have been achieved or not. If the assessment results reveal that these objectives may not be achieved, the PMU will propose follow-up measures that may serve as the basis for WB to continue the supervision, as the Bank deems appropriate.

Grievance and Redress Mechanism

In the implementation process of the RP, grievances will be settled in accordance with the procedures set out in the approved RP. The local authorities at all levels and project staffs will resolve DPs' grievances in fair and quick manner. AHs will not pay any administrative charges related to redressing their grievances.

In case the complainants send their grievances to the City People's Council, the City People's Council will direct the CPC to consider and resolve grievances. Time of grievance redressing is 30 days since the date the city People's Council receives the complaint form. During the time of waiting for redressing grievances, including redressing disputes at the court, the complainant will hand over the site to the project according to the

progress. The compensation payment will be transferred to an account for households that refused to receive compensation for the AHs who do not agree to receive the compensation amount.

Cost estimate

Cost estimate for implementing the Resettlement Plan of the road DH2 (Hoa Nhon – Hoa Son) under the Danang SCDP is **VND88,360,000,000** ***(in words: Eighty eight billion, three hundred and sixty million Vietnam dong only)***, equivalent to $ 4,109 million. This included costs of compensation for affected land, assets, structures, subsistence assistance, monitoring, evaluation, administrative management (inclusive of cost of grievance redressing), and contingency cost. The cost will be financed by the counterpart fund of Danang city for the Project.

1. GENERAL INTRODUCTION

1.1. OVERVIEW OF THE PROJECT

1.1.1 Background

Danang is the fourth largest government central city in Vietnam and the city directly under the Central government. Danang is seen as a future-oriented city with good planning, good management and infrastructure quality higher than other cities. Danang is the most important city in the Central coastal region with an aspiration to become a regional economic center and a gateway to the international markets. The leaders of city authorities committed to building the city into a "green city" by 2025 with the orientation focusing on high technology and tourism development.

With strategic and critical position, Danang is considered as a priority economic region and principal transport hub of the highway, railway, domestic and international airway as well as an economic, cultural and social center of the Central region and the country. In the regional and international economic context, Danang is a significant sea gateway. In recent years, the city has implemented some projects funded by the World Bank. Particularly, in the period of 1998-2007, the Solid Waste Management Project and the Drainage Improvement Project, the Priority Infrastructure Investment Project (PIIP) with 2 phases have been implemented. Despite several infrastructure improvements, Danang has been facing several difficulties such as flooding, increased pollution of lakes and water resources.

The World Bank funding the Danang Sustainable City Development Project (SCDP), is responsible for furnishing the city with essential urban infrastructures in order to assist the rapid expansion of the city. SCDP includes five (05) components, including Component 1: Environment Improvement with the key investment in wastewater collection and treatment. Component 2: Public Transport with key investment in Bus Rapid Transit system, Component 3: Strategic Urban Road Improvement. Component 4: Technical assistance and strengthening capacity in Urban Infrastructure Management; Component 5: Activities transferred from the Danang Sustainable City Development Project (SCDP).

Proposed infrastructures will be located in 05 urban districts and one rural district of Danang city.

Objective of the Project

The development objective of the project is to improve the accessibility of urban people through improvement of the drainage system, wastewater collection and treatment services, roads, public transport means at the selected areas of Danang city.

Components of the Project

The Project consists of 5 components as follows:

- Component 1 - environment improvement and key investment in waste water collection and treatment
- Component 2- Public transport: Development of bus rapid transit (BRT)
- Component 3 - Construction of strategic urban roads
- Component 4 – Strengthening capacity in urban infrastructure management
- Component 5 – Activities transferred from the Danang SCDP.

Danang Sustainable City Development Project (Loan No. 5233 VN) funded by WB took effect on 29 July 2013. Accordingly, the construction works are under the progress of detailed designing. Particularly, the first secondary wastewater treatment plant of the city in Hoa Xuan is under construction. However, during the project implementation, there are some adjustments to the stormwater and wastewater drainage systems such as improvement of drainage systems on some roads such as Ong Ich Khiem, Hoang Dieu, Ly Thai To, construction of infrastructure of the residential areas of population groups No. 13 and 14 in Phuoc My ward, population group 12 in Man Thai ward and some other structures under Component 1, construction of the Depot of the bus rapid transit (BRT) in the airport area (adjacent to the crossing of Nguyen Tri Phuong and Nguyen Van Linh roads), construction of the bus rapid transit (BRT) at Bau Tram in Hoa Hiep Nam ward, Lien Chieu district under Component 2, construction of infrastructure for the Hoa Khuong resettlement site under Component 3 and supplementary item of the Road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes.

This RP is prepared for items related to the land acquisition and site clearance for the road DH2 from Hoa Nhon commune to Hoa Son commune and upgrading of two existing routes connecting to the road DH2. The scope of construction is shown in the Table 2 bellowed:

Table 2: List of Supplementary Items

No.	NAME OF WORKS	COMPONENT	COMMUNE	DISTRICT	SCOPE
1	The road DH2 from Hoa Nhon commune to Hoa Son commune and upgrading of two existing link routes	3	Hoa Nhon commune Hoa Son commune	Hoa Vang district	Length of 8,924.60 m; cross section 20.5m. Render of existing road in length of approximate 1.07km, cross section of 15.5m The start point from

					Hoa Nhon commune to the intersection with existing National Highway 14B, nearby Giang bridge to the end point at Hoa Son commune.

Source: Danang SCDP PMU, May 2015

According to the adjustment option as indicated in Table 2 above, a Feasibility Study report will be prepared for supplementary items and attached Safeguards Reports (including two Resettlement Plans and Environmental Management Plans), specifically as follows:

1. A Resettlement Plan for items involved in the land acquisition and site clearance for adjustment items under: a) **Component 1**, b) **Component 2**, c) **Component 3.** This RP will be submitted to the WB for consideration by November 2015.
2. A Resettlement Plan for supplementary items involved in the land acquisition and site clearance for the Road DH2 from Hoa Nhon to Hoa Son. This RP is prepared and submitted to the WB separately.

1.1.2 Scope of Services

During the project preparation (2012-2013), a RP was prepared for items related to land acquisition of all project components. Accordingly, this report was cleared by WB on 21 December 2012 and approved by Danang CPC under Decision No. 398/QD-UBND dated 14 January 2013. This RP (applied to adjustment/supplementary items) is prepared on the basis of the approved Resettlement Plan and Resettlement Policy Framework of the SCDP project, not replace but reflect adjustment and supplementary items involved in the land acquisition and site clearance of the Project.

This RP is prepared for items of the Road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes under the Danang Sustainable City Development Project (SCDP).

The construction of proposed infrastructures may cause negative social impacts, therefore, a special attention should be paid to people affected by involuntary land acquisition. Although losses that households suffer may vary from very large to minor, the fact is that many households may be affected and need to relocate/resettle. Therefore, it is required to prepare an appropriate Resettlement Plan (RP) in accordance with the requirements of the World Bank's Operational Policy (OP 4.12) on Involuntary Resettlement and Policies of the Gov. During the preparation and implementation of the RP, three following basic principles will

be applied:

(a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.

(b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the DPs to share in project benefits. Affected persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

(c) Affected persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement level or to the pre-project level, whichever is higher.

Specific series of steps leading to the preparation of a RP are presented as follows:

a. Initially, consult with the consultant(s) on the FS of the project, review the required parameters of project design to determine the categories of impacts which are likely to occur, so as to enable the FS consultant to develop, where possible, appropriate measures to minimize the impacts suitably with the Basic Designs;

b. Once Basic Designs have been agreed and boundaries of project components requiring land acquisition are determined, undertake a census[2] for all DPs (with 100% coverage). The census should not only enumerate the number of affected persons and households, but also collect socio-economic data to establish a socio-economic baseline for the DPs. The RP shall present a summary of all data which is relevant to SES and IOL in the Annex.

c. Undertake an inventory of assets in line with the subcomponent (both assets totally and partially affected). The inventory of assets should include detailed description and valuation of such assets.

d. Hold consultations with key stakeholders to obtain inputs for preparing the RP. Consultations with stakeholders will enhance ownership, facilitate the approval and ensure ease of implementation.

e. Conduct market price survey to determine replacement cost for affected land and assets.

[2] The census/inventory should provide details of assets owned or held, and amounts of assets to be acquired on a temporary or permanent basis from every affected household for the project, as well as data on the social and economic status and occupations of all APs.

f. Make cost estimations of the replacement costs of assets at the designated resettlement site, or replacement/partial reconstruction/restoration of assets which are partially affected by the construction.

1.2. SURVEY AND METHODOLOGY

This RP prepared for items related to the land acquisition and site clearance under the project established on the basis of experiences learnt from the approved Resettlement Plan and Resettlement Policy Framework of the SCDP, using methodology and information collection instruments of previous reports.

From 26 May 2015 to 12 June 2015, the resettlement consultant team carried out a socio-economic survey[3] and survey on affected land/assets at the project communes of Hoa Nhon and Hoa Son, Hoa Vang district, Danang city.

Accordingly, about 14,5% of affected persons (96 households) participated in the socio-economic survey and replacement cost survey, 100% of affected persons (664 households) participated in the public consultation meetings to discuss their perspective of replacement cost. The census results are shown in Section 3. The socio-economic profile is shown in Section 4. Public consultation results are shown in Section 10 of this Report.

[3] Using existing socio-economic questionnaire for the Danang Sustainable City Development project

2. MITIGATION MEASURES

2.1. OBJECTIVES

The first principle of WB's resettlement guideline is to avoid or mitigate impacts of resettlement and land acquisition. In case it is not feasible to avoid such resettlement impacts, mitigation measures and/or reasonable compensation should be applied to AHs.

The resettlement and land acquisition impacts should be minimized. The project Engineering Consultant, PIIP-PMU and other authorities have made efforts to minimize impacts of land acquisition since the stage of project design and completion of the investment project; therefore, the scope of resettlement impacts is minimized to the lowest level.

The land acquisition impacts are unavoidable because the construction of the Road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes (Hoa Nhon and Hoa Son communes in Hoa Vang district) will require land acquisition. Broad consultations between the project's resettlement specialists and local authorities, mass organizations and especially households who may be affected by the project, were organized to provide information on project objectives, potential impacts and proposed mitigation measures. Attempts were made to minimize the relocation of households from their existing shelters.

2.2. MITIGATION MEASURES OF IMPACTS

In the project design process, the PMU closely coordinated with the project preparation consultant and resettlement specialists in an effort to mitigate project impacts. However, impacts on land acquisition and site clearance are unavoidable for the construction of the Road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes. Therefore, in order to minimize impacts on these households, including those whose houses are partially or indirectly affected during the construction, the following mitigation measures are proposed:

1. *Firstly*. the first action of project impact mitigation is to help households get information locations and benefits of the project as well as estimated impacts in order to establish together a suitable policy framework for minimizing impacts. The public consultations were carried out in the whole project area to publicize (i) project information and (ii) expected impacts as well as land acquisition and resettlement compensation methods. In the consultancy meetings, many comments were exchanged. In general, people supported the Project and hoped that it will be soon accomplished to solve the flooding situation in the locality, especially in Hoa Nhon commune.

2. *Secondly*, the component of the Road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes will cause impacts on many households. Therefore, during the route identification and preliminary design, an appropriate technical plan has been proposed to avoid residential areas. Avoiding impacts are the most feasible measures to minimize the project negative impacts effectively and solve the root of adverse effects. In case of inevitable negative effects on property, adequate compensation policy and compensation value guaranteeing restoration of the damages at least will be given in consistent with objectives of OP4.12 of the World Bank and GoV's policies on compensation, assistance and resettlement. Besides, the road also will affect the irrigation systems and local roads which may cause local flooding to some residential areas. Consequently, many mitigation measures are provided right at the phase of preliminary design (intersections, work scale which meet local needs, method to prevent agricultural waste, straw from blocking the culverts). The newly formed low-lying areas are also studied with appropriated drainage solutions.
3. *Thirdly*, where it was not possible to avoid temporary impacts on private assets during the implementation phase, appropriate mitigation measures and compensation regime was established to ensure restoration of affected assets in accordance with the Project's policies.
4. *Fourthly*, where it was not possible to avoid temporary impacts on private assets during the implementation phase, appropriate mitigation measures and compensation regime was established to ensure restoration of affected assets in accordance with the Project's policies.
5. *Finally*. meetings were held with the technical group to determine locations of the civil works, public works with the design alternatives to mitigate or avoid impacts and establish criteria for mitigating impacts during the construction such as developing labor safety plans (when constructing near residential areas), making proper arrangements of materials and instruments (project sign boards, partitions with residential areas, etc.), and preparing construction schedule to minimize temporary impacts.

3. IMACTS OF LAND ACQUISITION

3.1. OVERVIEW OF LAND ACQUISITION

A census, including inventory of losses was conducted for the project-affected persons to determine the losses of land and fixed assets such as structures, trees, livelihood and accessibility to community resources due to the land acquisition for implementing the project. The project is estimated to acquire land/assets for the construction of the road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes (Hoa Nhon and Hoa Son communes, Hoa Vang district).

The project's impacts are summarized in the table bellowed:

Table 3 : Summary of Scope of Impacts

No.	Name of works	Communes	IMPACTS OF LAND ACQUISITION(#HH)				
			Residential land	Agri. Land	Temporarily assigned by PC	Public land	Total
A	**Affected households (HH)**						
1	The Road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes	Hoa Nhon Hoa Son	**411**	**249**	**4**	**2**	**666**
	Impacts on residential land acquisition		302				**302**
	Impacts of acquisition of fully residential land		109				**109**
	- Less than 20% of agri. land			231	4		**235**
	- From 20% and more			18			**18**
	Public land					2	**2**
	Subtotal A						
B	**Affected area (m2)**						
1	The Road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes	Hoa Nhon Hoa Son					**191,223**
	Impacts on residential land acquisition		**50,977**				**50,977**
	- Fully affected		2,965				2,965
	- Partially affected		48,012				48,012

No.	Name of works	Communes	IMPACTS OF LAND ACQUISITION(#HH)				
			Residential land	Agri. Land	Temporarily assigned by PC	Public land	Total
	Impacts on agri. land			**31,317**	**1,510**	**107,419**	**140,246**
	- Less than 20% of agri. land			26,006	1,510	107,419	134,935
	- From 20% and more			5,311			5,311
	Subtotal B		**50,977**	**31,317**	**1,510**	**107,419**	**191,223**

Source: Resettlement Survey, May 2015

The above-mentioned affected households will be entitled to compensation for affected land and assets and provided with assistances according to the Project Resettlement Policy as indicated in Section 5 of the report.

3.2. SUMMARY OF ACQUISITION OF LAND AND OTHER ASSETS

3.2.1 Impacts of Residential Land Acquisition

Regarding the proposed work items, it is estimated that 666 households from two communes of Hoa Nhon and Hoa Son (including 664 households and 02 organizations – the People's Committees of Hoa Nhon and Hoa Son Communes) will be impacted with land and fixed assets. Impact level on residential land is shown in the table bellowed:

Table 4: Summary of Impacts on Residential Land

No.	Name of works	Project communes	No. of affected HHs			Affected area (m2)
			Partial	Full	Total	
1	The road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes	Hoa Nhon Hoa Son	302	109	411	50,977
	Total		**302**	**109**	**411**	**50,977**

Source: Resettlement Survey, May 2015

According to the above table, a total of 411 households are impacted with residential land of **50,977 m2**, of which 302 households are partially affected and 109 households need to be relocated due to the construction of the road DH2 from Hoa Nhon to Hoa Son. Among 302 partially affected households, all of them have remaining residential land area of 60m2, which satisfies the standard stipulated by the city's PC.

Out of 411 households having their residential land affected, 276 households are impacted with structures, including 109 households are fully affected on structures and the other 167 households are partially affected on structures.

3.2.2 Impacts on Agricultural Land

As stated in the table bellowed, it its estimated that a total of **140,246 m^2** of agricultural land owned by 253 households and 2 organizations (public land of commune/ward People's Committees) will be acquired. Of which 18 households are impacted with 20% or more of agricultural land area and no vulnerable household is found during the census.

Table 5: Summary of Impacts of Agricultural Land

No.	Name of works	Project communes	No. of AHs			Affected area (m^2)
			< 20%	= or > 20%	Total	
1	The Road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes	Hoa Nhon Hoa Son	237	18	255	140,246
	Total		237	18	255	**140,246**

Source: Resettlement Survey, May 2015

According to the results in the table above, the volume of impacts caused by the construction of the road is mainly agricultural land. Among 255 households whose agricultural land is impacted, 18 households lose more than 20% of total landholding. Through the survey, all households whose agricultural land is partially affected can continue to cultivate on the remaining land area.

Households stated that their family members are engaged in agricultural production; however it is a subsidiary occupation but not their primary income source. Only middle-aged or older generation (those who are 50 years old or above) lives on agricultural production because they are engaged for years, and eventually they have more leisure time. For the younger generation, their incomes are usually from employment in factories/offices (mainly Hoa Khanh industrial zone nearby), small workshops and also free laborers (drivers, services). These are primary income sources for their families, at this time.

Survey results of affected household losing 20% or more of their total agriculture land holding indicated that their livelihood is not agricultural based income, because their younger generation, normally working in the service and trading sector, and they work for agricultural production only in the leisure time or only small period of time.

Therefore, when being asked about income restoration measures (those who are producing agriculture), all of them indicated the better idea for them now is that appropriate compensation payment, and probably some more subsistence assistances would enable them to recover their losses (resulted from the acquisition of agricultural land).

3.2.3 Impacts on Housing

The optimal design alternatives to minimize and avoid adverse impacts caused by land acquisition on households are included in the project design, but impacts of land acquisition and site clearance, especially on housing, are unavoidable in some areas for the construction of the road. As nature and large scale of road and resettlement site, impacts on housing are relatively significant, almost totally affected (100%) or affected main structures of housing, leading to impacts on whole area of house.

Through the survey results, houses in the project area are mainly houses grade 4, temporary houses and semi-permanent houses as the project planning was informed for a long time. Specific level of impacts on housing is shown in the table bellowed:

Table 6: Summary of Impacts on Housing

No.	Name of works	Project communes	No. of AHs			Affected area (m^2)
			Partial	Fully	Total	
1	The road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes	Hoa Nhon Hoa Son	167	109	276	17,052
	TOTAL		**167**	**109**	**276**	**17,052**

Source: Resettlement Survey, May 2015

Through the survey, a total of 167 houses are partially affected and no houses are severely affected on structures. As stipulated, the compensation rate for structures is applied at the replacement cost including allowance for repairing houses for the affected households.

3.2.4 Impacts on Structures/ Architectural Facilities

The table 7 below presents impacts on structures and architectural facilities due to the construction of the project, specially:

Table 7: Summary of Impacts on Structures/ Architectural Facilities

No.	Works	Communes	Total volume of affected structures						
			Kitchen (m2)	Toilet (m2)	Wall (md)	Yard (m2)	Gate piers (pcs)	Water tank (m3)	Grave (pcs)

1	The road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes	Hoa Nhon Hoa Son	420	180	3,720	4,470	109	22	53
	TOTAL		**420**	**180**	**3,720**	**4,470**	**109**	**22**	**53**

Source: Resettlement Survey, May 2015

For structures/architectural facilities partially affected, the CRC will consider compensation for the remaining area if the structures/architectural facilities are no longer usable.

3.2.5 Impacts on Trees and Crops

For this Project, there are no significant impacts on trees, crops because the project is mainly located in localities along the road where residential areas are located. Through the survey, there are some affected trees including fruit trees and timber trees, but the impacts are minor.

According to the results of IOL, 594 fruit trees, 906 shade trees, 152 ornamental plants and about **32,827 m2** of crops (paddy) are affected by the project. The summary of affected trees and crops is shown in the table bellowed:

Table 8: Summary of Impacts on Trees and Crops

No.	Works	Communes	Impacts on trees and crops			
			Fruit tree (tree)	Shade tree (tree)	Ornamental tree (tree)	Crops (m^2)
1	The road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes	Hoa Nhon Hoa Son	594	906	152	32,827
	TOTAL		**594**	**906**	**152**	**32,827**

Source: Resettlement Survey, May 2015

3.2.6 Impacts on Income and Business

Through the survey at the project area, it is estimated that 16 business households in 02 communes of Hoa Nhon and Hoa Son will be affected by the project (some frontage houses trading at home, concentrated in the market in Hoa Nhon commune, intersecting with the provincial road DT602 in Hoa Son commune).

Also, during construction, there will be about 25 households in Hoa Nhon and Hoa Son communes with their business to be affected temporarily. These are mainly households

doing small trade and service. After construction completes, the households will be back to their normal business.

The Da Nang City RC will submit to the Da Nang City PC for a lump-sum assistance paid one-time for income losses during the project implementation based on entitlement matrix in this RAP.

3.2.7 Impacts on Graves and other Cultural Works

The survey results of the project area of the Road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes show that project affects some graves located in separated grave area. It is estimated that there will be 53 graves in the project area needed to be relocated. The consultant team has carried out consultation meetings with the graves owners and local authorities. The results present that, they support the project and they are willing to relocate their graves to the city's cemetery with adequate allowances.

3.2.8 Temporary Impacts

Despite mitigation measures of resettlement impacts, the project would cause, during the construction, have temporary impacts, or temporarily limit accessibility to shops, houses and other structures along road sides. There would be also minor impacts on walls, fences and other fixed assets during the construction stage. These will be identified and compensated/supported following the provisions in the approved RPF.

The construction works are estimated to affect some public works such as electric posts, underground works of the concerned units. Following the RPF, all affected public works will be repaired, rebuilt and restored.

4. SOCIO-ECONOMIC PROFILE

4.1. GENERAL INFORMATION ABOUT DANANG CITY

Danang city is located strategically in the middle point of Vietnam. Danang borders Thua Thien Hue province to the north, Quang Nam province to the south and the west, and the Eastern Sea to the east. It is 759km far from Hanoi to its north and 964km from Ho Chi Minh City to its south. Danang is the largest traffic node of the central Vietnam in terms of railways, waterways and highway (National highways 1A and 14B) together with international airway.

The total area of Danang city is about 1.283 km2, of which the urban area is 241.51 km2. The city has 06 urban districts including Hai Chau and Thanh Khe, Son Tra and Ngu Hanh Son, Lien Chieu and Cam Le and 02 suburban districts including Hoa Van and Hoang Sa.

The total population of Danang city in 2011 was 951,929 people, of which the population in the urban area was 829.435 people (accounting for 87%) and that in the suburban districts was 122,494 (accounting for 13%).

The number of employees in 2011 was 496,200 people, including 37,914 technicians, 26,039 skilled workers who graduated from high schools, colleges and universities and 432,247 employees working for other sectors. The labor structure is divided by sectors as follows:

1. Agriculture, forestry and fisheries : 38,830 employees, accounted for 7.8%
2. Industry and construction : 130,929 workers, accounted for 26.4%
3. Services : 223,838 accounted for 45.1%
4. Others : 20.7%.

In recent years, Danang has paid a special attention to development of the infrastructures and services. The city traffic system is furnished with not only highway but also international airports, sea ports and the national railway. The inner and outer traffic network is constantly being expanded, upgraded and newly built. Many large projects under operation or in the process of completion as Nguyen Tat Thanh, Dien Bien Phu, Ngo Quyen, Bach Dang, Son Tra - Dien Ngoc roads, Hai Van tunnel, Han river bridge, Tuyen Son and Thuan Phuoc bridges, create favorable conditions for transportation and tourist development but also create landscape and basically change the appearance of the most bustling urban center in the Central region of Vietnam.

The economic structure focuses on service - industry - agriculture development. The proportion of service sector in GDP in 2010 reached 52.98%, industry - construction reached 43.84% and agriculture reached 3.18%.

Danang is one of the largest education and training centers of the Central-Highland region and the whole country. Currently, the city has 14 universities, institutes, 18 colleges and 50 professional schools, vocational training centers and more than 200 schools from pre-school to high school level.

Danang has 19 general hospitals and specialized clinics, 11hospitals and health care centers of districts, 47 commune health centers and over 1,000 private clinics. With the establishment of the University of Medicine and Pharmacy and the Medical Technical University in the city, Danang is orientating to become a major medical center of the Central - Highland region and the whole country, providing high quality human resources and health services for the socio-economic development of the country.

4.2. SOCIO-ECONOMIC PROFILE OF AFFECTED HOUSEHOLDS

4.2.1. Socio-economic Characteristics of the Project Area

According to the survey results, the Hoa Nhon – Hoa Son road and upgrading of two existing link routes under the Danang SCDP will cross two communes of Hoa Nhon and Hoa Son of Hoa Vang district. The project implementation will directly affect land, trees, crops, housing and structures in two above-mentioned communes.

Hoa Nhon commune is located in the North of Hoa Vang Administrative Center with total natural area of 32,59 km2, total population of 14,838 persons at population density of

396 persons/km2. Hoa Nhon commune has 3 agricultural production cooperatives with 7 villages along Tuy Loan river which is adjacent to Hoa Phu commune and 8 villages along mountain slope, adjacent to Hoa Son commune. 7 village halls of Hoa Nhon commune have been recognized as historical relics at city level.

Hoa Son commune has convenient traffic position for commercial and service development. Hoa Son commune has 10 villages with total natural area of 24.26 km2 and population of 12,728 persons.

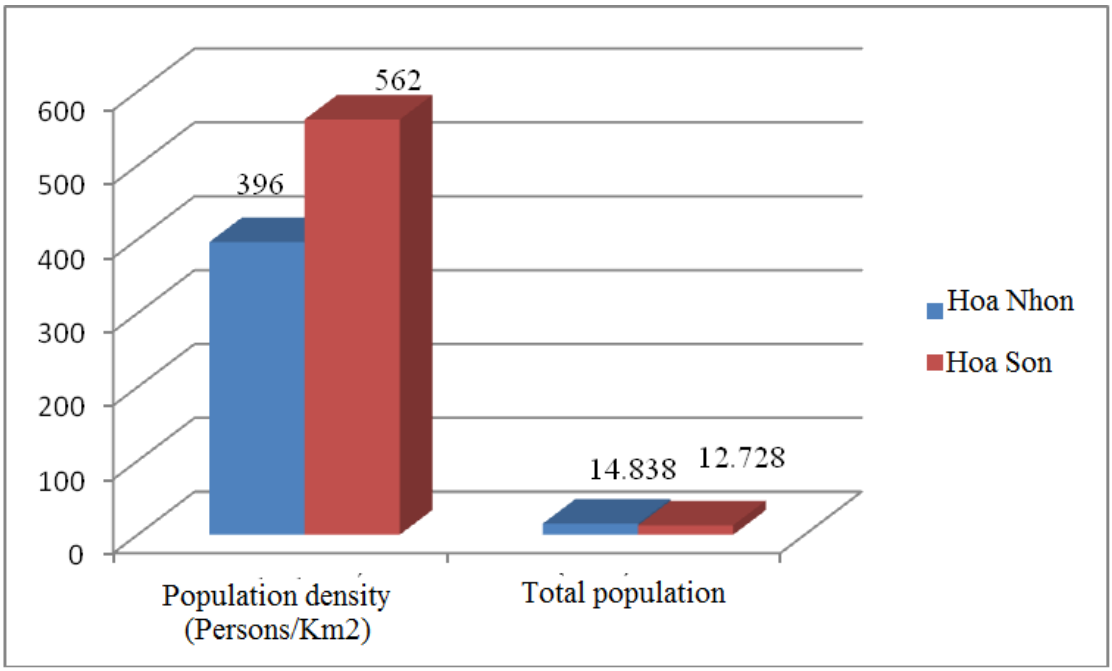
General socio-economic information about area, population and occupation of two project communes is shown belowed:

Table 9: Area, population, population density of project communes

Communes	Natural area (Km^2)	Population density (persons/Km^2)	No. of HHs	Total population	Total No. of laborers in working age	Total No. of laborers out of working age
Hoa Nhon	32.59	396	3,520	14,838	8,972	5,866
Hoa Son	24.26	562	3,272	12,728	7,358	5,370
Total	**56.85**	**484**	**6,792**	**27,556**	**16,330**	**11,236**

Source: Resettlement Survey, May 2015

Figure 1: Chart of Population and Population Density of Project Communes



Source: Resettlement Survey, May 2015

4.2.2. Scope of survey

According to the socio-economic survey above mentioned, the Project carried out survey for 96 households in 02 communes of Hoa Nhon and Hoa Son of Hoa Vang district. The socio-economic profile of the affected households is collected based on the survey results through the questionnaire for 96 households. Sampling selection of households involved in socio-economic survey is based on their scope of impacts of land acquisition categorized by households losing agricultural land, residential land, or households in need of relocation, and households with business losses. Among these 96 affected households, 57 severely-affected households accounted for 59.37% (including 44 households impacted with residential land and houses, 13 households losing more than 20% of total agricultural land area) and 39 marginally affected households, accounted for 40.63%.

Besides, the consultant team organized formal and informal consultation meetings and focus group discussions with affected households, local authorities and stakeholders during the socio-economic survey of the project-affected households.

Sample size for socio-economic survey in communes/wards is as follow: 58 questionnaires for Hoa Nhon commune (accounting for 60.5%) and 38 questionnaires for Hoa Son commune (accounting 39.5%).

4.2.3. Demographic Characteristics of Households

According to the results of census, a total of 96 households (375 persons) are living in the project area. All of them are Kinh people and no ethnic minority is found. Household size is 3.9 persons/HH with 54.5% of male and 45.5% of female.

Most of households have from 3 to 5 members, accounting for 68.7%. It is followed by households with 2 members, accounting for 18.3% and households from 6 to 9 members, accounting for 11%. The number of single households (with only one member) accounts for 2%.

4.2.4. Education Level

According to data of survey for 96 households affected directly (partially or wholly) by the Hoa Nhon – Hoa Son road, most of AHs have relatively high education level. The rate of household members graduating secondary school accounts for 31.3%, upper secondary school accounts for 47.9%, college/university accounts for 10.4%, post-university accounts for 2.1% and illiterate/not go to school accounts for 0%.

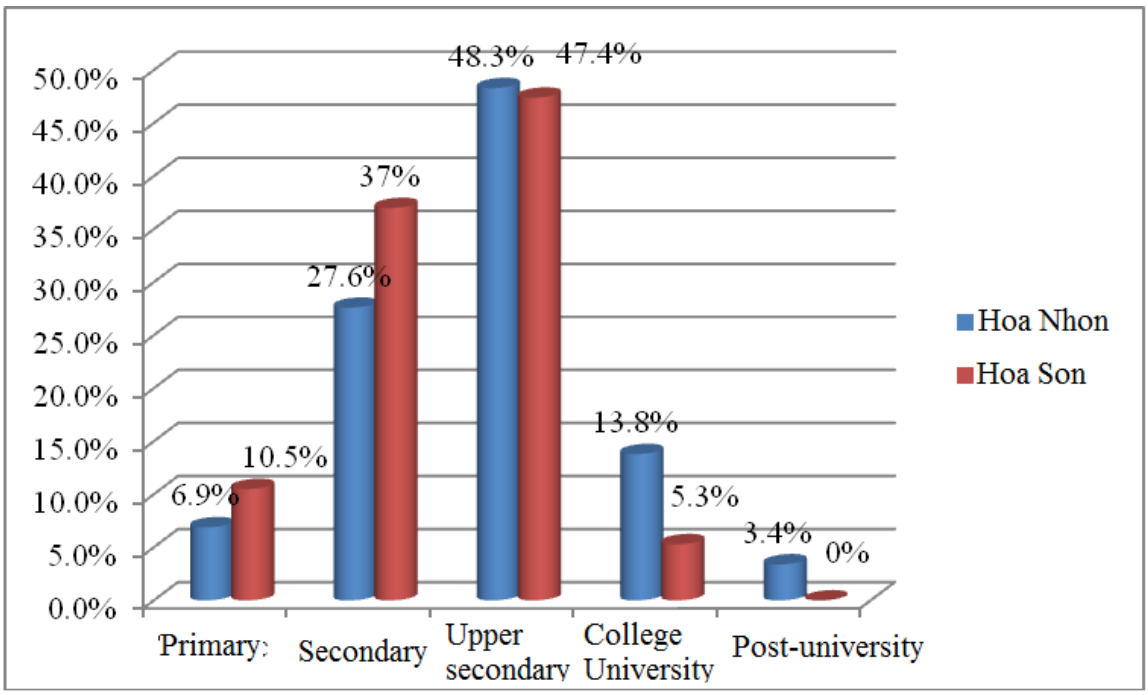
Education level of the surveyed households in project communes is shown in the table bellowed:

Table 10: Education Level of Household Heads by Project Communes

Communes		Education level					Total
		Primary	Secondary	Upper Secondary	College – University	Post-university	
Hoa Nhon	No. of HHs	4	16	28	8	2	58
	Percent (%)	6.9%	27.6%	48.3%	13.8%	3.4%	100%
Hoa Son	No. of HHs	4	14	18	2	0	38
	Percent (%)	10.5%	37%	47.4%	5.3%	0.0%	100%
TOTAL	No. of HHs	8	30	46	10	2	96
	Percent (%)	8.3%	31.3%	47.9%	10.4%	2.1%	100%

Source: Resettlement Survey, May 2015

Figure 2: Chart of Education Level of People by Project Communes (Percent %)



Source: Resettlement Survey, May 2015

4.2.5. Income and Expenditure

According to the census, among 96 surveyed affected households, 34 AHs (accounting for 35.5%) have primary income source from agriculture (cropping, industrial trees and cattle-raising). 8 households (accounting for 8.3%) have income source from business and trading. 38 households (39.6%) have primary income source from wage of public servants. Some households have income sources mainly from other occupations such as work for hire and workers.

However, the survey on the primary income source from agricultural production showed that 35.5% of households stated that their primary incomes source came from agriculture, yet this is only the income source of the household head, excluding other income sources of their children. Additionally, the survey found that 65.6% of the household heads have time to do other jobs beside agriculture to increase their income, like masonry, freelancing work, etc. In fact, the number of households with their primary income source from agriculture is minor.

Occupational structures of the project-affected persons in communes are shown in the table bellowed:

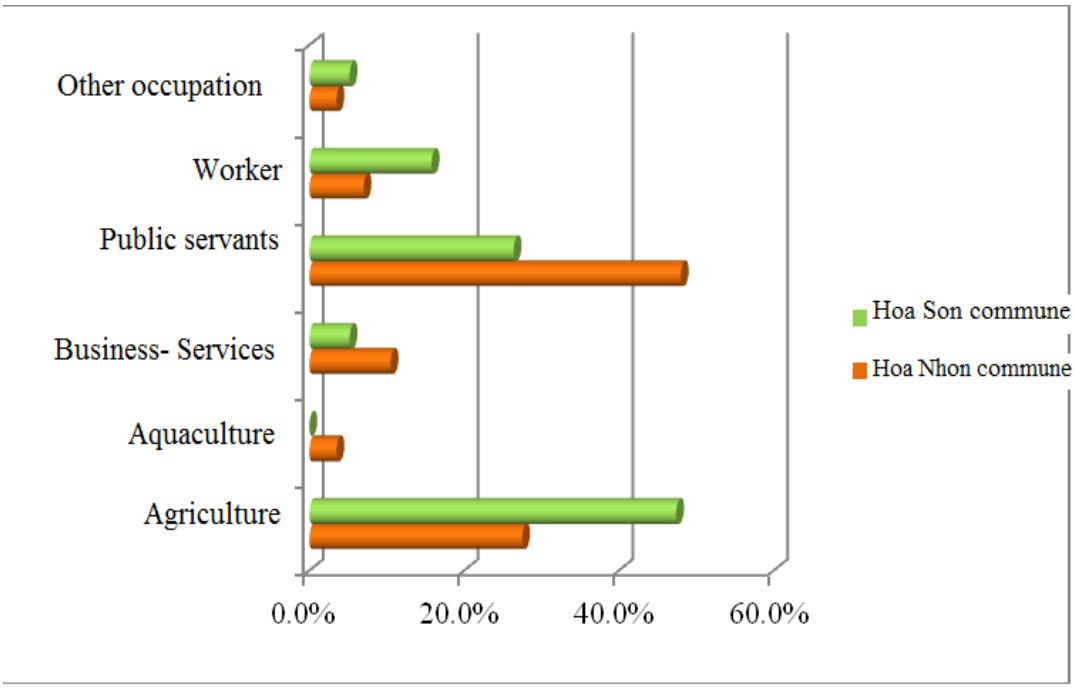
Table 11: **Primary Occupation of HHs by communes (%)**

Occupations		**Communes**		**Total**
		Hoa Nhon	**Hoa Son**	
Agriculture	Quantity	16	18	34
	Percent	27.5%	47.4%	35.5%
Aquaculture	Quantity	2	0	2
	Percent	3.5%	0%	2.1%
Business - service	Quantity	6	2	8
	Percent	10.5%	5.2%	8.3%
Public servants	Quantity	28	10	38
	Percent	48%	26.4%	39.6%
Worker	Quantity	4	6	10
	Percent	7.0%	15.8%	10.4%

Occupations		Communes		Total
		Hoa Nhon	Hoa Son	
Other occupation	Quantity	2	2	4
	Percent	3.5%	5.2%	4.1%
Total	Quantity	58	38	96
	Percent	100%	100%	100%

Source: Resettlement Survey, May 2015

Figure 3: Primary income sources of HHs in the Project Area



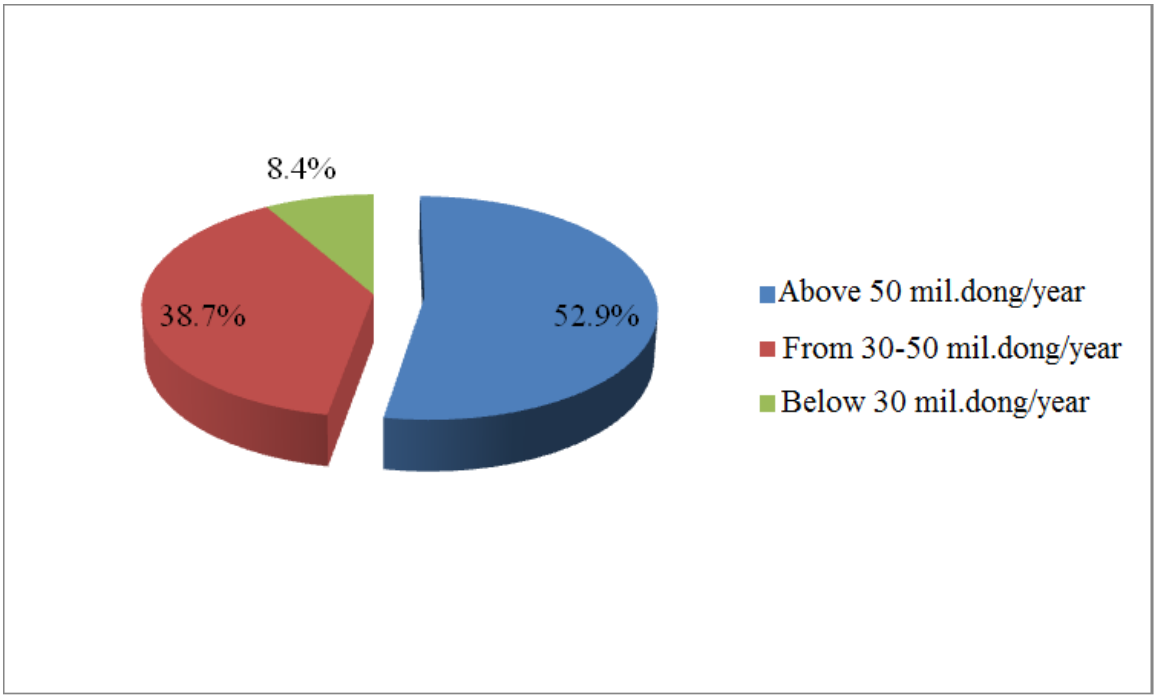
Source: Resettlement Survey, May 2015

Income level

According to the survey results, households impacted with income mainly fall into group with income over 50 million dong/HH/year (53.13%). With the average household size of 3.9 persons/household, average income of each person is about 1.2 million per month and more. It is followed by households with income of 40-50 million dong/year (38.54%), equivalent to VND 750,000 to approximate 1.1 million dong/person/month. Households with income below 30-40 million dong/HH/year, equivalent to around 1,000,000

dong[4]/person/month accounts for lowest rate of 8.433%. Thus, average income of local people is estimated about 40 million dong/HH/year and monthly average income per capita is 1,000,000 dong/person/month.

Figure 4: Income level of Households (Percent %)



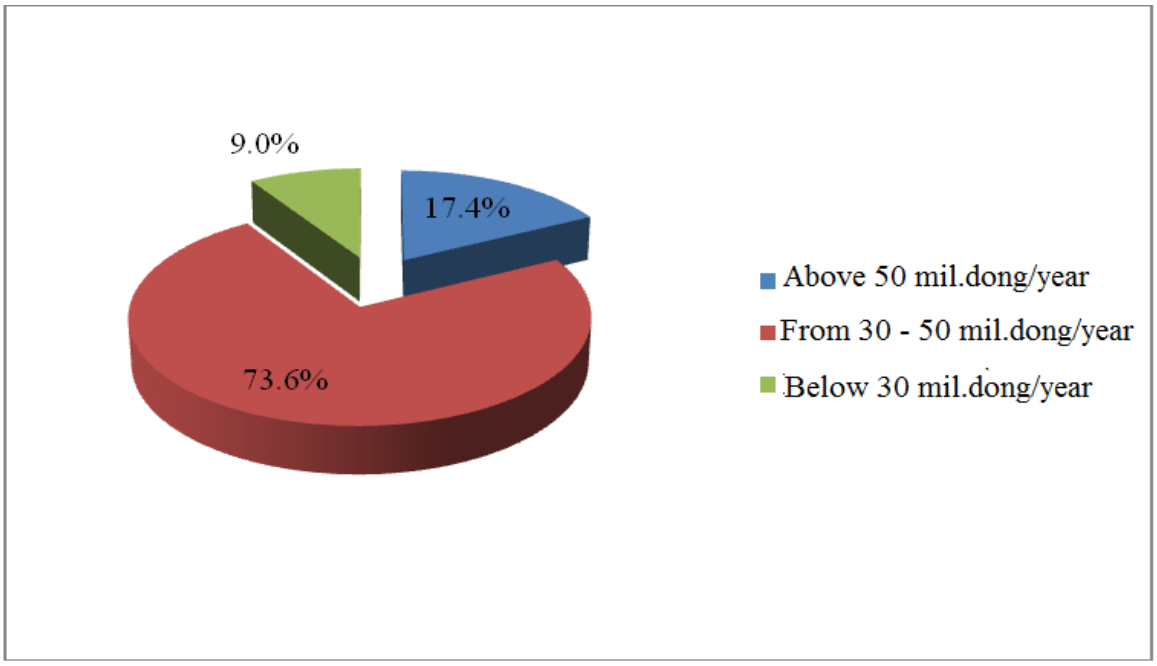
Source: Resettlement Survey, May 2015

Expenditures

According to the survey results, highest expenditure level of households varies from 35 to 50 million dong/HH/year, accounting for 73.6%. It is followed by expenditure of 50 million dong/HH/year, accounting for 17.4%. Expenditure level below 35 million dong/HH/year is 9%. With this expenditure level, most of surveyed households stated that they have no saving.

Figure 5: Expenditure level of Households (Percent %)

[4] In Danang city, Households with income below 600,000 dong/month will be considered as poor households (2014)



Source: Resettlement Survey, May 2015

4.2.6. Living conditions and Furniture of Households

Living conditions: Under Decision No. 09/2011/QD-TTg, average income of urban poor households is from 500,000 VND/person/month (6,000,000 VND/person/year) and less. Average income of urban near-poor households is from 501,000 to 650,000 VND/person/month. According to the above criteria, among the total of 96 households involved in the survey, 100% of households fall into average- and well-off income group. None of household lacks food and needs aid.

According to the Statistical Yearbook 2014 of Danang city, the poverty rate of Danang in 2014 was 0.85%. According to the Socio-economic development report 2014, the number of poor households in Hoa Vang district was decreased by 2,155 households. The poverty rate in project communes in recent years is shown bellowed:

Table 12: Poverty Rate of Project Communes

Year	Poverty rate of project communes	
	Hoa Nhon	Hoa Son
2012	14.4%	16.4%
2013	11.6%	13.37%
2014	5.7%	7.9%

Source: Resettlement Survey, May 2015

In comparison with the general poverty rate of Danang city, the rate of poor households in two project communes is relatively high (5 – 7% higher). The reason is that these communes are located in peri-urban area with primary income source from agricultural production without income sources from other occupations. However, there is no poor households whom are affected by this sub-component.

However, the results of self-assessment about household economic conditions showed that 78 of 96 surveyed households (accounting for 81.25%) self-assessed their economic conditions as medium while 18 of 96 households (accounting for 18.75%) self-assessed as well-off and none of household self-assessed as poor.

Table 13: Classification of Households by income

Communes		Ranking of household economic conditions			Total
		Well-off	Medium	Poor	
Hoa Nhon	No. of HHs	12	46	0	58
	Percent	20.69%	79.31%	0.00%	100.00%
Hoa Son	No. of HHs	6	32	0	38
	Percent	15.79%	84.21%	0.00%	100.00%
Total	No. of HHs	**18**	**78**	**0**	**96**
	Percent	18.75%	81.25%	0.00%	100.00%

Source: Resettlement Survey, May 2015

4.2.7. Vulnerable households

Survey in the project area showed that there are no ethnic minority households affected, no single woman as household head and no single elderly households. The number of poor households affected by the project (those having certificate of poor household issued by the Department of Labour, Invalids and Social Affairs) is 03 households. Poor households are not required to relocate. However, during the project implementation, it is essential to conduct survey for 100% of affected households to determine total number of vulnerable households. However, it is necessary to survey 100% of the affected households during the project implementation to identify total number of vulnerable households.

4.2.8. Utilities and Services

Electricity: According to the survey results, 100% of surveyed households use power from national grid with separate meters. The average consumption expenditure of each household is about 200,000 VND/HH/month.

Using clean water: In the project area, there is no case of using water in ponds, lakes, and rivers for the domestic demands. There are 3 main water sources, including tapping water, water in dug wells and bored wells.

Toilets: 100% of households built sanitary toilets. Most of households used septic tanks, accounting for 66% and 34% of households use two-compartment toilets. None of household use public toilet or have no toilet.

Waste collection and environmental sanitation: Currently, 100% of communes in the project area established and operated the wastewater collection system efficiently with a collection frequency of once a day.

Health conditions: Regarding health issues in the surveyed area, households stated that they often have periodical health examination every six months or once a year and when they get sickness, they are often treated at the regional hospitals. In addition, the local people also use other health services at the district and ward health centers. Furthermore, according to the city's general plan, the health services, population and family planning of the project communes have been implemented uniformly.

Education: The kindergartens and primary schools were built at the project area. Almost surveyed households are universalized primary education.

5. LEGAL FRAMEWORK AND ENTITLEMENTS

5.1. LEGAL FRAMEWORK

In order to guide the implementation of involuntary resettlement, this section provides principles, objectives, and eligibility criteria for DPs as well as benefits, institutional and legal frameworks for compensation and restoration measures, that is based on the World Bank's Involuntary Resettlement OP/BP 4.12 policy (amended in May 2011) and the project approved Resettlement policy framework (RPF). The basic objective of the RP is to ensure that all affected persons (DPs) will be compensated for their losses at replacement costs and/or assisted with suitable measures to restore or improve their livelihoods and living standards to pre-project level, at the minimum.

As first step, this section reviews the policies and legal framework of the GoV and the WB regarding the land acquisition, compensation, assistance and resettlement. Due to some gaps between the policies of the WB and those of the GOV, the Project proposes for waiving of the implementation of some articles of Decrees and regulations related to compensation, assistance and resettlement, enacted by the GoV.

The Legal Framework of the GoV:

The State's laws and decrees regarding land acquisition, compensation and resettlement applied in the nationwide and the regulations applied in the provinces/cities at the time of preparation of resettlement plan (RP) and Resettlement Policy Framework (RPF) of the project, include:

- Constitution 1992 of the Socialist Republic of Vietnam, certifying and protecting the citizens' house- ownerships;
- Land Law 2003 issued on 26 November 2003;
- Decree No.181/2004/ND-CP dated 29 October 2004, guiding the implementation of the amended Land Law 2003;
- Decree No.188/2004/ND-CP dated 16 November 2004, providing guidelines on the land pricing methods and the land price bracket;
- Circular No.114/2004/TT-BTC dated 16 November 2004 by the Ministry of Finance, directing the implementation of Decree No.188/2004/ND-CP of the Government;
- Government Decree No.17/2006/ND-CP dated 27 January 2006 on the amendment and supplementation to a number of articles of the decrees guiding the implementation of the Land Law and Decree No.187/2004/ND-CP on conversion of State-owned companies into joint-stock companies;

- Decree No.84/2007/CP dated 25 May 2007 providing additional regulations on issuing certificates of land use rights, land acquisition, implementation of land use rights, procedures of compensation and resettlement upon the State's recovery of land and addressing grievances about land;
- Decree No. 123/2007/ND-CP amending and supplementing a number of articles of Decree No. 188/2004/ND-CP of 26 November 2004 on land pricing methods and price brackets of land of different categories;
- Decree No.69/2009/CP dated 13 August 2009 providing additional regulations on issuing land use plant, land price, land acquisition, compensation procedures, assistance and resettlement;
- Circular No.14/2009/TT-BTNMT on January 10, 2009 of the Ministry of Natural Resource and Environment, regulating detailed regulations on compensation, assistance and resettlement and procedures of land acquisition, land allocation and land lease;
- Decision No. 06/2015/QD-UBND dated 14 March 2015 of Danang city People's Committee, promulgating regulations on procedures for land acquisition, compensation, assistance, resettlement when the State acquires land in Danang city;
- Decision No. 50/2014/QD-UBND dated 20 December 2014 of Danang CPC, promulgating regulations on prices of land in various categories in Danang city;
- Decision No. 63/2012/QD-UBND dated 20 December 2012 of Danang CPC on regulations on compensation, assistance and resettlement when the State acquires land in Danang city;

Presently, there are some changes on some policies such as Land Law and regulations on compensation, assistance and resettlement of the GoV:

- Land law 2013 issued on 29th November 2013 and took effect on 01 July 2014 (Law No. 45/2013/QH13;
- Decree No. 43/2014/ND-CP dated 15 May 2014 of the Government, providing detailed regulations on implementation of a number of articles of Land Law;
- Decree No. 44/2014/ND- CP dated 15 May 2014 of the Government on regulations on land prices;
- Decree No. 47/2014/ND-CP dated 15 May 2014 of the Government on compensation, assistance and resettlement when the State acquires land;

- Circular No. 36/2004/TT-BTNMT, dated 30 June 2014 detailing methods for land valuation, construction, adjustment of land price and land valuation and consultancy for specific land valuation.
- Circular No. 37/2014/TT-BTNMT, dated 13 August 2014 guiding in details on compensation, resettlement support when the State acquires land;
- Circular No. 02/2015/TT-BTNMT dated 27 January 2015 providing details of some articles of Decree No. 43/2014/ND-CP and Decree No. 44/2014/ND-CP dated 15 May 2014 of the Government.

Changes on the Project's policies on compensation, assistance and resettlement will need consistence between the World Bank and the City. At this time, the new Land Law 2013 took effective, but this RP continues to follow the approved resettlement policy framework for the Project.

The World Bank Policy on Involuntary Resettlement (OP/BP 4.12):

Objectives of the Policy on Involuntary Resettlement. Involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. For these reasons, the overall objectives of the Bank's policy on involuntary resettlement are the following:

(a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.

(b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the DPs to share project benefits. Affected persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

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

Required Measures. To address the project impacts, the Project Owner prepares a resettlement plan that includes measures to ensure that the affected persons (DPs) are:

(a) informed about their options and rights pertaining to resettlement;

(b) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and

(c) provided with prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.

5.2 PRINCIPLES AND OBJECTIVES

5.2.1 Objectives

The objective and principles applicable to the Project are the policy of the World Bank OP/BP 4.12 and the current regulations of Vietnam.

Basic orientation principles of WB's policy on resettlement:

a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.

b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the DPs to share in project benefits. Affected persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

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

5.2.2 Required Measures

Necessary measures to achieve the best resettlement results include:

- Consultation with DPs on feasible measures for compensation and preparation of RP
- Provision of resettlement alternatives to DPs, for their choices
- Participation of DPs in all steps of planning and implementation
- Full compensation at replacement costs for lost by the Project
- Resettlement locations have the same necessary infrastructure and services as DPs' former residences
- Providing allowances, support, vocational training and income support to facilitate the relocation and restoration of their livelihood.
- Special assistance for vulnerable groups is provided
- Setting up a suitable institutional and organizational structure for smooth process of compensation and resettlement.

5.2.3 Principles for Compensation and Resettlement

All households whose land and/or assets are affected or those who reside in the project area before the cut-off date will be entitled to compensation and/or assistance for losses. Those whose income and/or livelihoods are affected will be entitled to assistance for livelihood restoration based on the eligibility as stipulated by the project and consultation with the affected persons. If, at the end of the project, their livelihoods are not restored equal to or better than the pre-project, the additional measures should be taken.

- The compensation rates will be determined on the basis of results of independent land/assets appraisal in a timely and consultative fashion. All fees and taxes on land and/or house transfers will be waived or otherwise included in a compensation package for land and structures/houses or business activities. The local authorities will ensure that DPs can choose resettlement plot according to their choice and do not have to pay any ownership cost or cost of land use right certificate according to the selected options.
- Agricultural land will be compensated at "land for land" of equivalent quality or in cash according to the AP's choice whenever possible. The choice of land for land must be prioritized to offer to those losing 20% or more of their productive land. If land is not available, the borrower must assure, to the World Bank's satisfaction, this is indeed the case. Those losing 20% or more of their land may need additional support to restore their livelihood. The same principles apply for the poor and vulnerable people losing 10% or more of their productive landholdings.
- DPs losing residential land that prefer the "land for land" option will be provided with parcels of land with the equivalent quality for lost lands in a new residential area nearby the residential land, and cash payment for the difference between their lost land and the land plots provided. The resettlement sites will be properly planned and consulted with the DPs. All basic infrastructures, such as paved roads, sidewalks, water supply and sewerage, electricity and telephone lines, will be provided.
- DPs that prefer "cash for land" will be compensated in cash at the full replacement cost. These DPs will be assisted in rehabilitating their livelihoods and making their own arrangements for relocation.
- 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).

- The DPs 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 assets.
- Compensation and rehabilitation assistance must be provided to each AP at least 30 days prior to the taking of assets of those who are not to be relocated; and at least 60 days for the case of those DPs requiring land compensation and to be relocated. Exceptions should be made in the case of vulnerable groups who may need more time prior to economic or physical displacement.
- If, by the end of the project, livelihoods have been shown not to be restored to pre-project levels, additional measures will be considered to achieve the objectives of the policy. The project resettlement cannot be considered complete until the objectives of the resettlement plan are met.
- Financial services (such as loans or credits) will be provided to DPs, if necessary to help achieve livelihood restoration. The installment amounts and the schedule of payments will be within the repayment capacity of DPs, including any vulnerable groups.
- Additional efforts, such as economic rehabilitation assistance, training and other forms of assistance, should be provided to DPs losing income sources in order to enhance their future prospects toward livelihood restoration and improvement. Vulnerable groups may need additional assistance in this regard.
- The previous level of community services and resources, encountered prior to displacement, will be maintained or improved for resettlement sites.

Eligibility for compensation and assistance*:* DPs who reside in the project areas before the cut-off date and must relocate or affected persons who are entitled to the compensation and/or assistance for their losses, include:

a. Those who have legal (formal) rights to land or other assets;
b. Those who do not have legal (no formal) rights to land or other assets at present but have submitted a claim to such land or assets in accordance with the regulations in the laws of Vietnam based on such records as bills of land tax, certificates of residence status or local authorities' permit on occupation and use of land affected by the project; and
c. Those who have not recognizable legal right or no claim to the land they are occupying.

The DPs who are under category of (a) and (b) above are provided compensation for land and other assistance. Persons belonging (c) are provided resettlement assistance in lieu of compensation for their land they occupy, and other assistance, if necessary, to achieve the objectives of this policy, if they own the project land prior to a cut-off date determined in the RPs. Persons who occupy land after the cut-off date determined in the RP are not entitled to any compensation or any other resettlement assistances (if possible, only consider to provide support in accordance with the local current policy).

***Valuation and Compensation for Losses*:** Methods used for the valuation of losses in Bank funded projects are based on replacement costs. For this project, the losses consist of damages to land, structures and other assets. The replacement cost of land includes the land value as defined in accordance with the prevalent market price plus the fee for obtaining a certificate of land use rights.

For affected houses and other structures, the valuation is based on the market price of construction materials to build a replacement house of equal or better quality and area to that affected. For works partly or wholly affected by the project, the compensation usually includes the market price of building materials plus costs for transportation, labor and contractor fees, registration fees and transfer taxes. Asset depreciation and the value of materials that can be salvaged by DPs, are not deducted from the compensation.

During the implementation phase, the independent land valuer(s) will be employed to survey and propose a set of replacement costs for all types of affected land (both agriculture and residential land) and assets, which will be served as basis for Danang City PC to make decision on compensation price bracket.

Linked Activities: This policy is applied to all components of the project that result in involuntary resettlement, regardless of the source of financing. It is also applied to other activities resulting in involuntary resettlement, that in the judgment of the Bank, are (a) directly and significantly related to the Bank-funded project, (b) necessary to achieve its objectives as set forth in the project documents; and (c) carried out, or planned to be carried out, contemporaneously with the project. A screening of the linked activities was conducted that enclosed in the Annex 1: Screening of linked activities). In the case that a link project is identified, a due diligence approach will be applied.

The screening results of the relevant projects showed that in addition to the construction of the Road DH2 from Hoa Nhon to Hoa Son and upgrading of 02 existing link routes using WB's fund. There is no work/item considered as linked project.

Table 14: Main gaps between policies on compensation, assistance and resettlement of GoV and World Bank and proposed policies for Danang SCDP

Policy	World Bank's Policy (OP 412)	GoV's Policy	Proposed policy for the Project
Land/ Properties			
Policy objectives	APs (Affected persons) should be assisted to restore or improve their living standards to the pre-project levels.	Resettlement sites and its infrastructure should have development conditions equal to or better than the old living place.	Livelihood and income sources are restored
Treatment of informal or illegalizable land users	Livelihood restoration assistance to all affected persons to achieve the policy objective.	Restoration assistance at different levels depending on the "illegal" status of land users.	Livelihood restoration assistance to all APs, regardless of their legal status.
Compensation for illegal structures	Compensation at replacement cost for all structures regardless of legal status.	Provided to cover cost for building new structure, depending on the "illegal level" attributed, covering between 80% and 0% of the total costs.	Compensation at replacement cost for all affected structures regardless of their legal status.
Compensation			
Methods for determining compensation costs	Compensation rate for lost land and other assets should be paid at full replacement cost.	Compensation rate for lost assets is calculated at price close to price of transferring such assets in the market. Provincial governments are entitled to determine rate for different categories of assets.	Independent valuer identifies replacement cost as a basis for Danang CPC to define compensation rate.
Compensation for income losses	All income losses should be compensated.	Only assistance to lost income for registered business facilities.	All income losses are to be compensated and supported to restore.

Policy	**World Bank's Policy** **(OP 412)**	**GoV's Policy**	**Proposed policy for the Project**
Compensation for indirect impacts caused by the acquisition of land or structures	It is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate adverse economic and social impacts, particularly upon poor and vulnerable groups.	It is not mentioned.	Conduct social assessment and take measures to minimize and mitigate adverse impacts, particularly upon poor and vulnerable groups.
Livelihood restoration assistance	Provision of livelihood restoration assistance to achieve the policy's objectives.	Take livelihood restoration assistance measures. No follow up measure to ensure complete livelihood restoration after resettlement completion.	Provision of livelihood restoration assistance to achieve the policy's objectives.
Consultation and Participation			
Consultation and information disclosure	Participation in preparation and implementation of the project, especially confirming the criteria of eligibility for compensation and assistance and accessibility to grievances mechanisms.	Limited mostly to information sharing and disclosure of documents regarding plans, land use plans, the compensation policies applicable to works and to the project. Collect comments of residents on planning and land use planning.	Community's participation and public consultation is designed and implemented to achieve policy's objectives

Policy	**World Bank's Policy** **(OP 412)**	**GoV's Policy**	**Proposed policy for the Project**
Grievances and redress mechanisms	Grievances and redress mechanisms should be independent in nature.	The same agency making decision on compensation, resettlement and handling grievances at the first step.	Redress grievances on compensation, assistance and resettlement in accordance with the applicable mechanisms of Danang city.
Monitoring & Evaluation	Need to conduct internal and external (independent) monitoring.	There is no explicit requirement on monitoring, including both internal and independent (external) monitoring.	Both internal and external monitoring is required.

5.2. ENTITLEMENTS

Those who are affected by the project will be entitled to the compensation policies (compensation and assistance) in compliance with the regulations of Vietnam and WB's OP4.12. Project affected persons will not be considered to receive the compensation or assistance when entering the project area after the cut-off date of the project.

The Compensation and Resettlement Committee, for special cases (such as poor households, policy households) who are certified by local authorities, shall consider additional assistances on case by case basis:

The compensation policy of the project is as follows:

5.3.1 Compensation and assistance policy for residential land

Residential land of each family includes houses and structures serving for their living activities. The affected households will choose the mode of compensation and assistance for their affected land and structures as follows:

(i) Land users, who are eligible for the compensation and assistance for acquired land (legal and legalized land) are entitled to the payments of compensation and assistance for their area acquired either by cash payments at replacement costs, or by replacement land in the replacement site.

(ii) In case, a remaining area of land, after the land acquisition, is not large enough for building houses and structures, if DPs choose the compensation of the whole land (including the remaining area), they will receive cash for acquired land area by 100% of replacement cost and replacement land plot in the resettlement site if they want.

(iii) Land users, who are eligible for the compensation of acquired land (legal and legalized land) but such acquired land is in dispute, shall be compensated at 100% replacement cost only when their disputes are resolved.

(iv) Land users, who are not eligible for the compensation (illegalizabe land users), but have been living and occupying without disputes since October 15th, 1993 to before the project's cut-off date and not received legal notification from the local authority on encroachment into land in the Right of Way (ROW), will be considered for the support in cash at 50% of replacement cost.

5.3.2 Compensation and Assistance Policy for Houses and Structures

Those who are impacted with houses / structures and other assets - regardless of the tenure status, will (i) be compensated at 100% of replacement cost (excluding deduction of

salvageable materials), (ii) compensation rate is based on the actually affected area but not based on the use area.

5.3.3 Compensation and Assistance Policies for Agricultural Land

The Danang CPC has no agricultural land fund to compensate for affected household on basis of land for land mechanism. So the cash compensate at 100% of replacement cost is applied in this project. These are:

(i) If lost land area is less than or equal to 20% (or less than 10% for vulnerable households[5]) of their total agricultural landholding and the remaining part is wide enough to ensure minimum economic efficiency, the AHs will be entitled to cash compensation at 100% of replacement cost.

(ii) If lost productive land is 20% or more (or 10% or more for vulnerable households) of their total agricultural landholding but the remaining area is not viable to ensure economic efficiency of household, AHs will receive cash compensation at 100% of replacement cost and income restoration assistance.

Agricultural land users who are not eligible to be compensated (or Non-legalizable.), will be considered to be assisted in cash at 50% or 60% of the replacement cost. The level of assistance for the Non-legalizable. AHs who were given a notification by the government on their illegal encroachment at time of violation will be considered case by case by authorities.

5.3.4 Compensation Policy for Graves

The compensation rate for displaced graves includes all costs for digging, moving, re-burying and other related costs. The compensation cash will be paid to each affected household. Before removing graves, the AHs will be consulted on the removing and location of graves. The project will ensure that all religious rituals or traditional customs are respected and cover all related costs (For details, see section 3.2.7).

5.3.5 Compensation Policy for Domestic Facilities

Households those are impacted with domestic facilities (water tanks/wells, electric meters, etc.) will be compensated at 100% of replacement cost at market prices regardless land use right and house ownership.

[5] Vulnerable households are groups of people who might suffer disproportionately from the risk of land and property acquisition or building resettlement sites specifically including: (i) households falling under the MOLISA's poverty line, (ii) households with of martyrs, wounded and sick soldiers, heroes of the people's armed forces and labor, and families who sacrificed to the Revolutions; and households suffering from Agent Orange.

5.3.6 Compensation Policy for Crops and Trees

With regard to affected annual crops and perennial trees, cash compensation will be paid to DPs who are currently farming, based on the market prices for crops and/or based on replacement costs for perennial trees.

5.3.7 Impacts on Business/ Income

For economic organizations and households with business registration certificates

(i) Cash compensation for lost income in case of affected business. Households with business registration certificates will be compensated at 50% of post-tax income of one year period (equivalent to 100% of post-tax income of 6 month period) according to average income of 3 preceding years.

(ii) Long-term formally contracted workers of affected business facilities will be supported 70% of basic wage for a period not exceeding 06 months.

(iii) Compensation for affected business structures and productive assets at full replacement cost, without depreciation.

(iv) If the business household has to be relocated, a provision of alternative business site of equal quality and accessibility to customers, satisfactory to the AHs, or, cash compensation for the affected business area at replacement cost, plus transportation allowance to remove movable attached assets will be applied.

*For economic organizations and households without business registration certificates***:** The one-time lump sum support will be provided for income losses within 3 months with the evaluation of the independent consultant.

5.3.8 Compensation Policy for Temporary Impacts in the Construction Stage

For temporarily affected land and on-land assets, project affected households are entitled to:

For temporarily affected residential land:

(i) Compensation for all assets on affected land at replacement cost;

(ii) Restoring to the status quo or improving land quality.

For temporarily affected agricultural land:

(i) Compensation for one harvest of crops/plants at full market price.

(ii) Compensation for losses of income for the next crops during the time that land is occupied by the Project.

(iii) Restoring land as the status quo or improving soil quality equal to or better than its pre-project status.

For impacts on business and production

(i) Compensation and assistance for the losses of income for production households, cooperatives, private enterprises for the period occupied by the project construction.

(ii) Compensation for all affected on-land assets at replacement cost.

Compensation for damages to household's structures or public works due to construction activities of the contractors during the construction

The Contractors will diligently restore damaged structures as their original condition after the construction at the site is finished.

According to the specific conditions of the construction contracts, Contractors are required to be diligent enough to avoid damaging assets during their construction. In case of damages incurred, the contractors must compensate immediately for the families, community groups, or state agencies under the compensation rates applicable to other assets damaged by the Project. Moreover, recovering damaged assets to their previous quality must be done right after completion of construction.

Compensation for affected public facilities

If some public facilities as schools, bridges, factories, water sources, roads, electricity, water supply, or drainage systems are affected, the Project shall certify that these structures are restored or repaired for each specific case, and the community has not to pay such costs.

The Project has to minimize the impacts of land acquisition to cultural works. In case, it cannot be avoidable, the project must take measures to resolve in each specific case. If the cultural works such as churches, temples, pagodas, shrines managed by the local government must be relocated, the CPC must decide this based on the public consultation with CRC and local authority as well as local people.

5.3.9 Allowance and Assistance to Livelihood Restoration

In addition to the compensation costs for affected land, property and infrastructure as stated above, DPs are entitled to other allowances, including:

Relocation Support

Support transportation cost of VND 3,000,000 for households moving to new areas within the same district; Support transportation cost of VND 4,500,000 for households moving to new areas in other districts but within Danang city; and Support transportation cost of VND 10,500,000 for households moving to other provinces. Reorganized DPs who have to rebuild new house on the remaining area will be given transportation allowance at VND 1,500,000/person/month in 3 months for moving assets to new location. The rates may be adjusted in accordance with inflation situation.

Subsistence support

Relocated DPs will be given cash allowance to support for daily activities, equivalent to 30kg rice/person/month in 06 months.

Those who have house partially impacted and have to rebuild thereon will be provided with allowance, equivalent to 30kg of rice /person/month in 03 months. In case households are impacted whole house on remaining area, DRC will consider for additional support.

Subsistence support for households impacted with agricultural land

Income restoration assistance to HHs and individuals who are directly involved in agricultural production when the State acquires agricultural land including garden and pond land (except for the aquaculture land, 5% public land and the land which commune/ward PC assigned the HHs/individuals for temporary use) will be VND 6,000/m^2 (six thousand per square meter) but the supported area not exceed 4,000 m^2 (four thousand square meter).

For households those are acquired with ponds, garden land within residential land, will be supported at 30% of average land price in the region.

Job changing allowance

Agricultural laborers and HHs whose agricultural land is affected and eligible for compensation will be provided with the job changing allowance. The assistance level for shifting job/occupation for agricultural laborers is in cash at 1.5 times of the agriculture land price.

HHs who are not entitled to the compensation but received assistance for affected agricultural land will receive allowance for job changing according to allowance level for affected land (60% of the above allowance level).

In case, HHs who have demand for vocational training, they will be assisted to participate in vocational training courses inside the city and they do not pay for any fee (including primary, secondary school and vocational training) for individuals who are in working age (not apply for individuals who participate in vocational training course outside of city).

House renting support

Households those who have to relocate or rebuild housing on the remaining land will be assisted to rent a house in the project resettlement site. If temporary house is not available, they will be provided with assistance in cash with the amount of 1,500,000 VND/HH/ month. The period of assistance will be defined as when the DPs hand over land until they receive resettlement land or house according to the notification of the competent authority, plus 6 months of tenancy cost in the process of building of new house[6].

In case, above assistance is not enough for leasing house in the period of house rebuilding, these households will be supported with the differential amount (compared with actual rental).

Special Social Support

Poor households, who are certified by the local government as poor households, will be supported 3,000,000 (3 million dong per household). Those who resettle in old place or have to relocate, fall into the vulnerable groups and being granted with social subsidies, will be supported no less than VND 1,000,000 per household to restore livelihoods.

Bonus

Organizations, households, who well execute the policy of self-dismantling and transferring land for the Project on the planned schedule, will be awarded:

(i) 5% of the compensation value of assets (houses, structures, trees) for organizations, households who are compensated less than VND 50,000,000.

(ii) 8% of the compensation value of assets (houses, structures, trees) for organizations, households who are compensated more than VND 50,000,000 but not exceeding VND 8,000,000.

(iii) The bonus level equals 50% of the general regulated level but not exceeds VND 2,500,000 for HHs impacted with tents, small shops and gardens.

[6]In project, transitional period is estimated at about 9 months.

Table 15: **Entitlement Matrix**

No.	Type of Loss	Definition of Entitled Persons		Entitlements
1	Residential land	Land users are eligible for compensation (legal and legalizable land users) (411 HHs, 50,977 m^2)		DPs will be compensated in cash for their acquired land at 100% replacement cost or allocated with a land plot in the resettlement site. DPs will be informed of resettlement alternatives
		Users of disputed land		DPs will be paid in cash for their acquired land at 100% of replacement cost when their dispute is resolved.
		Land users are not eligible for compensation (illegal and Non-legalizable land users)		DPs will be supported in cash for their acquired land at 50% of replacement cost.
2	Houses/structures and other assets	Regardless of ownership/use rights (276 HHs)		(i) DPs will be compensated for their affected structures by 100% replacement cost without deduction of salvage materials or deduction of valuation. (ii) The replacement cost is calculated based on the actual affected areas but not based on the used area. Each affected structure will be appraised and calculated separately.
3	Impacts on agricultural land	Land users are eligible for compensation (legal and legalizable	The affected land is less than 20% of the total landholding (237 HHs)	DPs will be compensated in cash for their acquired land at 100% of replacement cost. Households losing agricultural lands located in wards or rural residential areas will be supported 30% of average residential land price in the region.

No.	Type of Loss	Definition of Entitled Persons		Entitlements
		land users) (255 HHs, 31,317 m^2)	The affected land is 20% or more (10% or more for vulnerable groups) of the total land area (18HHs)	DPs will be compensated in cash for their acquired land at 100% of replacement cost and provided with information about vocational training and facilitated their option of appropriate jobs; Households losing agricultural land located in wards or rural residential areas will be supported 30% of average residential land price in the region. Provision with income restoration assistance and other assistances
		Land users are not eligible for compensation (Non-legalizable land users)		DPs will be supported in cash for their acquired land at 60% of replacement cost
4	Graves	Households whose graves/tombs are affected by the Project (53 HHs, 53 pcs)		DPs are fully compensated with costs of relocation, rebuilding and other related costs following replacement cost

No.	Type of Loss	Definition of Entitled Persons	Entitlements
5	Affected income and production/business facilities	For economic organizations and households with business registration certificates (16 HHs)	(i) Cash compensation for lost income in case of affected business. Households with business registration certificates will be compensated at 50% of post-tax income of one year period (equivalent to 100% of post-tax income of 6 month period) according to average income of 3 preceding years. (ii) Long-term formally contracted workers of business facilities will be supported 70% of basic wage for a period of not exceeding 06 months. (iii) Compensation for affected business structures and productive assets at full replacement cost without depreciation. (iv) If the business household has to be relocated, a provision of alternative quality-equal business site and accessibility to customers, satisfactory to the AP, or, cash compensation for the affected business area at replacement cost, plus transportation allowance to remove movable attached assets will be applied.
		For economic organizations and households without business registration certificates	A lump-sum assistance support in cash paid one-time for income losses for 3 months or equivalent to VND 3,000,000/household/time in consultation with the independent consultant.
6	Affected crops and trees	DPs who have affected crops and trees (255 HHs)	Persons affected by the project will be compensated for their damaged crops/trees at market prices and / or replacement costs.
7	Temporary impacts in the construction stage	For temporarily affected residential land	(i) Compensation for all lost assets attached to affected land at full replacement cost; (ii) Restoring to the original conditions or improving land quality.

No.	Type of Loss	Definition of Entitled Persons	Entitlements
		For temporarily affected agricultural land	(i) Compensation for one harvest of crops/plants at full market price. (ii) Compensation for loss of income for the next crops during the time that land is occupied by the Project. (iii) Restoring land to original conditions or improving soil quality equal to or better than its pre-project status
		Impacts on business and production (15 HHs)	(i) Compensation and assistance for the loss of income for production households, cooperatives, private enterprises for the period impacted by the project. The amount of compensation and assistance is decided based on advice of the independent consultant and decision of the City People's Committee. (ii) Compensation for all affected on-land assets at replacement costs.
		Damages to household's structures or public works caused by contractors during the construction	(i) The contractors are required to immediately compensate individuals, communities, organizations and bodies whose works are damaged by the construction and this responsibility is included as a part of the construction contract, and/or. (ii) The damages must be remedied immediately to return the status quo of the works
8	Affected public utilities/structures	Wards, urban population groups, administrative units whose public architectural works, houses, schools, bridges, factories, water sources, roads, drainage - irrigation systems are damaged (02 CPCs)	The Project must ensure that the infrastructural works are restored or repaired case by case and the community does not pay such expenses.

No.	Type of Loss	Definition of Entitled Persons		Entitlements
9	Supports for relocation and livelihood restoration	Support for relocation	DPs to be relocated (109 HHs)	Support transportation cost of VND 3,000,000 for households moving to new areas within the same district; Support transportation cost of VND 4,500,000 for households moving to new areas in other districts but within Danang city; and support transportation cost of VND 10,500,000 for households moving to other provinces. Reorganized DPs who have to rebuild new house on the remaining area will be given transportation allowance at VND 1,500,000/HHs/ month in 3 months to moving assets to new location. The rates may be adjusted in accordance with inflation
		Subsistence allowance	DPs to be relocated and DPs must rebuild houses on remaining land (227 HHs)	(i) Relocated households are supported equivalently to 30kg of rice per person per month during six months. (ii) Those who have sufficient remaining land for rebuilding houses are supported equivalently to 30kg of rice per person per month for 3 months for all household members.
		Subsistence allowance	Households impacted with agricultural land	Assistance for life restoration to HHs and individuals who are directly involved in agricultural production when the State acquires agricultural land including garden and pond land (except for the aquaculture land, 5% public land and the land which commune/ward PC assign the HHs/individuals for private use) will be VND 6,000/m^2 but the supported area not exceed 4,000 m^2.

No.	Type of Loss	Definition of Entitled Persons		Entitlements
		Support for job changing	DPs whose agricultural land is affected by the project are eligible for the compensation (non-legalizable) (255 HHs)	The job shifting assistance in cash at 1.5 times of agriculture land price. In case, HHs whose labor-aged members have demand for vocational training, they will be assisted to participate in vocational training center inside the city and they do not pay for tuition fee for a course
			DPs whose agricultural land is affected by the project are not eligible for the compensation (non-legalizable)	The job changing assistance to be applied is 60% of the level applied to the legal land users
		Support for House Renting	DPs to be relocated and DPs to rebuild houses on remaining land (109 HHs)	Relocated DPs whose houses are demolished will be assisted in renting temporary houses in resettlement sites. If the house is not available, DPs shall be assisted in cash at VND 1,500,000 per household/month. The supporting time for house renting is calculated from the date of land hand-over till the actual time that DPs are provided with resettlement land/houses based on the notices of the authority who allocates the house and land, plus to 6 month allowance for renting house during building their new house.

No.	Type of Loss	Definition of Entitled Persons		Entitlements
		Special social support	Relocated households are the poor and/or vulnerable households. (3 HHs)	To be supported at least VND 3,000,000 per household for livelihood restoration
		Bonus	HHs to be relocated and HHs must rebuild their houses on remaining land (664 HHs)	(i) 5% of the asset compensation value (houses, structures, trees) for organizations, households whose compensation value is less than VND 50,000,000. (ii) 8% of the asset compensation value (houses, structures, trees) for organizations, households whose compensation value is more than VND 50,000,000 but not exceeding VND 80,000,000. (iii) The bonus equals 50% general regulation but does not exceed VND 2,500,000 for HHs affected with tents, small shops, gardens.

6. RESETTLEMENT SITE

6.1. RESETTLEMENT SITE

6.1.1 Objectives

The project's DPs are mainly living in the peri-urban areas; therefore, new resettlement location needs to ensure similar opportunities for occupation, infrastructures and production. However, the more important thing is that DPs must accept that location through the consultation process. Hence, the consultation with DPs during the preparation of resettlement site is important. Meaningful consultations will reduce unnecessary conflicts and tenseness. Resettlement site is built according to the planning with the building standards for urban area. Basic infrastructures shall be built before DPs move in. And, the resettlement site near to the old residence will be the better.

6.1.2 Criteria and Eligibility for Relocation

Criteria and eligibility for relocation are described as following: Households and individuals whose whole legal houses and residential land and the remaining area too small to rebuild will be provided with a land plot in the resettlement site.

In case the cash compensation amount is not sufficient for the eligible DPs to buy a minimum land plot in the resettlement site, the DPs will be supported with the differences.

For the users who are not eligible to compensation for land but have no other living place and confirmed by the local government on their current status, they (1) shall be considered to be allocated with the resettlement plot at minimum size in resettlement site and (2) have to pay the land use levy. However, in case of unaffordability to pay land use levy, they will be considered to be provided with a debt.

Affected people whose land is acquired by the construction of resettlement site are entitled to compensation and assistance as households affected by the main work items of the project.

6.1.3 Demands of Relocation

According to the census results, total number of relocated households of the Project is 109. They are eligible for relocation into the resettlement site. However, one household usually consists of 2-3 generations (the oldest child living together with their parents), therefore, when these households have to relocate, the city usually allocates one more resettlement plot. Besides, in project area, transfer of land often happened, thus, head of household may separate big land plot into many small plots to facilitate for transferring. In addition, if the acquired land area is large or the remaining area is not large enough to build house, they

will be entitled to receive a resettlement plot. The table bellowed summarizes demands of relocation (the number of provident plots accounted for 150 land plots).

Table 16: **Summary of Relocation Demands**

No.	Components	No. of Displaced HHs	Provision	Total resettlement plots
1	The road DH2 from Hoa Nhon – Hoa Son and upgrading of 02 existing link routes	109	41	150
	Total	**109**	**41**	**150**

6.1.4 Results of Consultation and Selection of Resettlement Sites

Several rounds of consultations with local authorities and community have been carried out in May and June 2015 and a census was conducted for 96 households affected by the project. Consultations were implemented in many forms such as community meeting, questionnaire, direct interviewing with affected households and group discussion. Besides, the project organized meetings with local authority at all levels, local social organizations (for example, Women association, Farmer association, Veteran association, Youth union, etc.). In these meetings, the Danang PIIP - PMU informed the affected persons and stakeholders of characteristics of the resettlement site, infrastructures and social services that would be built, principles of compensation and allocation of land plots, etc. The purpose of this consultation regarding the resettlement sites was to collect DPs' comments about following matters:

(i) Affected persons have two options in the resettlement site (land for land or land for apartment) or self-relocation. In case of self-relocation, affected persons will be supported cash equivalent to average investments for infrastructures of a land plot in the resettlement site.

(ii) Collect comments about infrastructures and social services for the resettlement site;

(iii) Procedures for compensation payment and resettlement.

Construction of Infrastructures at the resettlement site

According to the detailed planning of the project, the resettlement sites will be divided into base plots of land for resettlement purpose. The resettlement sites should be provided with public services such as water supply, drainage, power supply, schools and medical services. The expectation of the affected persons is to be allocated with land plots in the resettlement site with the basic infrastructures.

6.2. RESETTLEMENT ALTERNATIVES

According to the recent study results, the Project orientates to build and develop five (05) resettlement sites to ensure area/land plots for affected and/or relocated households due to land acquisition for the construction of all components and items under the Project. These include Hoa Lien resettlement site, the Northern resettlement site of the Southern belt road, Resettlement site DT605 (phase 2), My Da Tay resettlement site and Hoa Khuong resettlement site located in Residential area of Phu Son 2 and Phu Son Tay (replaced Khe Can and Hoa Phong- Hoa Phu resettlement sites). In addition, in Hoa Son and Hoa Nhon communes, there are also some resettlement sites which were built to serve the city's projects and the Danang – Quang Ngai expressway, including Hoa Nhon resettlement site (scope of about 8ha), the resettlement site along the Hoa Tho Tay – Hoa Nhon road to serve the Danang – Quang Ngai expressway (scope of over 8ha) and the resettlement sites No. 6 and No.7 along the DT602 in Hoa Son commune.

With the construction scope of the above-mentioned resettlement sites, the Project intends to arrange resettlement for all work items under the Project, including Hoa Phuoc – Hoa Khuong road (290 plots), the isolating green streak (203 plots), works under Components 1, 2, 4 and 5 of the Danang SCDP.

The estimated construction scope of these resettlement sites is shown in the table bellowed:

Table 17: **Scope of Resettlement Sites**

No.	Resettlement sites	Total area (m^2)	Of which	
			Land plot (m^2)	Land plot (m^2)
1	Hoa Lien resettlement site	53,784	28,108	271
2	The Northern resettlement site of Southern belt road (phase 3a)	74,562	28,995	276
3	Resettlement site DT605 – phase 2	43,469	23,175	210
4	My Da Tay resettlement site	61,254	31,459	346
5	Hoa Khuong resettlement site	84,157	32,998	208

Source: Resettlement Survey, May 2015

According to survey results, public consultation and evaluation of demands of relocation of the affected households within the project area, most of people desires to resettle in the resettlement sites nearby the existing living place for convenience for living and subsistence. The proposed resettlement alternatives for affected households are as follows:

Table 18: **Proposed Resettlement Alternatives**

No.	Components	Total relocated HHs	No. Of provident lots	Total resettlement plots	Proposed resettlement sites
1	The Road DH2 from Hoa Nhon to Hoa Son and upgrading of two existing link routes			150	1. Hoa Khuong resettlement site 2. Hoa Nhon resettlement site serving Danang – Quang Ngai expressway 3. The resettlement sites along the provincial road 602 in Hoa Son commune
	Total			**150**	

Source: Resettlement Survey, May 2015

Note: The proposed resettlement alternatives as above-mentioned reflect the project orientation and demands of local people through public consultations. These alternatives will be adjusted/updated subject to each phase of the Project, depending on expectations of the displaced persons and availability of other resettlement sites of the city.

6.3. HOST COMMUNITY

During the planning of project's resettlement sites, Danang PIIP – PMU carried out consulting with the host community and households. During the planning preparation and project design, the PMU carried out public consultations to collect information about characteristics, scope and living conditions of local people in these areas as well as negative and positive impacts during the construction with the prior consultation with the host community. Public consultation results show that both affected and non-affected households agreed with the survey results and supported the construction of works in the resettlement site. They expected that the resettlement site will contribute to improving environmental conditions and existing infrastructures in the region.

7. LIVELIHOOD RESTORATION PROGRAM

7.1. OVERVIEW

The general purpose of this program is to restore the livelihoods of affected persons at least equal to or higher than the pre-project level, and ensure that affected people adapt to new conditions.

For the Resettlement Plan (RP) implementation, the Danang PIIP – PMU will combine with local government agencies at all levels such as the social organizations: Danang Women's Employment Service Center, Danang Employment Center etc. to conduct the activities to restore incomes of the affected households. These activities are mainly vocational training and job introduction.

7.2. ANALYSIS OF DEMANDS

According to the survey results, there are 276 households affected with residential land/houses and other structures, including 109 relocated households for the project implementation. In addition, there are 253 households affected with agricultural land, including 18 households affected with over 20% of their agricultural land.

Also according to the survey results and consultation with households, the construction of the DH 2 Hoa Nhon – Hoa Son road and two link routes mostly impacts on agricultural land. The local households stated that their families have members engaged in agricultural production which is their subsidiary occupation but not their primary income source. The middle-aged and elderly generation engaged in agricultural production (those above 50 years old) as they have engaged for years and eventually they have more leisure time. The younger generation’s incomes are usually from employment in factories/offices (mainly at Hoa Khanh industrial zone nearby), small workshops and also free laborers (drivers, services). Up to now, these are primary income sources of their family.

Therefore, when asked about options for income restoration measures (those who are working in agriculture), all of them expressed their desire to receive appropriate compensation payment, and probably some more subsistence assistance for them to recover their losses (of agricultural land acquisition).Their specific expectations for subsistence assistance are shown in the table bellowed:

Table 19: Expectation for assistance of DPs (%)

No.	Location	SUBSISTENCE ALLOWANCE				Total
		Vocational training	Borrowing loan	Job introduction	Others	
	Percent	48.2%	22.4%	27.8%	1.6%	100.0%
	Order of priority	**1**	**3**	**2**	**4**	

Source: Resettlement survey, May 2015

7.3 PROPOSED LIVELIHOOD RESTORATION PROGRAM

7.3.1 Budget source

Income restoration is seen as an especial component if affected households can recover their sources of income or improve their economic situation. People with low incomes are defined as those who mostly do not have skills or opportunities to improve their earning. The resettlement program looks for optimistic possibilities to ensure that all resettlement sites are in such positions that create favorable conditions for improvement of DPs' skills and income increase, or ideally it can combine both the improvement of their skills and income increase. Detail activities for vocational training and job creation are detail presented in below section.

Budget for the life recovery program will be deducted from the city's counterpart fund and included in the total compensation cost of the project.

7.3.2 Description of the Program

According to the survey results and public consultations, both for residential land and agricultural land, 76% of affected households wish the assistance of vocational training and employment for their children at the working age.

Vocational training

Currently, in the city of Danang, two functional agencies which give vocational training and job recommendations are (1) Danang Employment Center and (ii) Danang Women's Employment Service Center.

Danang Women's Employment Service Center: Through working with representatives of Danang Women's Employment Service Center, we know that the organization is enrolling students in diversified job training without fee for adult children of families whose land is acquired by the projects in Danang city. The choice of career depends on the choice of people.

Jobs: Civil sewing, industrial sewing, cooking, and beauty care.

Objects: The labor includes those who enjoy the preferential policies, those who contributed to the revolutions, poor households, households whose production land is acquired and must relocate for site clearance, and labor who are ethnic minorities and disable people...

Expenditure: The free vocational training for elementary level is as follows:

Industrial sewing:	3 months	1,000,000 VND/trainee
Civil sewing:	4 months	1,400,000 VND/trainee
Cooking:	3 months	1,100,000 VND/trainee
Beauty care:	3 months	900,000 VND/trainee

Danang Employment Center: The Center is applying the free vocational training program for similar subjects like Danang Women's Employment Service Center, careers and training time are expressed as follows:

Civil electricity	4 months	Free of charge
Industrial electricity	4 months	Free of charge
Industrial sewing	3 months	Free of charge
Electronics	6 months	Free of charge
Mechanics	5 months	Free of charge

Also, depending on the nature of each project, the projects call for the Centers' coordination in training organization for affected households to recruit their adult children to the factories and industrial parks in the region. The children of project affected households are generally employed by the factories.

Job creation

Referring to the list of enrollees to the training courses and basing on the need of each participant, the Project Management Unit of Danang Priority Infrastructure Investment Project will cooperate with the vocational training centers and under the direction of the City People's Committee to work with the industrial zones in the region to give job recommendations for the students.

The vocational training centers will cooperate with industrial zone for vocational training subject to demands of the industrial zones.

During the project implementation, the PMU will coordinate with the local employers to create jobs for local people.

7.3.3 Institutional Arrangements

The Project Management Unit (PMU): Based on the actual needs of households, the PMU, particularly the Division of Operation will conduct detailed surveys of vocational training needs of each household, then contact the training centers to organize training courses.

Vocational training centers: These centers will organize training courses for students in need and coordinate with the PMU in the job placement/and introduction for them.

Households: Households will participate in the surveys, training courses and follow the instructions of the PMU and training centers.

8. CONSULTATION AND PARTICIPATION

8.1. OBJECTIVES AND POLICIES

The main objectives of consultation and participation are to:

a) Ensure that all DPs and key stakeholders participate together in making decisions on involuntary resettlement matters;

b) Minimize negative impacts caused by involuntary resettlement; and

c) Avoid possible conflicts during the project implementation.

DPs shall be fully informed and carefully consulted on resettlement and compensation plans. Consulting DPs is the starting point for all activities related to resettlement. DPs may be afraid that they will lose their livelihood and community, or that they are not well prepared for complicated negotiations on their rights. Participation in creating the RAP and its management will help DPs relieve their worries and give them the opportunity to participate in what will affect their lives; implementing resettlement without consulting DPs is and improper and ineffective strategy. If DPs are consulted timely, any objections to the Project can be timely solved.

- Important steps towards increasing democracy at the grass roots level in Vietnam is Instruction No. 30-CT/TW by the Communist Party of Vietnam on "Construction and implementation of a basic democratic regime," and Conclusion 65-KL/TW dated 04/02/2010 of the Secretary of the Central Committee on the continued implementation of the Directive 30-CT/TW on the construction and implementation of grassroot democracy. The key basis of this legal document is the well-known slogan: "people know, people discuss, people do, people check."
- Ordinance No. 34/2007/PL-UBTVQH11 points out matters that need the comments from local authorities and communities before the relevant authority issues a decision including the preparation of compensation, assistance and RPs related to projects and works in the wards/communes.

Article 43, Article 48 and Article 67 the 2013 Land Law require matters related to collection of comments on planning, land use plan, resettlement, such as reasons and plans for land acquisition, relocation, general compensation and site clearance plans to be published for DPs.

The following points need to be focused on to encourage relevant agencies to participate in the Project's consultation process:

a. Determining and encouraging all related agencies, and especially DPs, to join in consultation and participation;

b. Establishing strategies for them to participate in project planning, implementation, monitoring and evaluation;

c. Explaining strategies and details for disseminating necessary information and propaganda, and establishing procedures to enable DPs to negotiate their entitlements;

d. Attracting related agencies to participate in making decisions at the different steps of Project implementation (e.g. modes of compensation, consulting DPs on compensation and implementation schedules, etc);

e. Setting up a schedule for activities such as providing information; compensation levels and modes; and establishing interests, locations and the relocation plan;

f. Establishing procedures of grievances and redressing grievances.

8.2 PROCEDURES FOR CONSULTATION AND PARTICIPATION

Responsible Organizations: DPs will be informed by PMU about the responsibilities of all organizations and local governments concerned with resettlement, and the names and functions of relevant government officers along with their telephone numbers, office addresses and working hours.

Implementation Procedures*:* DPs will be informed of the estimated schedule for major resettlement activities, and that construction can only begin when resettlement activities are completed and DPs have moved out of the Project area. It is necessary to emphasize that DPs must move timely when once they receive all compensations for their affected assets. Compensation Councils/Committees at all levels will be provided with maps and implementation schedules.

Publication: The Compensation, Assistance and Resettlement Policy Framework will be posted for DPs and their community in public places such as the PMU, City PC, and urban/ rural district and commune/ward PCs.

After RPs are approved by the City PC, they will be posted in public spaces such as the PMU, urban/rural district and commune/ward PCs, and on websites of WB information centers in Hanoi and Washington, D.C.

The RP and the Compensation, Assistance and Resettlement Policy Framework will also be broadcast widely through media such as local radio and TV, and in newspapers, posters, leaflets, etc. Furthermore, the PIB will be needed for distribution in this phase.

8.3 METHOD OF PUBLIC CONSULTATION

The methods of information dissemination and public consultation may include Participatory Rapid Assessment (PRA) through family visits, site visits, community meetings, group meetings, focus group discussions, and socio-economic surveys.

At the beginning of the preparation stage, local authorities and other government leaders at various levels were informed of the Project, its objectives and activities. They were consulted and actively participate in discussions about the demand for development and the priorities in their hometowns. They can also contribute comments and ideas about possible adverse effects of the Project and how to mitigate them and increase their community's benefits in the Project. Local authorities were consulted about their consensus and commitment to the resettlement policy in the framework of the Project that reflects the policies of both the WB and the GoV. The mass media, including local television and the press, will broadcast the Project's objectives, components and activities in public areas once they have been approved.

Community Meetings*:* Prior to the detailed design, community meetings should be organized in each affected commune or ward to provide more information to APs and create an opportunity for them to participate in open discussions on resettlement policies and procedures. Notification or invitations to the APs must be sent at least two weeks prior to the meetings. The purpose of these meetings is to clarify information up to the date of the meeting, create an opportunity for discussion, and clarify information. In addition to letters to individual households, information should be disseminated through posters in public areas of communes and wards, and rural/urban districts where APs are living, and/or via radio, newspapers, etc, to inform APs and the community. Men and women in affected households and other people in the community are encouraged to participate in meetings where the Project will be explained, the interests and entitlements of households will be clarified, there will be the opportunity for people to speak their concerns. Such meetings will be held periodically during the process of the Project. Textual and visual information will be provided for the APs in the meetings and copies of such information will be available in the City and concerned communes/wards in the Project area. The meetings should include:

- Textual and visual explanations, including printed information and tentative drawings of the Project's for its different items.
- Facilitating APs in expressing their opinions, answering their questions, and encouraging them to contribute their ideas to the recovery plans.
- Rural and urban district CRCs preparing a complete list of affected households that participate in the meetings.

- Rural and urban district CRCs record all questions, comments, ideas and decisions that arise during the meetings and consultations and reporting all contents/results of the meetings to the PMU.

8.3.1 Consultation during the Preparation Phase

During the project preparation, local authorities and administrative leaders at all levels were informed of the proposed project and the objectives and its activities. They were thoroughly consulted and actively participated in discussions about their demands for development and their priorities, as well as their awareness of the project's objectives. DPs were consulted about impacts and applicable measures to minimize negative impacts and improve the benefits for local residents. Local authorities were also be consulted about the agreements with and commitment to implementing the resettlement policies.

The consultant team conducted consultation on compensation and resettlement with stakeholders including officers from ward PC, leaders of population group and local residents in affected area.

Before the survey, the consultant team had a meeting with the leaders of wards/communes in order to notify project implementation and the implementation of the socio-economic survey and inventory of losses (IOL), then request the local governments to coordinate with proposed activities.

After the survey and consultations, the consultant team had a meeting with local governments in order to report all survey/consultation results. At the same time, the consultant collected relating information, the advantages and disadvantages, lessons and proposed measures for resettlement plan and set up indicators of monitoring and continue implementation at the next phases.

From June 2014, the public consultations have been carried out to inform and consult with the local people and community about project’s policies and their entitlements, specially:

Table 20: Public Consultation on Land Acquisition and Resettlement

No.	Locations	Time	Content/Agenda
1	Hoa Nhon	11 June 2015	1. Introduction of objectives and participants of the meeting; 2. Introduction of the Danang SCDP; 3. Introduction of proposed categories in wards/communes,

No.	Locations	Time	Content/Agenda
2	Hoa Son	12 June 2015	4. Proposed mitigation measures; 5. Proposed compensation plan: arrangements, implementation plan, proposed compensation rate; 6. Discussion: 04 main issues ✓ Socio-economic conditions (jobs/income/poverty rate/residency status) and land/house ownership; ✓ Impacts and mitigation measures ✓ Proposed compensation rate and demands of subsistence assistance; ✓ Proposed resettlement site

Source: Resettlement survey, June/2015

Contents and results of public consultation include the follows:

1. Local residents agreed with project implementation and plan of land acquisition. Regarding the construction of the road, local residents assessed that all proposed categories were necessary because they will improve living conditions, facilitate the transport and make the environment cleaner. Local residents were aware of the project importance, most of local residents agree with the land acquisition for construction of Road DH2 from Hoa Nhon to Hoa Son and two existing link routes of the project.
    - In this regard, representatives of the PMU agreed with and recognized comments of the local people.
2. Affected persons wanted reasonable compensation for land affected by the project. The land acquisition should be implemented for whole area and avoid acquisition of small fragmented plots because the remaining land is not viable to produce. The land acquisition should be disclosed and clarified. Beside the compensation payment for losses at the stipulated prices, the local residents also want additional subsistence assistances after the project implementation.
    - In this regard, representatives of the PMU agreed with and recognized comments of residents and shall report to the competent authorities for review of the comments.

3. Compensation options and compensation rate should be prior informed to the local people to obtain their consensus before implementing the land acquisition and compensation. Apart from the staff of the competent authorities, representatives from communes/wards such as commune/ward leaders, land officials, representatives of mass organizations, population group leaders and representatives of AHs also participate in monitoring the compensation.

    - In this regard, representatives of the PMU agreed with and recognized comments of residents and shall coordinate with units in charge of compensation and site clearance to solve these comments.

4. Most residents request to be provided with convenient resettlement sites to avoid disorder in their life. Proposed resettlement site should be arranged to be closest to their old resident as possible.

    - In this regard, representatives of the PMU agreed with and recognized comments of residents and shall coordinate with units in charge of compensation and site clearance to send written report to the competent authorities for consideration and solving their expectations.

5. Project and the authorities have occupation orientations for HHs whose land is acquired to avoid social evils arisen when they have free time after the land acquisition. Assistance measures are proposed to support HHs to stabilize their lives after the land acquisition, especially the alone households, households with the elderly. A livelihood restoration program should be considered and proposed, including vocational training and job introduction to children of AHs in order to enhance their capacity to adapt to new life, especially HHs whose agricultural land is acquired. Affected business households will be provided with business location to avoid impacts on their income sources and employment.

    - In this regard, representatives of the PMU agreed with and recognized comments of residents and shall coordinate with units in charge of compensation and site clearance to send written report to the competent authorities for consideration and solving their expectations and will carry out this issue.

6. Most of comments recommended that the project should be planned and implemented soon. During the construction, the project should be rapidly implemented and ensure the progress to avoid impacts on daily life of residents. Especially, the project should ensure not to affect the irrigation system in the fields in line with the project area.

- In this regard, representatives of the PMU agreed with and recognized comments of residents and shall coordinate with units in charge of compensation and site clearance to send written report to the competent authorities for consideration and solving their expectations and will carry out this issue.

7. Representatives of the PMU and stakeholders should consult directly with affected HHs and collect their feedbacks on compensation policies and other expectations. The consultations should be conducted regularly even when the work items are under the construction. During the project implementation, all feedbacks should be considered to adjust the construction methods suitably with reality and people's expectations.

    - In this regard, representatives of the PMU agreed with and recognized comments of residents and shall coordinate with units in charge of compensation and site clearance to send written report to the competent authorities for consideration and solving their expectations and will carry out this issue.

Besides, HHs also raised many questions regarding compensation rate, assistances to urban poor HHs, the eligibility for resettlement for HHs whose agricultural land is severely affected. The comments of the households in the consultation process have been recorded, summarized and incorporated in this report.

8.3.2 Consultation during the Implementation of the Project

During the Project's implementation, PMUs shall undertake the following tasks with the support of the consultants:

a) Providing information for district CRCs through training seminars and providing detailed information about the Project and implementation procedures.

b) Organizing information dissemination and consultation with DPs during the project implementation.

c) Comparing annual unit prices and the Project's tentative compensation unit prices; and reaffirming the scale of land acquisition and impacts on assets based on the results of the DMS and consultations with DPs.

d) District PCs will publish policies on compensation for land and invite households to participate in disseminating information about the Project and its legal bases.

e) Each household will in turn participate in the measuring and inventory of assets, and sign the drawings of the acquired housing/land and sign the minutes of inventory of lost assets.

f) Households will be involved in reviewing the draft compensation plan, the spreadsheet, and the estimated amount of compensation for each household.

g) Each household has the right to reflect, raise their questions about the calculation of compensation and have their questions answered satisfactorily according to their specific situation, including issues related to resettlement such as prices, installment payments and procedures for titling in the new residence.

h) Household will participate in reviewing the draft compensation plan, spreadsheet and cost estimate of compensation payment to each household.

i) After that, district CRCs will calculate compensation based on the agreed prices and complete the compensation plan for affected assets. The PMU will disseminate information about entitlements of the DPs in the follow-up consultations with households.

j) The compensation plan for affected assets shall clearly state category of impact and have signatures of the DPs to show their consensus with the evaluation results. Any questions raised by DPs about the contents of the compensation plan shall be recognized at this time.

k) Sending invitation letters or RAP-related questions to the affected persons to inform them of the plans and clearly explain the influences/consequences of each plan, if any.

l) Requesting DPs confirm their alternatives in the RAP and get their preliminary confirmation about the location of the resettlement site. Relocated households will visit the proposed resettlement sites to make their choice.

m) Requesting DPs to clearly state services they are currently using, like education, health care, markets, and the distance to new residence.

Affected persons and vulnerable groups will be consulted about their desires regarding livelihood restoration assistance set forth in the RAP. The compensation council will inform DPs of the plan and their entitlements to technical assistance before requesting them to clearly present their desires for restoration assistance.

Public Consultation

Before starting detailed designs, the resettlement consultant team will conduct community meetings in affected wards/communes to provide them with additional information and

opportunities to participate in open discussions about resettlement policies and procedures. Ward PCs or the organizations of the residential groups will hold meetings to consider and resolve issues related to details of the Project, compensation policies, land use status, and origin of used land.

8.3.3 Information Disclosure

In addition to public announcements for DPs and their communities, the RPs will be available in relevant departments of the City, Project affected district/ward PCs, the Info Shop in Washington, D.C., USA, and the WB's Vietnam Development Information Center (VDIC) in Hanoi.

9. GRIEVANCES AND REDRESS MECHANISM

9.1. RESPONSIBILITIES

Agencies in charge of handling grievances during the compensation and site clearance include the City PC; relevant Departments; the Compensation and Site Clearance Council at all levels; and local PCs in project affected areas and the unit in charge of compensation and land acquisition for investment projects as well as the PMU. Depending on the functions and tasks at each level, the grievance redress mechanism will be regulated in accordance with legal documents promulgated by the State.

Detailed procedures for redressing grievances will be established for the Project to ensure that DPs have the opportunity to lodge their grievances about compensation and resettlement. The purpose of the grievance redress mechanism is to quickly settle their grievances according to the established procedures. This mechanism will be designed in simple, understandable, quick and fair manner. Handling grievances at each Project level will facilitate the smooth implementation of the Project. DPs who do not agree with the decision on compensation, assistance and resettlement are entitled to lodge grievances in accordance with the legal regulations.

Handling grievances against decision on compensation, assistance, site clearance and resettlement, responsibility for resolving grievances, and validation and procedures for redressing grievances in accordance with Article 204 of the Land Law 2013, Articles 89, 90 of the Government's Decree No. 43/2004/ND-CP dated 15 May 2014 on guiding the implementation of the Land Law.

While awaiting complaint settlement, people whose land is acquired must follow the decision on land acquisition and hand over land timely.

Grievances against administrative decisions on land management shall comply with regulations on grievance procedures, settling grievances stated in Law on grievances 2011.

9.2 GRIEVANCES PROCEDURES

Any questions and grievances from project affected people on the compensation entitlements; compensation policy, compensation rates, land acquisition, resettlement and other entitlements to the livelihood restoration program will be recognized and resolved by the functional units of all levels. The local social organizations as Fatherland Front, Farmers' Union, Women's Union, and Reconciliation Panel, etc. are mobilized to participate actively in the process of reconciliation, settling grievances of project affected people.

The procedures for resolving grievances include four steps as follows:

Step 1: DPs' grievances of affected persons will be sent to the Land Fund Development Center (LFDC) or the Ward People's Committee, or the PMU – PIIP in writing or verbally. The PMU will combine with other relevant agencies of the city to resolve the grievances.

The LFDC and/or the Ward People's Committee shall be responsible for resolving the grievances within 30 days from the date of receiving grievances from the affected persons. For complicated cases, the redressing time may be prolonged but no greater than 45 days since the date of receiving grievances.

Step 2: If affected persons are unsatisfied with judgment of the LFDC and/or the Ward People's Committee, they can lodge their grievances to the District People's Committee (DPC).

The DPC's chairman cum Chairman of the CRC shall be responsible for considering and resolving grievances of the affected persons with the participation of the concerned agencies. These grievances shall be resolved by the CRC within 45 days of receipt of the grievances. For complicated cases, the redressing time may be prolonged but not greater than 60 days upon receiving grievances.

Any affected persons' grievances beyond the authority of the CRC will be reported to the CPC for resolving and informed to the affected persons. The CRC will be responsible for working with the competent authority of CPC for resolving grievances of the affected persons within 15 days. Upon resolution from the CPC, the DPC will be responsible for informing the affected person of resolutions.

Step 3: If the affected persons are unsatisfied with the resolutions of the DPC (or the DRC), they will be entitled to send the complaint forms to the CPC for resolution.

The CPC will be responsible for instructing the CRC and concerned agencies to resolve within 45 days upon CPC's receipt of grievances, at the same time CPC informing the affected persons of the resolutions.

Step 4: If affected persons are still unsatisfied with the CPC's resolutions, their grievances can be sent to the City people's council or the court for resolution in compliance with laws.

In fact, according to Law on Complaints 2011, affected persons may file their complaint to the Court at any time if they want.

In case the affected persons send their grievances to the city people's Council, the city People's Council will instruct the CPC for consideration and resolving. Time of grievance redressing is 45 days since the date the city people's council receives the complaint form. During pending the resolutions of grievances, including disputes from the court, the

affected persons will hand over the layout according to the progress. The compensation payment will be transferred to a bank account.

The agency responsible for grievances and redress mechanism during site clearance and compensation is Danang City People's Committee and relevant departments, the CRC at all levels and PCs of communes affected by the project. All records of grievances and redressing of the relevant agencies are filed at the office of the Land Fund Development Center and PMU. The PMU shall be responsible for updating the list of HHs with grievances and status of redressing grievances in the internal monitoring report.

10. INSTITUTIONAL ARRANGEMENTS

10.1. INSTITUTIONAL FRAMEWORK

Agencies in charge of land acquisition and resettlement include:

- People's Committee of Danang City
- Danang PIIP - PMU
- District People's Committees
- Land Fund Development Center
- District Resettlement Committees
- Ward People's Committees
- Representatives of the DPs' community
- Independent Monitoring Agency

10.2. RESPONSIBILITIES OF STAKEHOLDERS

10.2.1 Danang City People's Committee

The Danang City People's Committee (CPC) is executive agency and responsible for implementing the Project, including the resettlement implementation of the project. CPC shall be responsible for complying with the RPF approved by the Prime Minister as a condition for appraising the project. CPC is the most powerful agency that approves the RP and makes decisions on resettlement-related issues such as compensation unit price, livelihood restoration measures for the project-affected persons. In addition, CPC shall direct the stakeholders to do their assigned tasks.

After approving the RP of the Project, CPC shall be responsible for directing and monitoring the implementation of the RP, including timely solving grievances of the project-affected persons or the local authorities in the project area. CPC shall be responsible for:

a) Direct relevant agencies: District People's Committee (DPC), the PMU and the District Resettlement Committee (DRC) shall be responsible: (i) preparing the position of resettlement site; (ii) carrying out the land acquisition and site clearance; (iii) reporting to the CPC of Danang issues arising during the implementation.

b) Directing, organizing, propagandizing the organizations and individuals about the compensation, assistance and resettlement policies.

c) Directing the DRC, relevant departments, DPC, Ward/Commune People's Committee, the Employer and concerned agencies to carry out the site clearance.

d) Approving or authorizing the relevant authorities to approve the site clearance compensation plan, compensation and assistance amounts.

e) Approving and issuing prices of land, assets for compensation payment and assistance.

f) Directing the relevant agencies to redress grievances about compensation, assistance and resettlement under its authority.

g) Deciding or authorizing the DCP to enforce unwilling cases to comply with the State's decision on land acquisition. Conducting, inspecting and handling violations in compensation, assistance and resettlement regulations.

h) Guiding and handling violations in compensation, assistance and resettlement.

10.2.2 Relevant departments and Divisions

The Department of Finance (DOF) shall be responsible for appraising the compensation rate proposed by the relevant authorities based on results of independent land price appraisal and submitting to the CPC for approval. In the beginning of RP implementation, the DOF will closely coordinate with DOC, Department of Natural Resources and Environment, Department of Transport, District People's Committee in appraising unit prices and proposing CPC to adjust if necessary to ensure that compensation rate is replacement cost at time of compensation for the project-affected persons.

Department of Finance:

a) Coordinate with the relevant agencies to submit prices of land and assets to the CPC for approval.

b) Coordinate with DONRE in appraising the compensation, assistance and resettlement plan as well as compensation payments.

c) Checking the compensation payment, assistance and related costs.

Department of Natural Resources and Environment:

a) Guiding to determine categories and area of land as well as entitlements to compensation when the State acquires land.

b) Coordinate with DPI, DOC, DOF to submit to the CPC for making decision on land acquisition scope.

c) Preside over the appraisal of compensation, assistance and resettlement plan. Evaluating and selecting the compensation, assistance and resettlement as well as compensation payments.

d) Submitting to Danang People's Committee for making decision on land acquisition scope.

Department of Construction:

a) Guiding to determine scope, area and legal status of the structures attached to the acquired land.

b) Re-appraising quality of houses, structures, museums, ports and other construction works.

c) Determining price of houses and structures built on land for calculating compensation value to submit to the CPC for approval.

d) Coordinate with the competent authorities to determine position and scope of the resettlement sites.

10.2.3 Danang PIIP-PMU

Danang PIIP-PMU shall take general responsibility for the project's operations, including resettlement. The PMU includes technical, financial, accounting, social and resettlement divisions. PMU will be responsible for:

a) Preparing the general plan, management and (internal) monitoring the implementation of RP.

b) Submitting to the CPC to appraise and approve the land acquisition decision, including the updated RP with compensation prices adjusted appropriately based on results of the replacement cost survey.

c) Coordinating with the DRC, the Land Fund Development Center and relevant agencies to implement the compensation and resettlement activities effectively in accordance with the principles and objectives set forth.

d) Recruiting and monitoring the consultant, including recruiting and monitoring activities of the independent monitoring agency.

e) Building up a mechanism of disbursement and resettlement compensation payment to the project-affected households. Prepare the periodical report and necessary documents for the project.

f) Participating in redressing and regulating the redressing of grievances adequately.

g) Allocating land in the resettlement site of the project for the relocated households

10.2.4 The Land Fund Development Center (Compensation and Site Clearance Unit)

a) Preparing the plan or propose the clearance compensation plan for preparing the layout for the project implementation.

b) Directly implementing the compensation and land acquisition. The clearance and compensation unit will organize the determination and verification to carry out the clearance compensation according to the approved plan.

c) Coordinating with the District/ward People's Committees, functional departments and the Danang PIIP-PMU to implement the site clearance effectively.

d) Arranging the resettlement for the relocated households.

10.2.5 District People's Committee

a) Directing, organizing, disseminating propaganda and motivating all concerned organizations and individuals to comply with the compensation, assistance and resettlement policies.

b) Directing the DRC to prepare and implement the compensation plan.

c) Coordinating with the departments, divisions, organizations and the Employer to implement the project.

d) Solving grievances related to compensation, assistance and resettlement.

10.2.6 District Resettlement Council (DRC)

The District Resettlement Council (DRC) is established by the City People's Committee at districts which are affected by the land acquisition. Chair of DRC is leader of DPC and members of DRC include:

- The Land Fund Development Center
- Danang PIIP-PMU
- District Financial Division.
- District Natural Resources and Environment Division.
- People's Committees of districts and wards where land is acquired.
- District, ward Fatherland Front.
- Representatives of the population groups and households whose land is acquired.

Responsibilities of the District Resettlement Council:

a) Preparing and organizing the implementation of compensation, assistance and resettlement plan.

b) Inspecting and taking responsibility for the compensation calculation for households and summarizing volume of compensation payment to submit to the CPC for appraisal and approval, then directly payment to the affected households right after receiving the compensation fund.

c) Reflecting expectations and participating in solving DPs' grievances related to compensation entitlements and policies.

d) Closely coordinating with the independent monitoring agency.

e) Working under the principle of collective decision by majority rule.

10.2.7 Ward /Commune People's Committee

a) Commune People's Committee will be responsible for coordinating with the functional agencies to determining land and assets. Reflecting feedbacks of local people to the PMU and the Clearance Compensation Unit.

b) Investigating, surveying and motivating local people to comply with the site clearance decision. The propaganda contents include purpose of land acquisition, compensation, assistance and resettlement policies.

10.2.8 Independent Monitoring Agency

The independent monitoring will be implemented by a research institute, university or a NGO specializing in social sciences. This agency will carry out the socio-economic survey, monitoring and evaluation of the RP implementation. The reports on progress and conformity of the RP and relevant proposals will be prepared on periodical basis.

10.2.9 Grievance Redress Mechanism

Depending on functions and tasks of each authority, grievance redress mechanisms for the affected households will be established in accordance with laws.

Any grievances arising from affected persons on eligibility, compensation policy, compensation rate, land acquisition, resettlement and other entitlements such as life restoration programs will be received and solved by the functional agencies at all levels. Social organizations such as the Fatherland Front, Farmers' Union, Women's Union and conciliation panel will be mobilized to positively participate in the process of redressing grievances of DPs.

Grievances and grievance redress will be mentioned in detail in Chapter 9 of this RP.

11. IMPLEMENTATION PLAN

11.1. MAIN ACTIVITIES

To ensure the project to be implemented successfully and effectively, main activities will be established through a resettlement schedule with specific timetable to evaluate the progress of work items at certain time. The plan should be prepared from beginning the project until completing the project. Main activities to be implemented include:

a. Notify the cut-off date and compensation rates. All affected households will be informed fully of compensation entitlements and policies in RP, including the eligibility, entitlement policies, compensation mode and rate, schedule, grievances and redress mechanism. Public information booklet (PIB) will be prepared by the PMU and released to affected households or informed at the meetings or public consultations. In addition, leaflet, panel and poster will be released to each household and publically disclosed in such public places such as ward People's Committee, community house, medical stations and schools. Informing the land acquisition policy of the project, decision on approving the project and decision on approving project design.

b. Carry out the socio-economic survey at the project area.

c. Build up the resettlement development plan.

d. Build up livelihood restoration program/measures.

e. Carry out the compensation, assistance, resettlement and livelihood restoration.

f. Evaluate the project impacts on affected households according to the results of RP implementation. One year after completing the project, a socio-economic survey will be carried out to evaluate project impacts on beneficiaries and affected households. Results of this socio-economic survey will be used for evaluating of impacts on community and learning lessons for activities, designing and implementing the project later.

11.2. IMPLEMENTATION STEPS

Sequence and procedures for compensation and resettlement are based on the provisions of the Government's Decree No. 84/2007/ND-CP dated 25 May 2007 and Decision No. 06/2015/QD-UBND dated 14 March 2015 of the CPC of Danang on promulgating regulations on compensation, assistance and resettlement when the State acquires land in Danang city. With the legal bases and organizational structure and cooperation with the stakeholders as above mentioned, some basic compensation and resettlement activities are carried out with the following steps:

Step 1: ***Determine and announce land acquisition policy***

CPC of Danang will issue an official dispatch on land acquisition policies or approving the investment location at the request of the DOC regarding planning and the DONRE regarding project's demands for land use.

The determination and announcement of land acquisition policies are based on the appraisal of land use demand from the Department of Natural Resources and the Environment submitted to Danang city for approval.

District PC is responsible for directing the publicly disclosure of the land acquisition policies and regulations on land acquisition, compensation, assistance and resettlement when the State acquires land for the purposes of national defense, interests, public utilities and economic development.

Ward PCs are responsible for openly posting the land acquisition policies at the Ward PC headquarters and in the residential areas where land will be acquired, and announcing publicly on ward/commune radio stations (if any).

Step 2: ***Approve the detailed planning for project works and announce the planning design***

Based on the official documents of the CPC regarding land acquisition policy, the DOC assigned the Institute for Construction Planning to coordinate with the PMU to prepare the detailed and general planning for submitting to the CPC for approval.

The District PC will preside over and coordinate with the relevant departments and PMU in planning design, landmark handing over, posting and announcing in the project residential area.

DONRE will base on the project general planning approved by the CPC for implementing procedures for land acquisition and land allocation.

Step 3: ***Prepare, appraise and approve the master plan for compensation, assistance and resettlement.***

The CRC (with the support of the Employer's representative) will prepare a general plan for compensation, assistance and resettlement (hereinafter called the master plan) based on the approved RP and available documents supplied by the Department of National Resources and Environment (DONRE) and submit one original at the office of the financial agency for the purpose of appraisal. The master plan shall contain the following:

a. The basis for preparing the plan;

b. Synthesized statistics on all land types in the area, agricultural land levels, number of map pages, number of plots; and estimated value of assets on the land;

c. Synthesized statistics on the number of households, population, and laborers in the acquired land area, which clearly specify the number of DPs and laborers changing jobs;

d. Estimation of compensation and assistance rates; estimated location and area of resettlement sites or houses and modes of resettlement;

e. Estimation of supporting measures to resolve employment and training plans for job changers;

f. List of works, scope of governmental works, religious organizations, displaced communities, and the expected place of relocation;

g. Number of displaced graves and the expected place of relocation;

h. Estimated costs for realizing the plan;

i. Financial sources to realize the plan;

j. Progress of plan implementation.

Step 4***: Announce the land acquisition, evaluation, compensation and resettlement***

After the master plan is approved, CRC shall be responsible for informing the land users of reasons for land acquisition, estimated compensation, assistance and resettlement rate, job changing assistances, job creation, schedule of relocation and handing over acquired land as mentioned in the master plan.

Land users shall be entitled to base on legal regulations for giving comments, recommendations or requesting CRC for explaining contents announced above.

Step 5***: Decision on land acquisition***

Pursuant to the Danang CPC's Decision on approving the investment project and instruction documents on land acquisition for the project implementation. The Danang city Resettlement Committee will issue a decision on land acquisition in line with the affected area for each household.

Step 6***: Redressing grievances related to decision on land acquisition***

During the course of land acquisition, any grievances from local people will be collected by Ward/commune People's Committee and then submitted to the competent authorities for reviewing and resolution. The grievance redress agency shall be responsible for analyzing and confirming the land acquisition in accordance with the approved project's policies.

Step 7: ***Declaration, inventory and summary of affected assets***

The agency in charge of compensation, assistance and resettlement will release the declaration form, instruct how to declare and collect these declaration form the affected households to prepare the compensation, assistance and resettlement plan.

Affected households will declare area, grade, categories, location of the affected land, volume and status of existing on-land assets, number of household members, number of laborers, express expectations for resettlement (if any) for sending to the agency in charge of compensation, assistance and resettlement.

In addition, replacement cost of land, assets and architectural facilities will be collected through the local authorities and reference to the transactions in the local market. An independent land valuer shall be responsible for establishing the replacement cost. In case the market price is higher than posted price released by the CPC of Danang, the CPC will request the concerned agencies to update the unit price equivalent to market price. For SCDP, an independent valuer will be recruited to appraise price of land and on-land assets.

Step 8: ***Approve the compensation, assistance and resettlement plan***

Pursuant to the detailed statistics of affected land and assets of each affected person, the copies of dossiers regarding land origin, household members, policy objects, compensation rate and assistance policies. The CRC will prepare the compensation and assistance rate for each affected persons and send to the DOF for appraisal and submit to the CPC for approval.

The compensation plan should indicate full quantity, volume, type, rate and quality (for assets stipulated to be depreciated) of on-land assets and bases of calculation.

The CRC will base on the approved plan to request the DRC to propose the CPC to allocate land plot for the relocated households.

Step 9: ***Approve the compensation, assistance and resettlement plan***

After consultation with affected households, the compensation plan will be submitted to the competent authorities for appraising and approving.

Step 10: ***Disclose the compensation, assistance and resettlement plan***

After the compensation, assistance and resettlement plan is approved by the competent authorities, the CRC will be responsible for disclosing, posting and declaring the compensation, assistance and resettlement plan, stating information about the compensation, relocation and site clearance schedule.

Step 11: ***Compensation payment, assistance and resettlement***

Within 15 days since the date of approving the compensation plan, the CRC will make compensation payment to the affected households.

After the compensation plan is approved, affected persons will receive 80% of compensation payment. After signing the minutes of land allocation, affected persons will receive remaining amount (20%). In conclusion, the affected persons will relocate after receiving fully 100% of compensation payment.

Step 12: ***Site clearance and land acquisition***

The PCs at all levels will coordinate with the mass organizations to maneuver the affected households to comply with the decision on land acquisition, to receive the compensation payment according to the compensation plan approved by the competent authorities, to remove architectural facilities and on-land assets and hand over land in stipulated time.

Parallel with the above-mentioned steps, after the detailed designing is approved, the PMU will recruit a resettlement specialist and Independent monitoring agency to carry out the independent monitoring for the compensation and resettlement of the project. Particularly, the resettlement specialist will be responsible for supporting the PMU in implementing and internal monitoring the implementation by the CRC and IMA will be responsible for periodically monitoring the compensation and site clearance of the project.

The IMA shall be responsible for periodical monitoring the compensation and land acquisition of the project.

11.3. IMPLEMENTATION SCHEDULE

Table 21: Implementation Schedule

Main activities	Schedule
Resettlement plan	
Identification of Project Location and Notification of Land Acquisition	May 2015
Conducting SES, IOL, public consultations with affected people and preparation of Resettlement Plan	May – June 2015
Submitting the Resettlement Plan to the PIIP-PMU/DOT for consideration	Early July 2015
Submitting the Resettlement Plan to WB for review	November 2015

Main activities	Schedule
Implementation of Resettlement Plan	
Preparation of cadastral dossier and landmark for land acquisition.	December 2015 to March 2016
Implementation of Public consultation and Dissemination; DMS, RCS and documentation of detail compensation plan (s)	December 2015 to March 2016
Compensation payment	June 2016
Relocation and Restoration measures (if any)	June – July 2016
Site clearance	July 2016
Construction contract	November 2016 to November 2018
Ex-post Evaluation of Resettlement	November 2017

12. MONITORING AND EVALUATION

Monitoring and evaluation during the project implementation and a due diligence will be carried out to ensure the land acquisition and resettlement to be implemented in accordance with the regulations and guidelines described in the resettlement plan. The monitoring will provide all stakeholders with all continuous feedbacks about the land acquisition and resettlement. This activity will be able to assess the potential successes and difficulties to give timely adjustments during the project operation.

Purposes of the monitoring and evaluation are: (i) to verify whether the project activities comply with the plan and are completed effectively in regards to quantity, quality and progress or not; (ii) to assess whether resettlement activities achieve the Project objectives, and at what level.

Danang PIIP – PMU, EA and IMA will regularly monitor the resettlement implementation.

12.1. INTERNAL MONITORING

Internal monitoring of the RP implementation is the responsibility of the Danang PIIP-PMU with the assistance from the project consultants. Danang PIIP-PMU will monitor the progress of RP preparation and implementation through the quarterly regular progress reports.

Main indicators of internal monitoring include:

a) Provision of compensation payment and assistance to the affected households at various level in accordance with the compensation policies mentioned in the RP.

b) Technical assistance, relocation, allowances.

c) Provisions of income restoration assistance and entitlements to restoration assistance.

d) Information dissemination and public consultation.

e) Monitoring procedures for grievance redressing procedures and solutions.

f) Issues arising during the resettlement plan implementation.

g) The compensation and resettlement plans with the cost estimate for next time.

h) Filling in the questionnaire as Annex 3.

12.2. EXTERNAL MONITORING

External monitoring will be carried out by a consulting firm/ NGO experienced in monitoring and evaluation of the socio-economic survey. The PMU will sign a contract

with the IMA. The external monitoring will be funded by the ODA fund of the project. The IMA will prepare a semi-annual periodical progress report and propose solutions to address any issues arising during the monitoring.

Main indicators include:

a. Compensation payment and assistance for affected households based on the compensation policy described in RP;

b. Technical assistance, resettlement assistance, allowance and resettlement;

c. Provision of income restoration assistance;

d. Information dissemination and public consultation;

e. Grievance redress procedures, focus issues to be resolved;

f. Monitoring the progress of land acquisition.

Methodology and Approach:

Sample survey

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 implementation. Monitoring will be on a sample basis. The sample size should be 50% of relocated households and severely-affected households and at least 10% of all other households. The sample survey should be conducted twice a year.

The sample survey comprises women, the elderly, and other vulnerable groups. It should ensure gender equality in the survey samples.

A due diligence will be carried out every 6 months after completion of all resettlement activities. The IMA will take responsibilities including but not limited to: (i) checking the compensation documents and (ii) working with the CRC and local authorities to collect all the necessary data and information; (iii) interviewing with local people; and (iv) focus group discussion.

Data collection

The IMA will maintain a database of resettlement monitoring information. It will contain results of independent monitoring, basic information collected and updated from affected households. All collected and updated databases will be submitted to the PMU, EA and the Bank.

Monitoring Report

The monitoring report will be discussed in a meeting between the IMA and PMU held immediately after submission of the report. Necessary follow-up actions will be taken based on the problems arising as mentioned in the reports and follow-up discussions.

The independent monitoring reports are made every six month period during the resettlement implementation. This report reflects the following contents:

Verify the results of internal monitoring.

Assess if the resettlement objectives achieve, and how the income sources and living standards of DPs are restored and improved.

Consider if the resettlement entitlements are appropriate with the conditions of affected households and meet the resettlement objectives or not.

Evaluate the resettlement effectiveness, impacts and sustainability, proposal of necessary adjustments and lessons for the planning and developing the resettlement policy in the future.

Ex-post Resettlement Evaluation

In the fact, this is assessment at stipulated time on impacts of resettlement and achieved objectives. Independent monitoring will include an assessment on resettlement process and impacts from 6 to 12 months after completing all resettlement activities. Questions for assessment are used on the basis of database in the project database system and sample questions which were used for monitoring activities.

In case the assessment results show that livelihood of severely affected households has not been restored according to the project's objectives, additional fund source is required to be provided for continued assistance to AHs. This independent monitoring report will be submitted to the PMU and WB for monitoring/following up the progress and effectiveness of the compensation. Or on the other hand, when the project is unfinished, the WB will continue to conduct monitoring until resettlement activities as mentioned in RP are implemented. When the project is finished, an Implementation Completion Report (ICR) will assess achievements of resettlement and learnt lessons which will be incorporated in the PMU's assessments in accordance with OP/BP 4.12, paragraph 24.12. If such assessment identifies that objectives of resettlement are not met as expectation, ICR will assess relevance level of resettlement measures and propose measures in next time, including follow-up monitoring of the Bank. Assessment contents of ICR will be based on the socio-economic survey for AHs which will be conducted at the end of project (or the end of subproject) and indicate impacts of land acquisition and impacts on livelihood of AHs.

13. COST ESTIMATE

13.1. FUNDING SOURCES

The resettlement plan will cover the detailed costs of compensation and restoration assistance, resettlement costs for specific land (agricultural land, residential land, etc.), types of works and other impacts. The project resettlement costs are prepared based on the updated compensation unit prices issued by the City People's Committee, which reflect the market value/ replacement cost of all affected assets at time of compensation.

During the project implementation, an independent valuation agency will conduct the replacement cost survey for land, assets and crops affected by the project. This agency shall establish a replacement cost as a basis for Danang City People's Committee for making decisions on compensation rate suitable with the market prices.

The funding source for different activities of resettlement programs is mentioned in the table of estimation cost. The cost for the implementation of Resettlement Plan will be taken from the counterpart fund and the cost for independent monitoring will be taken from the loan.

The budget for the RP implementation will be a part of counterpart fund of the GoV (budget of the Danang CPC). The Danang CPC will provide counterpart fund for the compensation and resettlement and this cost will be included in the total investment cost of the Project.

The PIIP-PMU will disburse this fund for land acquisition, assistance and resettlement of the project through the CRC. The CRC shall be responsible for paying directly for the project affected households.

13.2. REPLACEMENT COST SURVEY

The method to determine the losses of the projects financed by the World Bank is based on "REPLACEMENT COST". In this project, the losses include urban land, buildings and other assets. Urban land area with the same area and use purpose should be fixed based on replacement costs, taking into account the public works and social services plus the cost of registration and transfer taxes. For houses and other buildings, their values are determined by market prices of construction materials to build replacement houses with acreage and quality at least same as their old houses, or to repair the affected parts of structures plus the costs of transporting materials, labor and bidding costs, registration fees and transfer taxes, excluding depreciation of assets and value of salvage materials.

Land compensation rate

At the time of RAP preparation, the RCS consultant has not been identified and the RCS has not been implemented. However, to have basis for determining the cost estimate of compensation for the project components, the PMU has applied the latest rates issued by the city People's Committee, with reference to the market factors to apply provisionally calculated rates, using coefficient of K=1.5 as shown in Table 22 below.

Table 22: Proposed Compensation Unit Price of Residential Land

No.	District/Commune	Unit price under Decision No. 50/2014	Coefficient	Proposed unit price (VND)
	Hoa Vang district			
	2 project communes	460,000	1.5	700,000

Source: Resettlement Survey, May 2015

For the purpose of reference, the Consultant collected land unit prices for land on the roadsides on the real estate market from many different sources:

- Decision No.50/2014/QD-UBND dated 20 December 2014 of CPC of Danang city, promulgating regulations on prices of land in various categories in Danang city;
- Decision No.63/2012/QD-UBND dated 20 December 2012 of CPC of Danang, promulgating regulations on compensation, assistance and resettlement when the State acquires land in Danang city;
- Information from real estate transaction platforms and centers;
- Consultations with local authorities and DPs.

Unit price of land in the project area are determined based on the result of replacement cost surveys, through working with local authorities, and the information on the market transactions. The replacement cost survey also showed the different between the surveyed unit price and that established by the Da Nang CPC.

Compensation rate for architectural facilities

The feature of the houses in the project area is house grade 3 and 4, temporary house and insignificant number of solid brick houses. In addition, there are some other structures such as: Yards, gardens, living areas ... and some temporary structures. For houses associated with other structures affected during construction of the project, their value is determined by market prices of building materials to build a replacement house of the same area and

quality at least, or to repair the affected structures, plus transport material costs, labor costs, bidding cost, registration fees and transferable taxes. Asset and value of salvageable materials will not be deducted.

Through the review of new compensation policy issued by CPC of Danang for architectural works, the PMU proposed the compensation unit prices for architectural facilities, assets on land in the project area accordingly to Decision 50/2014/QD-UBND on 20 December 2014 by Danang People's Committee relating unit prices of houses and structures, graves, plus 20% inflation for such architectural objects. The prices for architectural items and the compensation prices for trees and crops are in the attached appendix. Based on the proposed rates, the estimated cost for compensation and assistance shall be determined in the following part: **Cost Estimate**.

The PIIP PMU notified that during implementation phase, an independent land valuer will be mobilized to survey and propose a set of replacement costs for all types of affected land (both agriculture and residential land) and assets, which will be served as basis for Danang City PC to decide compensation price to ensure that it is at the market price (Term of Reference for this Assignment is attached in the Annex ...).

13.3 COST ESTIMATE

Costs for compensation and resettlement including RP preparation and implementation costs and administrative and management costs are estimated based on the following items[7]:

- The costs for affected land and property compensation in the project area;
- The costs for the program of income restoration and special support for vulnerable groups (policy families, families deserving for the revolutions, family owned by women, disabled people, poor households etc.);
- The allowances, subsidies, bonuses for affected people to move out of the project areas as scheduled;
- The cost for recruitment of domestic resettlement specialists and independent consultant;
- Contingency cost: The new Land Law, every January, the city People's Committee will issue the unit prices of land. Experiences shows that in most cases, land prices increase gradually each year.

[7]The cost for CRCs at city, districts levels and local authorities for the implementation of the RP are disbursed from the city budget, which is not included in this Item.

The detailed statistical analysis of impacts and cost estimates will be divided into categories and represented in the part below.

Table 23: Cost Estimate

No	Items	Number of HHs	Unit	Rate Price/Unit	Quantity	Amount
Compensation for land, structure and other fixed assets						
A	**Land**				191,223	**37,939,725,915**
	Residential land	411	m2	700,000	50,977.3	35,684,132,400
	Agricultural land	249	m2	70,000	31,317	2,192,173,515
	Agricultural land assigned to HHs	4	m2	42,000	1,510.0	63,420,000
	Public land	2	m2		107,419	-
B	**Structure (Residential and shop)**					**25,740,000,000**
1	Permanent	206	m2	1,950,000	13,200	25,740,000,000
2	Semi-permanent	0		0	0	0
3	Temporary	0		0	0	0
C	**Other fixed assets**					**2,667,165,000**
	Kitchen	14	m2	1,430,000	420	600,600,000
1	Auxiliaries	24	m2	1,090,000	180	196,200,000
2	Walls	276	(m)	340,000	3,720	1,264,800,000
3	Yards	276	(m2)	100,000	4,470	447,000,000
4	Water tank	10	(m3)	635,000	22	13,970,000
5	Gate pier	109	pcs	675,000	109	73,575,000
6	Graves	53	pcs	1,340,000	53.0	71,020,000
D	**Allowance to cover Repair cost (Residential + Shops)**					**7,511,400,000**
-	Permanent	35	m2	1,950,000	3,852.0	7,511,400,000
E	**Trees, crops**					528,051,645
1	Trees				1,652	199,784,000
2	Crops (paddy)	25	tree	lump sum	32,827	328,267,645
F	**Sub -Total 1** = A+B+C+D+E					**74,386,342,560**
G	**Allowances**					**8,197,510,273**
1	Transitional Allowance	109	HH	3,000,000 dong/HH		327,000,000
2	House renting Allowance for displaced HHs	109	HH	1,500,000 VND/household/ month *6 months		1,251,000,000
3	Subsistence Allowance	476	Person	30kg of rice/person/month x 6 months		942,480,000
	Subsistence Allowance	73	Person	30kg of rice/person/month x 3 months		72,270,000

No	Items	Number of HHs	Unit	Rate Price/Unit	Quantity	Amount
4	Job changing Allowance	255	m2	105,000 VND/m2	31,317	3,288,260,273
	Compensation for loss of business	16	HH	3,000,000 VND/HH		48,000,000
5	Allowance for poor households	3	HH	3,000,000 VND/HH		9,000,000
6	Bonus for timely hand-over	555	HH	2,500,000 VND/HH		1,387,500,000
		109	HH	8,000,000 VND/HH		872,000,000
H	**Sub -Total 2 = F+G**					**82,583,852,833**
I	**Management cost**					**5,780,869,698**
1	Independent monitoring consultant (2%)				2%	1,651,677,057
2	Contingency (5%)				5%	4,129,192,642
K	**Total**				K = H + I	**88,364,722,531**
	Rounding					**88,360,000,000**
	USD					4,109,767

Accordingly, total cost of compensation, assistance and resettlement for the SCDP – the DH 2 Hoa Nhon – Hoa Son road and upgrading of two existing link routes (Danang SCDP) is **VND 88,360,000,000** ***(in words: Eighty eight billion, three hundred and sixty million Vietnam dong only)***, equivalent to $ 4,109 million.

ANNEXES

Annex 1: Minutes of Consultation Meetings

CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập - Tự Do - Hạnh phúc
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Đà Nẵng, Ngày 11 tháng 6 năm 2015

DỰ ÁN PHÁT TRIỂN BỀN VỮNG THÀNH PHỐ ĐÀ NẴNG

BIÊN BẢN HỌP THAM VẤN CỘNG ĐỒNG VỀ ĐÁNH GIÁ MÔI TRƯỜNG, TÁI ĐỊNH CƯ VÀ PHÁT TRIỂN XÃ HỘI

Hạng mục: Tuyến đường DH2
Phường/ xã Hòa Nhơn, quận/ huyện Hòa Vang thành phố Đà Nẵng

I. Thành phần tham dự

- Ông/Bà Nguyễn Tiến Phát Chức vụ CT UBND
- Ông/Bà Đặng Đức Chanh Chức vụ PCT UBND
- Ông/Bà Lê Văn Tâm Chức vụ CB địa chính
- Ông/Bà Huỳnh Trung Thanh Chức vụ CB ban QLDA
- Ông/Bà Nguyễn Ngọc Trường Chức vụ CB Tư vấn
- Ông/Bà Nguyễn Quốc Hưng Chức vụ //
- Ông/Bà Lại Việt Thắng Chức vụ //
- Ông/Bà ..... Chức vụ .....
- Ông/Bà ..... Chức vụ .....
- Đại diện những người bị ảnh hưởng: .....người (*chi tiết xem danh sách đính kèm*)

II. Nội dung tham vấn

1. Giới thiệu dự án Phát triển bền vững thành phố Đà Nẵng hạng mục bổ sung.
2. Chuyên gia môi trường trình bày những tác động môi trường bao gồm tác động lên môi trường tự nhiên và xã hội của khu vực dự án và những biện pháp giảm thiểu các tác động tiêu cực.
3. Chuyên gia tái định cư trình bày về bồi thường, giải phóng mặt bằng cũng như những tác động khi thu hồi đất và các tài sản trên đất, những chính sách của Chính phủ nước Cộng hoà xã hội chủ nghĩa Việt Nam và địa phương, chính sách của dự án trong vấn đề bồi thường thiệt hại khi Nhà nước thu hồi đất đai và các tài sản trên đất.
4. Tư vấn chuẩn bị dự án tiến hành thu thập các thông tin, trao đổi với người dân trong khu vực về các vấn đề liên quan đến hiện trạng kinh tế-xã hội, môi trường, các vấn đề xã hội tích cực hoặc tiêu cực sẽ phát sinh khi xây dựng các công trình, ý kiến đóng góp của người dân trong quá trình thực hiện dự án.

1

III. Ý kiến thảo luận

III.1 Về các vấn đề thu hồi đất và các tài sản trên đất

- Việc xây dựng, nâng cấp tuyến đường DH2 ảnh hưởng một phần đến đất và các tài sản trên đất, hưng nhiều chủ yếu là đất vườn, nhà cấp 4.
- Đa số người dân đồng tình với các chủ trương, chính sách của thành phố cũng như dự án về thu hồi đất và các tài sản trên đất

III.2 Các vấn đề về giới, hộ dễ bị tổn thương và hộ dân tộc thiểu số

Sự tham gia của phụ nữ và nam giới: phụ nữ và nam giới đều được tham gia vào các hoạt động đoàn thể, văn hóa, xã hội tại địa phương.

Vấn đề về buôn bán phụ nữ và trẻ em: Không có vấn đề về buôn bán phụ nữ và trẻ em tại địa bàn dự án

Các vấn đề xã hội liên quan: Không có các vấn đề xã hội phức tạp trên địa bàn dự án.

2

III. 3 Về các tác động môi trường tiêu cực và biện pháp giảm thiểu

- Việc xây dựng tuyến đường ĐH2 (từ xã Hòa Sơn đến xã Hòa Nhơn) giúp phát triển về giao thông, thuận tiện cho việc đi lại cũng như kết nối với các tuyến đường khác, phát triển kinh tế xã hội của địa phương. Tuy nhiên trong quá trình xây dựng có thể gây ra một số tác động tiêu cực đến môi trường như: ô nhiễm bụi, tiếng ồn, chất thải rắn, nước thải...
- Các biện pháp giảm thiểu các tác động tiêu cực của dự án đến môi trường đã trình bày chi tiết trong báo cáo ĐTM và EMP của dự án.
- Các tác động tiêu cực đến môi trường chủ yếu xảy ra trong giai đoạn thi công, các tác động này là tạm thời và đều giảm thiểu được.

IV. Kết luận

Chính quyền và người dân khu vực dự án đều đồng tình ủng hộ dự án, mong dự án nhanh chóng triển khai và sớm hoàn thành.

Đại diện Chủ đầu tư	Đại diện cộng đồng	Đại diện tư vấn	Đại diện UBND Phường
			CHỦ TỊCH
			Nguyễn Tấn Phát

CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập - Tự Do - Hạnh phúc

DỰ ÁN PHÁT TRIỂN BỀN VỮNG THÀNH PHỐ ĐÀ NẴNG

DANH SÁCH CÁC ĐẠI BIỂU THAM DỰ CUỘC HỌP THAM VẤN CỘNG ĐỒNG VỀ ĐÁNH GIÁ MÔI TRƯỜNG, TÁI ĐỊNH CƯ VÀ PHÁT TRIỂN XÃ HỘI

Hạng mục: Đường DH2

Phường, xã: Hòa Nhơn - Huyện Hòa Vang - TP. Đà Nẵng

STT	Họ và tên	Địa chỉ	Chữ ký	Ghi chú
1.	Bùi Văn Chuẩn	Bí Phước Hưng		
2.	Bùi Văn Ngọ	Phước Hưng		
3.	Bùi Đức Nam	Phước Hưng		
4.	Mạc Như Thắp	T Nhơn Tây		
5.	Võ Thị Thảo	T N Tây		
6.	Đỗ Hữu THANH	Thái Lai		
7.	LÊ DẦN	Thái Lai		
8.	Ng Tấn Phát	CT-UB xã		
9.	Đỗ Hữu Bảy	Phước Hưng		
10.	Lê Bích Kiên	Phước Hưng		
11.	Đinh Ngọc Huyền	Thạch Nhơn Tây		
12.	H Văn Tuấn	T Nhơn Tây		
13.	Đặng Văn Tư	Thái Lai		
14.	Ng Văn Luyện	Phước Hưng		
15.	Ng Đăng Thanh	Thái		
16.	Nguyễn Thử	Thị P/Hưng		
17.	Ng Tuấn	Phước Hưng		
18.	Phan Ngọc	P Thái		
19.	Nguyễn Ba	Thạch Nhơn Tây		
20.	Lê Tùng	Chùa Phước Thái		

STT	Họ và tên	Địa chỉ	Chữ ký	Ghi chú
21.	LÊ - VĂN - TRỖ	thôn thái lai	[signature]	
22.	Đặng Thị Pocốn	Thôn phước Thái	[signature]	
23.	Võ Hồng Lins	p Thái	[signature]	
24.	Nguyễn Thế Nghĩa	Thôn Nam Tây	[signature]	
25.	Đồng Đắc Chuẩn	KTMT - p Thái Hồ	[signature]	
26.	Đặng Công Hoa	Thôn Thái Lai	[signature]	
27.	Nguyễn Sang	Thôn phước Hưng	[signature]	
28.	Lê Văn Toàn	cb địa chính xã	[signature]	
29.	Trần Công Châu	thạch nham tây	[signature]	
30.	Huỳnh Trung Thành	Ban Quản lý Dự án	[signature]	
31.				
32.				
33.				
34.				
35.				
36.				
37.				
38.				
39.				
40.				

..... Ngày ...11..... tháng ...6..... năm 2015

Xác nhận của địa phương

CHỦ TỊCH

Nguyễn Tấn Phát

2

CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập - Tự Do - Hạnh phúc
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Đà Nẵng, Ngày 12 tháng 6 năm 2015

DỰ ÁN PHÁT TRIỂN BỀN VỮNG THÀNH PHỐ ĐÀ NẴNG

BIÊN BẢN HỌP THAM VẤN CỘNG ĐỒNG VỀ ĐÁNH GIÁ MÔI TRƯỜNG, TÁI ĐỊNH CƯ VÀ PHÁT TRIỂN XÃ HỘI

Hạng mục: Tuyến đường DH2

Phường/ xã Hòa Sơn, quận/ huyện Hòa Vang thành phố Đà Nẵng

I. Thành phần tham dự

- Ông/Bà Trần Kim Đính Chức vụ CT UBND phường
- Ông/Bà Hồ Văn Y Chức vụ Chánh VP UBND xã
- Ông/Bà Hồng Xuân Phước Chức vụ ĐC XD xã
- Ông/Bà Huỳnh Trung Thành Chức vụ CB BQL DA
- Ông/Bà Nguyễn Quốc Huân Chức vụ CB Tư vấn
- Ông/Bà Nguyễn Mạnh Trường Chức vụ //
- Ông/Bà Lại Việt Thắng Chức vụ //
- Ông/Bà..... Chức vụ .....
- Ông/Bà..... Chức vụ .....
- Đại diện những người bị ảnh hưởng: .....người (*chi tiết xem danh sách đính kèm*)

II. Nội dung tham vấn

1. Giới thiệu dự án Phát triển bền vững thành phố Đà Nẵng hạng mục bổ sung.

2. Chuyên gia môi trường trình bày những tác động môi trường bao gồm tác động lên môi trường tự nhiên và xã hội của khu vực dự án và những biện pháp giảm thiểu các tác động tiêu cực.

3. Chuyên gia tái định cư trình bày về bồi thường, giải phóng mặt bằng cũng như những tác động khi thu hồi đất và các tài sản trên đất, những chính sách của Chính phủ nước Cộng hoà xã hội chủ nghĩa Việt Nam và địa phương, chính sách của dự án trong vấn đề bồi thường thiệt hại khi Nhà nước thu hồi đất đai và các tài sản trên đất.

4. Tư vấn chuẩn bị dự án tiến hành thu thập các thông tin, trao đổi với người dân trong khu vực về các vấn đề liên quan đến hiện trạng kinh tế-xã hội, môi trường, các vấn đề xã hội tích cực hoặc tiêu cực sẽ phát sinh khi xây dựng các công trình, ý kiến đóng góp của người dân trong quá trình thực hiện dự án.

1

III. Ý kiến thảo luận

III.1 Về các vấn đề thu hồi đất và các tài sản trên đất

Dự án chủ yếu liên quan một phần đến đất thổ cư và tài sản trên đất, chủ yếu là nhà cấp 4 và cây ăn quả.

Đa số người dân đồng tình với chủ trương, chính sách của thành phố và dự án về đền bù tái định cư.

III.2 Các vấn đề về giới, hộ dễ bị tổn thương và hộ dân tộc thiểu số

Sự tham gia của phụ nữ và nam giới: Phụ nữ và nam giới đều được tham gia vào các hoạt động đoàn thể, văn hóa, xã hội tại địa phương.

Vấn đề về buôn bán phụ nữ và trẻ em: Không có vấn đề về buôn bán phụ nữ và trẻ em tại địa phương

Các vấn đề xã hội liên quan: Trên địa bàn dự án không có các vấn đề xã hội phức tạp.

2

III. 3 Về các tác động môi trường tiêu cực và biện pháp giảm thiểu

- Xây dựng đường ĐH2 (từ xã Hòa Nhơn đến xã Hòa Sơn) có thể gây ra một số tác động tiêu cực đến môi trường như: ô nhiễm không khí, bụi, ô nhiễm chất thải rắn, tiếng ồn, nước thải... Tuy nhiên các tác động tiêu cực này phát sinh trong giai đoạn thi công và là tạm thời vì có thể giảm thiểu được.
- Các biện pháp giảm thiểu các tác động tiêu cực đến môi trường nêu trên được trình bày chi tiết trong báo cáo ĐTM và EMP của dự án.

IV. Kết luận

Chính quyền địa phương và người dân đều ủng hộ dự án, mong dự án nhanh chóng triển khai và hoàn thành.

Đại diện Chủ đầu tư	Đại diện cộng đồng	Đại diện tư vấn	Đại diện UBND Phường
			CHỦ TỊCH
	Nguyễn Đức Chạy	Cai Việt Thắng	Trần Kim Đính

3

CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập - Tự Do - Hạnh phúc

DỰ ÁN PHÁT TRIỂN BỀN VỮNG THÀNH PHỐ ĐÀ NẴNG
DANH SÁCH THAM VẤN

Địa điểm: Xã Hòa Sơn Huyện Hòa Vang - TP. Đà Nẵng

Thời gian: 12/6/2015

Hạng mục: Tuyến đường DH2

STT	Họ và tên	Địa chỉ	Chữ ký	Ghi chú
1.	Nguyễn Công	xuân phú hòa sơn		
2.	Nguyễn Thên	phú ba hòa sơn		
3.	Nguyễn Hải	Xuân phú	Hau	
4.	Nguyễn Văn Đông	Xuân phú		
5.	Trần Việt Hiệp	Tây Sơn	Hiệp	
6.	Trần Quốc Bảo			
7.	Nguyễn Tuấn	Tây Sơn		
8.	Nguyễn Minh	nt		
9.	Nguyễn Nhân	Thôn xuân phú		
10.	Đoàn TS Hải	Thôn Tây Sơn		
11.	Võ Thị Nguyệt My	Thôn phú thường		
12.	Võ Nguyễn Anh	Thôn phú Thuận		
13.	[illegible]	" phú Hạ		
14.	[illegible]	" phú Hạ		
15.	Nguyễn Đức Khanh	Phú Thượng		
16.	Nguyễn Miel	Tây Sơn		
17.	[illegible]	Phú Thượng		
18.	[illegible]	[illegible]		
19.	[illegible]	[illegible]		
20	Hồ Văn Y	VP UBND Xã		

STT	Họ và tên	Địa chỉ	Chữ ký	Ghi chú
20.	Huỳnh Trọng Thành	Ban QLDA		
21.	Trần Kim Đính	PBT-CT UBND		
22.	Lê Trinh	TT Phú Thứ		
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Ngày ..... tháng ..... năm 2015

Xác nhận của địa phương

CHỦ TỊCH

Trần Kim Đính

2

Annex 2: Some Photos at Site

Annex 3: Socio-economic Survey Questionnaire

QUESTIONNAIRES FOR SOCIO-ECONOMIC AND ASSET SURVEY FOR PROJECT AFFECTED HOUSEHOLDS

A. SOCIO-ECONOMIC SURVEY

Name of surveyed area :…….. Ward …… District…….

Component: ……

Full name of interviewee:…….

Age :……. Gender: Male □ Female □ Relation with householder: .....

1. Information on PAHs

1.1. Householders:

1	**Name of householders**	
2	Gender:	1- Male 2- Female
3	Age	
4	People	1- Kinh / Vietnam 3- Chinese 2- Khmer 4- Others……
5	Marital status	1- Married 3- Divorced 2- Widowed 4- Single
6	Education level	1- Illiterate 4- Secondary school 2- Non-graduated from primary school 5- High school 3- Primary school 6- Others…….
7	Main jobs	1- Agriculture 6- Government employees 2- Fish raising/aquiculture 7- Teacher/Health care officer 3- Business 8 - Unemployed 4- Driver 9- Retired/housewife 5- Employee 10- Others (in detail)

1.2. Members in families

		Male	Female	Total
1	Members who always live in families			
2	0-5 age			
3	6-17 age			
4	18 age upwards			
5	Children in school age			
6	Number of main labor (16 years old upwards)			

2. Living conditions of households

1	Energy – lighting:……..	1- National grid	4- Petroleum	7- Coal
2	Energy – cooking: ……	2- Generators	5- Gas	8- Wood
		3- Battery	6- Candle	9- Others
3	Domestic water sources:……	1- Rainwater	4- Tap water	6- Purchase
		2- Excavated	5- Canal, river, pond	7- Others
		3- Deep built well/ drilled well		
4	Latrines:……	1- Two-apartment latrine	3- Public latrines	
		2- In-house latrine	4- No latrine	
		3-		

3. Income and expenditure of households

3.1. Income sources

1	Main income	1- Farming	6- State official/personnel
2	Extra income	2- Fish raising/aquiculture	7- Teachers, medical staff
		3- Business	8 - Unemployed
		4- Driver	9- Retired, housewife
		5- Employee	10- Others (details)

3.2. Total income

	Source	VND/ month	VND/ year
4	Main source		
5	Extra source		
6	Total (from all sources)		

4. Expenditure of households

Total average expenditure of households in one month?...……..VND

5. Kinds of families (ranked by Ministry of Labor, Invalid and Social Affairs)

1	Kind of households	1- Not poor	2- Poor	3- Very poor
2	Policy families	1- Invalids	3- Contributed to revolution	
		2- Martyrs	4- Mothers of heroes	

B. STATISTICS ON ASSETS (DMS)

Project items ……

1. Occupied land

Which kind of land affected by the project?

		Total area (m^2)	Affected (m^2)		When using for the first time?	Legal characteristics of land	Current land using status
			Permanently	Temporarily			
		1	2	3	4	5	6
1.1	Residential land/housing land						
1.2	Rice growing land						
1.3	Garden land						
1.4	Forest land/ tree planting land						
1.5	Shrimp/fish raising pond						
1.6	Other agricultural land						
1.7	Non-agricultural land						

Using for the first time:
1- Before 12/1980
2- From 1/1981 to 15/12/1993
3- After 15/12/1993

Legal characteristics:
1- Land using certificate or possibly obtain Land using certificate
2- Rent, borrowed or use temporarily.
3- Have no legal rights

Current land using status
1- For living only
2- For living /shops
3- Using as shops only
4- Production place/ garage
5- Other use
6- 3 crops of rice
7- 2 crops of rice
8- 1 crop of rice
9- Fruits on earth
10- Vegetables
11- Planting perennial trees
12- Raising shrimps and fish
13- Raising shrimps by extensive farming
14- In combination of raising rice/shrimps
15- Others (show in details)

2. Affected architectural objects

Which main architectural objects affected by the project?

	Kind of works	Total area (m^2)	Affected area (m^2)	Class of house	Current using status	PAHs renting houses		How to be affected?
						Yes	Renting fee in one month (VND)	
	1	2	3	4	5	6	7	8
2.1								

2.2								
2.3								
2.4								

Kind of work: 1- For living only - Shop 5- Community
2- Living/shop 4- Industry / store 6- Others

Class of house: 1- Class 1 4- Class 4
2- Class 2 5 – Temporary
3- Class 3 house

Current using status: 1- For living only 5- Industry / store
2- For living /shops 6- Renting structures
3- Using as shops only 7-Others (show in details).....
4- Community (schools,…)

Which kind of auxiliary works affected by the project?

	Kind of works	**Part to be affected**			**Type of initial construction materials**	**How are works affected?**
		M^2	**M**	**Quantity**		
	1	2	3	4	5	6
2.5						
2.6						
2.7						
2.8						
2.9						
2.10						

Architectural objects:

1- Eaves
2- Eaves/brick wall and sidewalks
3- Kiosk for business
4- Kitchen /toilet/ separate bathroom
5- Animal cages
6- Fence
7- Gates
8- Drainage culverts
9- Well
10- Graves
11- Watt-hour meters
12- Water meter
13- Communication cable, ADSL
14- Water pipeline
15- Others

Initial construction materials: 1- Bamboo 4- Concrete
2- Wood 5- Corrugated iron/steel and iron
3- Brick 6- Others…….

3. Affected trees

	Group of trees	Quantity of PAHs		Size/age	
		Quantity	m^2	Year	Diameter (cm)
	1	2	3	4	5
3.1	Group 1				
3.2	Group 2				
3.3	Group 3				
3.4	Group 4				
3.5	Group 5				
3.6	Group 6				
3.7	Group 7				

Group 1 – Longan, coconut-palm, mango, star apple
Group 2 – Orange, mandarin orange, grapefruit, seri
Group 3 – Guava, malva nuts, pepper, papaya
Group 4 – Papaw, banana, others
Group 5 – Ananas, sugarcane
Group 6 – Eucalyptus, conch, acacia, china tree
Group 7 Cajuput, bamboo, others

C. CONSULTATION ON COMPENSATION AND RESETTLEMENT

1. Which mode of compensation do you want to receive?

4. Land for land for building □1
5. Compensation in cash □2
6. Compensation in cash and land □3
7. Other modes (please mention in detail) ……..

2. (Interview relocation households) **Where do your family want to resettle?**

8. Want to live at current ward □1
9. Want to live in the resettlement area in the city □2
10. Want to live in resettlement apartments □3
11. Want to buy/arrange habitat by self □4
12. Other modes (please mention in detail) ……. □5

3. Are you willing to contribute to construction of infrastructure at community or of the city (for households in Component A) or not?

13. Yes (continued with questions 3.1) □1
14. No (continued with questions 3.2) □2

3.1. If yes, how do you want to contribute?

15. Donate the affected land (without receiving compensation) □1
16. Donate affected architectural objects □2
17. Contribute in cash □3
18. Other modes (please mention in detail)..... □4

3.2. If no, why?

19. Have no money to contribute □1
20. That is responsibility of the state □2
21. Other reason (please mention in detail):…….. □3

4. Which support do you want to receive from the project?

- Vocational training □1 What kind of jobs.....
- Borrowing loand □2
- Creating jobts □3
- Others □4 Please mention in detail: ……
- Have no proposal (please continue with question 5.2.1) □5

4.1. In case without proposals, what do you intend to restore your income?

(please mention in detail*)*

…….....

5. Do you have any other opinions on compensation/assistance?

……

Thanks for your participation in this interview

Confirmation of family **Interviewers** **Confirmation of ward PC**

UỶ BAN NHÂN DÂN **THÀNH PHỐ ĐÀ NẴNG**	**CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM** **Độc lập - Tự do - Hạnh phúc**
Số: 7900 /UBND-QLĐTư V/v liên quan đến dự án Cải tạo nâng cấp tuyến đường ĐH2 (Hòa Nhơn – Hòa Sơn)	*Đà Nẵng, ngày 06 tháng 9 năm 2014*

SỞ CÁC DỰ ÁN ĐẦU TƯ CSHT ƯU TIÊN ĐÀ NẴNG
ĐẾN Số: 1566
Ngày: 10/9/2014
Chuyển: phòng Kế hoạch
Lưu hồ sơ số:

Kính gửi:
- Sở Kế hoạch và Đầu tư;
- Sở Giao thông Vận tải;
- Ban Quản lý các dự án đầu tư cơ sở hạ tầng ưu tiên.

Xét đề nghị của Sở Giao thông Vận tải tại Công văn số 3065/SGTVT-KH ngày 26/8/2014 về việc bổ sung hạng mục Cải tạo nâng cấp tuyến đường ĐH2 (Hòa Nhơn – Hòa Sơn) vào dự án Phát triển bền vững thành phố Đà Nẵng; Chủ tịch UBND thành phố có ý kiến như sau:

Đồng ý chủ trương theo đề nghị của Sở Giao thông Vận tải tại Công văn nêu trên:

- Cho phép tiếp tục triển khai hoàn chỉnh hồ sơ thiết kế cơ sở và lập hồ sơ thiết kế bản vẽ thi công – dự toán của công trình Cải tạo nâng cấp tuyến đường ĐH2 (Hòa Nhơn – Hòa Sơn) từ nguồn vốn đối ứng của dự án Phát triển bền vững thành phố Đà Nẵng. Lưu ý chủ trương của UBND thành phố tại Công văn số 6109/UBND-QLĐTư ngày 14/7/2014.

- Giao Sở Giao thông Vận tải, Ban Quản lý các dự án đầu tư cơ sở hạ tầng ưu tiên rà soát cân đối toàn bộ chi phí của dự án và có văn bản xin ý kiến không phản đối của Ngân hàng thế giới về việc bổ sung công trình Cải tạo nâng cấp tuyến đường ĐH2 (Hòa Nhơn – Hòa Sơn) vào dự án Phát triển bền vững, làm cơ sở triển khai các bước tiếp theo.

Căn cứ ý kiến chỉ đạo nêu trên, yêu cầu Thủ trưởng các cơ quan có liên quan tổ chức, triển khai thực hiện./.

Nơi nhận: - Như trên; - UBND huyện Hòa Vang; - Lưu: VT, QLĐTư (A.MTrí).	**CHỦ TỊCH** **Văn Hữu Chiến**

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