Vinh Long Urban Development and Climate Resilience Project (P171700)

RESettlement POLICY FRAMEWORK (RPF)

Vinh Long, March 2020
PREFACE

This document is called the Resettlement Policy Framework (RPF) for the “Vinh Long Urban Development and Climate Resilience Project”. It has been developed in compliance with World Bank’s Environmental and Social Framework (ESF), specified in the Environmental and Social Standard 5 (ESS5) and the regulations of the Government of Vietnamese (GOV) on compensation, assistance and resettlement for Vinh Long city.

This RPF will be applied to all activities, projects and other investments under the Vinh Long Urban Development and Climate Resilience project to be financed by the World Bank that involve land acquisition, compensation, and relocation.
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### ABBREVIATIONS

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<th>Abbreviation</th>
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<tr>
<td>CLFDC</td>
<td>City Land Fund Development Center</td>
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<tr>
<td>CPC</td>
<td>City People’s Committee</td>
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<tr>
<td>CSCC</td>
<td>Compensation and Site Clearance Committee</td>
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<tr>
<td>DARD</td>
<td>Department of Agriculture and Rural Development</td>
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<td>DMS</td>
<td>Detailed Measurement Survey</td>
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<td>DOLISA</td>
<td>Department of Labor Invalid and Social Affairs</td>
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<td>DPs</td>
<td>Displaced Persons</td>
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<td>ESF</td>
<td>Environmental and Social Framework</td>
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<td>FS</td>
<td>Feasibility Study</td>
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<td>GFU</td>
<td>Grievance Facilitation Unit</td>
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<td>GIS</td>
<td>Geographical Information System</td>
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<td>GOV</td>
<td>Government of Vietnam</td>
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<td>HHs</td>
<td>Households</td>
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<td>IMA</td>
<td>Independent Monitoring Agency</td>
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<td>IOL</td>
<td>Inventory of Losses</td>
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<td>LURC</td>
<td>Land Use Right Certificate</td>
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<tr>
<td>MDR</td>
<td>Mekong Delta Region</td>
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<tr>
<td>MOLISA</td>
<td>Ministry of Labor Invalid and Social Affairs</td>
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<tr>
<td>MONRE</td>
<td>Ministry of Natural Resources and Environment</td>
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<tr>
<td>NGO</td>
<td>Non-Government Organization</td>
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<tr>
<td>NH</td>
<td>National Highway</td>
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<td>PAHs</td>
<td>Project Affected Households</td>
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<td>PAPs</td>
<td>Project Affected Persons</td>
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<tr>
<td>PM</td>
<td>Prime Minister</td>
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<td>PMU</td>
<td>Project Management Unit</td>
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<tr>
<td>PPC</td>
<td>Provincial People Committee</td>
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<td>PR</td>
<td>Provincial Road</td>
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RP  Resettlement Plan
RPF  Resettlement Policy Framework
ROW  Right-of-Way
SES  Socio-Economic Survey
TOR  Terms of Reference
USD  US Dollar
VND  Vietnam Dong
WB  World Bank
WPC  Ward People’s Committee

Unit:  Kilometer: km; Meter: m; Hectare: ha
GLOSSARY

Compensation (in cash or in kind): For loss of assets and rehabilitation measures to restore and improve incomes will be determined in consultation with the PAPs. Compensation for loss of assets will be at replacement costs.

Census and Inventory of Losses (IOL): If the project needs to change the use of land or acquire land for project purposes, a Census of people that will be affected and an IOL will be undertaken based on the technical design of the project. The Census will include key socioeconomic information on the PAPs, such as main occupations, sources of income, and levels of income in order to be able to determine vulnerable households as well as to establish baseline data for monitoring livelihood restoration of the PAPs. The IOL will include a detailed description of all affected lands, trees and structures, to be acquired permanently or temporarily in order to complete the Project; the names of the persons entitled to compensation (from the census); and the estimated full replacement costs, etc.

Cut-off-date: Date by which a project area is delineated, prior to the census. The delineated project area must be effectively and publicly announced by Vinh Long PPC. This announcement must be systematically and continuously repeated to prevent further population influx. Project affected households and local communities will be informed of both the cut-off date for the project, and that anyone moving into the Project Area after that date will not be entitled to compensation and assistance under the Project.

Eligibility: Is the criteria to be used for the project to determine those PAPs who shall be entitled to be compensated and assisted under the resettlement program.

Host community: Community residing in or near the area to which affected people are to be relocated.

Involuntary Resettlement: Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, including those that lead to loss of income sources or other means of livelihood), or both

Land acquisition: The state issued the decision to recover the land use rights which has been given to land users in accordance with current regulations.
Livelihood (income): Is a set of economic activities, including freelance work and/or paid employment through a person’s own resources (including human resources and material) to generate sufficient resources to meet needs of self and of family on a sustainable basis. This activity is usually performed repeatedly.

Livelihood (income) restoration: Livelihoods restoration refers to the compensation provided for PAPs who suffer loss of income sources or access to livelihoods to restore their income and living standards to the pre-displacement levels.

Productive land: Refers to the various sub-categories of land that are used for agricultural purposes (as opposed to land used for residential purpose), including agricultural, forestry, garden, aquaculture and pond land.

Project Affected Persons (PAP): Individuals, organizations or business establishments being directly affected socially and economically by WB-funded projects caused by the involuntary acquisition of land and other assets that results in:

(a) Relocation or loss of shelter;

(b) Loss of assets or loss of access to assets;

(c) Loss of their income sources or means of livelihood, whether or not the affected persons must move to another location, and

(d) The involuntary restriction of access to legally designated parks or protected areas causing adverse impacts on their livelihoods.

Replacement Cost: The amount that is required to replace an affected asset without depreciation or deductions for salvageable materials, inclusive of taxes, and/or costs of transactions. It is calculated before displacement as follows:

(a) Productive land (agricultural, fishponds, gardens, forests) based on market prices that reflect recent land sales of comparable land in the city and other nearby areas or, in the absence of such recent sales, based on the land’s productive value;

(b) Residential land based on market prices that reflect recent transactions of comparable residential land in the city and other nearby areas or, in the absence of such recent land transactions, based on transactions in other locations with similar qualities;

(c) Houses and other related structures based on current market prices of materials and labor without depreciation.
or deductions for salvaged building materials plus fees for obtaining the ownership papers;

(d) Trees and domestic animals based on the current market value of the trees/animals at the time of compensation;

**Replacement Cost Survey**

The process for determining the replacement cost of land, houses and other affected assets based on market surveys.

**Resettlement**

This Resettlement Policy Framework (RPF), is in accordance with the World Bank’s Environmental and Social Framework (ESF). It covers the involuntary acquisition of land that results in (i) relocation or loss of shelter, (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons are required to move to another location.

**Resettlement Assistance**

Additional support provided to the PAPs 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 their pre-project condition.

**Severely affected households**

Households who lose 20% or more of their productive land area (10% or more for the vulnerable) are considered as severely affected as a result of the project.

**Vulnerable Groups and Individuals at risk**

Person or a group of people who might, due to project land acquisition and resettlement, suffer disproportionately from adverse impacts of the project and/or be less able to access the project benefits and asset compensation, including livelihood restoration, when compared to the rest of the PAPs. Vulnerable people include: (i) single female headed households with dependents and economic disadvantage (single, widow, disabled husband); (ii) people with physical or mental disability (loss of working ability); (iii) the poor under MOLISA standard; (iv) the elderly alone; (v) ethnic minority people; and (vi) social policy families (as defined by Vinh Long province). List of the vulnerable will be determined throughout SES and public consultation during project preparation.
I. INTRODUCTION

1.1 Background

1. Climate change is a significant challenge to countries, specially developing countries such as Vietnam. According to the assessment of international organizations, Vietnam is one of five countries most seriously affected by the climate change. In all areas in Vietnam, Mekong Delta Region is in high risks of climate change and natural disasters such as heavy rains and floods. This has greatly influenced the socio-economic development of the region. About half of the land area of Mekong Delta Region is flooded each year, and this area is exacerbated by land subsidence and rising sea levels. Saline intrusion and coastal erosion cause impact on the domestic water resources of the Mekong Delta Region and will be more and more serious in the future without corrective or adaptive measures.

2. Evaluating the importance of the urbanization in the climate change context, the GOV had approved the Plans and Proposals such as: Decision No.445/QD-TTg dated April 07, 2009 on approving modification of the Master Plan for Development of Vietnam’s Urban System by 2025 with Vision to 2050; Decision No.2623/QD-TTg dated December 31, 2013 of the Prime Minister on approving the Proposal “Vietnam Urban Development for Responding the Climate Change period 2013-2020”. In addition, to develop green and sustainable spaces in urban areas as well as to develop a system of smart cities in Vietnam step by step in the period of 2014-2018, the Prime Minister has promulgated Decision No.403/ QĐ-TTg on approving National Action Plan on Green Growth in the period of 2014-2020 and Decision No.950/QĐ-TTg on approving National Action Plan on Green Growth, proposal of smart city development in the period of 2018-2025 and orientations to 2030. These plans are the prerequisite and the basis for the urban areas in Vietnam to develop in the context of climate change responding and sustainable development.

3. The proposed project will take an integrated multisectoral approach to promote the economic and demographic densification of Vinh Long’s urban core, thereby unlocking the City’s development potential and enabling the City to function as an economically and physically integrated metropolitan area. The project investments include a comprehensive set of structural and non-structural interventions to improve access to infrastructure and to reduce the flood and environmental pollution risk in the urban core area of Vinh Long city, through developing flood control systems and nature-based solutions, wastewater collection and treatment, as well as key transport links. These measures will eliminate the physical constraints to development in the urban core, increase land values, stimulate private capital investments, and reduce the pressure for urban sprawl. Increased demand on land will also create an opportunity for the local government in Vinh Long to capture some of the associated land value increase from private development. By providing comprehensive improvement to infrastructures in the urban center where most poor people live and increasing the connectivity of these areas to other parts of the city, especially centers of employment, the project is expected to improve the living conditions of the poor and vulnerable populations and increase their accessibility to jobs and public services. Citizens and community organizations will be engaged throughout the project preparation and implementation process in order
to raise their awareness about flood risks and enhance their ownership of the project. Providing technical assistance to improve urban planning, transport management and the operation and maintenance of infrastructure will enable the city to become more interconnected, livable and resilient to disasters.

### 1.2 Objective of the Vinh Long UDCR

4. To improve access to infrastructure and connectivity and to reduce flood risk in the urban core area of Vinh Long city.

### 1.3 Project components

5. The project is organized around four components:

**Component 1: Flood risk management and environmental sanitation**

6. The objective of this component is to reduce flood related risks and improve environmental sanitation in the urban core of Vinh Long city through investments in drainage, flood protection structures, sewage networks and wastewater treatment. In addition to improving the environmental sanitation conditions in the city, the upgrading of wastewater collection and treatment in Vinh Long will contribute to improving surface water quality. Design of this component will be based on existing national building codes and standards and investment proposals will be selected based on assessment of the flood risks, including flood hazard and the vulnerability of the affected community. Investments will consist of a balance between gray and green infrastructure (or nature-based solutions).

7. **Sub-component 1.1: Flood mitigation and Urban drainage.** This sub-component will finance flood mitigation structures such as embankments and tidal sluice gates, rehabilitation and improvement of the canal and drainage system in the city core areas, as well as investments in green infrastructure to retain and infiltrate rainwater. A polder approach will be used for flood mitigation, which can be expressed as a structural system consisting of: i) a closed “ring embankment with tidal sluice gates” to protect areas on the edge of rivers from high water levels (i.e., river and tide floods); and, ii) a drainage system including open canals, sewers, storm rainwater retention, and pumps to facilitate run off of rain water.

8. In line with city planning\(^1\) three polders will be established in order to protect Vinh Long’s core urban area (1,788 ha across seven urban wards) from river and tidal flooding. A hydraulic modeling study was completed to assess the city’s flood risk with updated data, analyze the cost benefit of various investment options, and demonstrate how green solutions such as retention areas could play a more important role as part of the overall flood mitigation strategy. The stabilization of the polder embankment will consider green bio-engineering methods. Where possible, the creation of amenities comprising green spaces with native and shade providing tree species and promenades with tracks and boardwalks along the embankment will be provided for both cyclists and pedestrians in order to turn the waterfront into an attractive recreational area.

9. Urban drainage investments will finance 30 km of new and upgraded drainage pipeline, as well as dredging of 22 km of canals including bank improvements. These

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\(^1\) Flood Control Plan for Vinh Long city (approved by MARD in 2013) and the Adjusted Construction Master Plan for Vinh Long city (approved in 2020).
investments are critical for enhancing the capacity of rainfall capture, retention, conveyance and infiltration in order to reduce flood risks and sustain the significant private and public investments in the inner parts of the city. The designs of drainage infrastructure are in compliance with existing national building codes and standards, and are based on up to date climate data. Climate change scenarios produced by MONRE have been incorporated into hydraulic modeling work for resilient measures such as green infrastructure and non-structural approaches. Secondary flow paths for the conveyance of flood water in excess of the drainage system capacity will be considered. Low lying areas in the urban center, often occupied by relatively low income inhabitants, are particular vulnerable and need extra care. The scope and design of investments in these areas will be developed through a participatory process, similar to that used under the SUUP.

10. **Sub-component 1.2: Wastewater collection and treatment system.** This sub-component will finance the construction of a separated stormwater and wastewater collection system, including over 60 km of primary and secondary sewers, over 87 km of tertiary sewers, 5 pumping stations, over 16,000 household connections and a sequencing batch reactor (SBR) wastewater treatment plant (WWTP). Wastewater collection and treatment will be prioritized for urban inner areas (covering 7 wards including ward 1, 2, 3, 4, 5, 8 and 9), with an estimated service population of approximately 119,000 people (about 80% of city’s total population), covering a land area of about 2,060 ha. The treatment capacity of the WWTP in 2023 is estimated to be up to 15,000 m3/day-night. To improve monitoring and control, a Supervisory Control and Data Acquisition (SCADA) system will be installed at the WWTP. The project will provide technical assistance to explore options to involve the private sector in the construction and operation of the WWTP, such as a Build Operate (BO) contract with an operation period of 5 years, in order to improve the quality, sustainability and cost effectiveness of wastewater services. The use of renewable energy sources such as solar energy will be explored to meet a portion of the treatment plant’s energy demand. To maximize the public health benefits of the investments under sub-component 1.2, the project will conduct a community-based Information, Education and Communication (IEC) campaign to encourage households to connect to the sewer system and to maintain their connections in good working order.

11. **Sub-component 1.2 will also provide comprehensive capacity building and training for all stakeholders on managing the service contract of the WWTP and the network, including associated facilities, as well as institutional development and strengthening in the areas of: asset management; O&M arrangements including transparency and accountability mechanisms; connecting households to the network; improving septage management; and developing cost-reflective tariff mechanisms.**

**Component 2: Strategic corridors development**

12. Development of the core urban area is currently segmented by several national roads with the inter-city traffic flow passing through the city, leading to safety concerns and air pollution. This component will finance prioritized investments in roads as
identified in the City’s Master plans\(^2\), in order to increase regional and intra-city connectivity. Specifically, the project will finance three urban roads: the first two roads run through the existing built-up area, creating important vertical and horizontal links in the urban road network; the third road diverts inter-city traffic from the national roads and future expressway and serves as a development boundary to the south. Two of these three roads in the south also form part of the overall flood control scheme, serving as the boundary of the current and future polder system. The proposed roads will improve traffic safety by providing alternative routes for the inter-city traffic to bypass the city center, provide better accessibility for residents to jobs, education, and other services, and allow for mixed land uses and densification in less flood prone areas. Increased accessibility and connectivity as a result of the new and improved transport infrastructure is likely to increase land values and investment opportunities along transport corridors, which is value-creation that the government can capture using a variety of mechanisms. Land use regulations and development control will be carefully considered along the road in the south that forms the city’s development boundary. In doing so, the city has the opportunity to proactively guide urban growth to areas with lower flood risk and densify the urban core area, while minimizing the risk of urban sprawl.

13. The project will also promote non-motorized transport options as well as consider the future creation of urban public transport networks in the design of main roads. The road width will be based on sound analysis of travel and traffic demand. Traffic safety issues will be thoroughly reviewed and addressed, especially at intersections with major roads and transit roads of national highways/bypasses, as well as pedestrian crossings. To address the potential impacts of climate change, road drainage structures will be designed based on hydrologic analyses that adopt climate change scenarios while the elevation of roads will take into account projected increases in seawater levels. The design will also incorporate international experience in nature-based solutions such as “green roads” comprising pervious pavement and water absorbing tree pits and landscape, as well as universal access criteria to provide a network of accessible pedestrian routes with appropriate tactile pavement and improved sidewalk space and pedestrian crossings, while taking into account appropriate parking spaces for motorcycles to reduce the obstruction to pedestrians.

Component 3: Resettlement Area Development (WB Loan/Credit: US$ 4.9 million)

14. The project will try to minimize resettlement impacts through adopting fit-for-purpose standards and appropriate design, however, significant resettlement impacts are expected due to the proposed investments, particularly under the embankments in Component 1 and the roads in Component 2. An estimated 550 households may have to be relocated under the project. This component will ensure improved living conditions and security of tenure for those target communities who are subject to relocation and resettlement under the project. An investment for technical and social infrastructure at the resettlement site in Ward 8 of Vinh Long City will be proposed with green and nature-based solutions incorporated, such as park connectors, water absorbing tree pits

\(^2\) Draft Adjusted Construction Master Plan of Vinh Long City, and approved Adjusted Transport Development Master Plan up to 2020 with a vision to 2030 dated 2018

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and landscapes, pervious pavements, stormwater detention ponds, raingardens, etc. This resettlement site covers an area of 12.5 hectares (over 550 plots) which is currently agricultural land and not occupied by any households, easing the compensation process. In addition, the resettlement site is assessed to be appropriate as it is just 5 km from the city center and close to National Road 53. Services (water, drainage, electricity, access roads) are already present along the proposed resettlement area, which will facilitate the development of the site.

**Component 4: Enhancing Climate Resilience and Leveraging Disruptive Technologies in Urban Management**

15. This component aims to improve urban management in a climate and risk informed manner and to set the stage for the development of Vinh Long as a smart city through leveraging disruptive technologies. The proposed project will support implementation of Vinh Long’s smart city ICT framework currently being developed, through investments in data and ICT infrastructure including software, in conjunction with counterpart fund from the province. Key investments under Component 4 include: an integrated flood risk management information system; a geospatial data sharing platform to improve data sharing across different departments; and an intelligent transportation system.
1.4 Resettlement Policy Framework (RPF)

16. Based on the preliminary design, the scale/scope of impacts have been estimated using overlaid google maps and preliminary designs. During detailed design, there may be new investments or adjustments to the proposed investments. Therefore, as sufficient and reliable information about the proposed project and its potential impacts are not currently available, a Resettlement Policy Framework (RPF) will be prepared at this stage.

17. This RPF is prepared based on the World Bank’s Environmental and Social Framework (ESF) and the Vietnam’s relevant laws and regulations. The objective of this RPF is to establish resettlement principles, organizational arrangements, funding mechanisms, and design criteria to be applied to projects to be prepared during project implementation. This RPF will be applied to all activities of this project that result in involuntary resettlement, regardless of the source of financing. Project RPs consistent with the policy framework will be submitted for the World Bank for clearance after specific planning information becomes available.

18. The Law on Land No. 45/2013/QH13, Article 87.2 states “…For the projects using loans from foreign and international organizations, for which Vietnam has committed to a policy framework for compensation, support and resettlement, that framework shall apply”. So, this Resettlement Policy Framework of the project is prepared in compliance with the World Bank’s E&S standards and the Vietnam's Laws and Decrees on compensation, assistance and resettlement.

19. The basic objective of the RPF to ensure that all project affected persons (PAPs) will be compensated at replacement cost and assisted with restoration measures to help them improve or at least maintain their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. The RPF is prepared to guide the preparation of RPs during the project implementation phase. The RPF gives out bases for preparing, reviewing and approval of RPs for the projects that require land acquisition, compensation and resettlement regardless of financial sources.

20. This Resettlement Policy Framework is to be submitted to the Vinh Long Provincial People’s Committee for approval and endorsed by the World Bank before Appraisal. The RPF has been disclosed in the Vietnamese language and made available on the project website and made available in the project area for affected communities on February 20, 2020. The English version of the RPF has been publicly disclosed at the World Bank internal and external website on March XXX, 2020.

1.5 Associated facilities

21. The new ESF requires the application of the ESSs to Associated Facilities. The Bank will require the Borrower to demonstrate the extent to which it cannot exercise control or influence over the Associated Facilities by providing details of the relevant considerations, which may include legal, regulatory and institutional factors. For the purpose of this Policy, the term “Associated Facilities” means facilities or activities that are not funded as part of the project and, in the judgment of the Bank, are: (a) directly and significantly related to the project; and (b) carried out, or planned to be carried out,
contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed, expanded or conducted if the project did not exist.\(^3\) To this end, screening will be carried out during the preparation for each investment and where relevant, mitigation measures will be subsequently developed and integrated in the RP.

### 1.6 Scope of impacts on Land acquisition and resettlement

22. The project will be implemented in 07 communes/wards of Vinh Long city and 4 communes of Long Ho district. The project will request land acquisition for Components 1, 2 and 3. Due to the lack of technical information, preliminary estimates were based on a visual survey and map overlays, the number of affected households is estimated at around 1,800, of which around 550 households are estimated to be entirely affected and need relocation. During detailed design, the PMU and consultant will propose mitigation measures to reduce land acquisition and resettlement (for example by reviewing the design of the embankments and if possible, making some adjustments especially in the densely populated sections of the canals to be upgraded (i.e. Long Ho canal)).

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\(^3\) For facilities or activities to be Associated Facilities, they must meet all three criteria.
Table 1: Summary Estimated Number of Household Affected

<table>
<thead>
<tr>
<th>TT</th>
<th>Investment Items</th>
<th>Quantities</th>
<th>Estimated PAHs</th>
<th>Relocated HHs</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td><strong>Component 1: Flood risk management and environmental sanitation</strong></td>
<td></td>
<td>930</td>
<td>335</td>
<td></td>
</tr>
<tr>
<td>I</td>
<td><strong>Sub-component 1.1: Urban drainage system</strong></td>
<td></td>
<td>130</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Investment in a pipe culvert system with diameter D400-D1200 for roads in the core urban area</td>
<td>30,000 m</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Rehabilitation of sidewalks in combination with green trees and investment in lighting system</td>
<td>240,000 m2</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Improvement of main drainage canal: dredging, soft embankment</td>
<td>22,000 m</td>
<td>130</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>I.2</td>
<td><strong>Sub-component 1.2: Wastewater collection and treatment system</strong></td>
<td></td>
<td>200</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Wastewater connection to households</td>
<td>26,000 benefited HHs</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Class III pipeline network with PVC pipes from 160 to 225</td>
<td></td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>The wastewater drainage network includes a separate sewer,</td>
<td></td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>pressure drainage systems of HDPE and u.PVC with dimension of D300-400, manholes,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>collecting wells, combined sewer overflow, etc.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Construction of wastewater pump station with a capacity from 300-15,000m3/day</td>
<td></td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Wastewater treatment plant with expected capacity of 15,000 m3/day</td>
<td></td>
<td>200</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>VT</td>
<td>Investment Items</td>
<td>Quantities</td>
<td>Estimated PAHs</td>
<td>Relocated HHs</td>
<td>Note</td>
</tr>
<tr>
<td>----</td>
<td>-------------------------------------------------------</td>
<td>------------</td>
<td>----------------</td>
<td>---------------</td>
<td>-------------------------------------------</td>
</tr>
<tr>
<td>I.3</td>
<td>Flooding mitigation in the urban core area</td>
<td></td>
<td>600</td>
<td>280</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Embankment of Long Ho river + operation road of 5m length along the embankment</td>
<td>6 Km</td>
<td>600</td>
<td>280</td>
<td>10m ROW from river bank</td>
</tr>
<tr>
<td>2</td>
<td>Construction of 09 tidal preventing culverts</td>
<td></td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>I.4</td>
<td>Construction and operation of the flooding risk control system</td>
<td></td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>II</td>
<td>Component 2: Strategic corridors development</td>
<td></td>
<td>750</td>
<td>215</td>
<td></td>
</tr>
<tr>
<td>II.1</td>
<td>Vertical connection road between Ward 8 and Ward 9</td>
<td>3Km</td>
<td>150</td>
<td>65</td>
<td>Width 30m</td>
</tr>
<tr>
<td>II.2</td>
<td>Urban main road No. 1</td>
<td>5,5 Km</td>
<td>300</td>
<td>70</td>
<td>Width 30m</td>
</tr>
<tr>
<td>II.3</td>
<td>Urban main road No. 2</td>
<td>5,8 Km</td>
<td>300</td>
<td>80</td>
<td>Width 30m</td>
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<tr>
<td>II.4</td>
<td>Supply of equipment for smart transport system management</td>
<td></td>
<td>0</td>
<td>0</td>
<td></td>
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<tr>
<td>III</td>
<td>Component 3: Resettlement site</td>
<td></td>
<td>120</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Construction of technical and social infrastructure for resettlement area</td>
<td>12,5 ha</td>
<td>120</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>IV</td>
<td>Component 4: Improvement of Urban management resilient to climate change</td>
<td></td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td>1,800</td>
<td>550</td>
<td></td>
</tr>
</tbody>
</table>
II. NATURAL AND SOCIAL CONDITIONS IN THE PROJECT AREA

2.1. Overview of natural and social conditions in the project area

23. Vinh Long is located in the center of Mekong Delta Region, in the middle of the Tien Hau rivers, with an area of 152,017.6 ha. The province has a population of 1.1 million and covers 8 administrative units, including 6 districts (Binh Tan, Long Ho, Mang Thit, Tam Binh, Tra On and Vung Liem); Binh Minh townships and Vinh Long city with 109 communes, wards and towns (94 communes, 5 towns and 10 wards).

24. The Urban Development and Climate Resilience Project - Vinh Long project is expected to implement in Vinh Long city and Long Ho district (where the WWTP is located). Information about natural conditions and socio-economic characteristics in the project area is presented below:

❖ Vinh Long city

25. **Geographic location:** Vinh Long city is located in the center of the Mekong Delta Region and is the administrative - political center of Vinh Long province. The city is about 136 km from Ho Chi Minh city to the North-East and 40 km from Can Tho city to the South. Vinh Long city is located in the north of Vinh Long province at the intersection of the Tien river and the Co Chien river. The city’s borders are the Tien river, the Co Chien river and Long Ho district in the north Long Ho district and Mang Thit district in the east and Dong Thap province in the west.

26. **Population and labor:** Vinh Long city is a grade-II city under Vinh Long province with total land area of 47.8 km². Total population of the city is 143,135 people. The city has 11 administrative units, including 7 wards (ward 1, 2, 3, 4, 5, 8 and 9) and 04 communes (Truong An, Tan Ngai, Tan Hoa and Tan Hoi communes). Vinh Long city has large workforce: the rate of population being in working age is high (about 70%).

27. **Economic status:** being a central urban area of Vinh Long province, Vinh Long city has potential for developing commerce, service, tourism, industry and high-tech agriculture. The city is attracting investment, population and laborers of the region.

❖ Long Ho district:

28. **Geographic Location:** Long Ho district is situated in the North of Vinh Long province. It borders Tien Giang province through My Tho river (known as Tien river) to the North; borders Ben Tre province (Cho Lach market) to the Northeast; borders Mang Thit district to the East and Southeast; borders Tam Binh to the South; borders Vinh Long city to the West; and borders Dong Thap province (Chau Thanh district) to the Southwest.


30. **Population and labor:** Long Ho district has a total of 48,163 households with 161,805 people (82,328 females). They include Kinh, Kho Me, Hoa people. 7,460 people are living in urban area and 154,345 people in rural area. Its natural population
increase is 8.81%. The total active population is 97,302. As of 2019, in the district there are 909 poor households, making up 2.24%; 1,959 near poor households, accounting for 4.82%.

31. **Economics:** The economy of the district relies mainly on agriculture. However, thanks to the operation of Hoa Phu industrial park and the increasing development ecotourism, the economy of the district has shifted towards increase in industry and decrease in agriculture. Local people’s living conditions, therefore, have been strongly improved.

### 2.2. Natural and social conditions of wards and communes in the project area

32. The project will be implemented in 9 communes/wards of Vinh Long city (including ward 1, 2, 3, 4, 5, 8, 9 and Tan Ngai and Truong An communes) and 4 communes of Long Ho district (including Thanh Duc, Phuoc Hau, Tan Hanh and Long Phuoc). The information of the number of household members, poor households, near poor households, etc., in each ward in the project area is presented in the following table:

33. **Infrastructure:**
   - Electricity: 100% of the wards in the project area are covered by the national grid.
   - The roads in the wards are quite convenient and the majority of roads in residential areas are constructed with concrete.
   - Schools: all wards invested in construction of education infrastructures: kindergarten, primary school and secondary school.
   - Medical units: In the project area, there is 01 general hospital with 200 beds and 01 traditional pharmaceutical hospital with 70 beds. The hospitals satisfy the Standard of hospital level III. 100% of wards have medical station.

### III. LEGAL FRAMEWORKS

34. This Resettlement Policy Framework was prepared in compliance with the applicable and relevant law of the Government of Vietnam related to land acquisition, compensation, support, and resettlement, and in compliance with the World Bank’s Environmental and Social Framework (ESS5) on Land Acquisition and Involuntary Resettlement.

35. **The Legal framework of the Government of Vietnam**
   - The laws and decrees with respect to land acquisition, compensation and resettlement in Vietnam are based on the regulations of the city/province at time of preparing RPF, including:
     - Decree No.01/2017/ND-CP, amending and supplementing a number of decrees detailing the implementation of the Land Law.
o Decree No.44/2014/ND-CP dated May 15, 2014 of the GOV on land prices.
o Decree No.45/2014/ND-CP dated May 15, 2014 of the GOV on collection of land use levies.
o Decree No.46/2014/ND-CP dated May 15, 2014 of the GOV on collection of land rent and water surface rental.
o Decree No.47/2014/ND-CP dated May 15, 2014 of the GOV on compensation, support and resettlement upon land recovery by the State.
o Decree No.136/2015/ND-CP dated December 31, 2013 of the Government guiding the implementation of a number of articles of the Law on Public Investment.
o Decree No.99/2015/ND-CP dated October 20, 2015 of the Government detailing and guiding the implementation of a number of articles of the Housing Law.
o Decree No.16/2016/ND-CP dated March 16, 2016 of the Government and Circular No.12/2006/TT-BKHDT dated August 8, 2016 on management and use of official development support (ODA) and concessional loans from foreign donors.
o Circular No.30/2014/TT-BTNMT dated June 2, 2014 of MONRE regulating documents on land allocation, land lease, change of land use purpose, land acquisition.
o Circulars No.36/2014/TT-BTNMT dated June 30, 2014 of Ministry of Natural Resources and Environment on land pricing method; compilation of and adjustment to land price lists; determination of specific land prices and consultancy on land pricing.
o Circular No.37/2014/TT-BTNMT of the MONRE dated June 30, 2014 on compensation, support and resettlement upon land recovery by the State.
o Circular No. 33/2017/TT-BTNMT dated September 29, 2017 detailing the provisions of Government's Decree No. 01/2017/ND-CP dated January 6, 2017 which amends supplements a number of decrees detailing the implementation of the Land Law and amends and supplements a number of articles of circulars guiding the implementation of the Land Law.

36. Other relevant laws, decrees and regulations:
o Construction Law No.50/2014/QH13 dated June 18, 2014 on construction activities, rights and obligations of organization and individual investing in civil works construction and construction activities;
o Decree No.102/2014/ND-CP on sanctioning of administrative violations in the field of land;
Decree No.46/2015/ND-CP dated May 12, 2015 on quality management of construction works;

Decree No.59/2015/ND-CP dated June 18, 2015 on management of construction investment projects;

Decree No.126/2014/ND-CP dated December 31, 2014 on the implementation of the Law on Marriage and Family, stipulating that all papers registering property and land use rights must be in the name of both husband and wife;


Decree No.61/2015/ND-CP dated July 9, 2015 of the Government regulating policies on job creation support and National Fund for employment.

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

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

39. The Constitution of the Socialist Republic of Viet Nam (2013, effective from January 01, 2014) confirms the right of citizens to own and protects the ownership of house and production materials of citizens, compensation by market rate is made for impacts by the projects implemented for the purposes of national defense, security or public benefits (Article 32). Similarly, organizations and individuals have land use rights certificates and law protects these rights. In the case of land recovery for the purposes of national defense, security and socioeconomic development, compensation shall follow the provisions of law (Article 54).

40. In addition to the constitution, the Government has enacted a number of laws, decrees and regulations that constitute the legal framework for land acquisition, compensation and resettlement. The principal resettlement documents include the Land Law No. 45/2013/QH13; the Decree No. 43/2014/ND-CP on Detailed Regulations on Implementation of the Land Law No. 45/2013/QH13; the Decree No. 47/2014/ ND-CP on Compensation, Assistance, and Resettlement when the State Recovers Lands; the Decree No. 44/2014/ND-CP on Land Prices; the Circular No. 37/2014/BTNMT on Detailed Guidance on Compensation and Assistance when the State Recovers Land; and Circular No. 36/2014/TT-BTNMT on specifying detailed methods of valuation of land prices, construction, adjustment of land prices; specific land price valuation and land price valuation consulting services. These are the key legal documents that are applied to land recovery and resettlement.
41. The **Land Law 2013** provides a comprehensive framework for land acquisition and resettlement. The main points of the Law are summarized below:

- The organization in charge of compensation and site clearance has to prepare a plan for compensation, support, and resettlement. The approved plan for resettlement must be posted at Commune/Ward People's Committee (CPC/WPC) offices and at common public places where land is recovered (Article 69).

- Under Art. 69, agencies in charge of resettlement implementation are obliged to conduct consultations on compensation plans through meetings with affected HHs; compensation plans have to be posted at ward/commune PC offices; the consultation results must be recorded in minutes which are certified by local authorities and affected HHs. Opinions from Project Affected Households (PAHs) have to be compiled; consultation has to be conducted with HHs who have objections on the plan for compensation, support and resettlement and for improving the plan.

- The Law identifies principles and methods of land valuation based on the market rate (Art. 114.3).

- Resettlement sites must be developed and fully completed before relocation of PAPs. Land recovery can only be conducted after the construction of houses and infrastructure in the resettlement area is completed. (Article 85).

- Support for training, career change and facilitating of job searching have to be provided for HHs losing agriculture land (Article 84).

- Structures and other non-land assets are not compensated for the following cases: i) where they are illegally established; ii) where they are located on land not used in accordance with the land purpose; and iii) where they have been built after the cut-off date (Article 92).

- For agricultural land, which was used before 01st July 2004 for HHs without Land Use Right Certificate (LURC) or HHs that are not eligible for LURC, compensation is provided for land currently used for cultivation, without exceeding the land allocation standards (Art. 77.2).

- Monitoring and evaluation is required on a more general basis and is not specific to resettlement; it includes all aspects of the implementation of the Land Law (Art. 200);

42. **Decree No. 47/2014/ND-CP** on compensation, support and resettlement upon land recovery by the State is the main implementing Decree. The main content is summarized below:

- For HHs directly engaged in agricultural production ineligible for compensation under the Land Law, the PPC shall consider support for them (Art. 24);

- Support for stabilization of livelihood is based on the severity of impacts to agriculture land (Art. 19);

- Support for resettlement in case of recovery of residential land. HH receiving an amount of compensation for land lower than the value of the minimum resettlement lot are entitled to support for the difference between the minimum
resettlement lot value and the amount of compensation for the land. In addition to compensation for land, relocated HH are entitled to a resettlement support amount (Article 22.);

- Resettlement areas shall be established for one or more than one project. Houses and residential land in resettlement areas shall be arranged in different grades and areas suitable to different levels of compensation and payment capacity of resettled persons (Article 26.3);

- Consultation plans on compensation, support and resettlement shall be posted up to solicit opinions of PAPs for at least 20 days from the starting date of posting (Article 28);

- For projects requiring relocation of the whole community, affecting the livelihood, socioeconomic situation and cultural tradition of the community, investors have to elaborate a policy framework on compensation, support and resettlement. (Art. 17.1).

43. **Decree No. 44/2014/ND-CP** identifies the mechanism for compensation at market rates. Compensation rates for land must be based on investigation, information on land plots, market rates and a suitable valuation method; Decree 44 identifies several methods for land valuation. **Circular No. 36/2014/TT-BTNMT** specifies detailed methods of valuation of land prices, construction, adjustment of land prices; specific land prices valuation and land price valuation consulting services.

44. **Circular No. 37/2014/BTNMT** identifies the required content of plans on compensation, support and resettlement. These plans must contain the following: i) area of each category of land to be recovered; ii) estimated number of PAH; iii) estimated amounts of compensation and settlement support; iv) expected resettlement areas; v) budget and funding sources; vi) Time-bound implementation schedule (Art. 10).

45. The other regulations that may apply for the Project are the following:


- Decision No. 52/2012/QD-TTg, dated November 16, 2012, on the support policies on employment and vocational training to farmers whose agricultural land has been recovered by the State.

- Document of Prime Minister No. 1665/TTg-CN, dated October 17, 2006, regarding management of clearance of site, mine and explosive ordnance for transport construction.

- Decision No 96/2006/QD-TTg dated 4/5/2006 by the Prime Minister on the management and implementation of demining and explosives.
Decision No. 63/2015/QD-TTg dated 10/12/2015 by the Prime Minister on policies to support vocational training and employment solving for workers whose land is acquired in replacement.

Decision No. 61/2015/ND-CP dated 9/7/2015 by the Government on policies to support vocational training and National Employment Fund.

At provincial level, Vinh Long PPC has issued decisions on compensation, assistance and resettlement when the State acquires land, based on the Land Law and implementing decrees. The policies will apply for resettlement for the proposed project, specifically

- Decision No. 18/2014/QD-UBND dated September 30, 2014 of Vinh Long Provincial People's Committee promulgating regulations on compensation, support and resettlement when the State acquires land in Vinh Long province
- Decision No. 07/2018/QD-UBND dated April 16, 2018 of Vinh Long People's Committee on amending and supplementing some articles on compensation, support and resettlement when the State recovers land in Vinh Long Province issued together with Decision No. 18/2014/QD-UBND dated September 30, 2014 and change Decision No. 01/2017/QD-UBND dated February 08, 2017 of Vinh Long Province People's Committee
- Decision No. 13/2019/QD-UBND dated August 07, 2019 of Vinh Long People's Committee stipulating the compensation price for houses and architectural objects when the State acquires land to be applied in Vinh Long province.
- Decision No. 23/2019/QD-UBND dated October 11, 2019 of Vinh Long People's Committee regulating compensation rates for crops when the State acquires land to be applied in Vinh Long province

3.2. Environmental and Social Standard on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS5)

The experience of the World Bank shows that the resettlement required by development projects without mitigation measures, often leads to serious economic, social and environmental problems and may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood) or both. It may also leads to weakening of community institutions and the social safety network, isolation of blood ties, impairment or loss of cultural characteristics, traditional influence and potential mutual assistance.

3.1.1. The World Bank policy on land acquisition, restrictions on land Use and involuntary resettlement

Experience and research indicate that physical and economic displacement, if unmitigated, may give rise to severe economic, social and environmental risks: production systems may be dismantled; people face impoverishment if their productive
resources or other income sources are lost; people may be relocated to environments where their productive skills are less applicable and the competition for resources greater; community institutions and social networks may be weakened; kin groups may be dispersed; and cultural identity, traditional authority, and the potential for mutual help may be diminished or lost. For these reasons, involuntary resettlement should be avoided. Where involuntary resettlement is unavoidable, it will be minimized and appropriate measures to mitigate adverse impacts on displaced persons (and on host communities receiving displaced persons) will be carefully planned and implemented.

49. Objectives:
   o To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
   o To avoid forced eviction.
   o To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
   o To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
   o To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
   o To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

3.1.2. Required measures for the best resettlement results
   o Consulting PAPs/DPs about feasible measures for compensation and Resettlement action Plan;
   o Providing PAPs/DPs with options for resettlement and recovery;
   o Offering PAPs/DPs opportunities to participate in and choose planning options;
   o Compensating fully at replacement costs for losses attributable to the project;
   o Resettlement sites must be provided with fundamental infrastructure and services which are at a minimum, the same as the DPs’ previous residential areas;
   o Providing DPs with allowances, supports, vocational training and income assistance to facilitate their relocation;
   o Identifying special supports for vulnerable groups and;
   o Setting up an institutional structure to ensure successful compensation and resettlement.
3.1.3. Compensation Criteria and Eligibility

50. The eligibility for obtaining entitlements to compensation follow the principles below:

(i) Who have formal legal rights to land or assets;
(ii) Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or
(iii) Who have no recognizable legal right or claim to the land or assets they occupy or use;

51. Those affected people of the type (i) and (ii) above shall be compensated for acquired land and other support. Those affected people of (iii) type will be supported with resettlement instead of compensation for the acquired land and other assistance, if necessary, to achieve the objectives set out in this policy, provided that they hold the land located in the project area before the cut-off date specified in the Resettlement action Plan.

3.1.4. Valuation and compensation for losses

52. Methods used for the valuation of losses in WB funding projects are based on full replacement costs. For this project, the losses consist of damages to land, structures and other assets and these replacement costs will be evaluated as follows:

- The full replacement cost of land includes the land value as defined in accordance with the prevalent market price plus administration fees (i.e. costs for transaction, LURC etc.).
- For affected houses and other structures, the valuation is based on the market prices of construction materials and labor costs to build a replacement house of equal or better quality and area as the affected one.
- For public utilities, partly or wholly affected by the project, the compensation includes the market price of building materials plus costs for transportation, labor and contractor fees, registration fees and transfer taxes. Asset depreciation and value of salvaged materials are not deducted.

3.2. Comparison between GOV and WB approaches

53. The GOV’s policies and practices both in resettlement and compensation are mostly compatible with the WB’s guidelines. The most compatible domains are as follows:

- The GOV has procedures that allow compensation for losses of people who have no legal land use rights but possibly satisfy conditions of land legalization.
- Registered permanent residents are entitled to choose what form of compensation they want such as relocation to a better resettlement site, receiving cash, or combination of both resettlement and receiving cash.
- New resettlement locations for DPs should have better infrastructure and public services than DP’s previous locations as well as better living conditions.
There will be mechanism to assist PAPs/DPs during the transition period and keep people informed so that they can negotiate for compensation and voice their grievances.

For the PAPs who are not entitled to the compensation, the GOV has support policies in accordance with the WB policy to help them restore their livelihood.

54. Besides the compatible points, there are several differences between the GOV’s regulations and WB’s policies in terms of compensation, assistance resettlement and livelihood rehabilitation for PAPs. The summary of differences between the two policies and a proposed harmonizing policy to be approved for basic principles of compensation and assistance and resettlement for this project, is presented in Table 2.

**Table 2: Summary of differences between the GOV’s policies and WB’s policies and proposed policies for the Project**

<table>
<thead>
<tr>
<th>Subjects</th>
<th>Bank’s ESF/ESS5</th>
<th>Government of Vietnam</th>
<th>Project Measures</th>
</tr>
</thead>
</table>
| Land Property             |                                                      | Provision of support to be considered by PPC/City/District PC to ensure they have a     |支持受影响的家庭，无论是政策
|                           |                                                      | place to live, to stabilize their living and production. (Article 25 of Decree        |无补偿但给予所有受影响家庭的
|                           |                                                      | 47/2014/ND-CP). In the case where land is being recovered from people who are        | 支持和恢复受影响人的生
|                           |                                                      | resettled without sufficient compensation and support to buy the minimum             | 活水平，无论其法律
|                           |                                                      | resettlement plot, the State shall make up the deficit. (Clause 4, Article 86 of    | 状态或土地使用
|                           |                                                      | Land Law 2013 and Article 27 of Decree 47).                                        | 权。无论其法律状态或
|                           |                                                      |                                                                                       | 土地使用。
| Policy objectives         | PAPs 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, which    |                                                                                       |                                                                                   |
|                           | ever is higher.                                    |                                                                                       |                                                                                   |
| Support for affected      | No compensation but giving financial assistance to  | Only agricultural land used before July 1, 2004 is eligible for compensation. Other   | Support and restore livelihoods for all affected people regardless of their legal
<p>| households who have no    | all PAPs to achieve the policy.                    |                                                                                       | status or land use right.                                                         |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>recognizable legal right or claim to the land they are occupying</td>
<td>objective (to rehabilitate or 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)</td>
<td>cases may be considered for assistance by PPC/City/District PC if needed. (Clause 2, Article 77 of Land Law, 2013).</td>
<td>Agricultural land used prior to 1/7/2004 is supported with an amount of equal to 100% of the land at full replacement cost. Agricultural land used after 1/7/2004 will be supported with an amount of 60% of the land value. Residential land and non-agricultural land will be supported with an amount of at least 60% of the land at the replacement cost. If the above measures are not sufficient to re-establish a viable residence or livelihood, with security of tenure, then additional assistance will be offered to meet the policy objectives.</td>
</tr>
<tr>
<td>Methods for determining compensation rates</td>
<td>Compensation for lost land and other assets should be paid at full replacement costs.</td>
<td>Compensation for lost assets is calculated at the price close to transferring the assets in local markets or the cost of newly-built structures. The PPC is required to identify compensation prices for different categories of assets. A land valuator can be used to determine land prices, which will be appraised by a land appraisal board before approval by the PPC.</td>
<td>Independent appraiser identifies replacement costs for all types of assets affected, which are appraised by land appraisal board and approved by the PPC to ensure full replacement costs.</td>
</tr>
<tr>
<td>Compensation/assistances</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Houses or other structures to be acquired on land</td>
<td>Support 100% of new construction prices plus fees for relevant</td>
<td>Support construction cost for new structures with equivalent</td>
<td>Support of 100% of new construction prices plus fees for</td>
</tr>
</tbody>
</table>

Vinh Long Urban Development and Climate Resilience Project
<table>
<thead>
<tr>
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<th>Project Measures</th>
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<tbody>
<tr>
<td>are not eligible to the compensation</td>
<td>administrative procedures.</td>
<td>technical standards, depending on the &quot;legal status&quot;.</td>
<td>relevant administrative procedures (transaction cost).</td>
</tr>
<tr>
<td>Resettlement Arrangement</td>
<td>For all relocated households HHs under section 3.1.3 (i) or (ii), will have the choice of replacement property of equal or higher value, with security of tenure, equivalent or better characteristics, and advantages of location, or cash compensation at replacement cost. HH under paragraph 55 (iii) will be provided arrangements to allow them to obtain adequate housing with security of tenure.</td>
<td>Only apply to relocated households whose land and houses are eligible for the compensation. In case of ineligibility for compensation, if DPs have no other accommodations, they will be considered on a case by case basis.</td>
<td>Households and individuals whose entire houses and land are acquired and eligible for compensation or for whom the remaining area after being acquired is smaller than the local minimum allocation quotas of residential land, if they have no other land in the wards being affected by the project will be: (i) allocated a plot in RS, and (ii) in case, the acquired land compensation amount is lower than that of the minimum land plot in the resettlement site, receive the difference from the State. This compensation amount shall not exceed the difference between the amount of the compensation and the cost of a minimum plot in the Resettlement Site. In the case of DPs who are encroaching on land beyond canals/ rivers and who are not entitled to the resettlement but have no shelter in the city these DPs will be allocated a minimum land plot in the project resettlement area and will be charged a land-use fee.</td>
</tr>
<tr>
<td>Compensation for loss of income/business households affected</td>
<td>To all affected household business (i.e. shops, restaurants, services, manufacturing facilities and other enterprises, regardless</td>
<td>Only apply to business, production households with business licenses. Level of compensation/support equal to 30% of their yearly incomes after</td>
<td>Allowance for Business Loss: All affected businesses and production households having registered businesses whose income is affected will be compensated and/or supported for losses in business equivalent</td>
</tr>
<tr>
<td>Subjects</td>
<td>Bank’s ESF/ESS5</td>
<td>Government of Vietnam</td>
<td>Project Measures</td>
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<td>----------------------------------------------</td>
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</tr>
<tr>
<td>of size and whether licensed or unlicensed)</td>
<td></td>
<td>taxing based on their average yearly incomes of the 3 previous continuous years confirmed by the tax agency. (Section b, Clause 4, Article 19, ND47/2014/ND-CP).</td>
<td>to 50% of their actual annual income based on their average yearly income as declared with the taxation agency over the previous three years. Permanentely affected DPs who are running small businesses or services at home and who do not declare to the taxation agency, will be provided with a monthly average income of their business for a maximum of 6 months but not lower than 2 million VND. Temporarily affected DPs who are running small businesses or services at home and who do not declare to the taxation agency will be provided with a monthly average income of their business during the project construction for a maximum of 3 months but not lower than 1 million VND. Employees who have had labor contracts for at least 12 months with the private or state enterprises/businesses or organizations that are affected by the project and have to relocate will have an allowance equivalent to the minimum salary as per the PPC regulations to affected employees during the transition period with a maximum of 6 months.</td>
</tr>
<tr>
<td>Threshold of severe impacts on income resources due to acquiring agricultural land</td>
<td>Losing 20% or more (10% or more for the vulnerable) of agricultural land.</td>
<td>Losing over 30% of agricultural land</td>
<td>Losing 20% or more (10% or more for the vulnerable) of agricultural land.</td>
</tr>
</tbody>
</table>

Vinh Long Urban Development and Climate Resilience Project
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<thead>
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</tr>
</thead>
<tbody>
<tr>
<td>Compensation for indirect impact caused by losses of land or structures</td>
<td>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.</td>
<td>Not addressed.</td>
<td>Social assessment has been undertaken and measures identified and being implemented to minimize and mitigate adverse impacts, particularly upon poor and vulnerable groups.</td>
</tr>
<tr>
<td>Livelihood restoration and assistance</td>
<td>Provision of livelihood restoration and assistance to achieve the policy objectives</td>
<td>Livelihood restoration and assistance measures are provided. No follow-up for full livelihood restoration after resettlement completion.</td>
<td>Provision of livelihood restoration and assistance measures to achieve the policy objectives. These will be monitored as detailed in the RP.</td>
</tr>
<tr>
<td>Consultation and disclosure</td>
<td>Participation in planning and implementing RP, specially confirming the eligibility criteria for compensation and assistance, and access to Grievances Redress Mechanisms (GRM)</td>
<td>Focus mostly on consultation during planning (consultation on draft plan of compensation, support and resettlement and plan for training, career change and facilitating job searching); information sharing and disclosure.</td>
<td>Consultation and participation incorporated into RPF/RP preparation, along with information sharing with PAPs and stakeholders.</td>
</tr>
<tr>
<td><strong>Grievance redress mechanism (GRM)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grievance redress mechanism</td>
<td>Grievance redress mechanism affordable and accessible for settlement of disputes arising from displacement or resettlement</td>
<td>PAPs are entitled to send complaints/grievances of any issues related to the compensation, assistance and resettlement to the competent agencies to handle the grievances at the first and second stages.</td>
<td>More effective Grievance and Redress mechanisms are to be established, built on the existing governmental system, with monitoring by an independent monitoring consultant;</td>
</tr>
<tr>
<td>Subjects</td>
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<tr>
<td></td>
<td></td>
<td>At the same time, complaints may be taken to court at any stage as the PAP wishes (Articles 28, 32, 33 of Law on Grievance No. 02/2011/QH13 dated 11 November, 2011)</td>
<td></td>
</tr>
<tr>
<td>Monitoring &amp; Evaluation</td>
<td>Internal &amp; independent monitoring is required</td>
<td>Citizens are allowed to supervise and report on breaches in land use and management on their own (or through representative organizations), including land recovery, compensation, support and resettlement (Article 199, Land Law 2013). There are no explicit requirements on monitoring of the resettlement works, including both internal and independent (external) monitoring</td>
<td>Both internal and external (independent) monitoring is to be regularly maintained (on a monthly basis for internal and bi-annual basis for independent monitoring). An end-of-project report will be completed to confirm whether the objectives of ESS5 were achieved.</td>
</tr>
</tbody>
</table>

55. As a WB member country, the GOV has committed that, should the international agreements signed or acceded to by GOV with the WB contain provisions different from those in the present resettlement legal framework in Vietnam, the provisions of the international agreements with the WB shall prevail. According to Clause 2 of Article 87 of the Land Law 2013, “for the projects using loans from foreign and international organizations for which the State of Vietnam has committed to a policy framework for compensation, support, resettlement, the framework is applied”.

56. This RPF confirms that in committing to this instrument, the GOV and PPC grant the waivers to the relevant articles in various Vietnamese laws that contradict or are not
consistent with the objectives set forth in this RPF. The measures taken to address the differences and comply with the WB policy are addressed under this RPF.

57. The Vinh Long Provincial People’s Committee will endorse the RPF. Through this endorsement, they commit to apply the RPF and to fill the gaps identified in the table above.

IV. PRINCIPLES AND POLICIES FRAMEWORK FOR RESETTLEMENT, COMPENSATION AND REHABILITATION

4.1 Required Waivers

58. To comply with WB ESS5 on land acquisition, restrictions on land use and involuntary resettlement, articles in the laws and regulations of Vietnam that do not guarantee the PAPs’ right to compensation at replacement costs, or eligibility articles that do not extend the right of being restored and/or assisted to households without valid land papers, or otherwise limit the compensation required by WB ESS5, will not apply. The requirements of WB ESS5 will fully apply in all cases.

4.2 Principles and Objectives

59. The principles mentioned in WB ESS5 are used for the preparation of this RPF. The following principles and objectives will be applied:

(a) Land acquisition and asset impacts as well as resettlement of DPs must be minimized as far as possible.

(b) All PAPs residing, working, doing business or farming in the project areas will be provided with rehabilitation measures, sufficient enough for them to improve or at least maintain their living standards, income earning and production capacity the same as their pre-project conditions. Lack of legal rights to acquired land will not prevent PAPs from their entitlement to access such rehabilitation measures.

(c) Plans for land acquisition and other assets and provision of rehabilitation measures must be taken under the consultation with PAPs to minimize their disturbance. Entitlements shall be provided to PAPs prior to the expected commencement of works at the respective project areas.

(d) Existing public services shall be maintained or improved.

(e) Budget for resettlement shall be available in the project implementation stages.

(f) The executing organization must ensure that the design, planning, consultation and implementation of the RP is effectively and timely.

(g) Checking, monitoring and evaluating the implementation of RP timely and effectively should be conducted.

(h) All PAPs who have assets within or reside within the area of project land acquisition before the cut-off date are entitled to compensation for their losses as per this RPF. Those who have lost their income and/or subsistence will be eligible for livelihood rehabilitation assistance based on the criteria of eligibility defined by the project in consultation with the PAPs. If, by the end of the project,
livelihoods have been shown not to be restored to pre-project levels, additional measures should be considered.

(i) Agricultural land that is lost will be compensated through “land for land”, or in cash, according to PAP’s choice and the availability of local land fund. The choice of land for land must be offered to those losing 20% or more of their productive land (10% or more of their productive land for the vulnerable).

(j) PAPs who have to relocate will be resettled as regulated; their houses, lands and other properties affected by the project will be compensated in cash at full replacement cost.

(k) Compensation for all residential, commercial, or other structures will be offered at the replacement cost, without any of the structure and without deduction for salvageable materials.

(l) The PAPs will be provided with a transportation allowance for transporting personal belongings and assets to a new resettlement place, in addition to the compensation at replacement cost of their houses, lands, and other properties.

(m) Land acquisition for the project will be announced to PAPs by a state competent agency at least 90 days prior to the acquisition for agricultural land and 180 days for non-agricultural land. The announced contents will include a plan of land acquisition, investigation, surveys, and detailed measurements.

(n) Transfer of the acquired lands to the project will be completed within 30 days of the PAPs receiving full compensation or assistance from the project.

(o) Public services and resources at the resettlement area will be improved to be better than those in the PAP’s previous location.

(p) Temporary resettlement: Relocation of any households more than once, should be avoided because it leads to PAPs being impacted twice or more and will delay the livelihood restoration process. If this happens, these households should be considered for additional benefits as they have been impacted twice. Temporary resettlement will only occur if the PMU has verified that temporary resettlement is unavoidable for reasons such as:
   - DPs who are planning to resettle in the project resettlement site are requested to hand over their land to the project, but the project resettlement site is not ready to receive them.
   - PAPs whose houses are partly affected and require rebuilding and repair, need temporary resettlement in the period during which their houses are being of rebuilt or repaired.
   - DPs who select the self - relocation option need temporary resettlement while searching for a new residence.

### 4.3 Compensation Policies

#### 4.3.1 Compensation Policy for households’ residential land

(a) Land users are entitled to be compensated (Legal and legalizable land users)
The project affected land-users will be compensated for the actually affected area in cash at 100% of the replacement cost;

Where PAPs lose residential land and their remaining land is not viable for their residence (ineligible for building a new house as stipulated) according to the threshold identified in the Province’s resettlement policy, if the PAPs agree, the state will acquire the remaining land and compensate the PAPs in cash at 100% of the replacement cost;

Land users who are eligible for compensation of acquired land (legal and legalizable land-users) with lands that are in dispute, will be compensated at 100% of the replacement cost. These land users will receive the compensation amount only when their disputes are resolved. The compensation amount will be held in an escrow bank account. An escrow account for resettlement payments, at a commercial bank with interest rates, should be used when resolving grievances to avoid excessive delays to the project while ensuring compensation payment after the grievance has been resolved.

b. _Land users are not eligible to be compensated including those living beyond canals/rivers_

The households whose land is affected will be assisted in cash with an amount of at least 60% of the land at the replacement cost. For PAPs with houses encroaching beyond canals/rivers, the affected land area will be calculated as the area of the largest floor of their houses but not exceeding the land allocation quotas stipulated by the PPC. If the compensation is not sufficient to obtain secure tenure on a viable plot at an alternative site additional assistance will be provided to meet the standard.

4.3.2 _Compensating policies for affected non-agricultural land with structures on land_

If affected lands are eligible to the compensation, PAPs will be compensated in cash at 100% of the replacement cost.

If affected lands are not entitled to be compensated, PAPs will be assisted in cash with an amount of at least 60% of the land at the replacement cost. Severely affected persons and vulnerable households will be provided with an allowance to ensure their livelihood restoration. If the compensation is not sufficient to obtain secure tenure on a viable plot at an alternative site then additional assistance will be provided to meet the standard.

4.3.3 _Compensation policies for agricultural Land_

a. _For land users entitled to the compensation (Legal and Legalizable land users)_

If the land area acquired from PAPs is less than 20% (10% for the vulnerable) of their total productive land and the remaining area is economically viable according to threshold identified in Vinh Long province resettlement policy, PAPs will be compensated by cash at 100% replacement cost for the acquired area.
o If PAPs have loss of 20% or more (10% or more for the vulnerable) of their total arable landholding or the remaining area is not economically viable according to threshold identified in Vinh Long Province resettlement policy, PAPs will be compensated by cash at 100% of the replacement cost, while receiving income rehabilitation measures such as extension services, vocational training, access to credit or others based on aspiration of the PAPs.

b. For land users with no legal rights or claim on land

- PAPs whose affected land was used before 01 July 2004 will be supported in cash with 100% of the land at the replacement cost;
- PAPs whose affected land was used after 01 July 2004 will be assisted in cash with not less than 60% of the land at the replacement cost. If this is not sufficient to re-establish a viable residence or livelihood, with security of tenure, then additional assistance will be offered to meet the objective of the standard.
- The supported land areas are within the land allocation quotas under Article 129, Land Law 2013.

c. For users hiring land affected

- PAPs who use public land (or reserves) with a previous agreement on returning the land to the Government whenever it requests will not be compensated for land lost, but compensated for crops, trees, and other assets on land in cash at the replacement cost, while PAPs will be assisted in recovering the loss of investment in the affected land with an amount equal to 30% of the affected land value at the time of acquisition.

4.3.4 Compensation policies for loss of House/Structures including those living beyond canals/rivers

- Regardless of their titles to the affected land or possession of a construction permit for the affected structures/houses, compensation or assistance in cash will be made for all affected private-owned houses/structures at 100% of the replacement costs. For houses/structures that are being partly affected, but the remaining area is insufficient to be used, compensation or assistance in cash will be made at 100% of the replacement cost for the whole affected houses/structures. In case the remaining area of the affected houses is sufficient to be repaired for living, the PAPs will be paid in cash at 100% of the replacement cost for the dismantled area, while being provided with an additional amount equivalent to 30% of the replacement cost of the dismantled portion to rehabilitate the houses/structures to a higher level. The replacement cost is counted for rebuilding the new houses/structures to a similar standard without deductions of depreciation or salvageable materials.
- PAPs whose houses/structures are built on encroached land beyond canals/rivers will be supported in cash at 100% of the replacement cost to rebuild their new houses/structures.
- For affected state-owned houses/structures, compensation in cash will be made at 100% of the replacement cost for the remaining value of the houses/structures after the deduction of the used values that have been annually recorded by a state
competent agency. The payment will be submitted to the city state treasury, following the state financial procedures.

4.3.5 Compensation policies for tenants

- Tenants who are residing in leased state houses: (i) will not be compensated for the land area and houses owned by the state but fully compensated in cash at the replacement costs for the improved, repaired and upgraded works; (ii) will be entitled to rent or buy plots in the project resettlement area to resettle with minimum area; (iii) if the project has no plot in its resettlement site for them to rent/buy, DPs will be supported in cash with not less than 60% of the replacement cost of land and house to be self - resettled (Item 2, Article 14, Decree 47/2014/ND-CP);

- Tenants who are residing in leased private houses will be provided with a transportation allowance for moving assets to their new residential areas.

4.3.6 Compensation policies for Loss of trees and livestock

- Cash compensation at full replacement cost will be made to PAPs at time of compensation for the trees/ livestock planted/raised on the land;

- Where affected trees/animals can be relocated, compensation will be paid for the loss of the trees/animals plus the transportation cost.

4.3.7 Compensation policies for Loss of Income and/ or Business/ Productive Assets

60. For PAPs losing income and/or business/productive assets as a result of land acquisition, the mechanism for compensating will be:

- Allowance for Business Loss: All affected businesses and production households having a registered business whose income is affected will be compensated and/or supported for losses in business equivalent to 50% of their actual annual income based on their average yearly income as declared with local taxation agency over three previous years.

- PAPs with small business or service establishments at home without license that are not tax registered and who are permanently affected by the project, will be provided with a monthly average income of their business for a maximum of 6 months but not lower than five (5) million VND.

- PAPs with small business or service establishments at home without license that are temporarily affected will be provided with a monthly average income of their business during the project construction for a maximum of 3 months but not lower than three (3) million VND;

- Employees who have had labor contracts at least for 12 months with private or state enterprises/businesses or organizations that are affected by the project and have to relocate will receive an allowance equivalent to the minimum salary as per the City regulations to affected employees during the transition period with a maximum of 6 months.
If the business has to be relocated, the project will assist in finding an alternative site with an advantageous location and physical attributes similar to the land lost, and with easy access to a customer base, satisfactory to the PAP.

This compensation and assistance will be provided in the baseline information and will be monitored during project implementation. In case that the livelihood of a PAP cannot be actually restored, the support level should be adjusted accordingly. Monitoring of this situation will continue until it can be determined that they are at least no worse off than before the project impacts.

4.3.8 Compensation policies for Affected Public Utilities

61. If some public infrastructures/buildings are damaged by the project, the PMU shall consult with affected communities and specify that these structures are restored or repaired as soon as possible in order to mitigate negative impacts on communities and ensure that the affected communities do not pay for such repair costs.

4.3.9 Compensation policies for affected graves/tombs

62. Compensation for the removal of graves/tombs will include the cost of excavation, relocation, reburial and other related costs, which is relevant to customary requirements. The removal option and level of compensation to the affected will be decided in consultation with the affected families/communities based on the relevant Provincial regulation.

4.3.10 Compensation policies for other assets

63. Households’ other assets are affected such as: Telephone line, water meter, electric meter shall be compensated in cash as regulated;

64. PAPs whose cable TV, internet access (subscription), wells affected by the project shall be compensated in cash with an amount equal to value of the new installation.

4.3.11 Compensation policies for temporary impacts during construction

65. If private or state structures are temporarily affected by contractors during the construction phase, contractors shall have to bear all responsibilities for compensation to the affected at the replacement cost as those are permanently affected by the project. Assistance shall be provided to rehabilitate temporarily affected land to its original condition or to a better condition.

4.4 Allowance and rehabilitation assistance in the transition period

66. In addition to direct compensation for property damage, the PAPs will receive additional payments to cover the costs of the transition. The support level including inflation and rising costs will be taken into account at the time of payment. These grants include, but are not limited to:

4.4.1 Supporting for moving and temporary residence

Support moving to new residential areas:

- PAHs requiring relocation inside or outside the area of the province will receive funding support for traveling costs based on the Vinh Long provincial regulation.

Support for temporary residence:
o PAPs who are planning to resettle on the project resettlement site must hand over their land to the project. Prior to the completion of the resettlement area, they will be supported through temporary resettlement while waiting, with an additional six months of time for constructing a house with a rental rate not exceeding twice of that regulated by Vinh Long province.

o PAPs with main houses that are partially acquired and who need to rebuild new houses on the remaining land area will be supported through temporary resettlement for three months with a rental rate not exceeding twice that regulated by the Vinh Long province.

o PAPs with main houses that are partially acquired and who need to rehabilitate their houses will be supported through temporary resettlement for two months with a rental rate not exceeding twice that regulated by Vinh Long province.

o PAPs who choose self-relocation (with written commitments that they will self-relocate) will be assisted in temporary resettlement for at least three months with a rental rate not exceeding twice that regulated by Vinh Long province.

4.4.2 Support for training for career change

o PAPs whose cultivated agricultural land is affected (confirmed by their CPCs/WPCs) will be supported by job training and career change which does not exceed 5 times the land price for the acquired land area based on Vinh Long PPC regulation, and

o Where the agricultural land of PAPs is affected and PAPs require training or an apprenticeship, they will be admitted to a vocational center within the city with exemption from tuition fees for the training course for those PAPs that are of a working age (not applicable for those who enroll for vocational trainings outside the city).

4.4.3 Allowance for life and production stabilization

o PAPs whose agricultural land is affected with 20% to 70% (10% to 70% for vulnerable households) will be supported by a payment equivalent to 30kg of rice per month for one person based on local average price at the time of support for living stability within 6 months if not relocated and within 12 months if relocated; and

o PAPs with more than 70% of their agricultural land affected will be supported with the amount mentioned under point (i) above within 12 months if not relocated and within 24 months if relocated.

4.4.4 Allowances targeted to the vulnerable to be relocated

67. Apart from the compensation and support regulated by the policies, the vulnerable who must relocate will have a further allowance to facilitate them in rehabilitating their life sooner with the following specific amount:

o Social policy HH, as defined by Vinh Long province, will get an allowance from 2 million VND – 7 million VND for each household as regulated by the Vinh Long provincial regulation.
PAHs of other vulnerable groups such as (i) single female headed households with dependents and economic disadvantage (single, widow, disabled husband); (ii) people with physical or mental disability disabled (loss of working ability); (iii) the poor under MOLISA standard; (iv) the elderly alone; (v) ethnic minority people will get the same additional support given to social policy households as identified in point a. above.

4.4.5 Bonus for handing over land on schedule:

68. According to the Vinh Long PPC regulations.

4.5 Policies for Resettlement Issues

69. Relocation alternatives: There are three (03) major options for relocation, namely (i) serviced resettlement site where PAHs are allocated plots of land in the resettlement site to be built under the project in Ward 8. The HHs shall pay land-use fee for the allocated plot; (ii) self-relocation where PAHs are entitled to compensation/resettlement for the land but prefer to find their new residential areas by themselves and (iii) on-site resettlement, in the case of PAHs whose residential land has been acquired but who still have agricultural land or garden land that is planned to become a residential area. PAHs should be supported to change the agricultural land into residential land for building a house.

70. Households or individuals who have all of their legal houses and land acquired and their remaining land areas are less than the limits of local land allocation: (i) will be entitled to resettlement arrangements; and (ii) if they chose resettlement in the serviced resettlement site in Ward 8, in case the compensation for affected land is lower than the investment cost of a land plot on a resettlement site, the households will be supported by the project to cover the difference. The support amount will not be in excess of the difference between the land compensation cost and cost for a minimal land plot of the local allocation.

71. Other land-users who are not eligible for the project full land compensation (including HHs who have land encroaching on canals) and have no shelters in the city, as confirmed by local authorities, will be allocated minimum land plots in the project resettlement site for building houses and will pay land-use fees. As per legal PAPs, in case the compensation for affected land is lower than the investment cost of a land plot on a resettlement site, the households will be supported by the project to cover the difference. The support amount will not be in excess of the difference between the land compensation cost and cost for a minimal land plot of the local allocation.

72. DPs who select self-relocation will be supported for infrastructure costs based on the Vinh Long provincial regulation.

73. Pursuant to the resettlement requirements, the PMU shall prepare the project resettlement site in the city or purchase plots of land in existing RS for DPs who are eligible for resettlement and have a resettlement demand. The resettlement site must ensure that basic social infrastructure and services for people living at new places are at least equal to or better than their previous places.
4.6 Voluntary Land Donation

74. The ESS5 recognizes that in some circumstances, it may be proposed that part or all of the land to be used by the project is donated on a voluntary basis without payment of full compensation.

75. This may include situations where a project supports voluntary transactions between communities, governments and investors involving significant areas of land (for example where a project involves support to commercial investment in agricultural land). In such cases, in applying the relevant provisions of this ESS, special care must be taken to ensure: (a) that all tenure rights and claims (including those of customary and informal users) affecting the land in question are systematically and impartially identified; (b) that potentially affected individuals, groups or communities are meaningfully consulted, informed of their rights, and provided reliable information concerning environmental, economic, social and food security impacts of the proposed investment; (c) that community stakeholders are enabled to negotiate fair value and appropriate conditions for the transfer; (d) that appropriate compensation, benefit sharing and grievance redress mechanisms are put in place; (e) that terms and conditions of the transfer are transparent; and (f) mechanisms are put in place for monitoring compliance with those terms and conditions.

76. In some cases, however, donations may be induced through informal pressure or in extreme cases coercion. In other cases, people may agree to donate land because they are not aware that they are entitled to compensation and they have not been given sufficient information to make an informed choice. To address these risks, it is important to conduct due diligence, as described in Footnote 10 (ESS5). In this regard, it is also important to confirm that donated land is free of occupancy or use by people other than the donor.

77. Voluntary land donations are documented. This calls for (a) written notification indicating the location and amount of land that is sought and its intended use; and (ii) a formal statement of donation, establishing informed consent, confirming that there is no disputed ownership and that there are no claims by renters, users, squatters or encroachers, and signed by each owner or user involved. Any taxes or fees owed for processing or registration of the land transfer, if applicable, are paid in full by the Borrower, who maintains the records of donations, including documentation. Documentation is made available for review in any grievance that may arise.

78. Major Principals for Voluntary Land Donation
   - Households are fully provided with information on project compensation and resettlement policy;
   - Residents are really willing to donate land;
   - Households themselves decide the scope of land acquisition for the Project and the scope of their voluntary land donation;
79. Process for Voluntary Land Donation

- The PMU provides residents with complete information on upgrading components which include compensation and resettlement policies and principles for voluntary land donation.
- The Community determines the scope of land acquisition for the purposes of the project, in the implementation of community upgrading planning.
- The Community unifies the level of land donation. Where the majority of community members want to donate all affected land but some do not, the community must find an appropriate solution to compensate for such DPs who do not accept all land donations, including a mechanism of sharing loss. If the community cannot find out solution, the project will compensate for those DPs.
- The statistic table of affected land and properties and the compensation cost is sent to HHs.
- HHs sign to confirm the scope of donated land. Other losses of architectures/structures and properties are compensated.
- The PMU makes information on compensation and donated land available in public places.

80. Monitoring and Evaluation: The PMU must report the land donation to the PPC and the WB to review before implementing the land donation. Reporting should be carried out on a regular basis and submitted to PPC and WB’s for review and agreement.

81. Independent monitoring must be conducted for approximately 20% of voluntary households to check their real willing to donate land and assess whether they are seriously affected by their donation or not.

V. ELIGIBILITY CRITERIA AND ENTITLEMENTS

5.1 Project affected people (PAP)

Individuals/families

82. People directly affected by the project - through the loss of land, residences, crops, structures, business, assets, or access to resources, are:

- Persons whose agricultural land will be affected (permanently or temporarily) by the Project;
- Persons whose non-agricultural land but not residential land will be affected (permanently or temporarily) by the project;
- Persons whose residential land/houses will be affected (permanently or temporarily) by the Project;

4 Where DPs are able to donate more land than expected, the Project can accept the additional land provided that the Independent Monitoring Agency confirms that the land donation does not affect the DPs' living condition.
5.2 Identification of vulnerable groups

83. Vulnerable groups are those who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project’s benefits. Based on the initial rapid socioeconomic surveys, the vulnerable groups will generally include the following:

- The poor families identified by DOLISA of the city and registered at commune/ward level;
- Mentally and physically handicapped people or people in poor physical health; infants, children and women without assistance;
- Poor women-headed households or women-headed households with dependents and with no other support;
- The social-policy households as per Vinh Long PPC policy;
- Other PAP identified by the project management unit and who may not be protected through national land compensation or land titling; or
- Any additional groups identified by the socio-economic surveys and by meaningful public consultation.

5.3 Entitlement

84. With respect to a particular eligibility category, entitlements are the sum of compensations and other forms of assistance provided to PAPs. Please refer to Entitlement Matrix.

5.4 Eligibility

85. The eligibility for entitlement to compensation is determined by asset ownership criteria:

(i) Those who have formal legal rights have formal legal rights to land or assets;
(ii) Those who do not have formal legal rights to land or assets, but have a claim to
land or assets that is recognized or recognizable under national law;

(iii) Those who have no recognizable legal right or claim to the land or assets they occupy or use.

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

5.5 New households

87. Those affected households splitting from the large families after the cut-off-date who meet the following conditions will be eligible for resettlement benefits as stand-alone households and are recognized as PAPs:

(i) Households splitting from a family with minimum of two couples and having minimum of six persons; and

(ii) Endorsement by the City authority, with verification of commune’s People’s Committee that the household has split.

88. Newly born children, spouses of persons named in the household registration books, people who have completed military service, and people who have just returned from schools to live with the affected households prior to the cut-off date will be entitled to the compensation and support measures outlined in this document.
Table 3: Entitlement Matrix

<table>
<thead>
<tr>
<th>No</th>
<th>Type of loss</th>
<th>Application</th>
<th>Type of PAPs</th>
<th>Compensation/allowance policies</th>
<th>Implementation issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Land</td>
<td>Residential land is permanently acquired</td>
<td>Residential land is acquired, and DPs are eligible for land compensation.</td>
<td>All households whose residential land acquired</td>
<td><strong>Compensation for lost land</strong>&lt;br&gt;- The PAPs will be compensated for the area actually affected in cash at 100% of the replacement cost;&lt;br&gt;- In the case of PAPs losing residential land where their remaining land is not viable enough for their residence (ineligible for building new house as stipulated), if the PAPs agree, the state will acquire the remaining land and compensate for the acquired land in cash at 100% of the replacement cost;&lt;br&gt;- Land-users who are eligible for compensation of acquired land (legal and legalizable land-users) but who’s lands are in dispute will be compensated at 100% of the replacement cost and they will receive the compensation amount only when their disputes are resolved.</td>
<td>Households have to relocate</td>
</tr>
<tr>
<td>No</td>
<td>Type of loss</td>
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<tr>
<td>1</td>
<td>Land users, whose acquired residential land is ineligible for land compensation</td>
<td>All households are acquired with residential land</td>
<td>Households have to relocate</td>
<td>Remaining parts of land are less than the limits of local land allocation (1) will be entitled to resettlement arrangement and (2) where the compensation for affected land is lower than the investment cost of a land plot in the resettlement site, the households will be supported by the project which will cover any difference, however, the support amount will not be in excess of the difference between the land compensation cost and cost for an minimal land plot of the project resettlement site.</td>
<td>Will take account of the needs of extended families to be co-located.</td>
</tr>
<tr>
<td>2</td>
<td>All households are acquired with residential land</td>
<td>Land compensation/assistance</td>
<td>PAPs whose land is affected will be assisted in cash with an amount at least 60% of the land at the replacement cost. In case HH have built a house on agriculture land in urban area, they will be compensated at 60% for land. The affected land area will be calculated equal to the area of a floor of the affected house but not exceed land allocation quotas stipulated by the Vinh Long PPC.</td>
<td>Relocation</td>
<td></td>
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<tr>
<td>No</td>
<td>Type of loss</td>
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<tr>
<td>2</td>
<td>Residential land is permanently acquired</td>
<td>Acquired residential lands which are rented from the State have to relocate.</td>
<td>Relocated households are using state-owned land</td>
<td>Relocated persons who have no shelters in the city, which is confirmed by local authorities (i) will be allocated minimum land plots in the project resettlement site for building houses and (ii) pay land-use fee</td>
<td>In addition to the compensation for their affected property on land at replacement cost, relocated persons will be entitled to rent/buy apartments in the project resettlement site to reside in. If the project does not have apartments in the project resettlement site, apartments in local social houses shall be introduced to the PAPs for renting/buying at a price regulated by Vinh Long PPC. Relocated persons are also supported to move their assets and belongings to their new residences.</td>
</tr>
<tr>
<td>3</td>
<td>Non-agricultural land other residential land with structures on land</td>
<td>Non-agricultural land is acquired</td>
<td>All households are acquired with non-agricultural land</td>
<td><strong>Land compensation/assistance</strong>&lt;br&gt; If affected lands are eligible to be compensated, PAPs will be compensated in cash at 100% of the replacement cost.&lt;br&gt; If affected lands are not entitled to the compensation, PAPs will be assisted in cash with an amount of at least 60% of the land at the replacement cost.</td>
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<td>4</td>
<td>Permanent loss of arable land</td>
<td>Households whose agricultural land is acquired permanently</td>
<td>PAPs are eligible for compensation</td>
<td>If PAPs are acquired less than 20% (10% for the vulnerable) of their total land and the remaining area is economically viable, PAPs will be compensated in cash at 100% of the replacement cost for the acquired area. In addition, the vulnerable will be entitled to take part in the project income restoration program. If PAPs have losses of 20% or more (10% or more for the vulnerable) of their land or the remaining area is not economically viable, PAPs will be compensated in cash at 100% of the replacement cost, while receiving income rehabilitation measures such as extension services, vocational training, access to credit or others based on aspiration of the PAPs.</td>
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</table>

Permanent loss of arable land

Households whose agricultural land is acquired permanently

Land users are not entitled to compensation as per regulation in Article 75 of the Land Law, 2013.

PAPs whose affected land is used before 01 July 2004 will be compensated in cash with 100% of the land at the replacement cost. PAPs whose affected land is used after 01 July 2004 will be assisted in cash at not less than 60% of the land value at the replacement cost. |
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<tr>
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</thead>
<tbody>
<tr>
<td></td>
<td>Households whose agricultural land is acquired permanently</td>
<td>Land users use auctioned land or rent public land with a previous agreement on returning the land to Government whenever it requests</td>
<td></td>
<td>The supported/compensated land areas are within the land allocation quotas under Article 129, Land Law 2013.</td>
<td>For those who rent land from other households or individuals, compensation money on land will be paid to land-owners. The HHs should also have the possibility of accessing alternative plots under the same tenure conditions.</td>
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<td>II</td>
<td>On-land property</td>
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<td></td>
<td>PAPs will not be compensated for the acquired land, but will be compensated for affected crops, plant, and other assets on land in cash at the replacement cost, while PAPs will be assisted in recovering the loss of investment in the affected land with an amount equal to 30% of the affected land value at the time of acquisition.</td>
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</tr>
<tr>
<td>5</td>
<td>Housing/structures</td>
<td>Housing/structures in land acquiring area.</td>
<td>Owners of the affected structures are households and individuals</td>
<td>Regardless their titles to the affected land or possession of a construction permit for the affected structure, compensation or assistance in cash will be made to the affected houses/structures at 100% of the replacement costs; and</td>
<td>Compensation at replacement cost without deductions of depreciation or</td>
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Vinh Long Urban Development and Climate Resilience Project
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</thead>
<tbody>
<tr>
<td>6</td>
<td>Tenants</td>
<td>State ownership</td>
<td>Tenants (who rent state houses) have to relocate</td>
<td>For houses/structures being partly affected but the remaining area is not sufficient to be used, compensation or assistance in cash will be made at 100% of the replacement cost for the whole affected houses/structures. In case the remaining area of affected houses is sufficient to be repaired for living, PAPs will be paid in cash at 100% of the replacement cost for the dismantled area, as well as being provided with an additional amount equivalent to 30% of the replacement cost of the dismantled portion to rehabilitate the houses/structures to an improved standard. PAPs whose houses/structures are built on encroached land by canals/rivers will be supported in cash at 100% of the replacement cost to rebuild their new houses/structures.</td>
<td>salvageable materials.</td>
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</tbody>
</table>

Tenants (who rent state houses) have to relocate

Tenants who are leasing state houses for living will (i) not be compensated for the land area and houses owned by the state but will be fully compensated in cash at the replacement costs for the improved, repaired and upgraded works; (ii) will be
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<tbody>
<tr>
<td>6</td>
<td></td>
<td>Private ownership</td>
<td>Tenants (who rent private houses) have to relocate</td>
<td>entitled to rent or buy plots in the project resettlement area to resettle with minimum area; (iii) if the project has no plot in its resettlement site for them to rent/buy in order to resettle, APs will be supported in cash with not less than 60% replacement cost of land and house to resettle (Clause 2, Article 14, Decree 47/2014/ND-CP dated May 15, 2015). In addition, additional assistance needs to be provided to ensure they obtain similar living conditions with security of tenure.</td>
<td>PAPs will be provided with transportation allowance for moving their assets and belongings to new residential places;</td>
</tr>
<tr>
<td>7</td>
<td>Annual crops and perennial trees</td>
<td>Trees and domestic animals affected</td>
<td>Owners of affected trees and domestic animals</td>
<td>Cash compensation at full replacement cost will be made to PAPs at the time of compensation for the affected trees/domestic animals planted/raised on the land. Where affected trees/animals can be removed to new places, compensation will be paid for the loss of the trees/animals plus the transportation cost.</td>
<td>Households will be notified of the requirement to hand over land 30 days after the date of compensation.</td>
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### III. Assistance

Vinh Long Urban Development and Climate Resilience Project
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</table>
| 8  | Affected income and production/business facilities    | Loss of income sources and properties for production/business                | Those who lost income source/owners of affected properties used for production/business | **Allowance for Business Loss:**
All affected businesses and production households, registered as a business whose income is affected will be compensated and/or supported for losses in business equivalent to 50% of their actual annual income dependent on three years of continued tax obligations;
PAPs with small business or service establishments at home, without license, that are not tax registered and who are permanently affected by the project, will be provided with a monthly average income of their business for a maximum of 6 months but not lower than 05 million VND.
PAPs with small business or service establishments at home, without license, that are not tax registered and who are temporarily affected will be provided with a monthly average income of their business during the project construction for a maximum of 3 months but not lower than 03 million VND.
Employees who have had labor contracts for at least 12 months with the private or state enterprises/businesses or organizations that
If the business has to be relocated, the project will provide an alternative site with local advantage and physical attributes similar to the land lost with easy access to the customers’ base, satisfactory to the PAP.
This compensation and assistance will be provided in baseline information and will be monitored during project implementation. In case that their |
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<tbody>
<tr>
<td>1</td>
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<td>The affected beneficiaries will have a compensation equivalent to the minimum salary as per the City regulations.</td>
<td>The livelihood cannot be actually restored, support levels should be adjusted accordingly. Monitoring of this situation will continue until it can be determined that they are at least no worse off than before the project impacts.</td>
</tr>
<tr>
<td>9</td>
<td>Affected public utilities/structures</td>
<td>Structures, housing, public architectures, forests, feeding land, other land, permanently/temporarily affected irrigation system.</td>
<td>Villages, urban zones, administration agencies.</td>
<td>If some public infrastructures/buildings are damaged by the project, the PMU shall consult with affected communities and specify that these structures are restored or repaired soon to mitigate negative impacts on communities, while the affected communities do not pay for such repair costs.</td>
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<tr>
<td>10</td>
<td>Graves</td>
<td>Affected graves</td>
<td>Families/groups</td>
<td>Compensation for the removal of graves/tombs will include the cost of excavation, relocation, reburial and other</td>
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<td>No</td>
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<tr>
<td>11</td>
<td>Other assets</td>
<td>Telephone system, water meter, electric meter, cable TV, internet access (subscription), well...</td>
<td>Families/companies affected</td>
<td>Households’ other assets are affected such as: Telephone line, water meter, electric meter shall be compensated in cash as regulated; Cable TV, internet access (subscription) well of households/communities are affected by the project, PAPs shall be compensated in cash at the new installation.</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Temporarily affected</td>
<td>Assets affected during construction phase</td>
<td>Households/ Organizations in the project areas</td>
<td>If private or state structures are temporarily affected by contractors during construction phase, contractors shall bear all responsibilities for compensation to the affected at the replacement cost as those are permanently affected by the project. Temporarily affected land shall be assisted to be rehabilitated to its original or better conditions;</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Supporting for relocation</td>
<td>Resettlement rehabilitation</td>
<td>Relocate to new places</td>
<td>Based on the Vinh Long provincial regulation.</td>
<td>The specific amount will be</td>
</tr>
<tr>
<td>No</td>
<td>Type of loss</td>
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</table>
| 14 | Supporting for temporary residence               | Life stabilization    | Households moving to resettlement sites, self-relocated HH and HH who are temporarily relocated during the time of rebuilding their houses. | i. PAPs who are planning to resettle in the project resettlement site and who are required to hand over their land to the project, prior to completion of the resettlement area will be supported with temporary resettlement during the waiting period plus six months for construction of a house with a rental rate not exceeding twice of that regulated by the Vinh Long PPC.  
ii. PAPs with main houses that are partially acquired and who need to rebuild new houses on the remaining land area will be supported through temporary resettlement for three months with a rental rate not exceeding twice that regulated by the Vinh Long province.  
iii. Relocated persons who opt for self-relocation (with written commitments for self-taking care of their relocation) will | adjusted according to the percentage of inflation at the time the support is provided. |
<table>
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<tr>
<th>No</th>
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<tbody>
<tr>
<td></td>
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<td></td>
<td>Severely affected households.</td>
<td>be assisted in temporary resettlement for at least months with a rental rate not exceeding twice of that regulated by the Vinh Long PPC.</td>
<td>Method of supporting will be delivered based on results of consultation with the affected households</td>
</tr>
<tr>
<td>15</td>
<td>Supporting for training on career changes</td>
<td>Loss of productive lands</td>
<td></td>
<td>i. PAPs whose agricultural land being cultivated is affected (confirmed by CPCs/WPCs) will be supported for job training and career change which does not exceed 5 times the land price for the acquired land area based on the Vinh Long PPC regulation. ii. In case PAPs whose agricultural land is affected need a training or apprenticeship, they will be admitted to a vocational center within the city with the exemption from tuition fees for the training course for those within working ages.</td>
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</tr>
<tr>
<td>16</td>
<td>Supporting for life rehabilitation</td>
<td>Resettlement restoration</td>
<td>Relocated persons who have aspiration of self-relocation.</td>
<td>DPs who select self-relocation will be supported with a cash allowance based on Vinh Long Province Policy.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Income restoration</td>
<td>Households whose</td>
<td>HH whose agricultural land is affected by 20% to 70% (10% to 70% for vulnerable</td>
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<td>No</td>
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<td>agricultural land affected.</td>
<td>households) will be supported by a payment equivalent to 30kg of rice per month for one person based on the local average price at the time of support for living stability within 6 months if not relocated and within 12 months if relocated; and In case more than 70% of agricultural land is affected, PAPs will be supported within 12 months if not relocated and within 24 months if relocated.</td>
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</tbody>
</table>
| 17 | Social welfare | Additional support for the vulnerable | Relocated vulnerable households | i. Social policy HH, as defined by Vinh Long province, will get an allowance from 2,000,000VND-7,000,000VND for each household as regulated by PPC.  
ii. Other vulnerable groups such (i) single female headed HH with dependents and economic disadvantage (single, widow, disabled husband); (ii) people with physical or mental disability disabled (loss of working ability); (iii) the poor under MOLISA standard; (iv) the elderly alone; (v) ethnic minority people; will get the same additional support given to social policy HH as identified in point i. above. | If the PAHs are eligible to two or more categories, the highest benefit will be applied. |

Vinh Long Urban Development and Climate Resilience Project
<table>
<thead>
<tr>
<th>No</th>
<th>Type of loss</th>
<th>Application</th>
<th>Type of PAPs</th>
<th>Compensation/allowance policies</th>
<th>Implementation issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td>Incentive support for handing over site soon</td>
<td>Progress bonus</td>
<td>Households handing over their affected land to the project in time or prior to regulation</td>
<td>According to the Vinh Long provincial regulation.</td>
<td>Handing over of the acquired lands to the project will take place 30 days after the PAPs have received full compensation or assistance from the project.</td>
</tr>
</tbody>
</table>
VI. CONSULTATIONS WITH PROJECT AFFECTED PEOPLE

89. This chapter describes briefly how the consultation has to be conducted with project stakeholders, particularly with potentially affected households under the Project.

6.1 Objectives of Public Information and Consultation

90. Information dissemination to PAPs and involved agencies is an important part of project preparation and implementation. Consultation with PAPs and ensuring their active participation will reduce the potential for conflicts and minimize the risk of project delays. This will also enable the Project to design the resettlement and livelihood restoration program as a comprehensive development program to suit the needs and priorities of the PAPs, thereby maximizing the economic and social benefits of investments. The objectives of the public information and consultation program are as follows:

(a) To ensure that local authorities, as well as representatives of PAPs, will be included in the planning and decision-making processes. The PMU will work closely with Vinh Long PPC, Vinh Long City, the project CPCs/WPCs and related line departments and agencies during project implementation. PAPs involvement in implementation will continue thereafter by requesting the project city to invite PAP’s representatives to be members of the Compensation and Resettlement Committees and take part in the resettlement activities (property evaluation, compensation, resettlement, and monitoring).

(b) To fully share information about the proposed project components and activities with the PAPs.

(c) To obtain information about the needs and priorities of the PAPs, as well as receiving information about their reactions to proposed policies and activities.

(d) To ensure that PAPs are able to make fully informed decisions that will directly affect their incomes and living standards, and that they will have the opportunity to participate in activities and decision-making about issues that will directly affect them.

(e) To obtain the cooperation and participation of the PAPs and communities in activities necessary for Resettlement Planning and implementation.

(f) To ensure transparency in all activities related to land acquisition, resettlement, and rehabilitation.

6.2 Community consultation and participation

91. Methods of information dissemination and community consultation may include the rural participatory rapid assessment method, consultations with the stakeholders, visits to affected areas, interviews of affected households, community meetings, focus group discussions and socio-economic surveys.

92. Even in the early stage of project preparation, local governments at all levels have been informed about the project, its objectives, components and project operations and were consulted and participated in the discussions about local development needs and priorities in a constructive way. Local authorities were consulted on the assessment of potential negative impacts of the project, measures to minimize impacts and increase
benefits of the project. Local authorities were also consulted on their consensus and commitment to implement the resettlement policy as is described in the RPF. After the project is approved, central and local mass media, including TV programs and the press will widely introduce the project at public places, including information on the objectives, components and operations of the project.

93. Consultations with affected households and stakeholders, on the RPF, were conducted in January 2020 in different wards of Vinh Long as presented in the Table below. The main contents of the discussions are also indicated in the Table 4.
Table 4: Consultation Process during RPF Preparation

<table>
<thead>
<tr>
<th>No.</th>
<th>Stakeholders</th>
<th>Time of implementation</th>
<th>Number of participants</th>
<th>Participants</th>
<th>Main Content</th>
<th>Summary of consultation results</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
<tr>
<td>1</td>
<td>Relevant departments/branch</td>
<td>9h00-08/01/2020</td>
<td>32 25</td>
<td>- Representatives of Department of Natural Resources and Environment, Department of Finance, Department of Planning and Investment, Department of Justice, Land Fund Development of the city - Representatives of local authorities and local mass organizations: Farmer’s Union, Women’s Union, Youth’s Union and Fatherland Front …</td>
<td>o Eligibility criteria; o Entitlements, compensation and support policy of the project; compensation principles and the compensation conditions; o Resettlement policy for households who must be relocated; o Consultation Process; o Grievances Redress Mechanism;</td>
<td>Results of consultations with stakeholders and local authorities and representatives of households in the project area showed that all participants agreed to support the implementation of the project. Through consultation meetings, the consulting unit has recorded some comments as follows: 1. The policy framework should include: clear information on implementation steps for compensation and assistance for resettlement as specified in Article 2 of Decision No. 18/2014 / QD-UBND dated September 30, 2014. of Vinh Long People’s Committee. 2. The policy framework should clearly identify who will be</td>
</tr>
<tr>
<td>No.</td>
<td>Stakeholders</td>
<td>Time of implementation</td>
<td>Number of participants</td>
<td>Participants</td>
<td>Main Content</td>
<td>Summary of consultation results</td>
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<tr>
<td>8</td>
<td>Ward 9</td>
<td>14h00- 13/01</td>
<td>22 09</td>
<td>- Representatives of affected households and beneficiary households</td>
<td>o Implementation Arrangement;</td>
<td>eligible for compensation for land and who will be eligible for resettlement arrangement.</td>
</tr>
<tr>
<td>9</td>
<td>Tan Ngai commune</td>
<td>9h00- 15/01</td>
<td>11 8</td>
<td>- Representative of PMU</td>
<td>o Monitoring and Evaluation;</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Truong An commune</td>
<td>To be update on Feb 2020</td>
<td></td>
<td>- Safeguard Consultant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Thanh Duc commune</td>
<td>To be update on Feb 2020</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Phuoc Hau commune</td>
<td>To be update on Feb 2020</td>
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</tr>
<tr>
<td>13</td>
<td>Long Phuoc commune</td>
<td>To be update on Feb 2020</td>
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<tr>
<td>14</td>
<td>Tan Hanh commune</td>
<td>To be update on Feb 2020</td>
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</table>

3. Before making compensation to the affected people, the implementing unit must disclose all information on unit price for compensation regarding land and non-land assets.

4. It is necessary to have policies on support for renting, transportation support and income support for households who are affected by loss of livelihoods and relocation.

5. The project needs to develop programs of income restoration, vocational training for relocated households who live along roads and along the embankments of the Long Ho river.
94. **Public consultation in the project implementation phase**: During project implementation, the PMU will organize information dissemination and consultation with PAPs throughout the project implementation process; updating the compensation rates of the City, reaffirming land acquisition scale and impacts on assets based on the results of the detailed measurement survey (DMS), in consultation with PAPs, mailing/questions concerning the relocation plans to all PAPs (a) to inform them about the Resettlement Action Plans (clearly explain the consequences of each alternative option) and the Project resettlement site and (b) suggest affected people to affirm their choice of Resettlement Action Plans.

95. **Community meeting**: Before beginning the detailed design, community meetings in each affected ward will be conducted to provide additional information for PAPs and provide opportunities for them to participate in public discussions on resettlement policy and procedures. Details are described in the following Table.

<table>
<thead>
<tr>
<th>Steps</th>
<th>Preparation and implementation of community meetings</th>
</tr>
</thead>
</table>
| Step 1  | PMU has responsibility for preparing meeting contents and meeting agenda. Meeting schedule will be registered with project WPCs/CPCs so that they may collaborate with the PMU in inviting PAPs with at least 30% of women as expected and arranging suitable positions and time for participants. Meeting contents must cover the main information as follows:  
  • Provide PAPs with final ROW delineations of project structural items and information data on project resettlement sites with adequate information on physical and social infrastructures and price of minimum land plots;  
  • Disclose the project RP\(F\) approved by the PPC, applying for the Vinh Long UCDR.  
  • Mechanism of grievance and redress related to land acquisition and resettlement established for Vinh Long UCDR.  
  The contents will be sent to the project WPCs/CPCs at least 5 days in advance, so that they could provide the PAPs with the meeting contents at least 3 days before meeting starts. |
| Step 2  | Conduct community meetings to disclose clear information to all PAPs, score and take ideas of PAPs into consideration during detail engineering designing. The meeting should include representatives of WPCs/CPCs, CSCCs, DLFDCs and PMU. Minute meetings should be prepared during the meeting and signed by all representatives of stakeholders. |
| Step 3  | Disclose the project key information, resettlement and compensation policies and GRM at a place of project WPC/CPC’s/ offices where is easy to be visited by PAPs. |

**6.3 Disclosure**

96. As per Bank’s requirement under the ESS10 – Stakeholder Engagement and Information Disclosure, the RP\(F\) was disclosed in Vietnamese at local level, at the office of PMU, City PC, Ward/Commune PCs on **February 20, 2020** and the English version of this RP\(F\) was also disclosed at the World Bank external websites on **Xx March 2020**.
After approval by the City PC and clearance by the WB, the final RPF will also be disclosed as per the draft RPF at local level in Vietnamese and at the World Bank websites in English.

VII. IMPLEMENTATION ARRANGEMENTS

7.1 Organizational Arrangements

The implementation of resettlement activities requires the involvement of agencies at the city and ward levels. The Vinh Long PPC will be responsible for the overall implementation of this RPF and RP prepared under the RPF. The City Compensation and Site Clearance Committee (CCSCCs) will be established in the city in compliance with Decree No. 47/2014/ND-CP. This RPF is a legal basis for implementing compensation, assistance and resettlement for the project.

The following is an overview of key implementation responsibilities of each unit involved in the resettlement implementation under the project.

7.1.1 Province level

Vinh Long PPC is the highest authority to promulgate regulations, solve issues concerning guidelines and policies, and give instructions for the Project implementation and are the links between the functional organizations in the Project implementation. The PPC will take the below responsibilities:

(i) Promulgating regulations to solidify the mechanisms for compensation, assistance and resettlement in accordance with the laws and practices of the city.

(ii) Giving instructions to its departments, divisions, agencies and WPCs/CPCs for:

- Making plans for construction of the project resettlement site to meet the requirements of compensation, site clearance and land acquisition.
- Preparing compensation, assistance and resettlement plans within their competency.
- Approving compensation, assistance and resettlement plans.

(iii) Making decisions or authorizing chairpersons of City PC to implement land recovery for those who do not comply with the land acquisition decision made by the PPC once all the grievances steps have been exhausted.

7.1.2 Project Management Unit (PMU)

PMU that is the implementing agency assists the PPC and directly manages the project implementation. The PMU shall be responsible for the implementation of the project RP and its main tasks are:

(i) Preparation of the resettlement action plan or updating the resettlement action plan to submit to the PPC for approval;

(ii) Identification of resettlement sites before organizing household relocation to new residential area;

(iii) Planning detailed implementation of the Resettlement and Site Clearance Plan; Signing contracts with related entities to perform the compensation, support and resettlement;
(iv) Joining the project CSCCs, providing all necessary information related to the Project and the compensation, support plans to serve the evaluation process of the CSCCs;

(v) Instructing the implementation of project policies in compliance with the RPF and the RP of the project;

(vi) Planning and conducting internal monitoring of the implementation of resettlement activities of the project to ensure that all activities are in compliance with the project policies;

(vii) Recruiting, supervising and considering the recommendations on the process of implementing the RP regularly made by IMA;

(viii) Getting sites handed over by PAPs and handing them over to the construction contractors;

(ix) Preparing quarterly periodic reports on resettlement activities to the WB.

7.1.3 Compensation and Site Clearance Committee (CSCC)

102. CSCC is the agency that supports the City PC in organizing and implementing the compensation, assistance and resettlement. CSCC is established by the City PC including the following assignments:

(i) To plan and implement daily resettlement activities within the city;

(ii) To be responsible for directing and monitoring the compensation for site clearance and resettlement to ensure the implementation of compensation and resettlement including: listing of land acquisition, completing the compensation schedule, preparing the aggregate compensation tables, evaluating the plan to support the resettlement compensation to submit to the PPC or the city (if authorized) for approval and cooperating with the PMU to pay direct compensation for each affected subject after receiving compensation funds;

(iii) To be responsible for coordinating with relevant units to make conciliation to solve any claims by affected people on compensation policy and compensation rights;

(iv) To establish, if necessary, a Committee of compensation for damages at commune/ward level and to direct their activities in implementing the resettlement activities;

(v) To pay special attention to the needs and wishes of particular groups (ethnic minorities) and vulnerable people (children, the elderly, female-headed households/single);

(vi) To work closely with the independent monitoring organization.

7.1.4 City/District Land Fund Development Centers (CLFDC/DLFDCs)

103. CLFDC/DLFDC is in charge of the preparation and implementation of all resettlement activities. CLFDC/DLFDCs will:

(i) Sign a contract with the PMU, support CSCCs in implementing compensation, assistance and resettlement;

(ii) Blueprint for the implementation of RP and land clearance for the project;
(iii) Support the PMU in conducting community meetings to disclose the project information, RPF, GRM and information on resettlement sites;

(iv) Conduct DMS of all affected assets, establishment and disclosure of detailed compensation measures of each PAP;

(v) Conduct payment of compensation and assistance to all PAPs;

(vi) Receive and resolve complaints made by PAPs related to land acquisition and resettlement to be submitted to CSCCs for further deal with the issues beyond their competent.

7.1.5 Ward/Commune People’s Committee (WPCs/CPCs)

104. WPC/CPC is responsible for the following:

(i) Organizing dissemination of information for PAPs about the objectives for land acquisition, and the Project policy of compensation, assistance and resettlement.

(ii) Coordinating with agencies in charge of compensation, assistance and resettlement implementation to guide PAPs in enumerating and certifying their inventory of land and assets associated with land.

(iii) Preparing and taking responsibility for the accuracy of the copies of documents concerning land sources, family members, registered members, beneficiaries of social policies, and proposals for resettlement of DPs.

(iv) In coordination with the Employer, implementing payment of compensation, assistance and resettlement for PAPs and ensuring good conditions for the Project's site clearance.

7.2 Procedures for implementation of compensation, assistance, resettlement and appraisal for the policy of compensation, assistance and resettlement

105. Step 1: Implementation of compensation, assistance and resettlement when the State recovers the land, designation of the Organization to perform the task of compensation, assistance and resettlement (hereinafter called as the compensating organization), including:

a. Long Ho District Compensation, Assistance and Resettlement Board;

b. Vinh Long city Land fund development center.

106. Step 2: Establishment of City/District Compensation, Assistance and Resettlement Board:


b. Long Ho district: No Land Fund Development Center, so the District Compensation, Assistance and Resettlement Board will be in charge of implementation of compensation, assistance and resettlement. Right after the competent People's Committee issues a written notice on land acquisition, within 5 working days, the City/District Compensation, Assistance and Resettlement Board will propose to the Chairman of the city/district People's Committee for establishment of a Committee for Compensation, assistance and resettlement to
perform the task of compensation, assistance and resettlement. The District
Compensation, Assistance and Resettlement Board is established for individual
project and will be dissolved upon completion of their assignment. Members of
the Board include:

- Chairman or Vice Chairman of City/District People's Committee to be
  Chairman of the Board;
- Representative of Division of Natural Resources and Environment;
- Representative of Finance - Planning Division;
- Representative of Economic - Infrastructure Division or Urban Management
  Division;
- Representative of Division of Agriculture and Rural Development;
- Representative of the Justice Division;
- Representative of the City/District Fatherland Front;
- Representatives of ward/commune-level People's Committees, ward/commune-level
  Fatherland Front where the land is recovered;
- One or two people as representatives of affected households;
- Representative of client;
- Some other members as decided by the Chairman of the Board depending on
  practical demand.

c. The City/District Compensation, Assistance and Resettlement Board and the
Land Fund Development Center shall be responsible for establishing a mission
team who will be directed by leaders of the City/District Compensation,
Assistance Board and Land Fund Development Center to conduct inventory of
losses, tallying and assessment of losses related to land and on-land assets at the
site. The mission team’s members will consist of at least representative of the
People's Committee of the target commune, staffs of the City/District
Compensation, Assistance and Resettlement Board, the commune’s cadastral
official, head of the residential quarter or the head of the hamlet, representatives
of the Commune Fatherland Front and representatives of client.

107. **Step 3: Preparation and approval of the detailed plan for site clearance and
cost estimates for compensation, assistance and resettlement implementation:**

- Within fifteen (15) working days since the competent authority has issued the
  Notice on land acquisition, the organization in charge of compensation will
  preside and coordinate with the Client, the city/district Compensation,
  Assistance and Resettlement Board, the communal People's Committee
  (where the land is recovered) to prepare a detailed plan for demarcation,
  inventory of losses, measurement, reviewal of legal bases and obtaining
  comments from stakeholders as well as specific time for evaluation and
  approval of compensation, assistance and resettlement policy, payment of
  compensation, assistance, resettlement and cost estimates of organization and
  implementation then submit to the Chairmen of the competent People's
  Committee for approval.
Step 4: Public consultations and site survey:

a. Public consultation: Within five (05) working days at the latest from the approval of the detailed plan on compensation, assistance and resettlement by the competent authority, the Chairman of the People's Committee of the target communes/wards and the compensating organization will organize meetings with affected organizations, households and individuals to inform them about land acquisition, detailed implementation plan, policies on compensation, assistance and resettlement; and at the same time continue disclosure of documents on land acquisition and notification on land acquisition on the mass media (loudspeaker of the commune, ward and town; website of the People's Committee and Department of Natural Resources and Environment) and disclose at the headquarters of the communal People's Committee, the community house in the project area.

b. Organization of site survey, inventory of loss, detailed measurement survey: Within thirty (30) to forty-five (45) working days since the demarcation at the site has been completed, the compensating organization will liaise with the ward/commune-level People's Committee to conduct site survey, inventory of loss, detailed measurement survey for all organizations, households and individuals whose land areas are within the scope of land acquisition:

- The compensating organization will do themselves or hire a competent consultant for conducting site survey, inventory of losses and detailed measurement survey for all organizations, households and individuals whose land areas are within the scope of land acquisition;

- The affected people will declare their impact levels by filling in the forms provided by the compensating organization. The declaration form must contain the following main contents:
  - Area, type of land (land use purpose), origin, using time, available legal base for the land use rights;
  - Number of houses, types of house, grade of houses, using time and other on-land structures;
  - Quantity, type and age of trees for perennial plants; area, type, productivity, output for annual crops; area, productivity, output of aquaculture;
  - Demographic data (according to the household registration book and the permanent, short-term, long-term residence registration verified by local competent authority), the number of laborers affected by the land acquisition (i.e. persons directly engaged in agriculture, forestry and aquaculture on the affected land area for agricultural production; or contracted people working in non-agricultural production whose employers registered business operation on the affected land); people’s wish for resettlement, job change (if any);
  - Number of graves and tombs to be relocated;
  - In addition, during the inventory of losses, there can be arising impacts on
other assets (other than the mentioned types) of the people whose land is recovered. In this case, the compensating organization will check, acknowledge and report to the competent higher agency for approval in accordance with current regulations.

- When there are results from the inventory of losses and people’s declarations, the compensating organization will cooperate with the communal people’s committee to conduct the detailed measurement survey in presence of the affected people (or authorized person as prescribed by law). If there are any difference between results of the inventory of losses and people’s declarations, the declarers and the mission team will compare in details of the difference to have a consistent result.

- In case the affected people do not cooperate in inventory of losses and measurement, the compulsory measurement will be implemented in compliance with the provisions of Article 70 of the 2013 Land Law.

- Arrangement for review and approval of legality of the compensation, assistance and resettlement plan.
  - Within fifteen (15) working days at the latest from the date of completion of the inventory of loss and measurement, the communal People's Committee will be responsible for organizing the review and approval of the legality (with verification comments from the competent authorities on: Origin of land use in cases there are not sufficient documents proving land use rights in accordance with law; determination of any disputes related to land and houses within the scope of land acquisition; time and the process for formation of on-land assets; condition of other residential land and houses of households and individuals in the communes, wards or townships where there is land acquisition; certification of number of households and the number of people are living in the affected land area; number of people at working age (for the acquisition of agricultural land) who want to get assistance in vocational training and job placement;)
  - No later than seven (07) working days from the date of receipt of the written request from the compensating organization, the Sub-department of Taxation is responsible for completion of checking and issuing written confirmation about after-tax incomes of the production households and individuals, which will be a basis for provision of assistance for production subsistence as stipulated in Clause 1, Article 17 of this Regulation;
  - No later than seven (07) working days from the date of receiving the written request from the compensating organization, the Division of Labor - Invalids and Social Affairs is responsible for completion of checking and issuing a written confirmation about policy beneficiaries who are entitled to get the assistance, which will be a basis for consideration of compensation, assistance and resettlement in accordance with Articles 9 and 10 of this Regulation;
  - No later than seven (07) working days from the date of receipt of a written request from the compensating organization, the decentralized authority for
management of State’s budget and assets will be responsible for completion of checking and issuing written confirmation about source and structure of the fund originated from State budget for land and on-land assets of the organization within the scope of land acquisition.

109. **Step 5: Preparation of policy for compensation, assistance and resettlement:**
Within twenty (20) days from completion of the legality review of the plan of compensation, assistance and resettlement, the compensating organization will complete preparation of the detailed policy for compensation, assistance and resettlement.

110. **Step 6. Information disclosure and obtainment of comments on the draft policy for compensation, assistance and resettlement.**

   a. No later than three (03) days from the date of completion of the draft policy of compensation, assistance and resettlement, the compensating organization will coordinate with the People's Committee of the target commune to obtain comments on this draft through direct meetings with the people who are affected by land acquisition. Then the draft policy will be publicly disclosed for at least twenty (20) days at the office of the commune-level People's Committee and the community area where the land is recovered;

   b. The arrangement for obtainment of comments and disclosure of the draft policy on compensation, assistance and resettlement must be recorded in minutes (to be signed by ward/commune-level People's Committees and communal fatherland front, representatives of the affected households). These minutes will be verified by ward/commune-level People's Committees and clearly specify the number of agreeing and disagreeing opinions, the number of other comments for the policy;

   c. No later than three (03) days from the final day for public disclosure of the draft policy, the compensating organization will be responsible for synthesizing all comments in a written record, clearly specifying the number of people agree and disagree and other comments on the draft policy on compensation, assistance and resettlement;

   d. If there are many disagreements about the compensation, support and resettlement policy, the compensating organization will coordinate with the mission team and the People's Committee of the target commune to hold additional meetings for discussion and clarification on the policy to get final agreement or revision before submitting to the natural resources and environment authority for appraisal.

111. **Step 7. Appraisal of policy for compensation, assistance and resettlement:**

   a. The compensating organization will complete the policy for compensation and submit to the Natural Resources and Environment agency for appraisal according to the following provisions:

      - Submit to the Division of Natural Resources and Environment for appraisal in case the land for acquisition is within authority of district level People's Committees as prescribed in Clause 2, Article 66, Land Law.
      - Submit to the Department of Natural Resources and Environment for appraisal in case the land for acquisition belongs to the type stipulated in...
Clause 1, Clause 3, Article 66 of the Land Law; In case the provincial People's Committee authorizes the district People's Committee to decide on land acquisition, the appraisal procedure will follow Point b, Clause 8 of this Article.

b. Contents of the dossier include (12 sets of documents at province level and 10 sets of documents at city/district level):
   - Proposal letter for approval of compensation policy;
   - Policy for compensation, assistance and resettlement (attached with breakdown of costs for compensation and assistance for each land user);
   - Copy of the Notification on land acquisition;
   - Minutes of the public consultation meeting on the compensation, assistance and resettlement plan; minutes of discussion with households that disagree; summary of people's comments on compensation plans;
   - Map of land for acquisition;
   - Decision on involuntary inventory (if any);
   - A set of dossiers on inventory of losses of each affecter person, including: Declaration; inventory records; documents specifying the area and type of land for compensation by the competent authority;
   - Documents related to investment projects (documents approving investment policies, decisions approving the investment project ...);
   - Documents related to the policy for compensation and assistance.

c. Appraisal of the policy for compensation, assistance and resettlement: The natural resources and environment agency shall be responsible for coordinating with stakeholders for appraisal of the policy and then submitting the results to the People’s Committee of the same level for promulgation of the approval decision as prescribed in the 2013 Land Law.

d. Within fifteen (15) working days at the latest from the date of receipt of a complete set of documents from the compensating organization, the natural resources and environment authority shall convene a meeting to appraise the entire dossier, and compensation, assistance and resettlement plan before submitting it to the competent People's Committee for approval. For complex and large-scale projects, the time may be extended but must not exceed twenty-five (25) working days from the date of receipt of complete dossiers. During the appraisal time, the appraisal agency shall check the validity of dossiers and will return the failed dossier to the compensating organization (together with attached minutes) for revision. The compensating organization will revise the policy within seven (07) working days, send it back to the appraisal agency to submit to the competent authority for approval.

112. Step 8. Approval of the policy on compensation, assistance and resettlement: 
   a. Within fifteen (15) working days at the latest from the date of receipt of a complete dossier from the natural resources and environment authority, the competent People's Committee shall issue a decision on land acquisition and a
decision approving the policy on compensation, assistance and resettlement in accordance with the provisions at Point a, Clause 3, Article 69 of the 2013 Land Law.

b. Where the provincial People's Committee authorizes the city/district People's Committee to make decision on land acquisition, Clause 3, Article 66, Point a, Clause 3, Article 69 of the 2013 Land Law shall be followed.

c. For works authorized under Point b, Clause 8 of this Article: no later than twenty (20) working days from the date on which the Provincial People's Committee issues an authorization decision, the Division of Natural Resources and Environment will hold a meeting to appraise all dossiers and policy on compensation, assistance, resettlement and land acquisition dossiers before submitting them to the district People's Committee for decision in accordance with Point a, Clause 8, of this article.

d. When the acquired land is located in 02 or more city/districts, before preparing compensation, support and resettlement policy, the Chairmans of the city/district People's Committees shall direct the preparation of the a general report on compensation, assistance and resettlement in their districts, consulted with the Department of Natural Resources and Environment and get the agreement from the Chairman of the provincial People's Committee through a meeting to agree on mechanisms and policies in the implementation of compensation, assistance and resettlement plan in the boundary areas.

113. Step 9. Disclosure of the policy on compensation, assistance and resettlement; Payment of compensation, assistance and handover of site:

a. No later than three (03) days from the date of the decision on land acquisition and the decision on approval of compensation, support and resettlement plan, the compensating organization will coordinate with the ward/communal People's Committee to arrange disclosure of the approved policy on compensation, assistance and resettlement (until the site clearance is completed) at the headquarters of the ward/communal People's Committee and residential area where the land is acquired; togehter with specific notification on time, venue, payment of compensation ans assistance, time for receiving compensated house, land for resettlement as well as the deadline for handing over the site; at the same time, the approval decision and the detailed plan on compensation, assistance and resettlement and decision on land acquisition will be sent to each organization, household or individual whose is affected by the land acquisition. The public disclosure and sending of the mentioned decisions will be recorded and certified by the ward/commune-level People's Committee, the head of the residential cluster or the head of the hamlet and the representative of the affected people.

b. In case the organization, household or individual does not accept the approval of the compensation policy, the compensating organization shall be responsible for requesting the ward/commune-level People's Committee to chair and coordinate with the communal Fatherland Front to persuade people. If after being persuaded, the organizations, households and individuals deliberately refuse to accept the compensation policy, the compensating organization will coordinate with the
communal People's Committee to record the case and report to the Compensation, Support and Resettlement Board and the district People's Committee and keep the records together with the minutes on public disclosure of the approved compensation and assistance policy to be a basis for settling complaints or for implementation of involuntary land acquisition (if any) to be in line with regulations.

c. Payment of compensation, assistance and arrangement of resettlement land and houses: Within thirty (30) days from the effective date of the decision on land acquisition and the decision on approval of compensation, assistance and resettlement policy by the competent state agencies, the compensating organizations shall make payment of compensation and assistance to the affected people. At the same time, the compensating organization will coordinate with the city/District Compensation, Assistance and Resettlement Board and competent management authority to organize the draw for land plot allocation, hand over the resettlement land and houses for resettled people and record the files and procedures for allocation of the resettlement land and house in line with the regulations.

d. Organizations, households and individuals receiving compensation, assistance and resettlement must sign a written commitment on the deadline for handing over the site and shall take responsibility before law for the contents they have committed; and at the same time hand over the original copies of the land/house use right documents for revision or withdraw as prescribed. The time of handing over the site to the compensating organization shall comply with the time stated in the plan's approval decision.

e. In case, after persuasion, the affected organizations, households and individuals still deliberately refuse to receive the compensation payment or refuse to accept the resettlement land/house as well as refuse to hand over the site, the district People's Committee will coordinate with the communal People's Committee, the mission team and the communal Fatherland Front to file the case and transfer the compensation amount to the State Treasury's temporary custody account and keep the compensation policy as a basis for later complaint settlement (if any) and concurrently implement the involuntary acquisition of land as stipulated in the Article 71 of the Land Law.

7.3 Preparation of procedures for approval of RP

7.3.1 Preparation of RP

a. Screening

114. At the project identification stage, an initial assessment of social issues shall be made to determine the level of impact resulting from project investment as well as land acquisition and land use changes. Based on the social appraisal results, the PMU will make a decision to require a method of detailed site survey and data necessary including statistic data, studies and other results of the socio-economic surveys.

b. Resettlement Instruments
115. The scope and details of a RP depends on the resettlement scale and complexity; therefore, the RP to be tentatively applied for the Project is a full RP which should cover but not limited the following elements:

(1) Description of the project
(2) Potential impacts
(3) Objectives of the resettlement program
(4) Census survey and baseline socioeconomic studies
(5) Legal framework
(6) Institutional framework
(7) Eligibility
(8) Valuation of and compensation for losses
(9) Community participation
(10) Implementation schedule
(11) Costs and budget
(12) Grievance redress mechanism
(13) Monitoring and evaluation
(14) Arrangements for adaptive management

116. Additional planning requirements where resettlement involves physical displacement.

(1) Transitional assistance
(2) Site selection, site preparation, and relocation
(3) Housing, infrastructure, and social services
(4) Environmental protection and management
(5) Consultation on relocation arrangements
(6) Integration with host populations

117. Additional planning requirements where resettlement involves economic displacement.

(7) Direct land replacement
(8) Loss of access to land or resources
(9) Support for alternative livelihoods
(10) Consideration of economic development opportunities

(11) Transitional support

118. Activities for compensation and support can be started only when the WB and the PPC have approved the RP. The payment for compensation, allowances and other supports or assistance should be completed before signing construction contracts for the project.

c. **Preparation of RP**
(i) Based on the RPF, the consultants hired by the PMU shall prepare a RP for the Project and submit it to PPC for review and approval. The RP will subsequently be submitted to the WB for approval before there is the final approval by the PPC. Personnel responsible for this task shall cooperate with PAPs, government agencies at all levels, and local social organizations to implement the detailed RP.

(ii) The RP preparation requires community participation an analysis in all aspects to be included in a social assessment and evaluation. The following procedures are implemented in the planning phase of a Project:

**Step 1.** Completion of the preliminary designs for the project based on consultation with potential PAPs and professional engineers so as to minimize resettlement impacts as much as possible. For example, choosing design alternatives, revision of road alignment and prioritizing the existing traffic systems, and/or utilizing public space to reduce the resettlement impact on PAPs significantly;

**Step 2.** A baseline socioeconomic study will be conducted among PAPs. The socioeconomic study includes statistics on family members and surveys of households that may be affected. It contains socio-economic information of PAPs, determines types of impacts, impact levels and inventory of PAP’s property. The survey is conducted with the participation of concerned local authorities at all levels.

**Step 3.** In parallel with the socioeconomic study, consultations with PAPs will be made to determine their expectations and demands. The results of these consultations should be included in the RP. Replacement cost survey for land, farm products and assets from the governments of Vinh Long city, ward as well as the current market, will be the foundation for estimating the costs in the RP.

**Step 4.** Preparation of Resettlement action plan: the entitlements stipulated in the RPF are summarized in the Entitlement matrix for the project. The number of PAPs and assets and total amount of compensation should be determined for each type of effect.

**Step 5.** Disseminating the draft RP in community meetings; comments and ideas contributed at these meetings shall be reviewed and included in the final draft RP.

**d. Appraisal of RP**

(i) One of the project assessment criteria is the RP preparation, which is consistent with the RPF. This RP must be developed in bilingual languages, Vietnamese and English. The English version must be submitted to the World Bank for approval before start of construction. The social assessment and statistics on household resettlement impacts may reveal new affected groups and new types of impact which are not mentioned in the Entitlement Matrix of the RPF. If new types of impact arise, the relevant agency should update them into the RPF and the RP.

(ii) The PPC will be responsible for approval of RP. After the detailed technical designs are complete, the number of PAPs, compensation unit prices for all types of impacts, and levels of allowance or support will be reviewed and updated according to the results of the replacement cost investigation.
(iii) After the World Bank approves the RP, PPC will take general responsibility for RP implementation. World Bank will not approve any loans for construction contracts unless the City has completed the compensation, resettlement and land acquisition included the measures to recover the living conditions of the affected people.

7.3.2 RP Approval Procedure

119. The RP of the project will have to be submitted to the Vinh Long PPC and the World Bank for approval before any compensation and resettlement activities are implemented. After the RP is approved, the contents of the RP should be summarized and disclosed to the relevant PAPs for their information and feedback. A copy of the approved RP will be disclosed at relevant Ward’s PC so that the PAPs can conveniently access. The RP will be disclosed locally in Vietnamese, and then at the World Bank external websites both in Vietnamese and English.

7.4 Replacement Costs Survey (RCS)

120. As required by the World Bank’s ESS5 on Involuntary Resettlement, RCS will need to be carried out to establish the basis for calculation of replacement costs for all the lands/crops/structures/assets affected by the Project. In relation to this, RCS needs to be completed to establish compensation rates for all RPs that are prepared under the Project. The local authority will contract a consulting firm which specialized in conducting land price appraisal and it will work closely with PMU, the project DPCs, and the CCSCCs for this Project to ensure compensation payment is at the replacement costs for land and structures, and at market prices for crops/trees.

VIII. GRIEVANCE REDRESS MECHANISM (GRM)

121. PAPs are entitled to the complaints regarding their interests and responsibilities in the Project implementation including but not limited to entitlements, compensation policy, unit prices, land acquisition, resettlement and other entitlements related to the recovery support programs. Complaints can also concern issues related to construction safety and nuisances caused by construction. Grievance procedures should include affordable and accessible procedures for third party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

122. The steps of Grievance Redress Mechanism are as follows:

First Stage - Commune/Ward People’s Committee (CPC/WPC)

- An aggrieved PAPs may bring his/her complaint to the One Door Department of the Commune/Ward People’s Committee, in writing or verbally. The member of CPC/WPC at the One Door Department will be responsible to notify the CPC/WPC leaders about the complaint for resolution. The Chairman of the CPC/WPC will meet personally with the aggrieved PAPs and will have 30 days following the date of receipt of the complaint to resolve it. The CPC/WPC secretariat is responsible for documenting and keeping files of all complaints handled by the CPC/WPC.
Second Stage - At City/District People’s Committee (City/District PC)

- If after 30 days, the aggrieved affected household does not hear from the CPC/WPC, or if the PAPs is not satisfied with the decision taken on his/her complaint, the PAPs may bring the case, either in writing or verbally, to any member of the City/District PC or the RC of the City/District. The City/District PC in turn will have 30 days following the receiving date of the complaint to resolve the case. The City/District PC is responsible for documenting and keeping files of all complaints that it handles and will inform the RC of the City/District of any decision made. Affected households can also bring their case to Court if they wish.

Third Stage - At Province People’s Committee (PPC)

- If after 30 days, the aggrieved PAP does not hear from the City/District PC, or if the PAP is not satisfied with the decision taken on his/her complaint, the PAP may bring the case, either in writing or verbally, to any member of the PPC or lodge an administrative case with the City/District People’s Court for resolution. The PPC has 45 days within which to resolve the complaint to the satisfaction of all concerned. The PPC secretariat is also responsible for documenting and keeping files on all complaints that it handles. Affected households can also bring their case to Court if they want.

Final Stage - Court of Law Decides

- If, after 45 days following the lodging of the complaint with the PPC, the aggrieved PAP does not hear from the PPC, or if he/she is not satisfied with the decision taken on his/her complaint, the case may be brought to a court of law for adjudication. Decision by the court will be the final decision.

123. Decision on solving the complaints must be sent to the aggrieved PAPs and concerned parties and must be posted at the office of the People’s Committee where the complaint is resolved. The decision/result on resolution is available at commune/ward level after three days, and at City/district level after seven days.

124. At the beginning of the project implementation, Grievance Redress Committees will be established from communal/ward to provincial levels based on the existing structures consisting of concerned departments, mass organizations, women and ethnic representatives. At the communal level the community-based organization will incorporate the existing grievance mechanisms that will be chaired by the leader of the CPC. The grievance mechanism and procedures will resolve complaints, and with the availability of local resources resolve conflicts not only on safeguard issues but also on other issues during project implementation. Based on this structure, the community-based organization would assist during the project preparation, design, implementation, and future developments. The grievance mechanism will be applied to persons or groups that are directly or indirectly affected by a project, as well as those that may have interests in a project and/or have the ability to influence its outcome either positively or negatively.

125. In order to minimize complaints to the provincial level, the PMU will cooperate with the City Resettlement Committee to participate in and consult on settling
complaints. Staff, assigned by the PMU, will formulate and maintain a database of the
APs’ grievances related to the Project including information such as the nature of the
grievances, sources and dates of receipt of grievances, names and addresses of the
aggrieved PAPs, actions to be taken and current status. In the case of verbal claims, the
reception board will record these inquiries in the grievance form at the first meeting with
affected people.

126. The grievance resolution process for the Project, including the names and contact
details of Grievance Focal Points and the Grievance Facilitation Unit (GFU), will be
disseminated through information brochures and posted in the offices of the People’s
Committees at the wards/communes and city and at the PMU. All complaints and
grievances will be properly documented and filed by the commune and City PCs as well
addressed by PPMUs through consultations in a transparent and proactive manner.
These grievance documents and reports will be made publicly accessible. All costs
associated with the grievance handing process incurred by the claimant and/or her/his
representatives are to be covered by the project developer. To ensure that the grievance
mechanisms described above are practical and acceptable to APs, local authorities and
communities, taking into account specific cultural attributes as well as traditional-
cultural mechanisms for raising and resolving complaints and conflicting issues.

127. An escrow account for resettlement payments, at a commercial bank with interest
rates, should be used when resolving grievances to avoid excessive delays to the project
while ensuring compensation payment after the grievance has been resolved.

128. Communities and individuals who believe that they are adversely affected
by a World Bank (WB) supported project may submit complaints to existing project-level
grievance redress mechanisms or the WB’s Grievance Redress Service (GRS). The GRS
ensures that complaints received are promptly reviewed in order to address project-
related concerns. Project affected communities and individuals may submit their
complaint to the WB’s independent Inspection Panel which determines whether harm
has occurred, or could occur, as a result of WB non-compliance with its policies and
procedures. Complaints may be submitted at any time after concerns have been brought
directly to the World Bank’s attention, and Bank Management has been given an
opportunity to respond. For information on how to submit complaints to the World
Bank’s corporate Grievance Redress Service (GRS), please visit
http://www.worldbank.org/GRS. For information on how to submit complaints to the
World Bank Inspection Panel, please visit www.inspectionpanel.org.
IX. COST AND BUDGETS

129. To prepare the budget for the Project, preliminary cost estimation will be made. Costs for the RAP implementation will be made based on updated compensation unit prices of the City, reflecting the replacement cost of all affected assets at the time the RP is implemented.

130. PPC will be responsible for funding the Project's site clearance and compensation and assistance costs.

131. Training costs for RP implementation, development of the project resettlement site (when requested), and Independent Monitoring Agency (IMA) cost will be taken from the Project's ODA fund.
X. MONITORING AND EVALUATION

10.1 Monitoring

132. Monitoring of implementation is a continuous process during project implementation. It provides concerned agencies with updated information on the Project's status. It will determine the Project's actual progress, its likelihood of success, and any difficulties arising, and facilitate adjustments to implementation of the Project as soon as possible. It consists of internal and external monitoring.

10.1.1 Internal Monitoring

133. Internal monitoring of the RP implementation is the main responsibility of the PMU with the support of the project consultants, which will be regularly implemented through progress reports made by the PMU in coordination with project CPCs and WPCs. The findings will be recorded in quarterly reports before being submitted to the PPC and WB. Internal monitoring reports will include the following information:

(i) Number of PAHs according to different impact types, condition of the compensation reimbursement, relocation and income recovery of the PAHs;

(ii) Finance allocation to the activities or reimbursement of compensation and the reimbursed budget for each activity;

(iii) Final result on complaints redress and any remaining issue which require the administrative authorities of some levels to solve;

(iv) Arisen issues during the implementation stage;

(v) Implementation schedule of the updated actual resettlement.

10.1.2 External Monitoring (Independent Monitoring)

134. An independent agency will be hired by the PMU to monitor the implementation of the resettlement action plan. The agency is called the Independent Monitoring Agency (IMA). The independent agency can be a research institution/company, a non-governmental organization or an independent consulting firm etc. The agency must have expertise in the social sciences and considerable experience in independent monitoring of the implementation of resettlement. The implementation of the independent monitoring mission should be based on the terms of reference approved by WB. The independent monitoring agency will begin its work as soon as the project implementation begins.

135. The overall objective of independent monitoring is to provide a periodic independent evaluation of the results of implementing the resettlement objectives, the changes in living standards and employment, income rehabilitation and the social basis of those affected, effectiveness, impacts and sustainability of citizen entitlements, the need for additional measures to minimize the damage (if any), and identifying strategic lessons for making and planning policies in the future.

136. In addition to the evaluation of the information provided in the assessment report of the internal monitoring unit, the Independent Monitoring consultant will also conduct sample testing every 6 months. The sample size should be 50% of displaced households and affected households, and at least 10% of the remaining households in each resettlement action plan in order to:
(i) Determine whether or not the procedures for the participation of affected people, and procedures for compensation and rehabilitation for affected persons matches the policy framework and resettlement action plan.

(ii) Ensure the process of project implementation, procedures for consultation and information dissemination, publicity and compensation policies are conducted and transparent.

(iii) Evaluate whether the objectives of the policy framework on improving or at least recovering the income and living standards of affected persons are being met.

(iv) A set of quantitative indicators of socio-economic impacts of the implementation of the project for those affected.

(v) Propose amendments, where required, during the process of implementing the resettlement action plan, in order to achieve the principles and objectives of the policy framework.

(vi) The level of satisfaction of affected persons on different aspects of the resettlement action plan will be monitored and recorded. The operation of the grievance redress mechanism and the time required to resolve a complaint may be monitored.

(vii) During the process of implementation, trends in living standards are observed and investigated. Any potential problems in the restoration of living standards are reported.

(viii) The Independent Monitoring Agency must submit a periodic report every 6 months, outlining the findings of the monitoring process. This monitoring report will be discussed with PMU before submission to World Bank.

10.2 Evaluation

137. Evaluation will be carried out under the project in the form of an assessment at the specified time on the impact of relocation and whether the objectives have been achieved. Independent monitoring will make an assessment of the resettlement process and impacts within 6-12 months of the completion of all resettlement activities.

138. If through the evaluation, the affected households are found not to have recovered their livelihood accordingly, and the objectives of the project have not been achieved, the affected households will be supported with appropriate funding. The Independent Monitoring Report should be sent to the PMU and directly to the World Bank in order to monitor/supervise the progress and effectiveness of compensation. The Bank will continue to conduct their surveillance until the resettlement activities noted in the resettlement action plan report have been implemented. Upon the completion of the project, the implementation completion report (ICR) will evaluate the achievements of the resettlement and the lessons to be drawn which will be incorporated into the evaluation of PMU. If this evaluation determines that the objectives of the resettlement work have not been achieved as expected, the ICR will evaluate the suitability of future resettlement measures.
139. The evaluation will be made on the basis of the socio-economic survey among affected households, to be conducted at the end of the project (or the end of the sub-project).

140. Criteria which need to be considered and evaluated after the end of the project include:

(i) The policy of compensation, support and resettlement has been applied
(ii) The promulgation of information
(iii) The consultation of stakeholders
(iv) The implementation of compensation, support and resettlement
(v) The existing problems
(vi) Standard of living and restoration of the lives of the affected people
(vii) Implementation capacity
(viii) Claims and claim settlement
(ix) Compare entitlement policies between approved update RP and implementation in real terms in order to evaluate the degree of compliance degree and achieve the project policy objectives.

141. To evaluate the performance of the entire RP, a sample survey of the socio-economic profile of PAHs and an assessment of the affected households and the post-assessment for the project will be carried out in line with the above-mentioned criteria within 6 months to 1 year after the completion of the activities of the RP. A selected sample survey of households will be taken from the list of households in the baseline survey before the implementation of compensation and site clearance, in order to compare the change in status before and after the impact of the project. The household sample survey needs to ensure adequate representation of affected persons and must include 10% of households affected and 100% of households severely affected.
ANNEX

Annex 1. Outline of the Resettlement Plan

Executive summary

I. Introduction
1.1. Introduction of the project and project
1.2. Mitigation measures of the negative impacts to the project
1.3. Objectives of the resettlement action plan

II. Scope of Impacts
2.1. Procedures and loss estimation methods
2.2. Involuntary resettlement policy of WB (ESS5)
2.3. Project impacts

III. Socio-economic profile
3.1. Socio-economic survey in the affected project area
3.2. Demographics characteristics of affected HHs
3.3. Gender issues

IV. Legal framework
4.1. Legal documents on land acquisition and resettlement
4.2. Compensation policy
4.3. Compensation procedures

V. Income restoration measures

VI. Resettlement arrangement

VII. Information disclosure and public consultation
7.1. Information disclosure
7.2. Public consultation

VIII. Grievance redress mechanism

IX. Institutional arrangement
9.1. Central level
9.2. Responsibility of People’s Committee (Provincial, City/District, Ward/Commune levels)
9.3. Responsibility of resettlement committees

X. Monitoring and evaluation
10.1. Internal monitoring
10.2. External monitoring

XI. Budget sources and cost estimation
11.1. Financial sources for all resettlement activities
11.2. Compensation and allowance cost estimation
11.3. Contingencies

**XII. Timetable of resettlement implementation**

12.1. Consideration of economic development opportunities
12.2. Transitional support
Annex 2. Contents of Project Information Booklet

Contents of project leaflets shall include following information but not limited to:

- Brief description of the project
- Project implementation schedule
- Project impacts
- Entitlements and rights of affected persons
- Policies on compensation, assistance and resettlement
- Responsible Organizations
- Information disclosure procedures
- Consultation with project affected households
- Grievance redress procedures
- Independent monitoring

In addition, this leaflet will provide hot line/address for receiving comments from affected persons.
### Annex 3. The Indicators of Monitoring and Evaluation

<table>
<thead>
<tr>
<th>Indicators</th>
<th>Information Required in Monitoring and Evaluation</th>
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| Monitoring implementation of DMS               | o All affected land and properties must be measured accurately; the results of the DMS have been disclosed.  
                               | o Complaints or questions of the affected households based on the results of the DMS shall be resolved promptly and satisfactorily.                                                                                                                                 |
| Monitoring compensation payments and cash assistance | o Compensation for affected land; if compensation for loss of land for equivalent land (land for land), such as equal surface, location, productive capacity, living conditions or not; if cash compensation for loss of land, compensation is equivalent to replacement cost at time of payment or not;  
                               | o Compensation for all affected structures has been provided at 100% replacement cost for materials and labor based on the criteria and characteristics of affected structures, not excluding depreciation and salvage old materials;  
                               | o Compensation for affected trees/crops has been paid according to the full market price of affected trees/crops or not.  
                               | o Assitances as mentioned in the RPs have been paid fully for the affected households or not; paid once or several times.                                                                                       |
| Monitoring implementation of disclosure information and public consultation | o Have the project documents been provided to relevant communities (RF, RP, project leaflets, and other relevant documents).                                                                                                                                       
                               | o Has information been disclosed in a public places (results of DMS, compensation prices, payments...)?  
                               | o The affected households have been consulted fully about land acquisition, compensation policies, relocation, living rehabilitation and grievance redress procedure or not.                                                                                   
                               | o How were these concerns, suggestions of affected households resolved in the process of resettlement implementation?                                                                                                                                 |
| Monitoring resettlement implementation of affected households | o Consider living condition, income in resettlement areas such as infrastructure (road, electricity, supply water/drainage...), and their livelihoods.                                                                                                                   
<pre><code>                           | o Resettlement planning and implementation: consultation on resettlement options, participate in preparing the relocation plan, announcement of relocation plan and supports for displaced households.                                                                                     |
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<tr>
<th>Indicators</th>
<th>Information Required in Monitoring and Evaluation</th>
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<tbody>
<tr>
<td>Monitoring income restores and living rehabilitation</td>
<td>o Supports for income restores have been provided adequate or not; Effectiveness of the supports (training, credit support ...).</td>
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<td>o Problems that PAHs are facing in process of their income restoration and living rehabilitation.</td>
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<tr>
<td>Monitoring and evaluating satisfaction level of PAHs</td>
<td>o Satisfaction level about DMS;</td>
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<td>o Satisfaction level about information disclosure, public consultation;</td>
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<td></td>
<td>o Satisfaction level about compensation payments, support;</td>
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<td></td>
<td>o Satisfaction level about income restores and living rehabilitation activities;</td>
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<td></td>
<td>o Satisfaction level about resettlement sites</td>
</tr>
<tr>
<td>Monitoring grievance redress mechanism of affected households</td>
<td>o Efficiency level of grievance redress procedure (solving time and efficiency...);</td>
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<td></td>
<td>o Results of resolution of complaints at different levels;</td>
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<td>o Satisfaction level about grievance redresses mechanism.</td>
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<tr>
<td>Coordination between activities of resettlement and construction process</td>
<td>o The construction works are just started:</td>
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<tr>
<td></td>
<td>o Land acquisition and resettlement activities (compensation, support and moving) for the work items have been completed;</td>
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<td></td>
<td>o All issues that related to project area have to be solved.</td>
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<td>o Income restoration program has been established.</td>
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<tr>
<td>Issues of gender and ethnic minorities</td>
<td>o The number of women participating in land acquisition and resettlement activities; impact of land acquisition and resettlement for women’s’ livelihood; issues of income restoration for women.</td>
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<td></td>
<td>o Consult and announce to households of ethnic minorities and community affected; the measures have been carried out to avoid, minimize negative impacts for land acquisition of community of local ethnic minorities; complain about negative impacts and the issues of income restoration for the affected ethnic households</td>
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Annex 4. Some pictures about consultancy on RPF

Meeting in Ward 1

Meeting in Ward 2

Meeting in Ward 3

Meeting in Ward 4

Meeting in Ward 5

Meeting in Ward 8
Meeting in Ward 9

Meeting in Vinh Long city