REPORT
ON COMPENSATION, EMIGRANT AND
RESETTLEMENT
FOR “RURAL POWER DISTRIBUTION
GRID PROJECT – BUILDING POWER
TRANSMISSION LINE 110KV
CHO ROC-CAT BA”

HANOI 11/2007
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AUTHOR : Ngo Kim Anh
PROJECT MANAGER : Hoang Anh Dung
DIRECTOR OF TTTV : Tong Bach Thang

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<th>Description</th>
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<tr>
<td>Hải Phòng PC</td>
<td>Hải Phòng Power Company</td>
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<td>PMB</td>
<td>Project Management Board of Hải Phòng Power Company</td>
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<tr>
<td>CPC</td>
<td>Commune People’s Committee</td>
</tr>
<tr>
<td>CRC</td>
<td>Compensation and Resettlement Committee</td>
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<tr>
<td>D/L</td>
<td>Distribution Line</td>
</tr>
<tr>
<td>T/L</td>
<td>Transmission Line</td>
</tr>
<tr>
<td>DMS</td>
<td>Detailed Measurement Survey</td>
</tr>
<tr>
<td>DNRE</td>
<td>Department of Natural Resources and Environment</td>
</tr>
<tr>
<td>DOC</td>
<td>Department of Construction</td>
</tr>
<tr>
<td>DOF</td>
<td>Department of Finance and Pricing</td>
</tr>
<tr>
<td>DOI</td>
<td>Department of Industry</td>
</tr>
<tr>
<td>DP</td>
<td>Displaced Person or Project Affected Person</td>
</tr>
<tr>
<td>DPC</td>
<td>District People’s Committee</td>
</tr>
<tr>
<td>DPI</td>
<td>Department of Planning and Investment</td>
</tr>
<tr>
<td>EVN</td>
<td>Electricity of Vietnam</td>
</tr>
<tr>
<td>GOV</td>
<td>Government of Vietnam</td>
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<tr>
<td>HH</td>
<td>Household</td>
</tr>
<tr>
<td>LURC</td>
<td>Land Use Right Certificate</td>
</tr>
<tr>
<td>OP 4.12</td>
<td>World Bank’s Operational Policies 4.12</td>
</tr>
<tr>
<td>PPC</td>
<td>Provincial People’s Committee</td>
</tr>
<tr>
<td>PPP</td>
<td>Project Provincial Powers</td>
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<tr>
<td>RIB</td>
<td>Resettlement Information Booklet</td>
</tr>
<tr>
<td>RP</td>
<td>Resettlement Plan</td>
</tr>
<tr>
<td>TA</td>
<td>Technical Assistance</td>
</tr>
<tr>
<td>VND</td>
<td>Vietnam Dong</td>
</tr>
<tr>
<td>WB</td>
<td>World Bank</td>
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SUMMARY

1 Introduction

1.1 Project Objectives

Project objectives of Vietnam rural distribution network are refurbishing and upgrading 110kV, 22kV and 35kV distribution network for rural areas where their power demand are accelerating in order to improve the capacity of distribution network to meet load demand and assure quality of power supply.

Improving power quality; reducing loss; assuring safe and improving the effect of power trade.

The purposes of power supply for Cát Bà island are:
- Improving power quality for Cát Bà island
- Meeting the power demand in the future

Main characteristics of Project:
- Voltage level: 110kV
- Double circuit T/L, 1 circuit will be installed first
- Start point: from point of 110 kV T/L supplying power to 110kV Chợ Rộc substation
- End point: the gatepost of 110kV Cát Bà substation
- Length of T/L: 36.218 km through 02 suburban districts namely Hưng Yên (Quang Ninh) and Cát Hải (Hải Phòng)
- 4 spans that ship pass through
- Crossing communication T/L 3 times
- Crossing electric T/L 40 times
- HHs in ROW: 37 HHs (13 HHs in Quảng Ninh region)
- Crossing highway 1 time and inter-commune rod 10 times

1.2 Policy Framework

This RP is implemented by Institute of Energy based on Policy Framework for Compensation, Resettlement and Rehabilitation of Project Affect ed Persons.

The objective of the RP is to ensure that all DPs shall be compensated for their losses at replacement cost and will be provided with rehabilitation measures to assist them to improve, or at least maintain their pre-project living standards and income earning capacity.
Apart from direct compensation, all DPs who permanently losing more than 10% of their residential/productive land or their incomes are entitled to transport allowance, relocating subsidy, trainings or other restoration measures.

However, in the Rural distribution project, there are no DPs whose fixed assets being acquired more than 10% of their total holding and not required to be relocated.

1.4 Project Management Method

110kV Chợ Rộc - Cát Bà transmission line is invested by EVN. Financial resource from Worl Bank.

Hải Phòng PC PMB (belonging to Hải Phòng Power JSC), on behalf of EVN, will directly manage the project.

2 Institutional and Legal Framework

2.1 Institutional Framework

Hải Phòng PC PMB, Institute of Energy are responsible for applying Policy Framework in planning and implementing this RP.

Hải Phòng PC PMB, Institute of Energy are responsible for carrying out census, socio-economic survey and inventories to plan and implement this RP.

The District and Commune People’s Committees will participate in the RP preparation and implementation.

2.2 Legal Framework

All GOV policies and WB policies related to land acquisition, compensation and resettlement (OP 4.12) are applied for this RP. Where GOV and WB policies are not compatible, the WB’s OP 4.12 shall prevail with certain required waivers.

3 Entitlement Policy

This RP has been prepared on the basis of the OP 4.12 of the WB on involuntary re-Framework is to ensure that all DPs will be compensated for their losses at replacement cost and will be provided with rehabilitation measures to assist them to
improve, or at least maintain their pre-project living standards and income earning capacity.

The Policy Framework lays down the principles and objectives, eligibility criteria of DP’s, entitlements, legal and institutional framework, modes of compensation and rehabilitation, peoples participation features and grievances procedures that will guide the compensation, resettlement and rehabilitation of the DP’s.

Apart from direct compensation, all DPs who permanently losing more than 10% of their residential/productive land or their incomes are entitled to transport allowance, relocating subsidy, trainings or other restoration measures. (Pls see Appendix 1 for the Entitlement Matrix).

4 Resettlement Site

Thanks to mitigation measures from initial stage through people’s participation, close cooperation with local authorities and related offices, the impact of the project is insignificant.

There are no DPs whose fixed assets being acquired more than 10% of their total holding and not required to be relocated. Therefore, development of resettlement site is not required.

5 People’s Participation

The consultation with DPs in getting their feedback will limit contradiction and avoid delays in project implementation. The RP is developed in close consultation with local authorities and DPs in order to maximize their participation in resettlement planning and implementing and socio-economic benefits of DPs to the project.

Local authorities and DPs were consulted through line alignments, drafts of resettlement policy, RP implementation, grievance mechanism and monitoring and evaluation on the restoration of DPs’ livelihoods after the project implementation.

6 Baseline Information

6.1 Data Gathering Activities
IE, with the support of local authorities, have carried out the census and inventory of project impact since October, 2007.

6.2 **Socio-economic Surveys**

The socio-economic surveys have been carried out aiming at providing baseline data on the localities traversed by the D/Ls covering Quảng Ninh and Hải Phòng provinces. Survey data cover the information on the characteristics of the communities, their sources of income, revenue and socio-economic situation. The survey also aims at identifying characteristics of affected areas, assessing the development of population, houses and socio-economic development. The survey data are used for establishing resettlement policy and bases for evaluating restoration of living standards.

6.3 **Census and Inventory**

Socio-economic survey was implemented in two provinces where D/L traversed. The survey data show that:

- Number of DPs 37 HHs
- Number of persons 113 persons
- Number of DPs required to be resettled Nil
- Number and area of houses lost Nil
- Area of residential plots lost Nil
- Area of agricultural land lost Nil
- Impact on tenants who leased the houses for residential purposes Nil
- Impact on sensitive areas Nil
- Impact on public works Nil
- Householder
  - Man 72%
  - Women 28%
- Occupation DPs are mainly farmer

7 **Project Impacts**

7.1 **Project Impacted People**

The following persons to be identified by the baseline information collected for this RP are Displaced Persons:
(a) person whose houses are in part or in total affected (temporarily or permanently) by the project;

(b) person whose residential and premise and/or agricultural land is in part or in total affected (temporarily or permanently) by the project;

(c) person whose businesses are affected in part or in total (temporarily or permanently) by the project;

(d) persons whose crops (annual and perennial) and trees are affected in part or in total by the project;

Results of the socio-economic surveys and census show that:

Total number of DPs is 37 HHs (113 persons), of these:

- DPs with permanent acquisition of more than 10% of residential/productive land
- DPs with permanent/temporary affected structure
- DPs with partly/totally affected structure
- DPs with annual/perennial trees/crops affected
- DPs with business partly or totally affected
- DPs required to be relocated

7.2 Project Impacted Assets

The project will impact on:

- Permanent land acquisition for tower foundation, and some access roads for the project construction.
- Permanent impact on houses, structures, trees, crops and other assets in the proposed tower foundation areas and in ROWs.
- Assets on the service roads.
- All trees and crops or other assets surrounding the tower foundation and ROWs.
- Temporarily acquired land required during construction of the project.

Results of the socio-economic surveys show that:

- Permanent land acquisition
  - Residential land: 0 m²
Rural Distribution Project
110kV Chợ Rộc - Cát Bà Transmission Line

- Productive land: 12,669.6 m²
- Garden land: 0 m²
- Temporary land acquisition
  - Residential land: 0 m²
  - Productive land: 151,078 m²
  - Garden land: 0 m²
- Affected houses and structures: Nil

Through consultation, DPs opted for cash compensation for their impacted assets at replacement costs for fixed assets and market price for crops.

7.3 Mitigation Measures

Thanks to mitigation measures undertaken right from the initial design stage through public consultation, close cooperation with various local authorities and related offices, the project impacts are almost marginal.

There are no DPs whose fixed assets being acquired more than 10% of their total holding and not required to be relocated. Therefore, development of resettlement site is not required.

8 Implementation Arrangements

8.1 Implementation Schedule

Right after the investment for the project is approved, DPs in the project affected areas will be informed, again, of their rights, policy of this RP, including legal framework, eligibility provisions, entitlements, rates and mode of compensation/assistance, implementation time-schedule and complaint and grievance rights mechanism. Such information will be delivered to DPs through community meetings, pamphlets, etc.

Discussion among IE and Hải Phòng PC PMB for the above proposed RP implementation schedule has been held, taking into consideration the number of project related communes in each district, the marginal impacts, without resettlement and possibility of parallel activities.

8.2 Institutional Arrangements
Hải Phòng PC PMB, assigned by EVN, is responsible for all operation on investment guidelines, investigation and design, project construction as well as supervision of compensation and resettlement of the project. PMB will directly guide the whole implementing process of the project including RP implementation. It will be assisted by provincial, district and commune authorities and all relevant institutions.

8.3 *Complaint and Grievances*

During the project implementation, DP’s complaints and grievances will be dealt with according to Vietnamese laws and regulations. DPs raising complaints will be treated fairly and guided by related agencies on the procedures and formalities for lodging their complaints of RP with all administrative fees exempted throughout such process. There are 4 steps of complaint lodging for DPs such as Commune level, District level, Provincial level and Commune Court.

8.4 *Supervision, Monitoring and Evaluation*

The implementation of RP shall be constantly supervised and monitored regularly by Hải Phòng PC PMB and the People’s Committees. Moreover, an independent external monitoring agency will be entrusted with independent monitoring tasks. Such independent external monitoring agency will be selected and contracted by PMB right after RP approval and will commence their supervision and monitoring activities from the beginning of the RP implementation.

The result of selection of independent monitoring agency will be submitted to the WB for its concurrence.
9  Cost and Budget

Cost Estimate

<table>
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<th>No</th>
<th>Items</th>
<th>Total Amount</th>
<th>EVN</th>
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<tr>
<td>I</td>
<td>Preparation of RP and DMS</td>
<td>177,392,000</td>
<td>177,392,000</td>
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<td></td>
<td>Initial stage (Preparation of RP)</td>
<td>77,392,000</td>
<td>77,392,000</td>
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<tr>
<td></td>
<td>Implementation stage (DMS &amp; inventory)</td>
<td>100,000,000</td>
<td>100,000,000</td>
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<td>II</td>
<td>Compensation</td>
<td>3,061,826,790</td>
<td>3,061,826,790</td>
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<tr>
<td></td>
<td>Permanent productive land acquisition</td>
<td>633,479,500</td>
<td>633,479,500</td>
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<tr>
<td></td>
<td>Temporarily land acquisition</td>
<td>1,308,624,160</td>
<td>1,308,624,160</td>
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<tr>
<td></td>
<td>Permanent affected crops/trees</td>
<td>1,101,223,130</td>
<td>1,101,223,130</td>
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<tr>
<td></td>
<td>Life rehabilitation</td>
<td>18,500,000</td>
<td>18,500,000</td>
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<tr>
<td>III</td>
<td>Management</td>
<td>91,236,536</td>
<td>91,236,536</td>
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<tr>
<td></td>
<td>Management = 2% (II)</td>
<td>61,236,536</td>
<td>61,236,536</td>
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<tr>
<td></td>
<td>Training, workshop, information, campaign, etc.</td>
<td>30,000,000</td>
<td>30,000,000</td>
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<tr>
<td>IV</td>
<td>Monitoring = 3.5% (I + II)</td>
<td>113,372,658</td>
<td>113,372,658</td>
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<tr>
<td>V</td>
<td>Contingency = 15% (I + II)</td>
<td>485,882,819</td>
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<td></td>
<td>Grand Total (I + II + III + IV + V)</td>
<td>3,929,710,802</td>
<td>3,929,710,802</td>
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</table>

10 Disclosure

Drafts of Policy Framework and Entitlement Matrix have been disclosed at the People’s Committees of project related communes such as Yên Hưng (Quảng Ninh province) and Cát Hải (Hải Phòng).

Drafts of RP have been disclosed at the offices of the provincial People’s Committee and Information Center of World Bank office in Hanoi.

The final will be cleared by the WB and approved by EVN and Hải Phòng PC PMB.
CHAPTER 1 INTRODUCTION

1.1 Introduction

1.1.1 Project Objectives

Project objectives of Vietnam rural distribution network are refurbishing and upgrading 110kV, 22kV and 35kV distribution network for rural areas where their power demand are accelerating in order to improve the capacity of distribution network to meet load demand and assure quality of power supply.

Improving power quality; reducing loss; assuring safe and improving the effect of power trade.

The purposes of power supply for Cát Bà island are:
- Improving power quality for Cát Bà island
- Meeting the power demand in the future

1.1.2 Main characteristics of Project

- Voltage level: 110kV
- Double circuit T/L, 1 circuit will be installed first
- Start point: from point of 110 kV T/L supplying power to 110kV Chợ Rộc substation
- End point: the gatepost of 110kV Cát Bà substation
- Length of T/L: 36.218 km through 02 suburban district namely Hưng Yên (Quang Ninh) and Cát Hải (Hải Phòng)
- 4 spans that ship pass through
- Crossing communication T/L 3 times
- Crossing electric T/L 40 times
- HHs in ROW: 37 HHs (13 HHs in Quảng Ninh region)
- Crossing highway 1 time and inter-commune rod 10 times

1.2 Policy Framework

The Policy Framework of this RP based on OP 4.12 of WB for involuntary resettlement (December, 2001) (Please see Appendix 2 for Policy Framework for Compensation, Resettlement and Rehabilitation of Project Affected Persons). The objective of the Policy Framework is to ensure that all DPs shall be compensated for their losses at replacement cost and will be provided with rehabilitation measures to
assist them to improve, or at least maintain their pre-project living standards and income earning capacity.

The *Policy Framework* lays down the principles and objectives, eligibility criteria of DP’s, entitlement, legal and institutional framework, mode of compensation and rehabilitation, people’s participation features and grievances procedures that will guide the compensation, resettlement and rehabilitation of the DPs.

### 1.3 Principles of Resettlement Plan

The principles outlined in the WB (OP 4.12) have been adopted in preparing the Policy Framework. In this regard, the following principles and objectives will be applied.

(a) Acquisition of land and other assets, and resettlement of people will be minimized as much as possible.

(b) All DPs’ residing, working, doing business or cultivating land in ROWs of D/Ls, surrounding areas of tower foundation, the substation areas, in the service roads under the project as of the date of the baseline surveys are entitled to be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income earning capacity and production levels. *Lack of legal rights to the assets lost do not bar the DP from entitlement to such rehabilitation measures.*

(c) The rehabilitation measures to be provided are: (i) compensation at replacement cost, without deduction for depreciation or salvage materials for houses and other structures; (ii) agricultural land for land of equal productive capacity acceptable to the DPs or in cash at replacement cost according to DPs’ choice; (iii) replacement of residential/premise land of equal size acceptable to the DPs or in cash at replacement cost according to DPs’ choice; and (iv) transfer and subsistence allowances.

(d) Replacement residential and agricultural land will be as nearby as possible to the land that was lost, and acceptable to the DPs.

(e) The resettlement transition period will be minimized and the rehabilitation means will be provided to the DPs prior to the expected start-up date of works in the respective project site.
(f) Plans for acquisition of land and other assets and provisions of rehabilitation measures will be carried out in consultation with the DPs to ensure minimal disturbance. Entitlements will be provided to DPs prior to expected start-up of works at the respective project site.

(g) The previous level of community services and resources will be maintained or improved.

(h) Financial and physical resources for resettlement and rehabilitation will be made available and as where and when required.

(i) Institutional arrangements will ensure effective and timely design, planning, consultation and implementation of RP.

(j) Effective and timely supervision, monitoring and evaluation of the implementation of RP will be carried out.

Entitlement will be provided to DPs prior to expected start-up of works at the respective project site.

In order to ensure that the objectives of this RP are met, compensation unit prices established and approved by provincial People’s Committee at rates of replacement/market cost. Hải Phòng PC PMB, provincial/district People’s Committee, provincial/district CRCs, independent external monitoring agency are responsible to check and propose for the adjustments to PMB (if necessary) the compensation unit prices at the time of RP implementation to ensure the compensation unit prices are at the replacement values.

This RP has been agreed upon by the local relevant authorities and will be valid after GOV’s and WB’s approval.

Compensation, resettlement, assistance and rehabilitation activities will be completed before awarding the contracts of civil works under each sub-project.

1.4 Project Management Method

110kV Chợ Rộc - Cát Bà transmission line is invested by EVN. Financial resource from Worl Bank.
Hải Phòng PC PMB (belonging to Hải Phòng Power JSC), on behalf of EVN, will directly manage the project.

1.5 General Description of Project

1.5.1 Statistics of length of T/L traversing administrative regions

Table 1.5.1 Statistics of length of T/L traversing administrative regions

<table>
<thead>
<tr>
<th>No</th>
<th>Regions traversed by T/L</th>
<th>Length (m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Quảng Ninh Province</td>
<td>15.005</td>
</tr>
<tr>
<td></td>
<td>Yên Hùng District</td>
<td>15.005</td>
</tr>
<tr>
<td>1</td>
<td>Công Hòa commune</td>
<td>966</td>
</tr>
<tr>
<td>2</td>
<td>Tên An commune</td>
<td>3.213</td>
</tr>
<tr>
<td>3</td>
<td>Hà An commune</td>
<td>2.958</td>
</tr>
<tr>
<td>4</td>
<td>Phong Hải commune</td>
<td>1.000</td>
</tr>
<tr>
<td>5</td>
<td>Liên Hoà commune</td>
<td>3.100</td>
</tr>
<tr>
<td>6</td>
<td>Liên Vỹ commune</td>
<td>3.768</td>
</tr>
<tr>
<td>II</td>
<td>Hải Phòng City</td>
<td>21.607</td>
</tr>
<tr>
<td></td>
<td>Cát Hải District</td>
<td>21.607</td>
</tr>
<tr>
<td>1</td>
<td>Văn Phong commune</td>
<td>3.461</td>
</tr>
<tr>
<td>2</td>
<td>Đồng Bãi commune</td>
<td>1.000</td>
</tr>
<tr>
<td>3</td>
<td>Cát Hải town</td>
<td>2.643</td>
</tr>
<tr>
<td>4</td>
<td>Phú Long commune</td>
<td>5.410</td>
</tr>
<tr>
<td>5</td>
<td>Hiện Hao commune</td>
<td>4.926</td>
</tr>
<tr>
<td>6</td>
<td>Trần Châu commune</td>
<td>4.167</td>
</tr>
</tbody>
</table>
1.5.2 Load data of communes located in project region

At present, Cát Hải island is powered by only one 35kV D/L. The start point of this D/L is Uông Bí thermal power plant (Quảng Ninh), passing through Quảng Yên commune (Quảng Ninh), Cát Hải island, Lạch Huyện (1.2 km in width) to Cát Bà island. Total length of the D/L is 60km. Before going to Cát Hải commune, this D/L supplies power to several loads of Quảng Ninh such as TG-35kV Yên Cự, TG-35kV Chợ Rộc, TG-35kV Hà Nam and other 0.4kV substations.

Based on analysis of natural condition, existing socio-economic development situation as well as development plan from now to 2010, perspective up to 2015 of Cát Hải island, power consumption of Cát Hải island can increase with annual growth rate of 17%. Power demand and power consumption of Cát Hải and Cát Bà islands in 2006-2010-2015 are shown in following table.

**Table 1.5.2.1 Power consumption A(MWh)**

<table>
<thead>
<tr>
<th>Year</th>
<th>2006</th>
<th>2010</th>
<th>2015</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cát Hải</td>
<td>5780.51</td>
<td>10053.37</td>
<td>33173.02</td>
<td>84500.81</td>
</tr>
<tr>
<td>Cát Bà</td>
<td>14443.95</td>
<td>21092.45</td>
<td>38372.05</td>
<td>69865.37</td>
</tr>
<tr>
<td>Total</td>
<td>20224.46</td>
<td>31145.81</td>
<td>71545.07</td>
<td>154366.18</td>
</tr>
</tbody>
</table>

**Table 1.5.2.2 Maximum Capacity Pmax(MW)**

<table>
<thead>
<tr>
<th>Year</th>
<th>2006</th>
<th>2010</th>
<th>2015</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cát Hải</td>
<td>2.31</td>
<td>3.73</td>
<td>11.68</td>
<td>29.57</td>
</tr>
<tr>
<td>Cát Bà</td>
<td>5.03</td>
<td>7.27</td>
<td>12.79</td>
<td>22.68</td>
</tr>
<tr>
<td>Total</td>
<td>7.34</td>
<td>10.99</td>
<td>24.47</td>
<td>52.25</td>
</tr>
</tbody>
</table>
1.5.3 Project Impact

a) Displaced Person or Project Affected Person

Results of the socio-economic surveys and census show that:
Total number of DPs is 37 HHs, of these:

- DPs with permanent acquisition of more than 10% of residential/productive land Nil
- DPs with permanent/temporary affected structure Nil
- DPs with partly/totally affected structure Nil
- DPs with annual/perennial trees/crops affected Nil
- DPs with business partly or totally affected Nil
- DPs required to be relocated Nil

Affected houses and structures: Nil

b) Affected land

- Permanent land acquisition: 12,669.6 m²
- Permanent structure acquisition: 0 m²
- Temporary structure acquisition: 0 m²
- Permanent productive land acquisition: 12,669.6 m²
- Temporary productive land acquisition: 151,078 m²

1.5.4 Mitigation Measures

a) Consultation and Participation

Survey teams of PECCI have conducted discussion and consultations with local authorities and local people on the alignment of D/L routes. Valuable feedback from local authorities and DPs is considering for design stage. The selected line route is least impact option.

b) Design stage

- Route selection

Survey and design of route is implemented to avoid passing market, populous regions, pagodas, natural preservation. The route does not go nearby or parallel with communication lines, gas storage and weapon storage.
To avoid or mitigate impacts, direction of routes is selected so that the routes will be located in ROW, along with existing road or passed productive farming land. Turning angle of route is applied. In some cases, the turning angle will be from $35^\circ$ to $85^\circ$. The turning angle can be $90^\circ$ if necessary. With this solution, routes will cross roads at several times to avoid impacted on houses and structures.

Selected T/L is less than 1km far from existing highway in order to minimize constructing new road. Temporary roads will be built mainly in ROW.

For each projects, at least 02-03 alternatives of route alignment will be proposed and optimum alternative will be selected.

During the mapping of the routes, IE have thoroughly studied different alternatives on map and at sites to select the optimal ones.

\textit{a) Construction Stage}

Appropriate measures and optimal construction layout of project is considered. For example, construction will be commenced after harvesting and finished before sowing next crop. In order to achieve this criterion, some changes of daily work will be planned to shorten temporarily affected period.

Camps for worker in construction stage will be located in empty plots or public land near the commune steering committee. Camps will not be constructed near the residential regions.

Appropriate workforces with working shifts would be scheduled to shorten the temporarily affected period.
CHAPTER 2  INSTITUTIONAL AND LEGAL FRAMEWORK

2.1 Institutional Framework

2.1.1 Overall Responsibility

Hải Phòng PC, People's Committee of Quảng Ninh province, People's Committee of Hải Phòng province and other related institutions (i.e. provincial/district CRCs, DOF, DOC, DOI, DNRE, etc.) are responsible for applying Policy Framework in the RP preparation and implementation.

Hải Phòng PC and IE are responsible for carrying out census, socio-economic surveys and inventories in order to prepare and implement this RP.

The District and Commune People’s Committee will participate in the RP preparation and implementation.

These administrative units will also ensure the active and effective participation of the DPs in the RP preparation and implementation. In order to have RPs acceptable to the WB and to implement RP smoothly, Hải Phòng PC is responsible for (i) hiring qualified consultant to prepare RP; (ii) appointing qualified social safeguard staffs at PMB and CRCs at provincial and district levels.

Financial resource for the project investment is from EVN.

2.1.2 Detail Responsibility

a) Electricity of Vietnam

Electricity of Vietnam is the owner of the project and is responsible for managing and organizing of survey, investigation, design, budget arrangement, funding and supervision for RP implementation.

b) Hải Phòng Power Company

Project Management Board is Hải Phòng Power Company. The PMB has direct responsibility for implementing this RP including impact survey, interest handover, rehabilitation implementation, complaint treatment and local monitoring. Main responsibilities of the PMB are:
e) **Provincial Compensation and Resettlement Council (CRC)**

The Provincial CRC will be headed by the Vice Chairman of the Provincial People’s Committee and will consist of the representatives of:

- Assist PMB and District CRCs in preparing detailed plans for compensation and resettlement.
- Checking all inventory of impacts and detailed implementation plans submitted by District CRCs. Approval the implementation plans submit by the District CRCs.
- Responsible for settle complaints of DPs if complaints cannot be solve at District level.

CRC includes following representatives:

- Department of Finance and Pricing
- Department of Construction
- Department of Natural Resources and Environment
- Relevant Chairman of District People’s Committee
- Provincial PMB

f) **District People’s Committee**

The District People’s Committee are responsible for guiding the compensation and resettlement activities in their respective district areas.

- Direct the relevant institutions for carrying out impact survey; public consultation, information dissemination on the resettlement policy and RP implementation.
- Establishment of District CRCs.
- Responsible for settle complaints of DPs at district level.

*g) **District Compensation/Resettlement Councils**
The District CRCs are principal institutions responsible for the implementation of RP in their respective district areas. The District CRCs recruit experienced personnel for gathering of base-line information and inventory. The District CRCs are responsible for:

- Organize the survey team to carry out DMS for affected houses and assets; finalize DMS and Entitlement forms for each DP.

- Checking the unit prices of compensation as applied in RP, suggest for adjusting the unit prices in conformation with market prices/replacement costs (if required).

- In co-ordination with PMB, organize the meetings with DPs, communes, disseminate the RIB, DMS and entitlement forms to DPs.

- Based on the policy and approved process in RP, prepare the detailed implementation plan (quarterly, seimi-annual, annual plans) and together with PMB pay entitlements to DPs in a timely manner.

- Settling the complaints and grievances of DPs, solving any difficulties during the implementation period, and suggest the solutions for the outstanding issues to Provincial CRC.

The District CRCs will be headed by the Vice Chairmen of the District People’s Committees. The District CRCs will consisted of the following representatives:

- Department of Finance and Pricing.
- Department of Industry.
- Housing and Cadastral Bureau.
- Affected Communes.
- DPs.

**h) Commune People’s Committee**

People’s Committees of communes will be responsible for:

- Contribute to census and inventory survey.
- In co-ordination with District CRC for public meetings, information dissemination, compensation/allowance payment to DPs.

- Submit all feed back of DPs to District CRC and settle complaints at commune level. Provide methods for solving outstanding issues.

- Assisting local people in overcoming the difficulties during the construction period, assist DPs in repairing of affected houses. Arrange land in the case DPs require compensation by land for land.

  
  i) **Project Affected Person (DPs)**

  DPs are ready with their necessary RP related papers i.e. LURC, ownership of other assets.

  DPs are responsible for carefully checking on their lost assets and respective entitlements and clear land in the timely manner once DPs receive full entitlements.

**Figure 2.1.2 - RP Implementation Organization Chart**

2.2 **Legal Framework**

WB Policy on Involuntary Resettlement (OP 4.12), and GOV Laws on Compensation and Resettlement and Policies for EM are applied.
2.2.1 *Vietnamese Laws*

**Compensation and Resettlement**

The key national laws, decrees, circulars governing land acquisition, compensation and resettlement consists of the followings:

- Constitution of the Socialist Republic of Vietnam (1992) confirms the right of citizens to own a house and to protect the ownership of the house.

- Land Law (December 12, 2003).


- GOV Decree No. 17/2006/ND-CP dated 27/1/2006 on adjustment and complement of some regulations of Decrees of land law implementation.


- The 2003 Land Law (issued by the National Assembly on November 26, 2003) regulates the land management and land uses, with effective date of July 01, 2004, provides that “the persons with land to be recovered shall be compensation with the assignment of new land of the same use purposes; if having no land for
compensation, shall be compensated with the land use right value at the time of issuance of the recovery decisions. The People's Committee of the provinces and cities directly under the central government shall elaborate and execute resettlement projects before the land recovery for compensations with dwelling houses, residential land for persons having residential land recovered and having to move their places of residence. The resettlement sites must have development conditions being equal to or better than the conditions in the former places of residence. In cases of having no resettlement land, the persons having land recovered shall be compensated with money and given priority to purchase or lease dwelling houses under the Stat's ownership, for urban areas; be compensated with residential land, for rural areas. In case of recovering land of households and/or individuals, that are directly engaged in production, but having no land for compensation for continued production, apart from pecuniary compensation, the persons having land recovered shall be supported by the State to stabilize their lives, with training for change of their production and/or business lines, with the arrangement of new jobs” (Article 42).

Item 4 - Land Acquisition

Art. 39 regulates the land acquisition for the purposes of national defense, security, national interests and public interests. Clause 2 of Art 39 clearly defined the public info (at least 90 days prior to agriculture land acquisition and 180 days prior to non-agricultureal land acquisition) on the reasons of land acquisition, time schedule, resettlement plan, compensation/ground clearance master plan for land acquisition.

Art 42 regulates the compensation and resettlement of the people who have land being acquired:

Clause 1 ...people, who have LURC or having sufficient conditions to have LURC shall be compensated for their acquired land...

Clause 2 ... the acquired land shall be compensated with new land of similar using purpose; incase of lack of resettlement land, the compensation shall be equal to value of land use right at the time of land acquisition ...
Clause 3  ... provincial People's Committee and Cities directly under the central government prepare and implement the resettlement plans prior to the land acquisition... The resettlement sites planned for various projects in the same area and should have similar to or better development conditions than the old dwelling sites.

In case of lack of resettlement site: (i) in urban areas “DPs shall be compensated in cash and have the priority to buy or rent the state-owned houses, and (ii) in rural areas “DPs shall be compensated with the residential land” and “in case the value of the acquired residential land is higher than that of the compensated Ind plot, DPs shall be compensated in cash for the differences”.

Clause 4  ... in case DPs whose productive land being acquired and there is no productive land for ‘land for land’ compensation, apart from the cash compensation, DPs shall receive assistances for resettlement, training for new trades, employing in new trades.

Clause 49,50 define the conditions for issuance of LURC to the extend that (i) ‘HH or individual who directly using the land for agricultural, forestry, aquaculture and salt production in the areas of socio-economic difficulties in the mountainous areas or islands and who have their residential registration and certification from their commune People’s Committee that they had been using the land stably and without disputes are being issued with LURC and do not have to pay for the land use’, (ii) ‘HH or individual who had been stably using the land before Oct 15, 1993 by without any legal papers and their commune People’s Committee certifies that their land is without disputes and apt to the approved local land use plan are being issued with LURC and do not have to pay for land use’, (iii) ‘HH or individual who had been stably using the land from Oct 15, 1993 till the effective of this Law, but without any legal papers and their commune People’s Committee certifies that their land is without disputes and apt to the approved local land use plan are being issued with LURC and do have to pay for land use’.

Art. 56

Art. 6 ‘... people who have land being acquired shall be compensated with land of similar land use purpose. If there is no land for compensation, cash compensation equal to land use rights value at the time of land acquisition shall be applied. If there is any differences in value, in case of compensation by new land or house, such differences shall be settled in cash’.

Art. 19 ‘...houses and structures of domestic use of the household or individual shall be compensate with the value of construction of new house, structures of similar technical standard...’

• Decision of Bắc Giang People’s Committee on the applicable unit prices for compensation.

Priority for ethnic minority

Equalitarian right of ethnic minorities is clearly presented in Vietnamese Law. Article 5 of Vietnam constitution (1992) presents:

Socialist Republic of Vietnam is unique state with several ethnic groups. The State carries out unique, equal policy based on the sense of supporting all ethnic groups, forbidding separation and racialism. Each ethnic group has right of their own language and lifestyle to preserve their nuance and develop their good traditional customs and culture. The State implements the policy of global development and improvement spirit and physical life of ethnic minorities of Vietnam.

2.2.2 World Bank Policies

Legal Framework adjusts the implementation of Policy Framework, inventory and RP based on OP 4.12 of Involuntary Resettlement of WB.

Involuntary Resettlement - OP 4.12

least minimize involuntary resettlement. Where resettlement is unavoidable, the living standards of displaced persons should be restored or improved relative to those conditions that prevailed prior to the Project. The policy applies to the taking of land and other assets when land acquisition results in the loss of shelter, the loss
of all or part of productive assets, or access to them, and the loss of income sources or other means of livelihood.

According to the OP 4.12 on involuntary resettlement, DPs shall be compensated and assisted in such a way as to warrant the improvement or at least the maintenance of pre-project living standard condition.

Measures required to ensure that resettlement has a positive outcome include:

- consulting with potential project-affected people on feasible measures for resettlement and rehabilitation;
- providing DPs with options for resettlement and rehabilitation;
- enabling their participation in planning and selecting these options;
- providing compensation at full replacement cost for losses;
- choosing relocation sites that at least guarantee the same benefits and services as the sites they replace;
- providing allowances, training and income support to assist in making a smooth transition;
- identifying vulnerable groups and providing special assistance to these groups, and
- establishing an institutional and organizational structure that supports this process to a successful end.

The Eligibility Criteria and Compensation defines that the DPs eligible for compensation include: (a) those who have formal legal rights to land or other assets, (b) those who initially do not have formal legal rights to land or other assets but have a claim to legal rights based upon the laws of the country; upon the possession of documents such as land tax receipts and residence certificates; or upon the permission of local authorities to occupy or use the project affected plots; and (c) those who have no recognizable legal right or claim to the land they are occupying.

DPs whose houses are in part or in total affected (temporarily or permanently) by the project and whose residential and premise and/or agricultural land is in part or in
total affected (permanently or temporarily) by the project are provided compensation for the land they lose, and other assistance as necessary to achieve the objectives set out in this policy, if they occupy the project area prior to the cut-off date defined in this RP.

DPs whose business are affected in part or in total (temporarily or permanently) by the project are provided resettlement assistance and other supports as necessary to achieve the objectives set out in this policy, if they occupy the project area prior to the cut-off date defined in this RP.

Persons who encroach on the areas after the cut-off date defined in this RP are not entitled to compensation or any other form of resettlement assistance.

The methodology to be used in the valuation of losses for this project is based on their replacement cost. In this project, losses include land, structures and other assets. Replacement cost of land includes market cost of land plus transfer tax to have LURC. For houses and other structures, market cost (at the time of compensation) of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account.

2.2.3 Compatibilities of GOV and WB Approaches

There are many ways in which the approaches of the GOV - either in policy or practice - are compatible with WB guidelines. The most important compatibilities are:

- Vietnam has a process whereby most people without legal land rights may meet conditions of legalization and receive compensation for losses

- Permanent residents are provided with options that include relocation to an improved site, or cash, or a combination of the two.

- Resettlement sites offer not only better improved infrastructure and services but represent a higher standard of living.

- Allowances are provided to help the DPs in the transition period and there is an institutional structure through which people are informed, can negotiate compensation, and can appeal.
• In the scope of this project, the difference between approach and methods. However, there are some procedures of center and local governments permit declining some domestic articles of law in some particular project which are contradictory with similar articles of sponsor.

• On the issue of land tenure and the legal right to compensation, the Government and World Bank approaches are compatible. The government has its own process in place whereby land occupied without legal documentation can be legalized; this land, however, is compensated for at a rate equal to 100% of land price minus the taxes and fee for land use right registration from October 15, 1993. (Clause 49, 50 of Art.42 of the 2003 Land Law).

• Compensation at replacement cost is ensured in Art.6 of Decree 197/2004/ND-CP dated Dec. 03, 2004 that ‘... people who have land being acquired shall be compensated with land of similar land use purpose. If there is no land for compensation, cash compensation equal to land use rights value at the time of land acquisition shall be applied. If there is any differences in value, in case of compensation by new land or house, such differences shall be settled in cash’ and, Art.19 of the same Decree that ‘... houses and structures of domestic use of the household or individual shall be compensated with the value of construction of new house, structures of similar technical standard...’.

2.2.4 Required Waivers
In order to carry out the RP in accordance to World Bank OP 4.12 on Involuntary Resettlement, a number of articles in various Vietnamese laws and regulations which do not ensure compensation at replacement cost or set eligibility provisions which do not extend the right to compensation and rehabilitation to households without proper land papers, will be waived.

Following articles of law and regulations will be declined are presented below.

(i) Eligibility to Compensation - Decree 197/2004/ND-CP dated Dec. 03, 2004

• Article 7 (cases where land is recovered without compensation) stipulates that any person whose land is recovered and who has not met one of the conditions of Article 8 of this Decree, or who has violated the plan, or who violates the protecting corridor work, or who illegally occupies land shall not receive
compensation when the state recovers the land. In case of necessity, the Provincial People's Committee shall consider and decide on a case-by-case basis.

- Article 18 (Item 3,4) and Article 20 (Items 2b,c) (The principle of asset compensation): (i) Houses and structures on non-eligible-for-compensation land, which have not violated announced land use plans or the right of way will be assisted at 80% of replacement cost.

- Houses and structures on non-eligible-for-compensation land, which have violated; (ii) which have violated announced land use plans or the right of way will not be assisted. If necessary, the PPC will consider on the case by case basis.

- Article 28 (Items 1,2) and Article 29 (Item 1) of Decree No. 197/2004/ND-CP (Assistance of life and production stability; Assistance of occupation change and job creation): DPs losing more than 30% of productive land will be entitled to living stabilization and training/job creation assistance.

- To ensure that the objectives of this resefflement policy are met, a special decision of the Government waiving Article 7, 9, 18, 19, 20, 28, 29 of Decree 197 is needed to permit assistance and rehabilitation measures for illegal users of land as proposed in the policy.

(ii) Land price for Compensation Calculation

According to the Vietnamese regulation, calculation the unit price for land compensation will be based on GOV Decrees 197/2004/ND-CP and 188/2004/ND-CP along with their Guidance (Circular No.11 4/2004/fl-BTC and No.11 6/2004/TT-BTC respectively).

*Decree 197/2004/ND-CF dated Dec 03, 2004*

*Article 7*

This article states that the Ministry of Finance is responsible for the establishment of a number or overall new land price framework to submit to the Government for adjustment when prevailing price of transfer of land use rights in the market in respect of a number or all types/categories of land listed in the land price framework continuously fluctuated (more than 60 days in many provinces, cities) that causes large differences in land prices.
(increasing from ≥ 30% compare to the max. price and decreasing from ≥ 30% compare to minimum prices attached to this Decree).

Article 9

This article states that land price for the compensation calculation is the land price in respect of land use purpose at the time of land acquisition, promulgated by the provincial People’s Committee in line with the Government regulation (within the GOV’s range of minimum and maximum prices).

Decree 188/2004/ND-CF dated Nov 16, 2004

This Decree promulgates the methodologies to define land price and, at the same time, set forth the land price framework (min. and max. unit price for various types of land) throughout the country.

Article 2

This article states that the land price shall be defined by the provincial People’s Committees or cities directly under the central government.

To ensure that the objectives of the project resettlement policy are met, unit price for land compensation established by the Project provincial People’s Committee or city directly under the central government will be adjusted to meet the replacement costs.

The compensation unit prices established by the provincial/district CRCs, provincial DOFs, DOCs and approved by the provincial People’s Committee may be adjusted to meet the replacement costs, by the time of compensation, to ensure the objectives of the RP policy are met.

(iii) Assistance policy for DPs who rent houses from the government

Decree 197/2004/ND-CP dated Dec. 03, 2004

Article 21

This article states that DPs who rent government houses and has to be relocated by self-relocation shall be assisted in cash at a rate equal to 60% of
the cost of the currently rented house and 60% of the cost of the land value, in cases of no resettlement houses to be arranged for them.

To ensure that the objectives of the project resettlement policy are met, a special decision of GOV on waiving Article 21 of Decree No. 197/2004/ND-CP is necessary in order to apply assistance method and living rehabilitation for DPs who rent houses from government as proposed in this project.

(iv) Assistance policy for rehabilitation

Decree No. 197/2004/ND-CP dated 03/12/2004

Article 28

This article states that DPs who directly do the agricultural production having agricultural land being acquired more than 30% shall received rehabilitation assistance (cash value of 30 kg of average rice in the location per head) for 3 months (if relocation is not required), 6 months (if relocation is required) and 12 months (if moving to the areas of specially difficult socio-economic conditions).

(v) GOV Commitments


Article 1(Item 2) of Decree No. 19/2001/N§-CP clearly presents that “except national agreement of ODA signed between the Government and financial country is change, these international agreements are obeyed”.

Waiving article will be approved by GOV when deciding investment for project, before negotiation. Provincial People’s Committee where the project is located will issue approval document to implement policies in RP.

2.3 Definition of Eligibility and Limitation to Eligibility

DPs are all individuals, firms or institution with or without land registration papers who owned, rented, or used land, properties and business, which are affected by the project.
All DPs will be entitled to full compensation for their respective losses as long as they are included in the RP inventory list or can prove that they owned the affected items before the cut-off date. The same applies to DPs whose incomes are affected by the project.

The investigations of subproject were implemented; the issues of subproject were announced to DPs during People’s Participation; selected route was apporved by local authority. The cut-off date has been declared before implementing socio-economic survey and inventory. This date was announced by local authority.

Encroachers who settled into the proposed affected area after the cut-off date will have no entitlement to compensation and resettlement. They will be required to demolish their structure and cut the trees or harvest their crops for land clearance to the project. In case necessary, they will be forced to be removed out the proposed project area. Nevertheless, they do not have to pay any fine or sanction. The cut-off date and the provision of ‘no compensation for encroachers’ have been clearly declared in the community meetings and printed in the pamphlets.

2.4 Resettlement and Compensation Principles

The principles outlined in the World Bank’s Operational Policies 4.12 have been adopted in the Policy Framework for this RP. In this regard the following principles and objectives would be applied:

(a) Acquisition of land and other assets, and resettlement of people will be minimized as much as possible.

(b) All DP’s residing, working, doing business or cultivating land in right of way (ROW) of distribution line (D/L), surrounding areas of tower foundation, the substation areas, in the service roads under the project as of the date of the baseline surveys are entitled to be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income earning capacity and production levels. Lack of legal rights to the assets lost should not bar the DP from entitlement to such rehabilitation measures.

(c) The rehabilitation measures to be provided are: (i) compensation at replacement cost, without deduction for depreciation or -
salvage materials for houses and other structures, (ii) agricultural land for land of equal productive capacity acceptable to the DPs or in cash at replacement cost according to DP’s choice, (iii) replacement of residential/premise land of equal size acceptable to the DP or in cash at replacement cost according to DP’s choice; and (iv) transfer and subsistence allowances.

(d) Replacement residential and agricultural land will be as nearby as possible to the land that was lost, and acceptable to the DPs.

(e) The resettlement transition period will be minimized and the rehabilitation means will be provided to the DPs prior to the expected start-up date of works in the respective Project site.

(f) Plans for acquisition of land and other assets and provision of rehabilitation measures will be carried out in consultation with the DP’s, to ensure minimal disturbance. Entitlements will be provided by DP’s prior to expected start-up of works at the respective project site.

(g) The previous level of community services and resources will be maintained or improved.

(h) Financial and physical resources for resettlement and rehabilitation will be made available and as where and when required.

(i) Institutional arrangements will ensure effective and timely design, planning, consultation and implementation of RPs.

(j) Effective and timely supervision, monitoring and evaluation of the implementation of RPs will be carried out.

2.5 Eligibility to Compensation Entitlement

The DPs’ eligible for compensation will include:

(a) those who have formal legal rights to land or other assets,
(b) those who initially do not have formal legal rights to land or other assets but have a claim to legal rights based upon the laws, upon the possession of document such as land tax receipts and residence certificates, or upon the permission of local authorities to occupy or use the project affected plots; and

(c) those who have no recognizable legal right or claim to the land they are occupying if they occupy the project area prior to the cut-off date defined in the RP.

The DPs are identified by the baseline information collected for RP

(a) persons whose houses are in part or in total affected (temporarily or permanently) by the project;

(b) persons whose residential and premise and/or agricultural land is in part or in to ta affected (permanently or temporarily) by the project;

(c) persons whose crops (annual) and frees (perennial) are affected in part or in total by the project;

(d) persons whose businesses are affected in part or in total (temporarily or perma nently by the project.

2.6 Compensation Policy

Compensation for crops will be provided at market price. Compensation for land, houses, buildings, frees and other assets will be provided at the replacement cost.

Compensation for land losses:

- Compensation for productive land losses (less than 10% of total land DPs’ holdings) will be provided at the replacement cost for the equivalent area and all other losses will be provided in cash.

- Compensation for productive land losses $\geq 10\%$ of total DPs’ land holdings will be provided in terms of land for land at the equivalent area and quality of land acquired by the project or in cash at replacement cost according to DPs’ options.

Compensation for land, houses, buildings and trees will be provided in cash at the replacement costs.
Compensation for crops will be given in cash at the current market rates calculated on the productive average of the last three years (according to the Circular No. 116 of MOF).

Compensation prices defined in this RP are tariffs established by Hải Phòng and Quảng Ninh DOFs based on GOV Decree No. 114/2004/ND-CP and approved by Hải Phòng and Quảng Ninh People’s Committees.

Since the time from RP preparation to the time of RP implementation may be long, at the implementation time, such prices may not correspond to market or replacement rates. Therefore, all applied prices will be checked again at the beginning of RP implementation and adjusted if necessary. The Detailed Measurement Survey (DMS) and inventory will also be carried out by the district CRC at the very beginning of project implementation. The evaluation of unit prices at the implementation time will be done by independent monitoring agency and provincial DOF. This activity will later be required in TOR for Independent Monitoring.
CHAPTER 3 ENTITLEMENT POLICY

3.1 Impact categories
By the nature of the project impacts as described above and based on the survey of the DPs, the impacted categories could be classified as below:

3.1.1 Temporary Impact in ROW
All DPs who have productive land, crops, trees or structures in ROW of D/L, surrounding areas of tower foundations, in the temporary service roads, which are temporarily affected only during the construction period.

*Category 1:* DP who has frees, crops, which are damaged by the project during the construction period due to construction of temporary access roads or conductor stringing.

*Category 2:* DP who has residential, garden, productive lands which are temporarily acquired during the project construction period.

3.1.2 Permanent Impact
All DPs who owned lands and properties on it, which will be permanently acquired for the tower foundations, the substation areas, the permanent access roads for construction and maintenance of the project. All DPs who have houses, other structures, or high frees in ROW, which need to be removed, demolished or cut.

*Category 3:* DP who has houses/structures, which are partially damaged or cut, and the damaged portion will not affect to the safety or using purpose of the entire house or structure (the dismantled areas are ≤ 10% of total areas), and the lost house/structure portion could be rebuilt in adjacent areas already owned by the DP. Impact on cleared residential land in ROW could be temporary as it could be reused for restricted purposes.

*Category 4:* DP who has houses/structures, which are partially or totally damaged, and the damaged portion will affects to the safety or using purpose of the entire house or structure (the dismantled areas are more than 10% of total areas or even less than 10% of total area, but the remaining area can not be used or inconvenient for using), so the house need to be totally removed and rebuild in remaining adjacent areas already...
owned by the DPs. Impact on cleared residential areas will be temporary as it can be reused for restricted purposes.

**Category 5:** DPs who have houses/structures, which are partially or totally damaged and the damaged portion will affects to the safety or using purpose of the entire house or structure, so the house/structure need to be totally removed and rebuild. But DP does not have sufficient spare residential land for the reconstruction of a house of equal dimensions as the house lost. The threshold of sufficient residential land is at 100 m² for rural.

**Category 6:** DPs who have residential land, productive land which will be acquired permanently for the project, including for permanent roads construction for maintenance of the project

(a) acquired productive land areas is more than 10% of total productive land DPs’ holdings.

(b) acquired productive land areas is less than 10% of total productive land DPs’ holdings

(c) the remaining residential-garden land areas is less than 100 m² (in rural areas).

(d) the remaining residential-garden land areas is equal or more than 100 m² (in rural areas).

**Category 7:** DP impacted permanently or temporarily on business or other services.

**Category 8:** Impacts on public works i.e. water supply resources/systems, sewage, etc.

3.2 **Entitlement**

3.2.1 **Eligibility and Limitation to Eligibility**

DPs are all individuals, firms or institution with or without land registration papers who owned, rented, or used land, properties and business, which are affected by the project.
All DPs will be entitled to fill compensation for their respective losses as long as they are included in the RP inventory list or can prove that they owned the affected items before the cut-off date. The same applies to DPs whose incomes are affected by the project.

The investigations of subproject were implemented; the issues of subproject were announced to DPs during People’s Participation; selected route was apporved by local authority. The cut-off date has been declared before implementing socio-economic survey and inventory. This date was announced by local authority.

Encroachers who settled into the proposed affected area after the cut-off date will have no entitlement to compensation and resettlement. They will be required to demolish their structure and cut the trees or harvest their crops for land clearance to the project. In case necessary, they will be forced to be removed out the proposed project area. Nevertheless, they do not have to pay any fine or sanction. The cut-off date and the provision of 'no compensation for encroachers' have been clearly declared in the community meetings and printed in the pamphlets.

3.2.2 Eligibility to Compensation Entitlement

The DPs’ eligible for compensation will include:

(a) those who have formal legal rights to land or other assets,

(b) those who initially do not have formal legal rights to land or other assets but have a claim to legal rights based upon the laws, upon the possession of documents such as land tax receipts and residence certificates, or upon the permission of local authorities to occupy or use the project affected plots; and

(c) those who have no recognizable legal right or claim to the land they are occupying if they occupy the project area prior to the cut-off date defined in the RP.

The DPs are identified by the baseline information collected for RP:

(a) persons whose houses are in part or in total affected (temporarily or permanently) by the project;

(b) persons whose residential and premise and/or agricultural land is in part or in total affected (permanently or temporarily) by the project.
(c) persons whose crops (annual and perennial) and trees are affected in part or in total by the Project;

(d) persons whose businesses are affected in part or in total (temporarily or permanently) by the project.

3.2.3 Resettlement and Compensation Principles

The principles outlined in the World Banks Operational Policies 4.12 have been adopted in the Policy Framework for this RP. In this regard the following principles and objectives would be applied:

(a) Acquisition of land and other assets, and resettlement of people will be minimized as much as possible.

(b) All DP’s residing, working, doing business or cultivating land in right of way (ROW) of transmission line (TIE) or distribution line (DIE), surrounding areas of tower foundation, the substation areas, in the service roads under the project as of the date of the baseline surveys are entitled to be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income earning capacity and production levels. Lack of legal rights to the assets lost should not bar the DP from entitlement to such rehabilitation measures.

(c) The rehabilitation measures to be provided are: (i) compensation at replacement cost, without deduction for depreciation or salvage materials for houses and other structures, (ii) agricultural land for land of equal productive capacity acceptable to the DPs or in cash at replacement cost according to DP’s choice, (iii) replacement of residential/premise land of equal size acceptable to the DPs or in cash at replacement cost according to DP’s choice; and (iv) transfer and subsistence allowances.

(d) Replacement residential and agricultural land will be as nearby as possible to the land that was lost, and acceptable to the DPs.

(e) The resettlement transition period will be minimized and the rehabilitation means will be provided to the DPs prior to the expected start-up date of works in the respective Project site.
(f) Plans for acquisition of land and other assets and provision of rehabilitation measures will be carried out in consultation with the DPs to ensure minimal disturbance. Entitlements will be provided to DPs prior to expected start-up of works at the respective project site.

(g) The previous level of community services and resources will be maintained or improved.

(h) Financial and physical resources for resettlement and rehabilitation will be made available and as where and when required.

(i) Institutional arrangements will ensure effective and timely design, planning, consultation and implementation of RPs.

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

3.2.4 Compensation Policy

Compensation for crops will be provided at market price. Compensation for land, houses, buildings, perennial trees and other assets will be provided at the replacement cost.

Compensation for land losses:

- Compensation for productive land losses (less than 10% of total land DPs’ holdings) will be provided at the replacement cost for the equivalent area and all other losses will be provided in cash.

- Compensation for productive land losses more than 10% of total DPs’ land holdings will be provided in terms of land for land at the equivalent area and quality of land acquired by the project or in cash at replacement cost according to DPs’ options.

Compensation for land, houses, buildings and perennial trees will be provided in cash at the replacement costs.

Compensation for crops will be given in cash at the current market rates calculated on the productive average of the last three years (according to the Circular No. 116 of MOF).
Compensation prices defined in this RP are tariffs established by Hải Phong and Quảng Ninh DOFs based on GOV Decree No. 114/2004/ND-CP and approved by Hải Phong and Quảng Ninh People’s Committees.

Since the time from RP preparation to the time of RP implementation may be long, at the implementation time, such prices may not correspond to market or replacement rates. Therefore, all applied prices will be checked again at the beginning of RP implementation and adjusted if necessary. The Detailed Measurement Survey (DMS) and inventory will also be carried out by the district CRC at the very beginning of project implementation. The evaluation of unit prices at the implementation time will be done by independent monitoring agency and provincial DOF. This activity will later be required in TOR for Independent Monitoring.

### 3.2.5 Compensation Entitlement by Categories

<table>
<thead>
<tr>
<th>Category</th>
<th>Entitlement</th>
</tr>
</thead>
</table>
| 1        | • Cash compensation for affected perennial frees at replacement cost plus cost for cutting frees, crops at market price.  
          | • No compensation for land.  
          | • Reinstate land after the project construction. |
| 2        | • Cash compensation for affected trees at replacement cost plus cost for cutting frees, crops at market price.  
          | • No compensation for land.  
          | • Reinstate land after the project construction. |
| 3        | • The damaged house/structure will be compensated in cash at full replacement cost.  
          | • No compensation for land.  
          | • No deduction for depreciation and salvage materials. |
| 4        | • Cash compensation reflecting full replacement cost of the house! structures.  
          | • Cash compensation reflecting full replacement cost of lost land area.  
          | • No deduction for depreciation and salvage materials. |
| **5** | • DPs can opt for:

(i) ‘land for land’ : the provision of replacement residential land (house site and garden) of equivalent size, satisfactory to the DP or cash compensation reflecting full replacement cost according to DP’s choice; or
(ii) cash compensation reflecting full replacement cost of the house/structures
• No deduction for depreciation and salvage materials. |

| **6** | DP losing productive land

*Land loss ≤ 10% of their total landholdings*

• Cash compensation for the lost area if the remaining plot is still economically viable.
• Cash compensation for the whole impacted plot if the remaining plot is not economically viable.
• Cash compensation for properties associated with land.

*Land loss \( > 10\% \) of their total landholdings*

DP can opt for the followings:

(i) “Land for land” with the same area and productive of impacted area if the remaining plots are still economically viable and for the whole impacted plots if the remaining plots are not economically viable
(ii) Cash for land at the replacement cost.
• Compensation for affected perennial trees at the replacement cost.
• Rehabilitation assistance.

DP losing residential and garden land

• If remaining land is sufficient for reorganizing (more than 60 m² in the urban area and 100 m² in the rural area): Cash compensation for lost area and assets associated with land.
• If remaining land is not sufficient for reorganizing:
Rural Distribution Project Resettlement Plan

110kV Chợ Rộc – Cát Bà Transmission Line

DP can opt for:

(i) cash compensation at replacement cost for land and assets on land, or

(ii) “land for land” compensation for the whole residential area which DP occupied (not only for the impacted areas) and properties associated with occupied land. For affected house and building, the same entitlement to DP of categories 3 or 4 or 5.

Temporary impact

Compensation for income lost during the affected period.

Permanent impact

- Provision of alternative business site of equal size and accessibility to customers and satisfactory to DPs.
- Cash compensation for lost business structure reflecting full replacement cost of the structures without depreciation.
- Cash compensation for the lost of income during the transition period.

The community infrastructures shall be restore at no cost to the community.

3.2.6 Allowances and Assistances

Transport allowance

Art. 27 of Decree 197/2004/ND-CF stipulates all relocating DPs are entitled in one time:

- DPs relocating within the province/city max. 3,000,000 VND/HH
- DPs relocating out the province/city max 5,000,000 VND/HH
- Relocated DPs (while waiting for the establishment of new resettlement residences at resettlement sites) to be provided with temporary rent cost

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Relocation subsidy

*Art 28 of Decree 197/2004/ND-CP*: all relocating DPs are entitled in one time:

- DPs relocating within the province: Cash (equivalent to 30 kg rice/month x 3 months) per family member.

- DPs relocating out of the province: Cash (equivalent to 30 kg rice/month x 6 months) per family member.

- DPs who are in severe socio-economic difficulties or who relocating to areas of socio-economic difficulties: Cash (equivalent to 30 kg rice/month x 12 months) per family member.

Restoration allowance

*Art. 29 of Decree 197/2004/ND-CP*:

DPs who have more than 10% of productive land or incomes permanently affected are entitled to trainings and Other restoration allowance to be decided by the provincial People’s Committee with financial resource from the person who is going to use the acquired land.

Pls see Annex 3 - Entitlement Matrix and Annex 10- Detail entitlement of DPs.

3.2.7 Support Voluntary

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1 Art 29 of Decree 197/2004/ND-CP defines that DPs who lost more than 30% of their agricultural land will be assisted for changes of occupations (level of assistance will be decided by the provincial People’s Committee). However, in line with the PP Policy Framework for RD subprojects, the restoration allowance remains in conformation with the ongoing rural energy subprojects throughout Vietnam.

2 The amount of 700,000 VND/main labor is delivered directly to training or TA institutions/consultants and 800,000 VND for trainee as a subsidy allowance in the training time (total is 1,500,000 VND per trainee). For the cost estimates, each household is estimated at having 2 main labors.
The result of socio-economic survey and public meetings show that the innovation, improvement and expansion of rural distribution network is welcome by community. DPs whose residential/productive land is insignificantly impacted desire to contribute their trees, crop, fences and other assets to the project instead of supporting by cash.

The definition and document establishment procedure as follows:

*Step 1:* Local authorities will announce to DPs about resettlement policy of project and compensation entitlement.

*Step 2:* Voluntary DPs will sign in the DMS and Policy Framework for their affected real property which will be contribute to project. The document will be stored.

*Step 3:* About 20% of voluntary HHs will be checked by Independent Monitoring Unit at the first stage of RP implementation. The report of Independent Monitoring Unit will be submitted to IDA to review.
CHAPTER 4 MITIGATION MEASURES

4.1 Mitigation measures

Thanks to mitigation measures from initial stage through people’s participation, close cooperation with local authorities and related offices, the impact of the project is insignificant.

There are no DPs whose fixed assets being acquired more than 10% of their total holding and not required to be relocated. Therefore, development of resettlement site is not required.

All individuals, households or institutions (DPs) who are impacted temporarily or permanently by the project are owners of land and properties, land and house renters in ROW of D/L, in proposed area for tower foundation and temporary service roads.

4.2 Measures to Minimize Land Acquisition and Losses

4.2.1 Consultation and Participation

During the project preparation, PECCI has conducted detailed survey on the project impacts. The survey teams have also conducted discussions and consultations with local authorities and local people on possible impacts caused by the project, particularly the alignment of D/L routes etc. so as the selected line route and DSS locations are the least impact option.

The proposed layouts of D/E routes are also displayed and discussed again in the RP community meetings.

The draft layout of routes have been communicated by Hải Phòng Power Company to the relevant bodies i.e. provincial, district and commune People’s Committees, Dept. of Natural Resources and Environment, provincial, district and commune cadastral services etc. for comments and public display. The valuable feedback of local authorities and DPs were taken into account for design.

4.2.2 Impact Limitation Measures in Design Stage

Route Selection
The project impacts mitigation measures have been scrutinized during the design stage, particularly for the route selection. Appropriate route would reduce the project cost and adverse impacts on the local communities and environment.

The following principles were followed:

- The routes selected is shortest possible with DSS locations of optimal services. Such routes are close to public roads to avoid land acquisition for access roads and minimize cost during construction, operation and maintenance.

- The D/L should avoid traversing or running close to the important projects (i.e. gasoline, explosive storages, radio stations), sensitive locations (i.e. historic and cultural assets) protected forests and areas with high trees. Slope sides and turnings are also avoided to reduce leveling and angle towers.

During the mapping of the routes, Hải Phòng Power Company and IE have thoroughly studied different alternatives on map and at sites to select the optimal ones.

To avoid impacts, certain changes in direction of the routes and the large turning angles of the routes are applied i.e. the turning direction angles in certain cases up to $35^\circ$ - $85^\circ$, even in the case necessary, such angle may reach around $90^\circ$. With this solution, the routes have to pass through the road in several places to avoid impacts to the houses/structures.

### 4.2.3 Impact Mitigation Measures in Construction Stage

During the detail technical design, Hải Phòng Power Company and IE would reinvestigated the routes and made certain modification, if necessary, for optimal results.

Suitable measures and optimum arrangements for the project construction are considered i.e. construction would be carried out right after the harvest of crops and terminated before the next sowings. To achieve such target, appropriate workforces with working shifts would be scheduled to shorten the temporarily affected period.

The construction camps for workers in the construction period shall be located on the bare or public lands nearby the headquarters of communes. The camps shall not to be built in populated areas.
### 4.3 Result of Mitigation Measures

**Impact on Land**

<table>
<thead>
<tr>
<th>Area (m²)</th>
<th>% of total owned land</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Permanent impact on residential</td>
<td>Nil</td>
</tr>
<tr>
<td>- Temporary impact on residential land</td>
<td>Nil</td>
</tr>
<tr>
<td>- Permanent impact on productive land</td>
<td>12,669,6 m²</td>
</tr>
<tr>
<td>- Temporary impact on productive land</td>
<td>151,078 m²</td>
</tr>
</tbody>
</table>

**Impact on Houses/Structures**

- Total affected houses/structures: Nil
- Partial affected houses/structures: Nil

**Other Impacts**

- Affected business: Nil
- Impact natural preserving zones, sensitive areas: Nil
- Impact on tenants who leased house for residential purpose: Nil
- Impact on ethnic minorities: Nil

**DPs**

<table>
<thead>
<tr>
<th>Household</th>
<th>Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Total DPs with more than 10% of productive land affected</td>
<td>Nil</td>
</tr>
<tr>
<td>- Total DPs with more than 10% of residential land affected</td>
<td>Nil</td>
</tr>
<tr>
<td>- DP must move</td>
<td>Nil</td>
</tr>
</tbody>
</table>

DPs opted for cash compensation for their certain impacted assets at the replacement costs.

There are many DPs who would be marginally affected on garden, agricultural land and other assets volunteer to contribute their affected trees, crops, fences etc. of insignificant values for the project construction.

Thanks to mitigation measures through public consultation from the initial stage and design stage of the project, the socio-economic surveys show that there are no DPs
whose fixed assets being acquired more than 10% of their total holding and not required to be relocated; therefore, *development of resettlement site is not required.*
CHAPTER 5  PEOPLE’S PARTICIPATION

5.1 Community Meetings

During the project preparation (along with RP preparation), Hải Phòng Power Company and PECC have held many community meetings at the commune level in the project areas with the participation of DPs and representatives of Commune People’s Committees, other government offices and commune NGOs (Women Unions, Youth Unions, Farmers Associations, Fatherland Fronts, War Veteran etc.) where the project related issues i.e. project investment financial resources, project objectives, project components etc. are explained by PMB representatives.

The proposed layouts of D/L routes are also displayed in the meetings along with discussions and consultation with the local authorities and local people on possible impacts caused by the project, DSS location selection, alignment of routes etc. so as the proposed selected line route and DSSs are the least impact option.

In the community meetings, DPs’ queries on RP related issues i.e. entitlements, compensation etc. are explained by PMB representatives and DPs’ opinions, including voluntary donation of their marginal impacts on trees (i.e. bananas, papayas), crops (i.e. beans, groundnut, sugar cane), bamboo fences etc. of insignificant values were recorded.

The prevailing opinion of DPs in the project areas:

- The extension of the power supply networks are welcomed by all DPs, particular people who have not yet enjoy the power supply and who are having the power supply but with too low service quality.
- DPs would like to project to minimize its impacts on their assets, particularly residential land and cultivation land.
- DPs would like to be informed of the actual project implementation time-schedule well in advance so as to prepare themselves for the ground clearance.

Pls. see Appendix 4 for Community Meetings
5.2 Socio-economic Surveys

PECCI has carried out the socio-economic surveys by direct interviews and fill-in the ‘Questionnaires’ covering 100% of DPs in the project areas. (Pls. see Appendix 5 for samples of ‘Questionnaires’).

The survey teams have also distributed the Pamphlets of Q & A on RP related issues and illustrations with measurements of ROW and electricity related accidents. (Pls. see Appendix 6 for Sample of Pamphlet).

The drafts of RP Entitlement Matrix have been copied and communicated by Hải Phòng Power Company to the relevant bodies i.e. Ben Tre PPC, provincial and related district CRCs, related communes People’s Committees (also for display at the offices of the communes People’s Committees), Chiefs of district and commune NGOs (Women Unions, Youth Unions, Farmers’ Associations, Fatherland Fronts, War Veterans etc.), Chiefs of related Villages and DPs’ representatives.

5.3 Objectives of Information Campaign and Consultation Program

DPs and relevant institutions are supplied enough information, consulted and participated will (i) reduce the potential for conflicts, (ii) minimize the risk of project delays, and (iii) enable the project to design the resettlement and rehabilitation program as a comprehensive development program to fit the needs and priorities of the affected people, thereby maximizing the economic and social benefits of the project investment.

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

- To share full information on the proposed project areas, its components and its activities with the affected people.

- To obtain information about the needs and priorities of the affected people as well as information about their reactions/feedback to proposed policies and activities.

- To obtain the cooperation and participation of the affected people and communities required to be undertaken for resettlement planning and implementation.
To ensure transparency in all activities related to land acquisition, resettlement and rehabilitation.

There are two phases of the public information campaign and DP consultation:

5.4 Phase 1: Information Campaign, DPs and Agency Consultation During Resettlement Planning and RP Preparation

This phase, RP planning and preparation, consisted of line route selection, census and inventory of affected people, affected assets, and identification of strategies for compensating, rehabilitating and relocating. Survey teams had asked local authorities and DPs for their comments on the route alignments, potential of adverse impact, their reference on unit cost for house construction and unit cost of land. Commune local authorities had also been consulted for land availability in the case public land would be used for land compensation.

Draft of RP have been sent by Hải Phòng Power Company to the Provincial People’s Committee and provincial Compensation and Resettlement Council for review and comments.

Draft of RP’s Entitlement Matrix have been sent by Hải Phòng Power Company to the project related district People’s Committees, district Compensation and Resettlement Councils, Commune People’s Committees, Commune Women Unions, Youth Unions, Fatherland Fronts, Farmers Associations.

Hải Phòng Power Company has requested PPC and other related local authorities to carefully review the requirement on waivers, eligibility to compensation, proposed entitlement policy, RP cost, taskforces, mechanism for complaint and applied unit costs in draft RP. PPC’s opinion and their comments will be sent to EVN.

The draft of RP has also been disclosed at the office of PPC and VDIC of the World Bank office in Vietnam.

All feedback from local authorities and DPs are integrated in this RP.

During this phase, the following activities were carried out sequentially:

Activity 1: Information and discussion with related local authorities on the line routes
After studying maps and visiting the sites, PECCI had envisaged a preliminary route on 1/25,000 scale map. Such map of all locations passed by the line was sent to relevant local authorities. The local authorities have agreed on the project line routes.

Activity 2: *Impact survey and statistics*

Based on the agreed line routes, survey teams had realized the routes at sites coordinated with the commune officials to make a list of DPs (affected on land, houses and crops). The socio-economic survey forms were delivered to 100% of affected households.

Activity 3: *Meetings with DPs’ representatives*

When the survey finished, Hải Phòng Power Company in coordination with the commune officials held meetings with DPs having land and other assets in ROWs and with hamlet representatives. In these meetings, Hải Phòng Power Company officially informed the participants of the project purposes; presented the project impacts on land and crops in detail; introduce on the objective of RP, the principles and policies of compensation and required people not to build new structures in the affected areas. DPs were consulted on the entitlement and compensation policy. DPs had also been asked for their options for compensation modes, most of them preferred cash for land and other assets. They have requested that compensation must be at replacement cost and full compensation have to be paid before land clearance. They also requested to be clearly informed about the project implementation schedule.

Activity 4: *Meetings with Quảng Ninh and Hải Phòng City People’s Committees*

After the first survey of stage 1, Hải Phòng Power Company had worked with relevant agencies of the project-involved provincial and district People’s Committees, explained the project purposes clearly to PPC and district People’s Committees; at the same time, discussed with the local officials on the aims and principles of ground clearance, on the proposed policies of RP, legal and illegal issue, etc. Hải Phòng Power Company also collected the local applicable compensation rates for land, structures and trees, crops.

The above activities were carried out by PECCI’ survey teams in October, 2007. A meeting between Hải Phòng Power Company, PECCI1 and project related district
People's Committees was held. Relating issues such as selection of commune joining in the project, project financial sources including cost for compensation etc. were discussed. The Hải Phòng Power Company' representatives had presented the baseline data and policies of RP to these People's Committees and obtained their comments/suggestions.

Activity 5: Sending draft RP and entitlement policy to provincial and district People's Committees for review and disclosure

Hải Phòng Power Company has made copies of Entitlement Matrix and sent to all project related district and commune authorities. Hải Phòng Power Company has requested the provincial and district People's Committees and other local authorities to carefully review for the requirements on waivers, eligibility to compensation, proposed entitlement policy, RP cost, taskforces, mechanism for corn plaint and applied unit costs in draft RP. Opinions and comments of related provincial People's Committee will be submitted to EVN.

The draft of RP has also been disclosed at the office of Quảng Ninh People's Committee and VDIC of the World Bank office in Hanoi.

5.5 Phase 2: Information Campaign and Consultation during Resettlement

During this phase meetings will be organized in each commune. The implementation of resettlement and rehabilitation activities includes implementing resettlement policies; entitlement calculation and payment of compensation to DPs; finalize DPs' options on relocation, compensation mode, trainings etc.

During this phase, the following activities are to be carried out sequentially:

Activity 1: Establishment of CRCs, Information dissemination and training for CRCs

After the signing of the loan agreement, the first resettlement activity is to establish provincial and district CRCs by the provincial PPC. Then Hải Phòng Power Company will provide local RCs at all levels the approved RP, training their staff on RP contents and steps of RP implementation. Disseminating RIB to all DPs.

Activity 2: Distribution DMS, inventory and entitlement forms to DPs

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Local CRCs will carry out DMS and inventory and calculate entitlements and disseminate DMS inventory and entitlement forms to all DPs. The list of DPs, their affected assets and entitlements will be posted at commune office. After distribute RIB and compensation, entitlement forms to DPs, district CRCs and all commune local authorities will organize meetings in each commune to clearly inform/explain the policy of RP to DPs. In these meetings, DPs can raise their questions on any resettlement issues.

Activity 3: Meeting with DPs on compensation payment

After getting statistics on lost assets by the project, CRCs and commune People’s Committees will organize meetings with DPs to introduce the compensation rates for different impacted assets. Table of compensation rates will be posted in the offices of commune people’s committees.

At the meeting, DPs can comment on the proposed compensation rates. Disagreement on compensation rates will be noted down and collected for consideration.

DPs who agree with compensation unit cost for their assets will sign in the compensation form. Disagreement on compensation rates will be noted down and collected for consideration. Recommendations, if any, will be sent to DPs for revision.

Then DPs will be informed of times, locations and process of compensation payment for the lost assets.

Activity 4: Information to local authorities on implementation schedule

Hải Phòng Power Company will inform commune authorities and DPs about construction schedule and procedures as well as schedule of RP implementation.

Commune authorities and district CRCs must closely coordinate to ensure that all DPs are fully informed about compensation and project RP implementation schedules.
CHAPTER 6 BASELINE INFORMATION

6.1 Data Gathering Activities

PECCI under the assistance of the related local authorities implemented the census and inventory work of project impacts. The inventory work includes:

- Census of all DPs impacted by the project.
- Survey for DPs who have houses/structures within the proposed locations.
- Survey for DPs impacted on trees/crops in the proposed project locations and outside ROW according to the regulation for the safety protection of high voltage system stipulated in Decree No.106/2005/ND-CP dated August 17, 2005.
- Survey for impacted public infrastructures, properties, facilities and farms.
- Survey for permanent land acquisition area for tower foundation.
- Survey for temporary land acquisition in ROW and construction access roads.
- Survey for other impacted assets.

6.2 Socio-economic Surveys

Cát Hải commune, especially Cát Bà island is the region with high economic capability of sea and tourist. In recent years, Cát Bà island has been considered to invest to deserve its own potentiality. At present, Cát Bà island is the famous tourist center of the country as well as fishing and aquatic product processing center in the region.

For transportation, Hải Phòng city has invested in establishing and building high-speed ship route to Cát Bà island and building Hải Phòng - Dinh Vũ - Cát Hải - Cát Bà road way to develop this commune.

6.3 Current status of region’s power source and power network

Project objectives of Vietnam rural distribution network are refurbishing and upgrading 110kV, 22kV and 35kV distribution network for rural areas where their power demand are accelerating in order to improve the capacity of distribution network to meet load demand and assure quality of power supply.

Improving power quality; reducing loss; assuring safe and improving the effect of power trade.
The purposes of power supply for Cát Bà island are:
- Improving power quality for Cát Bà island
- Meeting the power demand in the future

At present, Cát Hải island is powered by only one 35kV D/L. The start point of this D/L is Uông Bí thermal power plant (Quảng Ninh), passing through Quảng Yên commune (Quảng Ninh), Cát Hải island, Lạch Huyện (1.2 km in width) to Cát Bà island. Total length of the D/L is 60km. Before going to Cát Hải commune, this D/L supplies power to several loads of Quảng Ninh such as TG-35kV Yến Cú, TG -35kV Chợ Rốc, TG-35kV Hà Nam and other 0.4kV substations.

Cát Hải district is divided into 2 independent island: Cát Hải island and Cát Bà island. They are separated by Lạch Huyện having width of more than 1000m. At present, Cát Hải island is supply power from Cát Hải substation, capacity of 1800 + 1000kVA, and 10kV distribution network. Total capacity of 10/0.4kV transformers in Cát Hải island is about 2.250 kVA.

In Cát Bà island, loads are supplied power directly from 35kV D/L from 35/0.4kV substations. Up to now, there are 40 substations with total installed capacity is 10.995kVA.

With the current status of power network in Cát Bà, Cát Hải islands, power quality supplying to loads is low and unstable. The details as follows:

- Due to long distance, the different between maximum and minimum capacity is high so that capacity loss is very high. Power loss of D/L in this region is up to 13%. Voltage loss is also very high. Voltage at Cát Bà town (the location has several important load) is lower than permission voltage of 10-15%.
- Loads of Cát Bà island are supplied from 35/0.4kV substations connected directly to 35kV D/Ls. The trouble in susbations will affect to circuit breaker at the power source. Hence, trouble probability is high.
- 35kV D/L located in Quảng Ninh region supplies power to several agriculture loads which cause unstable to D/L.
- The source of 35kV D/L is managed by Quảng Ninh Power Company so power supply depends on trouble status, repairment schedule, capacity balance of Quảng Ninh Power Company. Hải Phòng Power Company cannot initiatively regulate power supply to Cát Hải - Cát Bà.

In brief, existing power network cannot supply power with good quality and reliability to meet socio-economic development demand of island region even at present.
CHAPTER 7 PROJECT IMPACTS

7.1 Project Impacts

Types of Impacts:

- All houses and public structures in ROW are required to remove or could be existed with the restricted conditions.
- All high trees in tower foundation areas and in ROW of D/L that from the tops of trees to the lowest conductor is less than 3 m will be cut.
- All structures out of ROW but it is supposed to impact to the project such as bomb and mine storage, gas station, stone mine, communication centers etc. will be removed.
- Permanent land acquisition for the project:
  - Land acquired for tower foundations.
  - Land acquired for permanent access roads.
- Temporary impacted land of the project:
  - Land area surrounding the foundation during the period of foundation digging and tower erection.
  - Land area for the service roads for transportation of material into the tower position. The impacted land area will be proposed temporary from 1 to 2 months.
- Temporary impacted land area in ROW.

7.2 Types of Impacts

* Permanent impacts:
  - Residential land: 0 m²
  - Rice land: 12,669,6 m²
  - Garden land: 0 m²
* Temporary impacts:
  - Residential land: 0 m²
  - Rice land: 151,078 m²
  - Garden land: 0 m²
* Impacted houses and structures: Nil
CHAPTER 8    IMPLEMENTATION ARRANGEMENTS

8.1 Measures for the Project Implementation

8.1.1 Announcement to DPs

All DPs shall be thoroughly informed about the rights and policies of RP including eligibility, entitlement policy, modes and rates of compensation, schedules and complaint and grievances rights. The RIB will be prepared by PMB and then it will be delivered to all DPs or informed at the meetings in districts and communes; hung in public places such as administration head-quarters of communes and schools.

Public announcement tasks shall be implemented immediately after GOV and WB approval of project is obtained. RIB consists of:

**Part A - Basic Features**
1. Project description
2. Project design objectives
3. Implementation schedule
4. Project impacts
5. Eligibility to compensation and rehabilitation and entitlements policy for the project affected people
6. Institutions are responsible for resettlement
7. Information dissemination to and consultation with the affected people
8. Grievances and appeals

**Part B - Specific Entitlements**
1. Description of the detailed impact of the project on the specific households
2. Compensation rates for each types of impact
3. Date of delivery of entitlements.
8.1.2 Compensation Deadlines

Compensation payment for land, houses at least five months before land clearance, compensation for frees and crops and all allowances will be paid at least 01 month before land acquisition date.

For DPs who have to be relocated, local authorities and Hải Phòng Power Company shall make every effort to assist them in purchasing residential land and construction for the house and to be sure that no land clearance if these DPs have not completed their house building at new resettlement site.

However, in this subproject, there is not any impact on residential land and structures. Therefore, there is not any DP who required to be relocated.

8.1.3 Resettlement and Clearance Deadline

DPs that have impacted houses and land and have received full compensation and subsidies are requested to move out of the affected portion of the house or to clear land at least 15 days before the commencement civil work.

8.2 RP Implementation Process

**Action 1:** Just after the award of capital borrows convention of WB, Hải Phòng Power Company will select and contract a qualified agency for independent external monitoring.

**Action 2:** CRC carries out the DMS and inventory of the affected assets and together with the independent monitoring agency and other related agencies, carry out the evaluation for the applicable unit costs in RP and propose to PPC for amendment of the applicable unit prices in RP, if necessary, to ensure that DP is compensated at replacement costs at the time of RP implementation.

Article 9 of Decree 197/2004/ND-CP states that land price for the compensation calculation is the land price in respect of land use purpose at the time of land acquisition, promulgated by the provincial People’s Committee in line with the Government regulation (within the GOV’s range of minimum and maximum prices).
Chapter 2 of Decree 188/2004/BD-CP promulgates the methodologies (i.e. 'direct comparison method' and 'income method') to define land price and, at the same time, set forth the land price framework (minimum and maximum unit price for various types of land) throughout the country.

**Action 3:**
Immediately after the completion of the DMS and inventory survey, CRC will inspect and define the official number of DPs, impacted properties and total compensation amount for DPs.

**Action 4:**
CRC will officially announce the policy, schedule of the RP to DPs at public meetings including issues related to compensation, resettlement and land clearance.

**Action 5:**
Compensation payment for affected houses/structures and deliver assistance to DPs.

DPs that permanently impacted more than 10% of total productive land or incomes will be entitled to rehabilitation assistance. They will be assisted for the training or TA for agriculture/husbandry or non-land based program.

- Transfer directly to training 700,000 VND/main labor or TA institutions/Consultant
- Transfer directly to trainee 800,000 VND/trainee as subsidy allowance in the training time
- Total training fee: 1,500,000 VND/main labor

**Action 6:**
During the project implementation, PMB and Independent External Monitoring Agency will supervise/monitor all activities of RP implementation and rehabilitation programs.

### 8.3 Implementation Schedule

One of the RP provisions is that RP will be carried out in accordance with the mentioned process for the purpose of security for land clearance and implementation of civil work.

The implementation schedule must ensure the synchronized linkage between RP implementation and commencement of civil work i.e. the appropriate compensation schedule and construction schedule. The compensation payment shall be completed prior to the commencement of the relevant project components.
8.4 Staffing for RP Implementation

8.4.1 Proposed Staffing for RP implementation

Proposed Staffing for RP implementation as follows:

<table>
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<th>No</th>
<th>Office</th>
<th>Number of Staff</th>
<th>Total time</th>
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<td>1</td>
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<td>2</td>
<td>Provincial CRC</td>
<td>2</td>
<td>2 months</td>
</tr>
<tr>
<td>3</td>
<td>District CRCs</td>
<td>1 x 2</td>
<td>2 months</td>
</tr>
<tr>
<td>4</td>
<td>Provincial People's Committee</td>
<td>1 x 2</td>
<td>2 months</td>
</tr>
<tr>
<td>5</td>
<td>PECC1</td>
<td>20</td>
<td>2 months</td>
</tr>
<tr>
<td>6</td>
<td>Independent External Monitoring Agency</td>
<td>02</td>
<td>10 months</td>
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</table>

The independent external monitoring agency shall dedicate their apt workforce to satisfy the external monitoring requirement of the WB with defined schedule. They shall commence their monitoring work right from the beginning of the RP implementation through its completion and lasting to 6 months after the completion of the RP implementation for the surveying of the satisfaction level of DPs. Estimated total working time of independent external monitoring is 9 months. Their reports include: Inception Report, Quarterly Progress Reports and Final Report.

8.4.2 Training and Workshop

In order to carry out RP implementation smoothly and effectively, prior to RP implementation organizing trainings, workshops for staffs who implement RP are necessary. The trainings, workshops will be held by PMB with TA of the WB resettlement officers. The objectives of trainings, workshops are to guide all relevant agencies/people about steps of RP implementation as well as monitoring and evaluation, report preparation, base line data management.

One Intermediate training course and one primary training course are proposed to be organized at the initial stage of the RP implementation.

One seminar proposed to be organize in compensation payment period for all RP related staffs.
Training courses and seminars are organized in Bình Giang province in short time of 1-2 days. Number of trainees as follows:

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<th>Staff</th>
<th>Training content</th>
</tr>
</thead>
<tbody>
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<td>Intermediate traning</td>
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<td>- Key policy of RP</td>
</tr>
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<td>Quảng Ninh &amp; Hải Phòng Commune</td>
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<td>- Complaint regime and solution</td>
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<td>2</td>
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<td>Officers of route supervision</td>
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<td>- Monitoring and evaluation of RP</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>- Community participation and consultation</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>- Complaints and Grievances</td>
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</table>

The Communes’ officers are one cadastral cadre and one officer from Labor and Social Bureau.

The independent external monitoring agency is supposed to be a professional agency in the field of external monitoring of RP implementation and their training is not required.

### 8.5 Grievance and Appeals

Since the entire resettlement and rehabilitation program is being carried out with the participation of the DPs and the impacted scale of this project will be relatively small, it is expected that no grievance issue will arise. However, to ensure that the DPs have avenues for redressing their grievances related to any aspect of compensation and resettlement detailed procedures of redresses of grievances have been established for the project.

The objective is to respond to the complaints of the DPs speedily and in a transparent manner. The mechanism is designed to be easy, transparent and fair. By resolving grievances at the project level, the progress of the project would be more effective ascertained.
The procedures are as follows:

- **Stage 1 - Commune Level:**
  If any person is aggrieved by any aspect of the resettlement and rehabilitation program, he/she can lodge an oral or written grievance with commune authorities. In case an oral compliant is made, it will be written on paper by the commune and processed. Commune People’s Committee will settle the issue within 15 days.

- **Stage 2 - District Level:**
  If any aggrieved person is not satisfied with the decision in Stage 1, he/she can bring the complaint to the attention of the district People’s Committee or CRC and within 15 days from the date of the receipt of the decision in Stage 1, the district People’s Committee or CRC will reach a decision on the complaint.

- **Stage 3 - Provincial Level:**
  If any aggrieved person is not satisfied with the decision in Stage 2, he/she can bring the complaint to the attention of the district People’s Committee or CRC and within 15 days from the date of the receipt of the decision in Stage 2, the district People’s Committee or CRC will reach a decision on the complaint within 15 days.

- **Stage 4 - Court Case**
  If DPs are not satisfied with the decision in Stage 3, he/she has the right to bring the case to the People’s Court within 15 days since receiving the decision of Stage 3. The Court’s decision will be a legal basis for compensation.

The case shall be settled in Court without any charges or fees.

DPs can make an appeal on any aspect of the resettlement and rehabilitation program, including compensation rates being offered.
Detailed procedures for redress of grievances and appeal process shown publicized among the DPs during participation meetings and also in the offices of the commune People’s Committees.

Grievance Redress Administrative and Juridical Structures Available to DPs

![Diagram of grievance redress administrative and juridical structures]

8.6 Monitoring and Supervision

The implementation of RP shall be constantly supervised and monitored by PMB in coordination with local People’s Committees.

An independent consulting agency will be entrusted with external monitoring tasks. The selection of this agency will be submitted to the approval of PMB and WB.

8.6.1 Internal Monitoring

The main indicators that will be monitored regularly are:

- Monitoring the population and socio-economic surveys of DP and the inventory of DP assets, status, occupation and living conditions and supervising the
implementation of compensation, resettlement and rehabilitation for the DP in the terms agreed by the DPs.

- Monitoring whether the implementation of resettlement and compensation tasks are carried out as provided in this RP.

- Monitoring the availability and quality of replacement land.

- Investigate and fairly assess each case of complaint and grievance.

- Internal monitoring agencies will prepare a quarterly report detailing the progress of RP implementation. Such a report should be made available to appropriate GOV authorities, WB and external monitoring agency.

8.6.2 External Monitoring

Apart from evaluation of quarterly report of internal monitoring and implementation survey activities similar to activities of internal monitoring, external monitoring is responsible for:

- At the beginning of RP implementation, conduct a replacement cost survey in RP, check in the site to comparing the applying unit cost with their replacement cost. In case there exists a considerable gap, the independent external monitoring agency will submit their recommendations to Hải Phòng Power Company and provincial People's Committees to adjust.

- Evaluation of inventory survey (DMS) and Entitlements to DPs.

- Evaluation of socio-economic project impact on the DPs.

- Supervision of the implementation of RP to achieve - the objectives of the RP, particularly "to improve or at least maintain the incomes and living conditions of the DP after the resettlement". Any potential problems in the restoration of living standards will be reported.

- Putting forward the amendments for the implementation of RP so as to achieve the objectives of this RP.

- Offering suggestions on how to improve RP programs.
• Closely monitoring compensation activities and be prepared to give informed evaluation of complaint and grievances cases.

• Write working reports (6 months/report) to be submitted to PMB, WB, the appropriate GOV authorities and to the representatives of the DPs.

• Produce a final document to be prepared six months after the completion of the entire resettlement program. This document shall provide detailed evaluation of the RP and its implementation, such document shall be prepared by means of interviews with the DP on their opinions in all aspects after they have been resettled and compensated.

• Finally, on the basis of the RP implementation experience, this document shall provide suggestions both to help reinforce local RP expertise and to improve future resettlements plans.

Provisions should be implemented by independent monitoring will be drafted by Hải Phòng Power Company and submitted to WB for review before inviting independent monitoring.
CHAPTER 9 COST AND BUDGETS

9.1 Budgets

The source of budget for RP implementation as follows:

- Hải Phòng Power Company will loan capital of EVN to pay for RP implementation.

9.2 Compensation Cost Estimate

Compensation cost estimate for temporarily and permanently impacted house, structures, residential land, productive land, frees and crops is based on:

- GOV Decree No.197/20041ND-CP dated Dec. 03, 2004 on compensation, rehabilitation and resettlement for land acquired by State.

- Survey for replacement costs and market price for structures, land, frees, crops by PECC1 in the period of carrying out impact survey

- Decisions for unit costs for compensation of Bắc Giang Provincial People’s Committee.

9.3 Compensation Unit Prices

Based on Decision No. 485/QD-UB dated 30/3/2005 of City People’s Committee on issuing Decision of compensation, rehabilitation and resettlement for land loacted in Hải Phòng acquired by State; Decision No. 572/QD-UBND dated 22/3/2006 of City People’s Committee on adjustment, complement for some items stipulated in Decision No. 485/QD-UB dated 30/3/2005.

9.3.1 Compensation for Structures

There are no houses or other structures is partial or total affected in this project. Hence, unit costs mentioned above are not applied in this project.

9.3.2 Compensation for Land

Compensation for land shall be at replacement cost.
Land unit price is established separately conforming to the regulated price frame of the Decree No.188/2004/ND-CP and Circular No.1 14/2004/TT-BTC.

Chapter II of Decree No.188/2004/ND-CP - ‘Methods of Defining Land Price’, which is elaborated in Chapter I of Circular No.1 14/2004/TT-BTC (i.e. Art.1: ‘the direct comparison method’ and Art.2: ‘the income method’)) ensure the unit cost to meet the replacement value at the time of issuance of unit cost. These unit prices are based on the replacement costs for land, house, trees and market prices for crops.

The compensation unit costs will be reviewed by local authorities and Independent External Monitoring Agency at the initial stage of RP implementation and the amendment will be done by the provincial People’s Committee (if required and to be used for calculation the entitlements of DP) to ensure that DP will be compensated at the placement costs for land, house, perennial trees and market prices for crops according to this RP policy.

Note: The newly promulgated land prices reflect the actual land value in the respective localities. However, the ‘Land Price Consultant’ (Art.57 of Land Law) or the Independent External Monitoring Agency shall utilize the ‘Direct comparison method’ and/or ‘Income method’ (Chapter I of Circular 114/2004/TT-BTC dt. Nov. 26, 2004) of defining land price to adjust the land prices to meet the replacement value by the time of issuance of unit costs for this RP implementation. The contingency component would cover such differences, if any, by the time of actual RP implementation.

9.3.3 Compensation for trees and crops

According to Art.24 of GOV Decision No.1 97/2004/ND-CP dt. Dec. 03, 2004, compensation for fruit trees is calculated based on harvest; perennial fruit trees is calculated at replacement cost and harvest will be compensated at the average output of the three last harvests.

According to the local unit cost, market price and unit costs proposed by DPs, these unit costs are not much different.

Compensation unit cost for land, crop³
- Land: 29.000 VND/m²
- Crop (rice): 4000 VND/m².
9.3.4 **Flow of Fund**

Fund for the implementation of RP will be from EVN. Hải Phòng Power Company will transfer this fund to provincial CRC. Provincial CRC will transfer the fund to district CRCs.

The District CRCs are responsible for:
- Payment of compensation and all entitled allowances directly to DPs, and
- Payment to cover costs of overall RP activities.

9.3.5 **Inflation Adjustment**

The rates of compensation and cash entitlements for rehabilitation and allowances payable to the DPs shall be reviewed and, if necessary, adjusted at the actual time of RP implementation based on the actual annual inflation rate upon request of the CRCs.

9.4 **Cost Estimates**

- **RP Preparation**
  - Office works: design study, preparation of socio-economic ‘questionnaire’, statistic survey forms.
  - Field works: census and inventory, socio-economic survey, interview, community meetings and meetings with local authorities.

Survey work is carried out in two stages: Preliminary stage (for RP preparation) and Implementation stage (DMS & inventory - at the early time of project and RP implementation).

- **Compensation and Rehabilitation**

Based on the impacted categories and extent of impacts which described in the above chapters, compensation and rehabilitation costs are included:

- Compensation for permanently land acquisition.
- Compensation for temporarily and permanently affected trees and crop.
- Compensation for houses and structures required to be removed.
- Subsidy, allowance for rehabilitation, consists of: relocating subsidy, transport allowance, training subsidy etc.
- Prize money for on time movement.
Management

- Cost for staff of PMB and CRCs includes in: physical basic salary and allowance for administrative organization. The local CRCs shall undertake many works during the project implementation and only some members will be contracted to work for a certain period of time.

- Cost for trainings, workshop, information campaign etc.

Monitoring = 3.5% of total compensation and RP implementation cost

- When implementing the project, PMB of Hải Phòng Power Company will enter a contract with an independent external monitoring agency to carry out the external monitoring. Since cost of monitoring work has not yet envisaged in detail, it is estimated at about 2% of total cost of compensation and RP preparation. The interested independent external monitoring agency will prepare the technical and financial proposals for bidding and actual cost will be decided through procurement for independent monitoring.

Contingency = 15% of total compensation and RP implementation cost

- Considering experience from the implemented and on-going implementing projects of similar nature, the rate for contingency is estimated about 15% of total cost of compensation and RP preparation

9.5 Total Cost Estimate for RP Implementation

9.5.1 Preparation of RP and DMS

Initial Stage — Preparation of RP

RP implementation includes following works:

- Studying the designs and field visits.
- Establishing the socio-economic survey forms (interview) and inventory forms (with preliminary measurements of fixed assets and counting of properties).
- Organizing community meetings and public consultation and distribution of project related pamphlets/Q&A.
- Socio-ecorionic surveys by means of fill in the 'Questionnaires' and direct interview.
- Data processing and establishment of the RP for approval.
Rural Distribution Project Resettlement Plan
110kV Chợ Rộc - Cát Bà Transmission Line

Cost estimate of RP implementation: 77,392,000 VND

Total 77,392,000 VND

- Implementation Stage — DMS & inventory

Preparing for the RP implementation, the district CRC’s Support Working Teams are mobilized to carry out:

- The preparation of DMS and inventory forms, RIB.
- Organizing community meetings.
- DMS and inventory work.
- Negotiations with DPs.
- Finalizing the DP’s compensation and rehabilitation forms and submit to district CRCs for approval.

Support Working Teams: 2 teams (4 staffs/each) for 2 communes.
Total cost estimate includes following costs: basis salary, allowance, staff accommodation and movement, print form, Q&A, and organization of people participation.

Cost of implementation stage 100,000,000 VND

Total cost for RP implementation 177,392,000 VND
Of these:
- Initial Stage (RP implementation) 77,392,000 VND
- Implementation Stage (DMS) 100,000,000 VND

9.5.2 Compensation and rehabilitation

As mentioned in previous chapters, the project does not affect to residential land, houses, and structures and there are no DPs need to be removed. Hence, compensation items as follows:

- Compensation for permanent acquired land.
- Compensation for crop, trees planted in permanent and temporary acquired land.

9.5.3 Management
- Management
Cost for staff of PMB and CRCs includes in physical basic salary and allowance for administrative organization. The local PMB and CRCs shall undertake many works during the project implementation and only some members will be contracted to work for a certain period of time.

- **Trainings, workshop, information campaign**

One intermediate training course and one primary training course are proposed to be organized right at the beginning of the RP implementation and one workshop is proposed to be held at the commencement of the actual payment of compensation.

Considering the convenient for the local management of the project related localities, the training courses and workshops are proposed to be organized within a short course of 1-2 days in Bắc Giang.

*Total management cost is 2% of compensation cost*

**9.5.4 Monitoring**

Cost of external monitoring for RP implementation is about 2% of total compensation and RP implementation cost. External monitoring agency will prepare technical and financial proposals for bid and real cost will be defined through the bidding for external monitoring agency selection.

**9.5.5 Contingency**

Contingency is 15% of total compensation and RP implementation cost.
9.5.6 Total cost estimate of RP implementation

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</tr>
<tr>
<td>4</td>
<td>Life rehabilitation</td>
<td>18,500,000</td>
<td>18,500,000</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>III</td>
<td>Management</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Management = 2% (II)</td>
<td>61,236,536</td>
<td>61,236,536</td>
<td>III</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Training, workshop, information, campaign, etc.</td>
<td>30,000,000</td>
<td>30,000,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>IV</td>
<td>Monitoring = 3.5% (I + II)</td>
<td>113,372,658</td>
<td>113,372,658</td>
<td>IV</td>
<td></td>
</tr>
<tr>
<td>V</td>
<td>Contingency = 15% (I + II)</td>
<td>485,882,819</td>
<td>485,882,819</td>
<td>V</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grand Total (I + II + III + IV + V)</td>
<td>3,929,710,802</td>
<td>3,929,710,802</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

10. Disclosure

Drafts of Policy Framework and Entitlement Matrix have been disclosed at the People’s Committees of project related communes such as Yên Hùng (Quảng Ninh province) and Cát Hải (Hải Phòng).

Drafts of RP have been disclosed at the offices of the provincial People’s Committee and Information Center of World Bank office in Hanoi.

The final will be cleared by the WB and approved by EVN and Hải Phòng People’s Committee and Quàng Ninh Province.
Appendix

1. Entitlement matrix
2. Policy framework for Compensation, Resettlement and Rehabilitation
3. Map of the transmission line route and tower foundation site in Quang Ninh province
4. Map of the transmission line route and tower sites in Hai Phong city.
5. Invitation letter of Public consultant meeting from Cat Hai district people’s Committee.
6. List of Participants at public consultant meeting of Cat Hai district.
7. Pictures of Public consultant meeting at Cat Hai district.
8. Opinion of residents of communes Dong Bai under Cat Hai town, Phu Long, Van Phong, Hien Hao of Cat Hai district at Public consultant meeting to present EMP, RAP dated 20/9/2007 at Cat Hai district and Hai Phong city People’s committee
9. Minute of Meeting of Public consultant meeting at Cat Hai district
10. List of Participants at public consultant meeting of Yen Hung district.
11. Pictures of Public consultant meeting at Yen Hung district.
13. Minute of Meeting of Public consultant meeting at Yen Hung district.
14. Pictures of area where the transmission line passes
Appendix 1

Entitlement matrix
## APPENDIX 2: ENTITLEMENT MATRIX FOR THE SECOND RURAL ENERGY PROJECT

### Rural DISTRIBUTION project

<table>
<thead>
<tr>
<th>N°</th>
<th>Type of loss</th>
<th>Application</th>
<th>Definition of entitled DPs</th>
<th>Compensation Policy</th>
<th>Implementation Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Temporary acquisition of productive land in ROW</td>
<td>All DPs have trees, crops, other assets in ROW</td>
<td>DPs with/without land certificate included in the inventory or able to prove land occupancy prior to cut-off date,</td>
<td>- Cash compensation for affected trees at the replacement cost plus cost for cutting trees, crops at market price, Number of crop patterns to be compensated based on the time of temporarily acquired of land,</td>
<td>- Trees have to be cut are regulated by Article 5 of the Government Decree 106/2005/ND-CP dt, Aug 17th, 2005 on the protection of the high voltage networks.</td>
</tr>
</tbody>
</table>
<pre><code>                                                                                  |                                                                            |                                                                                           | - No compensation for land                                                                                                                                                                                                                                                   | - PCs and local authorities determine and ensure that compensation for trees will be at the replacement cost and for crops at the market price, If DP is requested for cutting affected trees, PCs or Provinces will pay money for this work, DP has right for using salvageable trees, |
                                                                                  |                                                                            |                                                                                           | - Rehabilitate land after the project construction,                                                                                                           |                                                                                                                                                        | - Full compensation at least 01 month before land clearance, Payment to DPs will be delivered by PC and/or District Resettlement Committees (DRCs), |
                                                                                  |                                                                            |                                                                                           |                                                                                                                                                                                                                     |                                                                                                                                                        | - Affected land in ROW will be rehabilitated by contractors after the project construction and land in ROW could be used with the restricted purposes, |
                                                                                  |                                                                            |                                                                                           |                                                                                                                                                                                                                     |                                                                                                                                                        | - Finance available for compensation and well information disclose/ disseminate to DPs and key stake holders, |
</code></pre>

- Finance available for compensation and well information disclose/ disseminate to DPs and key stake holders,
<table>
<thead>
<tr>
<th>№</th>
<th>Type of loss</th>
<th>Application</th>
<th>Definition of entitled DPs</th>
<th>Compensation Policy</th>
<th>Implementation Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Temporary acquisition of residential and garden land in ROW without house or structures in ROW</td>
<td>All DPs with orchards or trees in ROW</td>
<td>-do-</td>
<td>- Cash compensation for affected fruit trees and trees at replacement cost.</td>
<td>- Trees have to be cut are regulated by Article 5 of the Government Decree 106/2005/ND-CP dt,Aug 17th, 2005 on the protection of the high voltage networks,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>- No compensation for land</td>
<td>- PCs and local authorities determine and ensure that compensation for trees will be at the replacement cost, If DP is requested for cutting affected trees, PC or Provinces will pay money for this work, DP has right for using salvageable trees,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>- Rehabilitate land after the project construction,</td>
<td>- Full compensation to DPs at least 01 month before land clearance, Affected land in ROW will be rehabilitated by contractors after the project construction</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>- Payment to DPs will be delivered by PCs and DRCs</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>- Finance available for compensation and well information disclose/ disseminate to DPs and key stake holders,</td>
</tr>
</tbody>
</table>
### Rural Distribution Project Resettlement Plan

<table>
<thead>
<tr>
<th>No.</th>
<th>Type of loss</th>
<th>Application</th>
<th>Definition of entitled DPs</th>
<th>Compensation Policy</th>
<th>Implementation Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Temporary impact on residential and garden land, Partial house/building within ROW (area in ROW less than 10% of total area) and the demolished area does not impact to the remaining house/building, Residential land and garden land outside of ROW is sufficient for re-organizing (not less than 60 m²).</td>
<td>All DPs have house/building and trees/fruit trees in ROW</td>
<td>-do-</td>
<td><strong>House/ building:</strong>&lt;br&gt;: i) Remain their houses or building in ROW with the conditions regulated by Article 6 of the Government Decree 106/2005/ND-CP dt.Aug 17th, 2005 on the protection of the high voltage networks, Subsidy allowance for fireproof materials and lightning arrestors for the existing house/building; or ii) Cash compensation for the directly affected rooms at the replacement cost and cost for demolishing an affected room,&lt;br&gt;: No compensation for land,&lt;br&gt;: Rehabilitate land after the project construction by contractors,&lt;br&gt;: <strong>Tree and fruit tree</strong>&lt;br&gt;: Compensation for affected trees and fruit trees at the replacement cost,&lt;br&gt;: <strong>Allowances:</strong>&lt;br&gt;: Relocating allowance of 30 kg of rice equivalent per person per month in six months.</td>
<td>- House and building have to be demolished or could be existed are regulated by Article 5,6 of the Government Decree 106/2005/ND-CP dt.Aug 17th, 2005 on the protection of the high voltage networks,&lt;br&gt;: PCs and local authorities determine and ensure that compensation will be paid at the replacement cost, without deduction for salvageable materials,&lt;br&gt;: DPs will demolish the impacted part/ room and reconstruct/improve their houses themselves,&lt;br&gt;: Full compensation for trees and fruit trees at least 01 month before land clearance, if DP is requested for cutting affected trees, PC or project provinces will pay money for this work, DP has right for using salvageable trees,&lt;br&gt;: Full entitlement payment to DPs impacted on house/building at least 03 months before land clearance,&lt;br&gt;: Payment to DPs will be delivered by PCs and/or DRCs,&lt;br&gt;: Land in ROW could be used with restricted purposes,&lt;br&gt;: Finance available for compensation and well information disclose/disseminate to DPs and all key stake holders,</td>
</tr>
<tr>
<td>4</td>
<td>Temporary impact on All DPs have House/building</td>
<td>-do-</td>
<td><strong>House/ building:</strong></td>
<td>- House and building have to be demolished or could be</td>
<td></td>
</tr>
</tbody>
</table>
### Rural Distribution Project Resettlement Plan

<table>
<thead>
<tr>
<th>No</th>
<th>Type of loss</th>
<th>Application</th>
<th>Definition of entitled DPs</th>
<th>Compensation Policy</th>
<th>Implementation Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>residential and or garden land, Impact more than 10% of total house/building area but the demolished area will impact to the remaining of house/structure. Land outside of ROW is sufficient for reorganizing (not less than 60 m²).</td>
<td>house/building and trees/fruit trees in ROW</td>
<td>- DP can opt for: i) Remain their houses or building in ROW with the conditions regulated by Article 6 of the Government Decree 106/2005/ND-CP dt.Aug 17th, 2005 on the protection of the high voltage networks,</td>
<td>- Consultation for DP’s options on remains their house in ROW or move out of ROW,</td>
<td>- PCs and local authorities determine and ensure that compensation will be replacement cost at the time of payment,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- No compensation for land, - Rehabilitate land after the project construction by contractors,</td>
<td>- DPs will demolish the impacted areas and reconstruct/or improve their houses themselves,</td>
<td>- Full compensation for trees and fruit trees to DPs at least 01 month before land clearance, If DP is requested for cutting affected trees, PMB will pay money for this work, DP has right for using salvageable trees,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Tree and fruit tree - Compensation for affected trees and fruit trees at the replacement cost,</td>
<td>- Full compensation payment for impacted house and allowances to DPs at least 03 months before land clearance,</td>
<td>- Payment to DPs will be delivered by PCs and DRCs</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Allowances: - Relocation allowance of 30 kg of rice equivalent per person per month in six months,</td>
<td>- Finance available for compensation/rehabilitation and well information disclose/disseminate</td>
<td>- Cleared residential could be reused with other restricted purposes,</td>
</tr>
</tbody>
</table>
## Rural Distribution Project Resettlement Plan

<table>
<thead>
<tr>
<th>Nº</th>
<th>Type of loss</th>
<th>Application</th>
<th>Definition of entitled DPs</th>
<th>Compensation Policy</th>
<th>Implementation Issues</th>
</tr>
</thead>
</table>
| 5   | Temporary impact on residential and or garden land in ROW, Full or partial house/building impacted and land outside of is not sufficient for reorganizing (less than 60 m²) | All DPs have house/building and trees, fruit trees in ROW | -do- | DPs can opt for one of the followings:  
i) Remain their houses or building in ROW with the conditions regulated by Article 6 of the Government Decree 106/2005/ND-CP dt.Aug 17th, 2005 on the protection of the high voltage networks,  
ii) Cash compensation for the whole residential area which DP occupied (not only for the impacted areas) and properties associated with occupied land at replacement cost, Impacted land will be obtained by local authorities; or  
- Compensation for affected tree- and fruit trees at the replacement cost,  
- Relocating allowance of 30 kg of rice equivalent per person per month in six months  | - House and building have to be demolished or could be existed are regulated by Article 6 of the Government Decree 106/2005/ND-CP dt.Aug 17th, 2005 on the protection of the high voltage networks,  
- Consultation for DP’s options on remain their house in ROW or move out of ROW  
- PMB and local authorities determine and ensure that compensation will be at replacement cost at the time of payment,  
- Replacement land, and resettlement sites development  
- MPB receive compensation will demolish the impacted house areas and reconstruct/or improve their houses themselves,  
- Full compensation payment for trees and fruit trees to DPs at least 01 month before land clearance, If DP is requested for cutting affected trees, PCs or project provinces will pay money for this work, DP has right for using salvageable trees,  
- Full compensation for impacted house and allowances to DPs at least 05 months before land clearance,  
- Payment to DPs will be delivered by PCs and DRCs  
- Cleared residential could be used with other restricted
<table>
<thead>
<tr>
<th>No.</th>
<th>Type of loss</th>
<th>Application</th>
<th>Definition of entitled DPs</th>
<th>Compensation Policy</th>
<th>Implementation Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Permanent acquisition of land for tower foundations, substation and access roads etc.</td>
<td>All DPs occupied land and properties associated with land permanently impacted by towers foundations, substation and access roads etc.</td>
<td></td>
<td>months</td>
<td>- Consultation for DP's options on land compensation,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>- Transportation allowance for relocating DP according to the Compensation Decree 197/2004/ND-CP dated Dec 3rd, 2004 of GOV.</td>
<td>- PMB and local authorities determine and ensure that compensation will be at replacement cost at the time of payment,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>- Rehabilitation assistance if DPs permanently losing business or more than 10% of their incomes,</td>
<td>- Replacement land. and resettlement sites development,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>- Incentive for relocating in a timely manner: maximum 5,000,000 VND/HH</td>
<td>- DPs receiving compensation will demolish the impacted areas and reconstruct/or improve their houses themselves,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>- Full compensation for trees and fruit trees to DPs at least 01 month before land clearance, If DP is requested for cutting affected trees, PMB will pay money for this work, DP has</td>
</tr>
<tr>
<td>No</td>
<td>Type of loss</td>
<td>Application</td>
<td>Definition of entitled DPs</td>
<td>Compensation Policy</td>
<td>Implementation Issues</td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>their total landholdings:</td>
<td>DP can opt for the followings:</td>
<td>right for using salvageable trees,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>i) &quot;Land for land&quot; with the same area and productive of impacted area if the remaining plots are still economic viable and for the whole impacted plots if the remaining plots are not economic viable</td>
<td>- Full compensation for impacted house and allowances to DPs at least 05 months before land clearance,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>ii) Cash for land at the replacement cost,</td>
<td>- No award civil work contract before completion of compensation and reorganizing houses or relocation,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>- Compensation for trees and affected fruit trees at the replacement cost,</td>
<td>- Payment to DPs will be delivered by PCs and DRCs</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>- Rehabilitation assistance,</td>
<td>- Finance/land available for compensation/rehabilitation and well information disclose/disseminate,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>For DP losing Residential and garden land:</td>
<td>- PCs and local authorities will consult with DP who are eligible to restoration for their options and prepare proposal for restoration programs in the period of RAP implementation,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>- If remaining land is sufficient for reorganizing (not less than 60 m²): Cash compensation for lost area and assets associated with land,</td>
<td>- DPs will be granted with Land Use Right Certificate</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>- If remaining land is not sufficient for reorganizing:</td>
<td>without payment of administrative fees,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>DP can opt for i) cash compensation at replacement cost for land and assets on land,</td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>Type of loss</td>
<td>Application</td>
<td>Definition of entitled DPs</td>
<td>Compensation Policy</td>
<td>Implementation Issues</td>
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</tr>
<tr>
<td>7</td>
<td>DP impacted on business or other services</td>
<td>All DPs impacted on business and other services</td>
<td>-do-</td>
<td>(a) Temporary impact on business or other services, Compensation for income lost in the affected time (b) Permanent impact on business or other services, Rehabilitation assistance,</td>
<td>- Full compensation for incomes lost to DPs at least 01 month before land clearance, - PCs and local authorities will consult with DP who are eligible to rehabilitation for their options and prepare proposal for rehabilitation programs in the period of RAP implementation,</td>
</tr>
<tr>
<td>8</td>
<td>Public Work</td>
<td>All impacted institutional DPs (who directly manage and approached in)</td>
<td>All impacted institutional DPs shall be approached in</td>
<td>Alternative measures to maintain the normal functional of the public work (i.e road, water supply, drainage system, telephone line etc)</td>
<td>Contract (s) with Contractor (s) should bear one article on this specific responsibility of the contractor (s) Approach for institutional DPs for cooperation</td>
</tr>
<tr>
<td>No</td>
<td>Type of loss</td>
<td>Application</td>
<td>Definition of entitled DPs</td>
<td>Compensation Policy</td>
<td>Implementation Issues</td>
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</tr>
<tr>
<td></td>
<td>operate such impacted public work system)</td>
<td>advance for cooperation for impact mitigation measure as well as measure for maintaining the normal functioning of their impacted system by the Contractor(s)</td>
<td>Reinstatement after the project construction&lt;br&gt; All expense on alternative measures to maintain the normal functioning of the impacted system shall be born by Contractor(s)</td>
<td>Arrange and pay the expenses for te alternative measures to maintain the normal functioning of the impacted system to the satisfaction of the institutional DPs,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Permanent Impacts</td>
<td>-do-</td>
<td>Alternative measures to maintain the normal functional of the public work (i.e. road, water supply, drainage system, telephone line etc)</td>
<td>-do-</td>
<td>Complete the work for “alternative solution” prior to commencement of the project work,</td>
</tr>
</tbody>
</table>
Appendix 2

Policy framework for Compensation, Resettlement and Rehabilitation
APPENDIX 2

POLICY FRAMEWORK FOR COMPENSATION, RESETTLEMENT AND REHABILITATION OF PROJECT AFFECTED PERSONS

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A, The Project
B, Policy Framework
C, Project Affected People
D, Principles and Objectives
E, Inventories
F, Resettlement Action Plans

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B, Legal Framework

Section 3: Entitlement Policy

Section 4: Site selection, site preparation, and relocation

Section 5: People's Participation

Section 6: Baseline Information

A, Inventories
B, Resettlement Action Plans

Section 7: Implementation Arrangements

A, Implementation Schedules
B, Complaints and Grievances
C, Supervision, Monitoring and Evaluation

Section 8: Costs and Budget
SECTION 1

INTRODUCTION

A. The Project

1. Objectives: The objective of the proposed project would enable the supply of sufficient power of acceptable quality to the rural retail level,

2. Preliminary project description: The project would focus on rehabilitating and increasing the capacity of existing distribution lines and substations and standardizing them to 110, 35 and 22kV to enable them to meet the growing demand more efficiently, provide better quality and quantity of electric power for productive uses, and reduce power system losses.

Based on suitability and priority of the subprojects and the interest expressed by the PCs, the project would have up to 7 components, one per participating PC. The proposed project would cost about US$158.5 million, of which about US$107 million would be financed by IDA. It would be implemented by Power Companies (PCs) under the supervision of EVN.

3. To implement subprojects components, land acquisition will be required. However, rehabilitating and increasing the capacity of existing distribution lines and substations would not cause large scale of land acquisition and resettlement. For the ownership and implementation arrangements, separate Resettlement Plans (RPs) will be prepared prior to the appraisal one for each participating PC.

B. Policy Framework

4. This resettlement policy framework prepared based on the PO/BP 4.12 of the World Bank on involuntary resettlement (December, 2001). The principle objective of the Policy Framework is to ensure that all displaced persons (DP's) will be compensated for their losses at replacement cost and provided with rehabilitation measures to assist them to improve, or at least maintain, their pre-project living standards and income earning capacity.

5. The Policy Framework lays down the principles and objectives, eligibility criteria of DP's, entitlements, legal and institutional framework, modes of compensation and rehabilitation, peoples participation features and grievances procedures that will guide the compensation, resettlement and rehabilitation of the DP's.

C. The Displaced Persons (DPs)

6. The DP's include the following persons to be identified by the baseline information collected for each Resettlement Plans (RPs):

   (e) persons whose houses are in part or in total affected (temporarily or permanently) by the project;

   (f) persons whose residential and premise and/or agricultural land is in part or in total affected (permanently or temporarily) by the project;
(g) persons whose businesses are affected in part or in total (temporarily or permanently) by the project; and

(h) persons whose crops (annual and perennial) and trees are affected in part or in total by the Project,

D, Principles and Objectives

7. The principles outlined in the World Bank's Operational Policies 4,12 (OP/BP 4,12) have been adopted in preparing this Policy Framework. In this regard the following principles and objectives would be applied:

(a) Acquisition of land and other assets, and resettlement of people will be minimized as much as possible,

(b) All DP's residing, working, doing business or cultivating land in right of way (ROW) of transmission line (T/L), surrounding areas of tower foundation, the substation areas, in the service roads under the project as of the date of the baseline surveys are entitled to be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income earning capacity and production levels. Lack of legal rights to the assets lost should not bar the DP from entitlement to such rehabilitation measures.

(c) The rehabilitation measures to be provided are: (i) compensation at replacement cost, without deduction for depreciation or salvage materials for houses and other structures; (ii) agricultural land for land of equal productive capacity acceptable to the DPs or in cash at replacement cost according to DP’s choice; (iii) replacement of residential/premise land of equal size acceptable to the DP or in cash at replacement cost according to DP’s choice; and (iv) transfer and subsistence allowances.

(d) Replacement residential and agricultural land will be as nearby as possible to the land that was lost, and acceptable to the DPs.

(e) The resettlement transition period will be minimized and the rehabilitation means will be provided to the DP’s prior to the expected start-up date of works in the respective project sites

(f) Plans for acquisition of land and other assets and provision of rehabilitation measures will be carried out in consultation with the DPs, to ensure minimal disturbance, Entitlements will be provided by DPs prior to expected start-up of works at the respective project site.

(g) The previous level of community services and resources will be maintained or improved,

(h) Financial and physical resources for resettlement and rehabilitation will be made available and as where and when required.
I. Institutional arrangements will ensure effective and timely design, planning, consultation and implementation of RPs,

(j) Effective and timely supervision, monitoring and evaluation of the implementation of RPs will be carried out.

E, Resettlement Plan (RP)

8. The scope and level of detail of the resettlement plan vary with the magnitude and complexity of resettlement.

Abbreviated Resettlement Plan

9. In case impacts on the *entire displaced population are minor*, or fewer than 200 people are displaced, an Abbreviated Resettlement Plan (ARP) will be prepared by the respective PCs (under EVN) and consolidated by the project provinces for any given project phase and furnished to the World Bank for its concurrence.

10. Each Abbreviated Resettlement Plan will cover the following minimum elements: (1) a census survey of displaced persons, and valuation of assets; (2) description of compensation and other resettlement assistance to be provided; (3) consultation with displaced persons about acceptable alternatives; (4) institutional responsibility for implementation and procedures for grievances redress; and (5) a timetable and budget. In the case some displaced persons, lose more than 10% of their productive assets or require physical relocation, the plan also covers a socioeconomic survey and income restoration measures.

11. *The Abbreviated Resettlement Plan will be completed by no later than four months prior to the estimated date for commencement of the works under the project phases.* Each Abbreviated Resettlement Plan will be furnished to the World Bank for consideration no later than three months prior to the actual initiation of the works under the project. Compensation, resettlement and rehabilitation activities will only commence after the World Bank has found acceptable the respective Abbreviated Resettlement Plan and the EVN has approved it. *The compensation, resettlement and rehabilitation activities will be completed before awarding the contracts of civil works under each sub-project.*

Resettlement Plan

12. In case more than 200 people are affected by the project, a full Resettlement Plan (RP) will be prepared by the respective PC in accordance with the provisions of this Policy Framework. The RP will be furnished by PC under EVN to the World Bank for its concurrence.

13. Each RP will include: (1) description of the project; (2) project potential impacts; (3) objectives; (4) socio-economic studies; (5) legal framework; (6) institutional framework; (7) eligibility; (8) valuation and compensation for losses; (9) resettlement measures; (10) site selection, site preparation and relocation; (11) housing, infrastructure, and social services; (12) environmental protection and management; (13) participation and consultation; (14) integration with host populations; (15) grievances procedures; (16) organizational responsibilities; (17) implementation schedule; (18) cost and budget; and, (19) monitoring and evaluation.

14. *Each RP will be completed by no later than six months prior to the estimated date for commencement of the works.* Each RP will be furnished to the World Bank for consideration by
no later than three months prior to the actual initiation of the works under the Project. Rehabilitation and assistance activities will only commence after the World Bank has found acceptable the respective RP and EVN has approved it. Rehabilitation and assistance activities will be completed before awarding contracts of civil works under each sub-project.

SECTION 2

INSTITUTIONAL AND LEGAL FRAMEWORK

A, Institutional Framework

25. The responsibility for preparing and implementing the Policy Framework and RPs are as follows:

(a) The overall responsibility for enforcement of the Policy Framework and for planning and implementing RPs rests with PCs under EVN. The PCs and their Project Provincial Powers (PPPs) are responsible for carrying out census, socioeconomic survey and inventories and preparing RPs and for the day-to-day implementation thereof within their respective jurisdiction. The people’s committees at the district and commune levels will participate in the RP preparation and implementation. These administrative units will also ensure the active and effective participation of the DPs in the RP preparation and implementation. In order to have RPs acceptable to the World Bank and to implement RP smoothly, PCs under EVN are responsible for i) hiring qualified consultants to prepare RPs; ii) appointing qualified social safeguard staff at each PC and its Project Management Board (PMB) and Compensation and Resettlement Committees at provincial and district levels.

(b) Funds for compensation will be from EVN and budgetary requirements for economic restoration, other assistance would be either from counter part funds or from IDA.

B, Legal Framework

16. This section reviews the legal framework and policies of the Government of Vietnam and IDA policies related to land acquisition, compensation and resettlement. It then compares the two approaches. Since there are differences between the WB’s policy and the Vietnamese’s, the project requires a waiver of the Vietnamese Government articles of decrees and regulations concerning compensation and resettlement. Subsequently, compensation and resettlement plans will be implemented according to the project policies.

25. The Legal Framework of the Government of Vietnam: The key national laws, decrees governing land acquisition, compensation and resettlement in Vietnam consists of the following:

- The Constitution of Vietnam. 1992 confirms the right of citizens to own a house and to protect the ownership of the house,
• The Land Law 2003 issued on December 10\textsuperscript{th}, 2003,

• Decree 181/2004/ND-CP issued on October 29, 2004 guiding the implementation of the Land Law revised 2003,

• Decree 197/2004/ND-CP issued on December 3, 2004 on compensation, support and resettlement when land is recovered by the state,

• Circular 116/2004/TT-BTC issued on December 7, 2004 guiding the implementation of compensation, support and resettlement when land is recovered by the State,

• Decree 188/2004/ND-CP issued on November 16, 2004 on methods to determine land prices and assorted land price brackets,

• Circular 114/2004/TT-BTC issued by November 26, 2004 guiding the implementation of the Government’s decree No 188/2004/ND-CP

• Decree 17/2006/ND-CP dated January 27, 2006 on revision and supplementation of some regulations in decrees guiding the implementation of the Land Law,

• Decree 84/2007/ND-CP dated May 25\textsuperscript{th} 2007 on revision of issuing LURC, land acquisition, implementation of land use right, procedure for compensation, resettlement when land acquired by State and grievance redress,

18, World Bank Policy on Involuntary Resettlement (OP/BP 4,12)

18.1 The primary objective of the World Bank policy is to explore all alternatives to avoid or at least minimize involuntary resettlement, Where resettlement is unavoidable, the living standards of displaced persons should be restored or improved relative to those conditions that prevailed prior to the Project, The policy applies to the taking of land and other assets when land acquisition results in the loss of shelter, the loss of all or part of productive assets, or access to them, and the loss of income sources or other means of livelihood.

25.3 Measures required to ensure that resettlement has a positive outcome include:

• Consulting with potential Project-affected people on feasible measures for resettlement and rehabilitation;

• Providing Project-affected persons with options for resettlement and rehabilitation;

• Enabling their participation in planning and selecting these options;
• Providing compensation at full replacement cost for losses;

• Choosing relocation sites that provide, at a minimum, the same benefits and services as the sites they replace;

• Providing allowances, training and income support to assist in making a smooth transition;

• Identifying vulnerable groups and providing special assistance to these groups; and,

• Establishing an institutional and organizational structure that supports this process to a successful end.

18.3 Eligibility Criteria and Compensation:

18.3.1 The displaced or project-affected people eligible for compensation will include: (a) those who have formal legal rights to land or other assets; (b) those who initially do not have formal legal rights to land or other assets but have a claim to legal rights based upon the laws of the country; upon the possession of documents such as land tax receipts and residence certificates; or upon the permission of local authorities to occupy or use the project affected plots; and (c) those who have no recognizable legal right or claim to the land they are occupying.

18.3.2 Persons covered under (a) and (b) are provided compensation for the land they lose, and other assistance. Persons covered under (c) 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 defined in RPs. Persons who encroach on the areas after the cut-off date defined in RPs are not entitled to compensation or any other form of resettlement assistance.

19. Valuation of and Compensation for Losses: The methodology to be used in the valuation of losses for Bank-associated Projects is based on their replacement cost. In this Project, losses comprise land, structures and other assets. Replacement cost for land includes the value of land at market price plus the cost taxes and fees to get Land Use Right Certificate (LURC). For houses and other structures, the market cost of the materials should be used to calculate the replacement cost to build a replacement structure with an area and the quality should be at least as good as those affected. For both totally and partially affected structures, compensation includes market cost of material, plus the costs of material transport, labor and contractor fees, registration and transfer taxes. Depreciation of the asset and amount saved in materials will not form a part of replacement cost.

25. Comparison between Government of Vietnam and World Bank Approaches

There are a number of ways in which the approaches of the Vietnam Government – either in policy or practice – are compatible with World Bank guidelines. The most important compatibilities are:

• Vietnam has a process whereby most people without legal land rights may meet conditions of legalization and receive compensation for losses,

• Permanent residents are provided with options that include relocation to an improved site, or cash, or a combination of the two.
- Resettlement sites offer not only better improved infrastructure and services but represent a higher standard of living,
- Allowances are provided to help the DPs in the transition period and there is an institutional structure through which people are informed, can negotiate compensation, and can appeal,
- Differences between the approaches and measures that need to be addressed within the program also exist. However, in this context, procedures exist within national and City governments that allow the granting of waivers of domestic law on specific projects that may be in conflict with that of the funding agency,
- On the issue of land tenure and the legal right to compensation, the Government and World Bank approaches are compatible. The government has its own process in place whereby land occupied without legal documentation can be legalized; this land, however, is compensated for at a rate equal to 100% of land price minus the taxes and fee for land use right registration from 15 October 1993 (Item 49, 50 of Article 42, of 2003 Land Law)
- Compensation at replacement cost is ensured in Art 6 of Decree 197/2004/ND-CP dt, Dec 3rd 2004 that “...people who have land being acquired shall be compensated with land of similar land use purpose. If there is no land for compensation, cash compensation equal to land use rights value at the time of land acquisition shall be applied. If there is many differences in value, in case of compensation by new land or house, such difference shall be settled in cash” and Art 19 in the same Decree states that “...house and structure of domestic use of household or individual shall be compensated with the value of construction of new house, structures of similar technical standard”,

C. Required Waivers

21. In order to meet the requirements of the World Bank OP 4,12 on Involuntary Resettlement a number of articles in various Vietnamese laws and regulations which do not ensure compensation at replacement cost or set eligibility provisions which do not extend the right to rehabilitation and or assistance to households without proper land paper, will be waived.

The articles of law and regulations that will be waived are mentioned below:


22.1 Article 7: (Non eligible persons to compensation of land) stipulates that “The person whose land is recovered and who has not met one of the conditions stipulated in Article 8 of this Decree; land assignment by State without land use fee or land use fee got from State budget; or who has violated the plan already ratified by the competent level, and such violation has been announced, or who violates the corridor protecting work, or who illegally occupies land shall not receive compensation when the state recovers the land, The People’s Committee of province or City directly under the Central Government shall consider and make decisions on a case by case basis”,

22.2 Article 18 (item 3.4) and Article 20 (item 2b, c) (Principle for compensation of lost property): (i) Houses and structures on non-eligible for compensation land, which have not
violated announced land use plan or right out way will be assisted at 80% of replacement cost; (ii) Houses and structures on non-eligible for compensation land, which have violated announced land use plan or right out way will not be assisted. If necessary, PPC will consider on the case by case basic,

22.3 Article 28 (item 1,2) and Article 29 (item 1) of Decree 197/2004/ND-CP (Assistance Policy for rehabilitation): DPs losing more than 30% of productive land will be entitle to living stabilization and training/job creation assistance,

22.4 To ensure that the objectives of this resettlement policy are met, a special decision of the Government waiving Article 7, 18, 20, 28 and Article 29 of Decree 197/2004/ND-CP is needed to permit assistance and rehabilitation measures for illegal users of land as proposed in the policy.

23, Price of Land for Calculation of Compensation:

23.1 According to Vietnamese Regulation, calculation the unit price for land compensation will be on GOV Decree 197/2004/ND-CP and 188/2004/ND-CP along with their Guidance (Circular 116/TT-BTC and Circular 114/2004/TT-BTC)

23.2 Article 9 of Decree 197/2004/ND-CP dt, Dec 3rd 2004: This article state that land price for compensation calculation is the land price in the respect of land use purpose at the time of land acquisition, promulgated by the provincial People’s Committee in line with GoV regulation (within GoV’s range of minimum and maximum price).

23.3 Article 2 of Decree 188/2004/ND-CP dt, Nov 16th 2004:: This article states that the land price shall be defined by the Provincial People’s Committee and/or cities directly under the central government,

23.4 To ensure that the objectives of the project resettlement policy are met, unit price for land compensation established by Project Provincial/cities People’s Committee will be adjusted to meet the replacement cost,

The compensation unit price established by provincial/district CRCs, provincial DOFs, DOCs and approved by provincial People’s Committee may be adjusted to meet the replacement cost, by the time of compensation. to ensure the objectives of RP policy are met,

24, Assistance Policy for DPs who Rent Houses from the Government – Decree 197/2004/ND-CP dt Dec 3rd 2004

24.1 Article 21: This article state that the DP who rent GoV house and has to be relocated by self relocation will be assisted by cash at rate aqual to 60% of the cost of currently rented house and 60% of the cost of land value, in case of no resettlement houses to be arranged for them.

24.2 To ensure that the objectives of the policy are met, a special decision of the Government of Vietnam regarding waiver of Article 21 of Decree 197/2004/ND-CP is needed to permit assistance and rehabilitation measures for DPs who share rented government housing as proposed in this policy.

25.1 Article 2 (item 2,5) of Decree 131/2006/ND-CP: This article states that “in the case of international agreement ODA have been signed between Government and Sponsor stipulate other contents, the international agreement will be prevail,

25.2 Article 1 (item 2) of Decree 19/2001/ND-CP states that: “in the case of international agreement ODA have been signed between Government and Sponsor stipulate other contents, the international agreement will be prevail”

25.3 The waiver will be approved by Government in the decision of the project investment before negotiation, The Project Provincial People’s Committee will issue official letter for their agreement in implementing the policies set forth in RP,

SECTION 3
ENTITLEMENT POLICY

26. DP’s will be entitled to the following types of rehabilitation and assistance measures:

(a) DP’s losing agricultural/productive land and crops

   (i) if the portion of the land to be lost represents 10% or less of the total area of the landholding, and the remaining land is still a viable economic holding, cash compensation, at full replacement cost for the acquired area may be provided to the DP

   (ii) if the portion of the land to be lost more than 10% of the total area of the landholding and the remaining holding is not viable then the project will acquire the entire landholding and provide "land for land" arrangements of equal productive capacity, satisfactory to the DP, However, if the DP prefers to receive cash instead of land, then cash compensation at replacement cost is applied.

   (iii) DP’s will be compensated for the loss of standing crops at market price, productive trees will be compensated at replacement cost,

   (iv) DP’s whose land is temporarily taken by the works under the project will be compensated for their loss of income, standing crops and for the cost of soil restoration and damaged infrastructure, Land will be rehabilitated after the project construction by each PC and its PMB,

(b) DP’s losing residential land and house/structure

   (i) The mechanism for compensating loss of residential land and structures will be: (1) the provision of replacement residential land (house site and garden) of equivalent size, satisfactory to the DP or cash compensation at replacement cost according to DP’s choice; and (2) cash compensation reflecting full replacement cost of the house/structures, without deduction
(ii) If residential land is only partially being affected by the project and the remaining areas are not sufficient for reorganizing DP's house then at the request of the DP, the entire residential land will be acquired at full replacement cost,

(iii) If house/other structure is only partially being affected by the project and the remaining areas are not convenient to using, the house/structure will be acquired at full replacement cost, without depreciation,

(iv) Tenants, who have leased a house for residential purposes will be provided with a cash grant of six months rental fee at the prevailing market rate in the area, and will be assisted in identifying alternative accommodation,

(c) DPs losing business

The mechanism for compensating loss of business will be: (1) the provision of alternative business site of equal size and accessibility to customers, satisfactory to the DP; (2) cash compensation for lost business structure reflecting full replacement cost of the structures, without depreciation; and (3) cash compensation for the loss of income during the transition period,

(d) DPs will also be provided compensation at full replacement cost, without deduction for depreciation and salvage materials for any other fixed assets affected in part or in total by the project, such as tombs and water wells, etc,

27. In cases where community infrastructure such as schools, factories, water sources, roads, sewage systems is damaged, the PPC of the project provinces and EVN will ensure that these would be restored or repaired as the case may be, at no cost to the community,

28. Besides the direct compensation for the losses, DPs also will be entitled to additional assistance (subsidies/allowances) as stipulated in the Decree No.197/2004/ND-CP. These subsidies/allowances are as below:

a) Transportation allowance

Article 27, all DPs relocating within the province are entitled to a maximum allowance of 05 million VND. All DP relocating out of the province are entitled to a maximum allowance of 0 5 million VND. This subsidy allowance is for the transportation of their salvageable materials and living facilities. All DP relocating and while waiting for establishment of new resettlement residences at resettlement sites are (i) to be provided with temporary residence or (ii) temporary rent cost,

b) Subsistence allowance for relocating

Article 28: (i) all DPs relocating within province shall receive a cash allowance equal to 30 kg of rice per month in uninterrupted 03 months; (ii) all DPs relocating out of province shall receive a cash allowance equal to 30 kg of rice per month in uninterrupted 06 months; (iii) All DPs who are in a severe socioeconomic difficulty or
who relocating to areas of socioeconomic difficulty shall be receive cash allowance equal to 30 kg of rice per month in uninterrupted 12 months,

c) Restoration allowance

DPs, who are permanently affected more than 10 % of productive land or incomes, will be entitled to trainings or other economic restoration programs at about VND 1,500,000 for household,

d) Relocation bonus

A bonus of maximum 5 million will be awarded to DP who dismantle their houses and vacate their premises in accordance with the resettlement schedule of will get a maximum bonus of 5,000,000 VND/ HH,

29. By the nature of the project impacts, the potential impacted categories are classified into seven (07) categories, The entitlement matrix is attached (see Appendix 2)

30. **Voluntary Donation**: for the rehabilitation/expansion of low voltage system, where there are dps who would be marginally affected on residential land/other assets and who may choose to contribute affected land/assets in lieu of a cash contribution for the project construction, a procedure for determining and documenting the voluntary nature of the contribution are as follows:

- step 1: Local authorities clearly inform to all DP about this project resettlement policy, and the actual entitlement to compensation,
- step 2: Volunteer DPs sign in the DMS and Entitlement forms for the affected assets and asset(s) which they choose to contribute for the project, and these forms will be filed in Provincial/District Compensation Committees' offices,
- step 3: a sample of about 20% of volunteer households will be checked by independent monitoring agencies at the beginning times of RPs implementation and reports of independent monitors on this matter will be submitted to IDA for its concurrence,

The above procedure will also be clearly guided in Project Implementation Manual (PIM),

**SECTION 4: SITE SELECTION, SITE PREPARATION, AND RELOCATION**

31. If there are families have to be relocated because of the project impacts and resettlement sites are required, The PCs and local authorities will clearly describe in RP about alternative relocation sites considered and explanation of those selected, covering:

- (a) institutional and technical arrangements for identifying and preparing relocation sites, for which a combination of productive potential, location advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
- (b) any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;
- (c) procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- (d) legal arrangements for regularizing tenure and transferring titles to resettlers,
(e) housing, infrastructure, and social services. Plans to provide (or to finance resettlees' provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services); plans to ensure comparable services to host populations; any necessary site development, engineering, and architectural designs for these facilities,

(f) a description of the boundaries of the relocation area; and an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement),

SECTION 5
PEOPLE’S PARTICIPATION

32. The local authorities and its relevant organizations, DPs and host communities will participate throughout the various stages of the planning and implementation of RPs. The DPs will be fully informed of the provisions of this Policy Framework at public meetings held by the respective PC, its PMB and local authorities.

33. Each DP will be fully informed and consulted by the relevant District Peoples' Committee and/or Communes Peoples' Committees of their entitlements and rehabilitation choices under the respective,

SECTION 6
BASELINE INFORMATION

A. Census and Inventory

34. The baseline information will include the following information for each household:

(a) number of persons and names;

(b) number, type, and area of the houses lost;

(c) number and area of all the residential plots lost;

(d) number, category and area of agricultural land lost;

(e) quantity and types of crops and trees lost;

(f) businesses lost including structures, land and other fixed assets;

(g) productive assets lost as a percentage of total productive assets;

(h) quantity and category of other fixed assets affected by each sub-Project; and

(i) temporary damage to productive assets,
B. Resettlement Plan

35. The baseline information for a RP will include: (a) an Census and Inventory (see above); and (b) a detailed socioeconomic survey of all DP’s describing their age, sex, ethnicity, education, occupation, sources of income, and total household income.

36. The entitlements of DPs will be calculated based on the above information.

SECTION 7
IMPLEMENTATION ARRANGEMENTS

A. Implementation Schedule

37. A detailed implementation schedule of the various activities to be undertaken will be included in each RP. The RP implementation schedule must be developed based on the linkage to the civil work implementation schedule.

38. Payment of rehabilitation and furnishing of other restoration/assistance entitlements (in cash or in-kind), and relocation if that be the case, have to be completed prior awarding contracts for civil works.

B. Institutional Arrangement

39. PCs and all project provinces will arrange adequate and experience staff to make sure that RP will be implemented smoothly as approved schedules.

C. Complaints and Grievances

40. Complaints and grievances related to any aspect of RP implementation, including the determined the quantity and price of the lost assets, will be handled as follows:

First step:

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

Second step:

If any aggrieved person is not satisfied with the decision in stage 1, he/she can bring the complaint to the District People’s Committee (DPC) or District Resettlement Committee (DRC) within fifteen days from the date of the receipt of the decision in stage 1. The District People’s Committee (DRC) or District Resettlement Committee (DRC) will reach a decision on the complaint within fifteen days.

Third step:

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

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

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

D. Supervision, Monitoring and Evaluation

42. Implementation of RPs will be periodically supervised and monitored by the respective PC/its PMB in a close coordination with the respective Peoples' Committees at different administrative units and independent monitoring agencies The findings will be recorded in quarterly reports to be furnished to EVN, PCs and Project Provincial Powers,

43. Internal monitoring and supervision will:

(a) Verify that the baseline information of all DP’s has been carried out and that the valuation of assets lost or damaged, and the provision of compensation, resettlement and other rehabilitation entitlements has been carried out in accordance with the provisions of this Policy Framework and the respective,

(b) Oversee that the RPs are implemented as designed and approved,

(c) Verify that funds for implementing the RPs are provided to the respective PMBs in a timely manner and in amounts sufficient for their purposes, and that such funds are used by the respective PMB’s in accordance with the provisions of,

(d) Record all grievances and their resolution and ensure that complaints are dealt with in a timely manner,

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

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

(a) Determine whether the procedures for DPs participation and delivery of compensation and other rehabilitation entitlements has been done in accordance with this Policy Framework; and

(b) Assess if the Policy Framework objective of enhancement or at least restoration of living standards and income levels of DPs have been met,

(c) Gather qualitative indications of the social and economic impact of Project implementation on the DPs,
(d) Suggest modification in the implementation procedures of s, as the case may be, to achieve the principles and objectives of this Policy Framework.

SECTION 8
COST AND BUDGET

46. Each RP will include detailed cost of rehabilitation and other restoration/assistance entitlements and relocation of DPs, if that be the case, with a breakdown by agricultural land, residential land, business land, houses, businesses and other assets. The cost estimates will make adequate provision for contingencies.

47. Sources of funding for the various activities will be clearly specified in the cost tables. For Rural Distribution sub-projects, funds for implementing RPs will be from counterparts: EVN and/or PCs will arrange budget for implementing RPs,

Annexes
1. Annex 1: Entitlement Matrix
2. Annex 2: Proposed Inventory form of Project Affected People

Note: 1. The term "displaced persons" refers to persons who are affected in any of the ways described in para, 7(c) and 19.3.1 of this RPF,

2. "Replacement cost" is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into, For losses that cannot easily be valued or compensated for in monetary terms (e.g., access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities. Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard,

3. "Entire displaced population are minor": Impacts are considered "minor" if the affected people are not physically displaced and less than 10% of their productive assets are lost,

4. Resettlement assistance: Resettlement assistance may consist of land, other assets, cash, employment, and so on, as appropriate,

5. The cut-off date: Normally, the cut-off date is the date the census begins. The cut-off date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx.
Appendix 3

Map of the transmission line route and tower foundation site in Quang Ninh province
Appendix 4

Map of the transmission line route and tower sites in Hai Phong city
Appendix 5

Invitation letter of Public consultant meeting from Cat Hai district people’s Committee
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TẬP DOÀN
DIỄN LỰC VIỆT NAM
VIỆN NĂNG LƯỢNG

Số: /CV-VNL-TTV
V/v Tríen khai lập kế hoạch EMP và RAP của "Dự án phân phối điện nông thôn-Xây dựng đường dây 110kV Chợ Rộc - Trạm 110kV Cát Bà"

Hà Nội, ngày 0 tháng 9 năm 2007

Kính gửi: - Ban QLDA lưới điện Thành phố Hải Phòng

Căn cứ theo nội dung cuộc họp ngày 28 tháng 08 năm 2007 tại Ban QLDA LĐ T.P Hải Phòng về kế hoạch phối hợp triển khai công tác tham vấn công đồng phục vụ lập RAP và EMP của "Dự án phân phối điện nông thôn-Xây dựng đường dây 110kV Chợ Rộc-Trạm 110kV Cát Bà", Viện Năng Lượng đã hoàn thành các biểu mẫu tham vấn công đồng sau đây:

1. Biển bản cuộc họp Tham vấn công đồng.
2. Biển bản ý kiến đóng góp của những người tham dự cuộc họp.
4. Bảng thông tin Tham vấn công đồng.

Đề nghị Quy Ban xem xét và thông báo thời gian tổ chức cuộc họp Tham vấn công đồng với địa phương liên quan để Viện Năng lượng cũng thực hiện đảm bảo tiến độ dự án được triển khai đúng theo qui định của Tập đoàn Điện lực Việt Nam.

Trân trọng cảm ơn!

Nơi nhận:
- Như trên
- Lưu P1, P2, TTTV
Độc lập - Tự do - Hạnh phúc

Cát Hải, ngày 17 tháng 9 năm 2007

GIẢY MỜI

Kính gửi: .................................................................
.................................................................

Uỷ ban Nhân dân huyện Cát Hải tổ chức Hội nghị tham vấn về đường điện 110 KV Chợ Rộc - Cát Bà.

* Thành phần kinh mời:
- Chủ tịch và Phó Chủ tịch UBND huyện.
- Lãnh đạo các Phòng Tài chính - Kế hoạch; Giao thông - CN và XD; Tài nguyên - MT; Nông nghiệp - PTNT.
- Lãnh đạo Văn phòng HĐND và UBND huyện.
- Ban Quản lý dự án lưới điện Hải Phòng.
- Đồng chí Bí thư, Chủ tịch (hoặc Phó Chủ tịch HĐND), Chủ tịch UBND, cán bộ địa chỉ, Trưởng thôn và các hộ dân có vật kiến trúc nằm trên tuyến điện 110KV đi qua Thị trấn Cát Hải, xã Đồng Bại; Văn phòng; Phó Long; Hiển Hào; Trần Châu.

+ Thời gian: 1/2 ngày, vào hội 8h ngày 20/9/2007.
+ Địa điểm: Phòng họp số 2, tầng 3 - UBND Huyện.

Kính mời các vị đại biểu đến dự đúng thời gian, địa điểm để hội nghị đạt kết quả tốt./.

* Ghi chú:
- Đề nghị Chủ tịch UBND các xã, thị trấn mời giúp Trưởng thôn và các hộ dân thuộc xã tham dự Hội nghị.

Nơi nhận:
- Như thành phần mời
- Lưu VP

TL. UỶ BAN NHÂN DÂN HUYỆN CÁT HẢI
KÝ HÀNH VĂN PHÒNG

PHÓ CHÁNH PHỦ VĂN PHÒNG
Đặng Thị Hoa
Appendix 6

List of Participants at public consultant meeting of Cat Hai district
DANH SÁCH ĐẠI BIỂU THAM DỰ CUỘC HỘP THAM VÀN CONG ĐỒNG VỀ BÁO CÁO EMP VÀ RAP CỦA "DỰ ÁN PHÂN PHỐI DIỆN NỒNG THÔN-XÂY DỰNG ĐƯỜNG DÂY 110KV CHỢ RỌC-TRẠM 110KV CÁT BÀ"
Ngày tháng năm 2023, tại Văn phòng UBND huyện Cát Hải, TP. Hải Phong.

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DANH SÁCH ĐẠI BIỂU THAM DỰ CUỘC HỘP THAM VÀO CÔNG ĐỒNG VỀ BẢO CÁO EMP VÀ RAP CỦA "DỰ ÁN PHÂN PHỐI ĐIỆN NÔNG THÔN-XÂY DỰNG ĐƯỜNG DÂY 110KV CHỞ RỘC-TRẠM 110KV CẤT BÁ"

Ngày 20 tháng 1 năm 2024, tại Văn phòng UBND huyện Cát Hải, TP Hải Phòng.

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Ngày 2 tháng 9 năm 2021, tại Văn phòng UBND huyện Cát Hải, TP. Hải Phòng.

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Appendix 7

Pictures of Public consultant meeting at Cat Hai district
Picture of meeting of communal leaders of Cat Hai district to popularize information of EIA report of the project
Pictures of Public consultant meeting at Cat Hai district
Appendix 8

Opinion of residents of communes Dong Bai under Cat Hai town, Phu Long, Van Phong, Hien Hao of Cat Hai district at Public consultant meeting to present EMP, RAP dated 20/9/2007 at Cat Hai district and Hai Phong city People's committee
Ý KIẾN Dágina CỦA NHỮNG NGƯỜI THAM DỰ CUỘC HỘP THAM VÂN CÔNG ĐỒNG VỀ BÁO CÁO EMP VÀ RAP CỦA “DỰ ÁN PHÂN PHối ĐIỆN NÔNG THƠN-XÂY DỰNG ĐƯỜNG DÂY 110KV CHỢ RỘC-TRÂM 110KV CÂT BÀ”

Ngày 2 tháng 9 năm 2004, tại Văn phòng UBND Huyện Cát Hải, TP. Hải Phòng.

1. Các vấn đề chung về kế hoạch Quản lý môi trường (EMP) và kế hoạch Đền bù di dân tái định cư (RAP) của dự án được đưa ra thảo luận:

- Phát quang tham thực việc đặt đầy đủ các yếu tố cần thiết để giải phóng hành lang đường dây.
- Gây chấn động trái tự nhiên của động thực vật để con người dễ dàng di chuyển vào môi trường sống của con người.
- Làm giảm giá trị cạnh tranh những nơi đường dây đi qua.
- Suy giảm chất lượng nước mặt ở những nguồn nước gần nơi thi công do có nước chảy đến từ những khu vực có hoạt động đào đập đất, san nền hoặc lấn trái của công nhân.
- Làm tăng nguy cơ xói mòn tại xung quanh vị trí thi công.
- Làm tăng lượng bụi o множество khu vực gần nơi đang thi công.
- Làm tăng mức độ xói mòn, rụng tai một số vị trí gần nơi đang thi công.
- Làm hư hỏng hoặc xấu chất cắp đường giao thông, cấu cống, hoặc các công trình cơ sở hạ tầng khác ở nông thôn.
- Gây mất vệ sinh tại nơi thi công do chất thải từ khu vực thi công hoặc lấn trái công nhân.
- Úng ngập cục bộ xung quanh khu vực đang thi công do hoạt động đào đập hoặc san lấp đất.
- Khả năng xảy ra xung đột hoặc rủi ro truyền bệnh xã hội giữa công nhân với người dân địa phương (và ngược lại).
- Rủi ro bị tai nạn cho công nhân và người dân địa phương trong giai đoạn thi công.
- Gây rủi ro về sự an toàn và ảnh hưởng đến sức khỏe công động trong giai đoạn hoạt động của hệ thống đường dây điện.
- Thu hồi đất vĩnh viễn.
- Thu hồi đất tạm thời trong thời gian thi công.
- Có họ gia đình nào phải di dời đến nơi khác hay không? Nếu có họ gia đình phải di dời, nơi tái định cư có thuộc khu vực nhạy cảm về môi trường hoặc văn hóa không?

UBND HUYỆN
TÂN HẢI
KT. CHỦ TỊCH
PHÓ CHỦ TỊCH
Nguyễn Hải Khạnh

UBND XÃ
DỞNG BẢI

TTTV&CGCN
VIỆN NĂNG LƯỢNG

Hải A. S. D. (5)
Dai diện Kinh doanh tại địa phương:

Nhật tỏ việc chuyển trao sổ lợi tức vụ xây dựng cá nhân từ việc chi trả tiền công việc vào vở chấm xe ô tô vào biên giáp.

UBND HUYỆN CẤT HẢI

UBND THỊ TRẤN CẤT HẢI

TTTV&CGCN VIỆN NĂNG LƯỢNG

KT. CHỦ TỊCH

PHÓ CHỦ TỊCH

Nguyễn Hữu Kháng

Hà Quang A. B. Duy
y kiến Trước Đồn Tuần Tiễm xoá Phù Lăng:

Tuyên án và lưu dòng 2 bò đoàn, di ngâm và gần trả di lại nhân, việc tá bò còn cần thiết liều thêm phải thu chỉ dán. Như báo cáo mới ngài Đại diện Bộ Đội đang cung cấp.

Trải lòng cung tạo lớn dự kiến:

Trong việc lập tuyên án bắt bùn phơi rất hồi ngộ và những liều lang trên cơ thể dàn ông, việc thực hiện phải đảm bảo an toàn cho người dân, nhân viên, ngư dân, cơ quan nhà nước. Trước thửa việc thảm vỡ nghề chỉ 100 m2 có việc chải phơi, việc phơi dán chỉ

bắt zé bò đồn mới.

UBND HUYỆN
SÁT HẢI

UBND XÃ
PHÚ LƯƠNG

TTTV&CGCN
VIỆN NĂNG LƯỢNG

KT. CHỦ TỊCH
PHỦ CHỦ TỊCH

Nguyễn Hiếu Khiêm

Hoàng A.B. Duy
y kiến của ông Bích (Hồng Văn Bích), còn ông đã thuận vì:

Nhất tiên vì vị trí địa phương cần làm cụ `Tiếp` điều dời, ông đã quan
điều đó làm xem nghiệp với chúng tôi, chúng tôi quan
quắc con `Tiếp` vào xem. anh ấy đã, có phải đi điều dời không?

-Trước tài lờ:

3 lọ dầu Thùng xe `Trân Châu` bị tắc kẹp bởi `biển` dời, khi chuyển
vận chuyển hết rối loạn, đã đi đà, khi chuyển, rỗng ty; trong khi dời ty, ty
lồng với cây, cắn dính cố kra, tạo ra cơn, khi chuyển, khi phai
dội đi đội vào.

UBND HUYỆN
SÁT HẢI

UBND XÃ
TRÂN CHÂU

TTTV&CGCN
VIỆN NÀNG LƯƠNG

KT.CHỦ TỊCH
Hoa Anh

PHÓ CHỦ TỊCH
Nguyễn Hà Văn Bích

Ngoài A & B.Q.
Việc từ quán tại xã đã được xử lý kịp thời. UBND xã đã tổ chức các giải pháp để ổn định tình hình. Việc xây dựng nhà ở cho người dân, đặc biệt là những gia đình khó khăn, đã được(hash:8139da70)
UBND HUYỆN
CẤT HẢI

UBND XÃ
HIỆN HẢO

TTTV&CGCN
VIỄN NĂNG LƯỢNG

KT.CHỦ TỊCH
PHÓ CHỦ TỊCH
Nguyễn Hữu Khánh

Nguyễn Văn Quán

Nguyễn A. Duy
Appendix 9

Minute of Meeting of Public consultant meeting
at Cat Hai district
CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập - Tự do - Hạnh phúc

BIÊN BẢN HỢP THAM VĂN CÔNG ĐỒNG

Nội dung: Phổ biến thông tin và ghi nhận các ý kiến đóng góp cho các báo cáo kế hoạch Dự án đầu tư định cư (RAP), kế hoạch Quản lý môi trường (EMP) của "Dự án phân phối điện nông thôn-Xã dưng đường dây 110kV Chợ Rộc-Trạm 110kV Cát Bà".

Hôm nay, ngày-fixed tháng 5 năm 2007

Tại Văn phòng UBND Huyện Cát Hải, TP. Hải Phòng, Trung tâm TVNL&CGCN – Viên Năng Lượng có tổ chức cuộc họp công bố thông tin về bản báo cáo EMP và RAP của "Dự án phân phối điện nông thôn-Xã dưng đường dây 110kV Chợ Rộc-Trạm 110kV Cát Bà".

1. Thành phần tham dự:
- Đại diện chính quyền địa phương,
- Đại diện các hộ dân địa phương có liên quan đến hoạt động xây dựng Dự án,
- Đại diện các Đoàn thể,
- Đại diện Trung tâm TVNL&CGCN Viên Năng Lượng.

2. Nội dung:
- Trung tâm TVNL&CGCN Viên Năng Lượng phổ biến thông tin về Dự án, thông tin về báo cáo EMP và RAP của Dự án.
- Ghi nhận ý kiến của các hộ anh hưởng bởi Dự án, các cơ quan, Đoàn thể tại địa phương về báo cáo EMP và RAP.

DÁI DIỆN
UBND HUYỆN CÁT HẢI

[Signature]

KH. CHỦ TỊCH
PHÓ CHỦ TỊCH

Nguyễn Hòa Khanh

DÁI DIỆN TRUNG TÂM
TVNL&CGCN-VNL

[Signature]

Hàm a B D
Appendix 10

List of Participants at public consultant meeting of Yen Hung district
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Appendix 11

Pictures of Public consultant meeting at Yen Hung district
Pictures of Public consultant meeting at Yen Hung district.
Appendix 12

Opinion of residents of communes Tien An, Phong Hai, Cong Hoa, Tien Phong, Ha An of Yen Hung district at Public consultant meeting to present EMP, RAP dated 28/9/2007 at Yen Hung district People’s committee, Quang Ninh province
Ý KIẾN ĐỒNG GOP CỦA NHỮNG NGƯỜI THAM DỰ CUỘC HỘP THAM VÀN CỘNG ĐỒNG VỀ BÁO CÁO EMP VÀ RAP CỦA "DỰ ĂN PHÂN PHỐI DIỆN NÔNG THÔN-XÂY DỰNG DƯỠNG DÁY 110KV CHỞ RỌC-TRÂM 110KV CẤT BÀ"

Ngày tháng năm , tại Văn phòng UBND Huyện Yên Hưng, Tỉnh Quảng Ninh.

1. Các vấn đề chung về kế hoạch Quản lý môi trường (EMP) và kế hoạch Đèn bụi di dân tái định cư (RAP) của dự án được đưa ra thảo luận:

- Phát-quang thẩm thực việc đặt xây dựng móng cột hoặc cây to bị chặt hạ để giải phóng hành lang tuyến đường dây.
- Giám sát việc truy quét người cố ý làm gian dối hoặc làm thất thoát tại một trường sổ của chúng họ.
- Làm giảm ý thức quản lý những nơi đường dây đi qua.
- Suy giảm chất lượng nước mặt ở những nguồn nước gần nơi thi công do có nước chảy đứt từ những khu vực có hoạt động đào đáy, san nền hoặc từ lân trại của công nhân.
- Làm tăng nguy cơ xói mòn tại xung quanh vị trí thi công.
- Làm tăng lượng bụi ở một số khu vực gần nơi đang thi công.
- Làm tăng mức ổn hoặc mức rung tại một số vị trí gần nơi đang thi công.
- Làm hư hỏng hoặc xuyên cấp đường giao thông, cầu cống hoặc các công trình cơ sở hạ tầng khác ở nông thôn.
- Gây mất vệ sinh tại nơi thi công do chất thải từ khu vực thi công hoặc lấn trái công nhân.
- Ứng ngập cục bộ xung quanh khu vực đang thi công do hoạt động đào đáy hoặc san lấp đất.
- Khả năng xây ra xung đột hoặc rủi ro truyền bệnh xã hội giữa công nhân với người dân địa phương (và ngược lại).
- Rủi ro bị tai nạn cho công nhân và người dân địa phương trong giai đoạn thi công.
- Gây rủi ro về sự an toàn và ảnh hưởng đến sức khỏe công động trong giai đoạn hoạt động của hệ thống đường dây điện.
- Thu hồi đất vinh viễn.
- Thu hồi đất tạm thời trong thời gian thi công.
1. Có hộ gia đình nào phải đi đôi đến nơi khác hay không? Nếu có hộ gia đình phải đi đôi, nơi tái định cư có thuộc khu vực cần về môi trường hoặc văn hóa không?

2. Các ý kiến của nhân dân xã Hà An về kế hoạch Quản lý môi trường (EMP), kế hoạch Đền bù di dân tái định cư của Dự án (RAP).
- Có hộ gia đình nào phải di dời đến nơi khác hay không? Nếu có hộ gia đình phải di dời, nơi tái định cư có thuộc khu vực nhạy cảm về môi trường hoặc văn hóa không?

2. Cảm nhận của xã Tiến Phong về kế hoạch Quản lý môi trường (EMP), kế hoạch Đền bù di dân tái định cư của Dự án (RAP).

- Hai cơ quan chỉ định, tài chính cho Dự án có phải là cơ quan cấp tỉnh hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Hai cơ quan chỉ định tài chính có phải thuộc khu vực này hay không?
- Có họ gia đình nào phải đi đòi đến nơi khác hay không? Nếu có họ gia đình phải đi đòi, nơi tái định cư có thuộc khu vực nhân cận về môi trường hoặc văn hóa không?

2. Các ý kiến của xã Phong Hải về kế hoạch Quản lý môi trường (EMP), kế hoạch Đền bù di dân tái định cư Dự án (RAP).

- Thế hệ, thế hệ, vợ chồng, con cái, thành viên trong xã có quan hệ đặc biệt với Dự án, cần được biết rõ về kế hoạch bồi thường, đền bù, tái định cư.
UBND HUYỆN YÊN HƯNG
UBND XÃ PHONG HẢI
VIỆN NĂNG LƯỢNG

LIÊN HỆ: THÔNG PHONG

ĐIều phối: Liêu Minh Thảo

Độc quan: Hoàng Anh Duy

Để Cây Mà
UBND HUYỆN YÊN HƯNG
UBND XÃ TIẾN AN
TTTV&CGCN VIỆN NÂNG LƯỢNG
- Có hộ gia đình nào phải đi đối đến nơi khác hay không? Nếu có hộ gia đình phải đi đối, nơi tái định cư có thuộc khu vực nằm cạnh về môi trường hoặc văn hóa không?

2. Các ý kiến của nhân dân xã Tiến An về kế hoạch Quản lý môi trường (EMP), kế hoạch Bến bù đi dàn tái định cư của Dự án (RAP).

- Thượng Quốc Thái cho biết: Khi nhận khai tử đây, vị trí:

- Đã có sự thống nhất cho nhân dân có tiếp tục tại đây,

- Đã có sự thống nhất của người dân,

- Bởi chúng tôi biết cho mức độ về cựu cự, họ muốn
dưa đến bác, tin dùng, nữa phải thu bỏ, tuy rằng...

- Cô họ gia đình...
- Có hộ gia đình nào phải đi đổi đến nơi khác hay không? Nếu có hộ gia đình phải đi đổi, nơi tái định cư có thuộc khu vực nhà cắm về môi trường hoặc văn hóa không?

2. Các ý kiến của nhân dân xã Cộng Hòa về kế hoạch Quản lý môi trường (EMP), kế hoạch Đền bù di dân tái định cư của Dự án (RAP).
Appendix 13

Minute of Meeting of Public consultant meeting at Yen Hung district
CÔNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập - Tự do - Hạnh phúc

BIỂN BẢN HỘP THAM VÀN CỘNG ĐỒNG

Nơi dung: Phỏ bién thọtцин và ghi nhận các ý kiến dòng góp cho các báo cáo kế hoạch Đề bù đì nhân tái định cư (RAP), kế hoạch Quản lý môi trường (EMP) của “Dự án phân phối điện nông thôn-Xây dựng đường dây 110kV Chợ Rộc-Trạm 110kV Cát Bà”.

Hôm nay, ngày 2 tháng 1 năm 2007
Tại Văn phòng UBND Huyện Yên Hưng, Tỉnh Quảng Ninh, Trung tâm TVNL&CGCN – Viện Năng Lượng có tổ chức cuộc họp công bố thông tin về bản báo cáo EMP và RAP của “Dự án phân phối điện nông thôn-Xây dựng đường dây 110kV Chợ Rộc-Trạm 110kV Cát Bà”.

1. Thành phần tham dự:
- Đại diện chính quyền địa phương.
- Đại diện các hộ dân địa phương có liên quan đến hoạt động xây dựng Dự án.
- Đại diện các Đơn thể.
- Đại diện Trung tâm TVNL&CGCN – Viện Năng Lượng.

2. Nội dung:
- Trung tâm TVNL&CGCN – Viện Năng Lượng phổ biến thông tin về Dự án, thông tin về báo cáo EMP và RAP của Dự án.
- Ghi nhận ý kiến của các hộ anh hưởng bởi Dự án, các cơ quan, Đơn thể tại địa phương về báo cáo EMP và RAP.

DẠI DIỆN
UBND HUYỆN YÊN HƯNG

DẠI DIỆN TRUNG TÂM
TVNL&CGCN-VNL

Lê Hồng Thịnh

Nguyễn Anh Đanγ
Appendix 14

Pictures of area where the transmission line passes
Pictures of areas where the transmission line route passes