NORTH POWER CORPORATION

Electric Network Project Management Board

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RESETTLEMENT PLAN

(RP)

PROJECT:

THE RURAL ENERGY - ADDITIONAL FINANCING (PHASE 2)
SUBPROJECTS IN NGHE AN, HA TINH, BAC GIANG, THAI BINH AND THAI NGUYEN PROVINCE. (REII- AF- PHASE 2)

REPRESENTATIVE INVESTOR

REPRESENTATIVE CONSULTING

Hanoi, June 2012
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Abbreviations:
Consultant Thang Long Power Development Joint Stock Company
CPC Communal People’s Committee
CRC Compensation and Resettlement Committee
DPC District People’s Committee
D/L Distribution Line
DSS Distribution Transformer Stations
DMS Detailed Measurement Survey
DP Displaced Person
DPC District People’s Committee
EVN Vietnam Electricity
EM Ethnic Minority
EMDP Ethnic Minorities Development Plan
FS Feasible Study
GOV The Government of Vietnam
HH Household
OP 4.12 World Bank’s Operation Policy No. 4.12 on compensation and resettlement
NPC Northern Power Corporation
PMB Power Network Project Management Board (under
Project: ReII – Additional Financing – Phase 2 – Subprojects in Nghe An, Ha Tinh, Bac Giang, Thái Binh and Thái Nguyen Province

Report: Resettlement Plan (RP)

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<td>People’s Committee</td>
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<td>Resettlement Plan</td>
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<td>Resettlement Information Book</td>
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<td>World Bank</td>
</tr>
<tr>
<td>VDIC</td>
<td>Vietnam Development Information Center (under WB office in Hanoi)</td>
</tr>
<tr>
<td>MV</td>
<td>Medium Voltage</td>
</tr>
<tr>
<td>MOC</td>
<td>Ministry of Construction</td>
</tr>
<tr>
<td>MOF</td>
<td>Ministry of Finance</td>
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ABSTRACT

1. Introduction

1.1. The Project’s Objectives:

The Rural Energy Project No. II supporting the medium voltage for the North in the second phase, continued the first phase, was launched in 10 provinces (namely Cao Bang, Bac Kan, Dien Bien, Yen Bai, Hoa Binh, Bac Giang, Vinh Phuc, Ha Nam, Hung Yen and Thanh Hoa) and expected to be tendered in terms of the construction and installation of equipment in the fourth quarter in 2010. The second phase was invested to construct in 155 communes in 38 districts (cities) namely Bac Giang, Thai Nguyen, Thai Binh, Nghe An and Ha Tinh to offer stable power supply, reduce loss and improve reliability on power supply for 05 provinces, strengthen flexible operation of power grid to serve for socio-economic development of 05 provinces.

1.2. Project scale:

It is assumed to construct total 254,228 km of medium voltage wireline. in which:

- 35kV wireline : 174,450 km.
- 22kV wireline : 43,834 km.
- 10kV wireline : 35,944 km.

335 new transformer stations are built with total capacity of 47,345 kVA.

1.3. Policy Framework

This Resettlement Plan is performed by Northern Power Corporation in accordance with the Policy Framework on Compensation, Resettlement and Life Recovery for Displaced Persons (See Appendix 2 - Policy Framework on Compensation, Resettlement and Life Recovery for Displaced Persons).

Accordingly, rights of legal compensation and resettlement include affected individuals, households and organization based on their legal foundation on assets as recorded in the RP’s Statistics before the date of notifying the Project. When this RP is launched, the practical unit price shall be investigated by PMB/ CRC to adjust compensation unit price, if necessary, and compensation volume shall be disclosed in public at offices of Communal People's Committees.

1.4. Principles and Objectives

Principles sketched out in WB OP 4.12 – Operation Policy of the Bank were applied to conduct the policy framework. This should be basis to prepare this Resettlement Plan.

In addition to direct compensations, the Project’s DPs who are loosed over 10% of residential/cultivated land area or other income sources should be enjoyed with training or other life recovery measures, and persons who have to be resettled should be entitled to allowances for transportation, accommodation change, life recovery and training.
However, no DPs having over 10% of assets or persons to be removed were available in the Rural Energy Project No. II on additional financing for the second phase in 05 provinces.

The Project notice date was 15th June 2010. The local leaders notified about such date before launching the socio-economic and population survey in the project area.

1.5. **Power supply management in the Project area**

There are two models of power management units, concretely

- Power companies in 05 provinces via power branches (districts and towns) sell power directly to households in the town and district as stipulated.
- Communal People’s Committee or Service Co-operatives in the commune sell power to households under the local management model.

1.6. **Overview about the Project**

According to the source status and power grid in 05 provinces in the project, the local power source is generally eligible to energize for domestic and production development purposes in the area at present and develop to 2015. This is a favorable condition to invest in constructing power grid to communes in the Project area.

- Medium voltage grid: Its stable operation is generally recorded. The failure frequency is within average level from 3 to 4 times /100km/year.
- Transformer stations: However, due to too fast load demand for socio-economic development, most of available transformer stations are overloaded (generally from 1.2 to 1.4 times).
- The local low voltage grid in communes is characterized by too long power supply radius (from 2km to 3km); hence, loss of power on such grid is too high (from 20% to 30%). Because the failure frequency in the low voltage grid is high, LV wirelines are generally operated in the forced mode. The failure frequency is from 6 ÷ 7 times/100km/year.

When the project is completed, the entire area shall be additionally furnished with 335 transformer stations with additional capacity of 47,345kVA. Accordingly, power supply radius is narrowed down, overload status of the transformer stations is recovered, power loss is reduced and power quality is improved.

2. **Legal framework and organizational structure**

2.1. **Organizational structure**

Responsibilities on complying with the Policy Framework, planning and performing terms in this RP belong to NPC, PMBs, PPCs, industries and departments of 05 provinces (Provincial CRCs, District CRCs, Department of Finance, Department of Construction, Department of Industry and Trade, Department of Natural Resources and Environment, etc).
NPC, PMBs, the Consultant of NPC and PPP are responsible for launching population survey, statistics and socio-economic survey, preparing Resettlement Plan (RP) and implementing routine works within the legal authorization of each party.

RP preparation and implementation shall be involved by DPP/CPP.

2.2. Legal framework

All policies on land reclamation, compensation and resettlement (OP 4.12) promulgated by the Vietnamese Government and the World Bank (WB) shall be applied for such RP. In case of difference between policies of the Government and WB, OP 4.12 shall be prevail.

3. Benefit policy

This RP is prepared in accordance with the WB’s Non-voluntary Resettlement Policy OP 4.12 applied in the policy framework. The principle objective of the policy framework is to ensure that all DPs shall be compensated for their damaged assets in accordance with the replacement price and supported with life recovery measures to improve or at least maintain their previous life and income like the time before launching the project.

This policy framework gives out principles and objectives, eligible criteria of DP, benefits, legislative framework, compensation and resettlement method, engagement characteristics and claim procedures, guidelines on compensation, resettlement and life recovery for DPs.

In addition to direct compensations, the Project’s DPs who are loosed over 10% of residential/cultivated land area or other income sources shall be enjoyed with training or other life recovery measures, and persons who have to be resettled shall be entitled to allowances for transportation, accommodation change, life recovery and training.

(Refer to Appendix 2- Benefit Matrix)

4. Resettlement location

Thanks to mitigation measures conducted right from the initial design period via community consultation and close cooperation with the local authorities and relevant stakeholders, the project's impacts are insignificant.

There are no DPs having reclaimed land of over 10% against total owner’s equity. Therefore, no one is required to remove and resettlement area development is unnecessary.

5. Community consultation

Consultation with Displaced Persons (DPs) to collect their opinion shall reduce conflict and avoid delay in project performance. RP is consulted by closely consulting the local leaders and DPs to enhance their engagement in resettlement preparation and implementation as well as DPs' socio-economic benefits.
The local leaders and DPs are consulted about routing, drafting, Resettlement Plan, resettlement performance, mechanism on claim, supervision and life recovery status of DPs after project is launched.

6. Basic information

6.1. Data collection

With the support of local authorities, the population survey and inventory of the Project’s impacts were conducted in June 2010 by the Consultant. 988 affected households were available in 155 communes under 38 districts of 05 provinces.

6.2. Socio-economic survey

The socio-economic survey was conducted to provide basic data of the localities along the wirelines in 155 communes under 38 districts (cities) in 05 provinces. Survey data included information about community characteristics, income source, income and socio-economic status and so forth. The survey also recorded characteristics of affected area, assessed population, housing and socio-economic development.

The survey information was used to draft the Resettlement Plan (RP) and evaluate the life recovery.

For details, refers to section 6.3 of Chapter VI.

7. Project’s impact

7.1. Displaced Person

DP is recognized through collecting basic information for this RP:

- Persons who have houses affected totally or partially (permanently or temporarily) by the project;
- Persons who have residential or cultivated land affected totally or partially (permanently or temporarily) by the project;
- Persons who have crops and perennial trees affected totally or partially (permanently or temporarily) by the project;
- Persons who have businesses affected totally or partially (permanently or temporarily) by the project;
- Enterprises and cooperatives affected totally or partially (permanently or temporarily) by the project.

Following parameters are released from the population surveys and inventories. Total DPs: 988 households (3952 persons). in which

- DP reclaimed with over 10% of residential and cultivated land
  None
- DP reclaimed with less than 10% of cultivated land: 988 households (3952 persons)
- DP had permanently/temporarily affected structures: None
- DP had totally/partially affected structures: None
- DP had crops/ perennial trees affected totally or partially by the project 972 households
- DP had totally/ partially affected businesses: None
- DP to be removed: None

Besides, enterprises, forestation farms and cooperatives of localities: about 41 units.

7.2. Affected property

The project shall affect
- Permanent land occupation for pile foundation and some construction roads during construction.
- Permanently buildings and structures, trees, crops and other properties within the expected pile foundation area and ROW.
- Properties situated in the construction road.
- All trees and crops or other properties situated surrounding pile foundation and ROW.
- Temporarily occupied land during project performance.

Through consultation, DP can select to be compensated in cash with replacement price for affected land and market price for crops because of negligible impact.

7.3. Mitigation measures

Thanks to mitigation measures conducted right from the initial design period via community consultation and close cooperation with the local authorities and relevant stakeholders, the project's impacts are insignificant.

There are no DPs having reclaimed land of over 10% against total owner’s equity. Therefore, no one is required to remove and resettlement area development is unnecessary.

8. Implementation preparation

8.1. Implementation plan

Right after the project is approved, DPs in the Project area are informed once more about their benefits, Resettlement Policy including legal framework, eligible terms, benefits, unit price, compensation/support methods, implementation plan and claim procedures. Such information shall be sent to DPs through community consultation, leaflet and so on.

The recommended project schedule is as follows:

- Progress of PMB and CRC:
  - Establish CRC: The fifth quarter of 2010
  - Prepare RP: The second quarter of 2010 – the fifth quarter of 2010
  - Appraise and approve RP of PC and WB: The fourth quarter of 2010
+ Negotiate (The Government and WB) The first quarter of 2010
+ Valid date The second quarter of 2010
+ Launch community information The fourth quarter of 2010
+ Launch measurement and drawing works The first quarter of 2011
+ Pay compensation expense The first quarter of 2011
- Progress of DP
  + Declare quantity and status of assets The first quarter of 2010
  + Receive compensation and conduct site clearance The second quarter of 2011
- Construction and installation The first quarter of 2011 – the third quarter of 2011
- Supervision The first quarter of 2011 – the third quarter of 2011

All operations of RP must be completed before NOL (No Objection Letter) is promulgated to approve work contract by WB. Any changes of RP after being approved by WB must be reviewed by WB’s office in Hanoi before construction and installation.

Expected implementation plan is discussed between the Consultant and PMB to consider the negligible impacts, none resettlement requirement and possibility of simultaneous activities.

8.2. Legislation

NPC is authorized by EVN to be responsible for all activities, ranging from investment guidelines, design survey, project construction, supervision and resettlement compensation. NPC shall directly manage entire project performance process including resettlement plan implementation. NPC shall be supported by the local stakeholders. (See Figure 2.1.2 – Diagram of implementation organization).

8.3. Claims

During the project performance, claims and questions of DPs shall be governed by the laws and regulations of Vietnam. Person who has claim shall be fairly treated and guided about procedures and process on resettlement plan claim by the relevant agencies. Such litigant shall not pay any administrative expenses during claims.

There are 04 levels to select: communal, district, provincial and district courts. (Figure 8.6 - Claim process).

8.4. Supervision, inspection and evaluation

The RP implementation shall be regularly supervised, inspected and evaluated by PMB and PCs of 05 provinces. Moreover, an independent supervisor shall be assigned to conduct independent supervision task.
Right after RP is approved, PMB shall select and sign contract with such independent supervisor to launch supervision and inspection right from implementing RP.

The results of selecting independent supervisor shall be submitted to WB for approval.

9. Expenses and estimates
- Estimates for RP implementation shall be taken from EVN’s corresponding fund to compensate MV system, including overall preparation for RP/EMDP and DMS, independent management and supervision.
- The independent supervisor shall prepare the technical and financial drafts for bidding; the practical expenses shall be determined by the independent supervisor.

10. Announcement
- The drafts of “Policy framework” and “Benefit Matrix” are disclosed at PCs of 155 communes under 38 districts in the Project area.
- RP draft shall be disclosed at office of People’s Committees in 05 provinces and Vietnam Development Information Center (VDIC) under WB office in Hanoi.
- The final RP shall be reviewed and approved by WB, EVN and PPCs of 05 provinces.
CHAPTER 1: INTRODUCTION

1.1. Project Objectives

The overall objective of the Project is to contribute to the Government’s poverty elimination program in rural areas by providing basic infrastructure, especially power.

The Rural Energy Project No. II supporting the medium voltage for the North in the second phase aims at offering stable power supply, reducing loss and improving reliability on power supply for 05 provinces (Nghe An, Ha Tinh, Bac Giang, Thai Binh and Thai Nguyen), strengthen flexible operation of power grid to serve for socio-economic development of 05 provinces.

1.2. Project scale:

It is assumed to construct total 254,228 km of medium voltage wireline.

in which:
- 35kV wireline : 174,450 km.
- 22kV wireline : 43,834 km.
- 10kV wireline : 35,944 km.

335 new transformer stations are built with total capacity of 47,345 kVA.

<table>
<thead>
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<th>No.</th>
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<td>6(22)/0.4kV transformer stations:</td>
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</table>
In order to rehabilitate and expand MV system, land occupation is necessary.

This Resettlement Plan (RP) is prepared to compensate for all damages relating to Displaced Persons (DPs) by developing the Project.

1.3. Power supply management in the Project area

There are two models of power management units, concretely
- Power companies in 05 provinces via power branches (districts and towns) sell power directly to households in the town and district as stipulated.
- Communal People’s Committee or Service Co-operatives in the commune sell power to households under the local management model.

1.4. Overview about the Project:

1.4.1 Transformer stations:
- Capacity of transformers: 320kVA; 250kVA; 180kVA; 160kVA; 100kVA; 75kVA; 50kVA.
- Voltage rate: 35/0.4kV, 22/0.4kV and 10/0.4kV

1.4.2 Wireline:
- Voltage rate: 35kV, 22kV and 10kV;
- Pylons: 12m, 14m and 16m centrifugal concrete pylons.
- Right Of Way (ROW): 7m.
- Pile foundation area: 4.8m² /foundation (in vertical direction) and 5.5m² (inclined direction)

1.4.3 Participants of the Project:

Nghe An Province (41 communes - 10 districts):

1. Hung Nguyen District (07 communes) : Hung Chau, Hung Xa, Hung Dao, Hung Tan, Hung Tien, Hung Long and Hung Thang
2. Thanh Chuong District (03 communes) : Thanh Giang, Dong Van and Thanh Xuan
3. Nam Dan District (01 commune) : Nam Anh
4. Dien Chau district (06 communes) : Dien Loc, Dien Hong, Dien Nguyen, Dien Tho,
communes)  Dien Ky and Dien Dong
5. Nhi Loc District (04 communes)  Nhi Khanh, Nhi Dien, Nhi Yen and Nhi Long
6. Quy Hop district (04 communes)  Dong Hop, Chau Thanh, Chau Quang and Chau Cuong
7. Quynh Luu District (04 communes)  Quynh Thach, Quynh Minh, Tien Thuy and Quynh Lap
8. Nghia Dan district (05 communes)  Nghia Duc, Nghia Khanh, Nghia Binh, Nghia Hoi and Nghia Yen
9. Tan Ky district (03 communes)  Tan Long, Tan Phu and Nghia Hop
10. Anh Son district (04 communes)  Cam Son, Cao Son, Hoi Son and Hung Son

Ha Tinh Province (39 communes – 08 districts):

1. Cam Xuyen district (08 communes)  Cam Thinh, Cam Trung, Cam Quang, Cam Binh, Cam Son, Cam Ha, Cam Minh and Cam Linh
2. Ky Anh district (3 communes)  Ky Khang, Ky Chau and Ky Tan
3. Huong Khe district (05 communes)  Hoa Hai, Huong Thuy, Loc Yen, Huong Lam and Phuong My
4. Thach Ha district (03 communes)  Thach Dai, Thach Hoi and Thach Lac
5. Nhi Xuan District (04 communes)  Xuan Yen, Xuan Thanh, Xuan Lam and Xuan Hong
6. Duc Tho District (04 communes)  Duc Nhan, Duc Dung, Duc Thanh and Duc Lang
7. Huong Son District (11 communes)  Son Binh, Son Chau, Son Thuy, Son Giang, Son Ninh, Son Le, Son Truong, Son Diem, Son Kim 1, Son Kim 2 and Son Tay
8. Loc Ha District (1 commune)  Thach Chau

Bac Giang province (26 communes – 07 districts):

1. Luc Nam District (05 communes)  Cam Ly, Chu Dien, Dong Hung, Huyen Son and Tam Di
2. Luc Ngan district (05 communes)  Bien Dong, Quy Son, Phong Van, Tan Son and Tan Quang
3. Yen Dung district (02 communes)  Lang Son and Tan An
4. Tan Yen district (06 communes)  Dai Hoa, Nha Nam, Phuc Hoa, Quang Tien,
communes) : Song Van and Tan Trung
5. Lang Giang district (02 communes) : Nghia Hung and Phi Mo
6. Yen The district (05 communes) : Dong Ky, Dong Tam, Huong Vi, Tam Hiep and Tam Tien
7. Viet Yen district (01 commune) : Bich Son

Thai Binh province (32 communes – 07 districts):

1. Dong Hung district (07 communes) : Dong Xa, Dong Vinh, Hop Tien, Dong La, Dong Kinh, Dong Phuong and Dong Huy
2. Hung Ha District (06 communes) : Hong An, Canh Tan, Doc Lap, Thai Hung, Tan Tien and Tien Duc
3. Thai Thuy district (05 communes) : Thai Thuy, Thai Do, Thuy Quynh, Thai Tho and Thuy Van
4. Kien Xuong district (02 communes) : Binh Minh and Vu Ninh
5. Quynh Phu District (05 communes) : An Le, Quynh Bao, An Ap, Quynh Hoa and An Ninh
6. Tien Hai district (06 communes) : Nam Hong, Nam Thinh, Nam Thanh, Vu Lang, Dong Co and Nam Ha
7. Vu Thu district (01 commune) : Tan Hoa

Thai Nguyen province (17 communes – 06 districts and towns):

1. Phu Luong district (02 communes) : Yen Ninh and On Luong
2. Pho Yen district (06 communes) : Van Thai, Phuc Thuan, Trung Thanh, Minh Duc, Tan Huong and Dong Cao
3. Dai Tu district (05 communes) : Cat Ne, Tien Hoi, Khoi Ky, Quan Chu and Ban Ngoai
4. Dong Hy district (02 communes) : Hoa Thuong and Tan Loi
5. Vo Nhai district (01 commune) : La Hien
6. Song Cong town (01 commune) : Binh Son

1.4.4 Project’s Effect:
The Project to be launched shall offer benefits, concretely:
- To prevent overload for grid in the project area’s communes;
- To reduce power loss, improve the stable power supply quality to the area to serve for production, business and living purposes of the rural areas.
- To meet the demand of power consumption for the current and future socio-economic development of the communes in the project site;
- To contribute to the Government’s poverty elimination program in rural areas by providing basic infrastructure, especially power;
- To facilitate the improvement of physical and spiritual life of local communities in remote areas in the North and many others benefit.
CHAPTER 2: LEGAL FRAMEWORK AND ORGANIZATIONAL STRUCTURE

2.1 Organizational structure

2.1.1 Overall responsibility

Responsibilities on applying the Policy Framework to plan and implement this RP belong to NPC, PMBs, PPCs, industries and departments of 05 provinces (Provincial CRCs, District CRCs, Department of Finance, Department of Construction, Department of Industry and Trade, Department of Natural Resources and Environment).

NPC, PM and the Consultant shall launch socio-economic and population surveys as well as statistics to plan and implement the RP.

RP preparation and implementation shall be involved by DPP/CPP.

Such administrative units also ensure DP’s positive engagement into the RP preparation and implementation. For the purpose that the RP is acceptable to WB and favorably implemented, NPC is responsible for (i) signing contract with qualified consultant to prepare RP, (ii) assign the qualified staffs to undertake the social safety tasks in PPC and CRC of the province/district.

Financial source for RP implementation is provided by EVN.

2.1.2 Detailed responsibility

a) EVN

EVN is the Project Owner and responsible for managing, launching survey, designing, financing, arranging expenditure and supervising RP implementation.

b) Project Management Unit

The Project Management Board (PMB) shall implement entire RP including surveys on impacts, enjoyed benefit transfer, launching life recovery program, claim settlement and internal supervision. The main tasks are:

- To prepare master plan, manage and supervise RP implementation.
- To be responsible for displaying and disclosing information and organizing community meeting, representing RP for relevant agencies, CRCs at all levels, notifying measurement and drawings, statistics about real estates and eligible rights for entire DP.
- To organize/ train the survey teams to conduct detailed measurement, drawings, statistics, organize and guide how to implement RP to PCs at all levels and relevant agencies.
- To report RP implementation progress, site compensation and clearance to WB and EVN.

c) Provincial People’s Committee (PPC)

- The PPCs undertake to receive the RP approved by the Prime Minister as a condition for project participation. The PPCs are also the highest managerial
level, responsible for RP approved for subprojects and deciding the Project’s resettlement issues such as compensation price and life recovery support measures for DP at each province.

- To clarify responsibilities for RP performance to relevant agencies and industries.
- To approve unit price for compensation, allowance and resettlement land as well as establish the appraisal councils and compensation committees in the authorities at all levels.
- Claim settlement:

**d) The province’s relevant departments and industries**

The Department of Finance is responsible for researching and preparing unit price for compensation to submit the PPC for approval. Right from the initial period of RP implementation, the Department of Finance works closely with Department of Construction, Department of Natural Resources and Environment, Department of Agriculture and Rural Development, DPCs and independent supervisors to evaluate unit price applied in the RP to submit the PPC for approval ensuring the unit price of compensation can supersede the replacement value at the date of compensation payment.

**e) The Provincial/ Municipal Compensation and Resettlement Council**

The provincial compensation council is responsible for implementing the RP as scheduled. The provincial CRC is lead by Vice Chairman of PPC. The provincial CRC shall:

- Support PMB and district’s CRC to prepare the detailed plan for resettlement compensation works
- Check and conduct inventory of impacts and detailed implementation plan submitted by CRC. Approve the implementation plan submitted by District’s CRC.
- Settle claims, if it is not handled in the district.

The provincial/municipal CRC includes following counterparts:

- Department of Finance;
- Department of Construction;
- Department of Natural Resources and Environment;
- Chairmen of relevant DPCs;
- The provincial/municipal Project Management Unit.

**f) District People’s Committee (DPC)**

The DPC is responsible for steering the compensation and resettlement activities in the district.
- To steer the relevant agencies to conduct survey on impacts, community consultation, information dissemination in resettlement policy and RP implementation.
- To establish the district’s compensation council.
- To settle claims at district level.

g) District’s compensation and resettlement committee

The district’s CRC is responsible for implementing RP in the corresponding district. The CRC shall recruit qualified employees to collect basic information and prepare the checklist. The provincial CRC shall:

- Establish the survey teams to conduct the Detailed Measurement Survey (DMS) for affected buildings and assets, synthesize DMS and benefits for each DP.
- Check compensation unit price when implementing RP, give out the adjusted unit price in accordance with the market unit price/ replacement price (if necessary).
- Cooperate with PMB to organize meetings with DP and communes; propagandize the Resettlement Information Book (RIB), DSM and DP’s benefits.
- According to the policy and RP approval process, prepare the detailed implementation plan (quarterly, semi-annual and annual plan) and work closely with PMB to pay DPs’ benefits as scheduled.
- Settle questions and claims of DP, difficulties during implementation and giving out solutions for outstanding issues to the provincial CRC.

The district’s CRC lead by the Vice Chairman of the DPC include:
- Department of Finance;
- Department of Industry and Trade
- Department of Natural Resources and Environment
- Affected communes
- Displaced Person

h) Communal People’s Committee (CPC)

The CPC is responsible for:
- Participating into the population survey and asset inventory
- Cooperating with CRC of districts to organize the public meetings, information dissemination, pay the compensation and allowances for DPs.
- Transferring all feedbacks of DPs to CRC of district and settle the claims at communal level giving out solutions for outstanding issues.
- Supporting the local persons to overcome difficulties during construction; supporting DPs to repair their affected buildings; arranging to change land-for-land if DPs request to compensate under this form.
i) **Displaced Persons (DPs)**

- DPs should prepare all RP-related documents such as land use rights and ownerships of real estates.

- DPs should carefully check the affected real estates and compare with benefit framework. When all benefits are fully received, DPs must conduct site clearance as scheduled.
2.2 **Legal framework**

The WB’s policy framework on unexpected resettlement (OP 4.12) and the Government’s Laws on compensation, resettlement and policy for EM shall be applied.

### 2.2.1 Laws of Vietnam

**Compensation and resettlement**

The main Articles, Decrees and Circulars on land reclamation, compensation and resettlement include:

- Constitution of the Socialist Republic of Vietnam in 1992 confirms civil rights on house ownership and protects such ownership.
- Decree No. 197/2004/ND-CP of the Government promulgated on 3rd December 2004 on compensation, support and resettlement when land is reclaimed by the State.
- Circular No. 144/2004/TT-BTC of the Ministry of Finance promulgated on 26th November 2004 on guiding implementation of Decree No. 188/2004/ND-CP.
- Decree No. 17/2006/ND-CP of the Government dated 27th January 2006 on amending and supplementing some regulations in decrees on guiding the implementation of law on land.


- Decision No. 01/2010/QD-UBND dated 25th January 2010 of Thai Binh Provincial People’s Committee on announcing land price in Thai Binh.


- Specific guideline contents of some legal documents are demonstrated as follows:

- Law on Land in 2003 (approved by the National Assembly dated 26th November 2003) on prescribing land management and use valid since 1st July 2004, specifies that: “Person whose land is reclaimed shall be compensated by assigning new land with the same land use purpose; if no land is available for compensation, land use rights shall be compensated at the approval date of land recovery decision. The PPC and Municipal People’s Committee under the Central prepare and launch the resettlement projects before land is reclaimed to compensate by house and residential land for displaced persons. The resettlement area is systematically planned for many projects in the same locality and characterized by good development condition or better condition than that in the previous location. In case of no resettlement area, DPs shall be compensated in cash and given with priority to buy or hire houses in the urban area owned by the State; compensated by residential land for rural areas; if value of residential land use rights is higher than that of compensated land, the DPs shall be compensated in cash for such difference. In case of recovering land of households and individuals who directly produce without land availability for compensating the production continuity, in addition to
compensation in cash, the DPs are also supported to stabilize life, change career and offer new jobs (Article 42).

Clause 4 – Land occupation

Article 39. Regulations on land recovery to serve for national defense, security, national benefit and public benefits. Clause 1 Article 39 specifies that before land recovery, at least 90 working days for agricultural land and 180 working days for non-agricultural land, the State competent authorities must notify the person whose land is reclaimed the reasons of recovery, time and removal schedule, master plan on compensation, site clearance and resettlement.

Article 42. Compensation and resettlement for person whose land is recovered.

Point 1. Person whose land is recovered having Certificate of Land Use Rights or eligible to be issued with the Certificate of Land Use Rights shall be compensated……

Point 2. Person whose land is reclaimed shall be compensated by assigning new land with the same land use purpose; if no land is available for compensation, land use rights shall be compensated at the approval date of land recovery decision.

Point 3. The PPC and Municipal People’s Committee under the Central prepare and launch the resettlement projects before land is reclaimed to compensate by house and residential land for displaced persons. The resettlement area is systematically planned for many projects in the same locality and characterized by good development condition or better condition than that in the previous location.

In case of no resettlement area, DPs shall be compensated in cash and given with priority to buy or hire houses in the urban area owned by the State; compensated by residential land for rural areas; if value of residential land use rights is higher than that of compensated land, the DPs shall be compensated in cash for such difference.

Point 4. In case of recovering land of households and individuals who directly produce without land availability for compensating the production continuity, in addition to compensation in cash, the DPs are also supported to stabilize life, change career and offer new jobs.

Article 49, 50. Determination of cases to be issued with Certificate of Land Use Rights: (i) ‘Households and individuals having permanent registered residence in the locality and directly using land for agricultural, forestry, aquaculture and salt production in the mountainous areas or islands with difficult socio-economic conditions, are certified by the CPCs that they conduct the stable land use without dispute. They shall be issued with Certificate of Land Use Rights without paying land use fees, (ii) ‘Households or individuals who are using land stable before 15th October 1993 without legal documents and disputes as certified by the PPC shall be issued with Certificate of Land Use Rights without paying land use fees.’, (iii) Households or individuals who are using land stable before 15th October 1993 till the valid date of such law having no legal documents and being certified to have no disputes by the
CPC shall be issued with Certificate of Land Use Rights without paying land use fees’.

Article 56. Land price prescribed by the State: (i) The State’s land pricing must comply with following principles ‘close to the market price on transferring land ownership rights in normal condition; when the difference is higher than the transfer price of land ownership rights in the market, it is required to adjust properly, (ii) Land pricing method is prescribed by the Government; price list for different types of land is prepared in accordance with each region and each date; in case of land price adjustment and settlement of difference in land price adjacent to provinces and cities under the Central’, (iii) land price is set by People’s Committees of provinces and cities under the Central and price list of land types are annually announced in public on 1st January by the Government.…’.

- Decree No. 197/2004/ND-CP dated 3rd December 2004 of the Government on compensation, support and resettlement when land is reclaimed by the State.

Article 6 ‘…Person whose using land is reclaimed for any purpose shall be compensated by assigning new land with the same land use purpose; if no land is available for compensation, land use rights shall be compensated at the approval date of land recovery decision; in case of compensation by assigning new land or house, if difference is available, such difference shall be paid in cash’

Article 19. ‘....regarding buildings and residential structures of households and individuals, it is compensated by value of constructing buildings and structures with similar technical standards.....’


- Decision on compensation unit price promulgated by PPCs of Nghe An, Ha Tinh, Bac Giang, Thai Binh and Thai Nguyen.

- Priority for ethnic minority people

Equal rights of ethnic minorities are specified in Laws of Vietnam. Article 5 of the Legislation of Vietnam (1992) specifies:

The Socialist Republic of Vietnam is an united nation including many ethnic groups. The State applies an united and equal policy with the spirit of supporting all nations, prohibits separation and discrimination. Each ethnic has the rights to use their language and living style to preserve their unique characteristics and develop their good traditional and cultural customs. The State applies comprehensive development policies, gradually improving the material and spiritual life for ethnic minorities in Vietnam.

2.2.2 Policy framework of the World Bank (WB)

The legal framework governs the implementation of Policy Framework, statistics and RP based on the World Bank’s OP 4.12 on unexpected resettlement.
Unexpected resettlement (OP 4.12)

The first objective of WB’s policy is to find out all measures to avoid or at least minimize the unexpected resettlement. When resettlement is unavoidable, living standards of DPs must be recovered or improved against their conditions before the Project is launched. The policy applies to reclaim land and other real estates when land recovery results in losing accommodation, total or partial damages to profitable real estates, or failing to access to such real estates, causing complete or partial damages to income source or other subsistence means.

According to the OP 4.12 on unexpected resettlement, DPs must be properly compensated and supported to ensure the improvement, or at least maintaining the living conditions before the Project is launched.

Measures on ensuring effective resettlement include:

a) To consult the potential DPs about feasible measures for resettlement and life recovery;

b) To provide DPs with many resettlement and life recovery solutions;

c) To facilitate them to involve in planning and selecting these solutions;

d) To compensate with replacement value for damages;

e) To select the resettlement location to ensure at least benefits and services as their previous place;

f) To provide allowances, training and income support to help them obtain a smooth transition period;

g) To recognize the vulnerable community groups and provide them with special support and

h) To create a qualified legislative structure and organization to launch such procedures to obtain the final success.

Benefit and Compensation Framework stipulates that DPs eligible to be compensated include:

a) Persons who have official legal rights for land and other real estates,

b) Persons who have no official legal rights for land or other real estates but they are legalizing in accordance with the legal background of the State by owning papers such as land tax receipt, family household records or evidences allowed to use land by the local authority, and

c) Persons who have no legal rights for their occupied land.

DPs having totally or partially (permanently or temporarily) affected houses and DPs having totally or partially (permanently or temporarily) affected residential land and/or agricultural land shall be compensated for damaged land and provided with other necessary supports to obtain the objectives as described in this Policy if they occupy the Project site before the notice date as given in this RP.

DPs having businesses affected totally or partially (permanently or temporarily) by the project shall be facilitated in terms of resettlement and other
necessary supports to obtain the objectives as described in this Policy if they occupy the Project site before the notice date as given in this RP.

Persons who encroach the areas after the notice date as described in this RP shall not be compensated or enjoyed any resettlement supporting forms.

The damages evaluation method applied in this project is based on replacement price. In this project, damages include land, structure and other real estates. Land replacement price includes land value under market price plus tax/fees to obtain Certificate of Land Use Rights. Regarding buildings and other structures, market price of materials must be used to calculate replacement price (to construct a replacement structure) with area and quality at least similar to the damaged structures. Regarding totally or partially affected structures, compensation includes market price of materials and transportation fees of materials, labor cost and contractor cost, registration and transfer taxes/fees.

Real estate depreciation and savings due to materials re-use are not listed in the replacement price.

2.2.3 Compatibility between approach of the Government and WB

There are many approaches of the Government of Vietnam – both policy and practice – compatible with WB’s guidelines. The most important approaches are:

- Vietnam applies a procedure in which most of persons having no legal land use rights can also obtain the legalization and compensation for damages.
- Fixed residents are provided with solutions including removing to the improved resettlement area, compensating in cash or both.
- Resettlement areas not only have better infrastructure and service but also prove a higher living standard.
- Allowances facilitate DPs during their transition period and release a legislative mechanism, through that, the local people are informed and entitled to negotiate about compensation and make claims.
- Within the framework of this program, differences in approaches and measures must be specified. However, under this perspective, procedures of the central and local authorities enable to reject some articles in the country for some certain projects, which may conflict to the similar regulations of sponsors.
- Regarding land ownership and legal rights to be compensated, approaches of the Government and WB are compatible. The Government applies procedures in which land occupation without legal papers can be legalized. However, this land is still compensated with 100% of land price deducting taxes/fees to legalize land use rights since 15th October 1993 (Sections 49 and 50 of Article 42 Law on Land in 2003).
- Compensation at the replacement price is specified in Article 6 of Decree No. 197/2004/ND-CP dated 3rd December 2004, concretely: ‘…Person whose using land is reclaimed for any purpose shall be compensated by assigning new land with the same land use purpose; if no land is available for compensation, land
use rights shall be compensated at the approval date of land recovery decision; in case of compensation by assigning new land or house, if difference is available, such difference shall be paid in cash; Article 19 of this Decree also specifies ‘….regarding houses and domestic works of households and individuals, it is compensated by new construction value of house and buildings with similar technical specifications ….’

2.2.4 Necessary rejections

In order to fulfill RP in accordance with WB’s OP 4.12 on unexpected resettlement, some articles in some laws and regulations of Vietnam shall be rejected because compensation by replacement price cannot be assured or terms on benefit prohibit households without legal land papers to be compensated and received with life recovery solutions.

The laws and regulations to be rejected shall be described as follows.

(i) Legal rights on compensation – Decree No. 97/2004/ND-CP promulgated on 3rd December 2004

- Article 7 (Cases of land recovery without compensation) specifies that "persons having land reclaimed or disqualified persons using land as stipulated in Article 8 of this Decree; organizations assigned with land and their land use fees are not collected; organizations assigned with land and the land use fees are derived from State budget; or persons violated the plan approved by competent authority, and such violations have been notified or violators of works protection corridor, or persons who illegally occupy land shall not be compensated when land is reclaimed by the State. PCs of the provinces/cities under the Central shall review and make final decision as the case may be”.

- Article 18 (clauses 3 & 4) and Article 20 (clause 2b, c) (Principles on asset compensation): (i) Buildings and other structures constructed in the land which are disqualified to be compensated without violating the announced land use planning and schedule or violating works protection corridor shall be supported at most by 80% of compensation; (ii) Buildings and other structures constructed in the land which are disqualified to be compensated, violating the announced land use planning and schedule or violating works protection corridor shall not be compensated. In special case, PPC considers to support as the case may be.

- Article 28 (clauses 1 & 2) and Article 29 (clause 1) of Decree No. 197/2004/ND-CP (Support on stabilize life and production; Support on occupation change and job generation): Persons whose over 30% of production land area is recovered shall be supported to stabilize life and facilitated to occupation change and job generation.

- In order to achieve objectives of this Policy Framework, a special decision of Vietnamese Government on canceling Articles of 7, 18, 19, 20, 28 and 29 of Decree No. 197/2004/ND-CP is necessary to allow life support and recovery
for persons who illegally occupy land as recommended in this Policy Framework.

(ii) **Land price calculated to compensate**


Article 7

This Article specifies the responsibility of Ministry of Finance in setting up new land price list to submit the Government to adjust when the current price of land use right transfer in the market causes the remarkable difference in land price (increase over 30% for ceiling price and decrease over 30% against the floor price attached with this Decree) if all types/ categories of land stated in the land price list continue changing (over 60 working days in many cities and provinces).

Article 9

This Article specifies land price to calculate compensation is land price equivalent to land use purpose at the date of land occupation, notified by the PPC in accordance with the Government’s regulations (in ceiling and floor price templates of the Government).

Decree No. 188/2004/ND-CP dated 16th November 2004

This Decree presents how to determine land price and sets up a new policy framework at the same period of time (ceiling price and floor price for different types of land) applied consistently in the whole country.

Article 2

This Article specifies land price determined by PPC and/or directly by the Government.

In order to ensure that objectives of resettlement policy are realized, land compensation unit price released by PPCs/ MPCs in the Project area shall be adjusted in accordance with the replacement price.

In order to ensure that objectives of resettlement policy are realized, land compensation unit price released by the provincial CRC may be adjusted in accordance with the replacement price.

(iii) **Policy on supporting DPs to hire houses owned by the State**

Decree No. 197/2004/ND-CP dated 3rd December 2004

Article 21

This Article specifies DPs who hire houses owned by the State shall received an allowance equal to 60% of land value and 60% of hired house value for special cases without resettlement houses for arrangement.
In order to realize objectives of this policy, a special decision of the Vietnamese Government on canceling Article 21 of Decree No. 197/2004/ND-CP is necessary to enable application of supporting and life recovery measures for DPs who hire houses owned by the Government as recommended in this Project.

(iv) Resettlement support policy

Decree No. 197/2004/ND-CP dated 3rd December 2004

Article 28

This Article specifies that DPs who mainly involve in agricultural production and have over 30% of occupied agricultural land area shall be supported to recover life (support in cash with value equal to 30kg of rice at the average price at the date of displacing a person) within 3 months (if displacement is not required), 6 months (if displacement is required) and 12 months (if it is supposed to displace to extremely difficult economic areas).

(v) Commitment of the Vietnamese Government.


Article two (clause 2.5) of Decree No. 131/2006/ND-CP prescribes that “unless otherwise stipulated in the international agreement on ODA signed between the Government and sponsor, this international agreement shall be complied with”.

Clause 4, Article 2 of Decree No. 17/2001/ND-CP dated 4th May 2001 specifies that: “Unless otherwise stipulated in the international agreement on ODA signed between the Government and sponsor, this international agreement shall be complied with”.

Terms of waiver shall be approved by the Vietnamese Government when deciding project investment and before negotiation. PPC in the project area shall promulgate statements on approving the implementation of policies as set out in the RP.

2.3 Determining compensation conditions and compensation condition limits

DPs refer to all individuals, organizations or companies having or having no documents on land use rights, ownership, hiring or land use, having property and business affected by the Project.

All DPs are totally compensated for their damages as recorded in the checklist of this RP or they may prove their affected items before the notice date of the project. The similar policy is applied to DPs having income affected by the Project.

Surveys on components are launched; problems on components are notified to all persons residing in the project area during community consultation; route selection method is approved by the local authority. The project’s notice date was determined before launching the socio-economic and inventory survey dated 15th June 2010. This date is notified by local authorities.
Encroachers and persons living the expected area to be affected after such date shall not be entitled to compensate and resettle. They shall be required to dismantle structures, cut trees down and remove crops to make site clearance for the project. In necessary case, they shall be forced to remove out of the expected project area. However, they shall not pay any fines. The project’s notice date and terms on “no compensation for encroachers” have been clearly notified in community meetings and printed in leaflets.

2.4 Principles on compensation and resettlement

Principles described in the WB’s OP 4.12 are employed to prepare the Policy Framework. Accordingly, following principles and objectives are applied.

a) Land and asset recovery and resettlement shall be minimized at lowest as possible.

b) All DPs having residential land, production and business land or cultivated land in ROW of D/L, surrounding pile foundation, station area and construction road under the Project till the project’s notice date and basic information survey date shall be entitled to receive life recovery measures, sufficient for them to improve or at least maintain their living standards and income from the project profit. Insufficiency of legal benefits for damaged real estates shall not prevent DPs from receiving rights to enjoy this life recovery measures.

c) The life recovery measures are: (i) compensation at replacement price for buildings and other structures without depreciation and deduction on materials re-use, (ii) cultivated land is compensated with cultivated land with similar value acceptable to DPs or compensation in cash with replacement value as desired by DPs is applied, (iii) residential land is compensated with land of the same area acceptable to DPs or compensation in cash with replacement price is applied as desired by DPs, and (iv) allowances on transportation and removal.

d) The residential land and agricultural land shall be compensated at the highest value close to the damaged land, acceptable to DPs.

e) Transitional period in resettlement shall be minimized and DPs are provided with life recovery measures right before launching the project.

f) Plan on land and other real estate recovery as well as life recovery measures shall be conducted through consulting DPs to minimize conflict. DPs shall receive their benefits before the Project’s commencement date in the locality.

g) The pre-project service level and benefits of community shall be maintained or improved.

h) Financial and material source for resettlement and life recovery shall be available as necessary.

i) The legislative organization shall ensure effective planning, consultation and implementation of RP as scheduled.
j) RP supervision and implementation evaluation shall be effectively conducted as scheduled.

2.5. Compensation conditions

DPs’ compensation conditions include:

a) Persons who have official legal rights for land and other real estates,

b) Persons who previously had no legal ownership rights for land and other real estates but applied to legalize in accordance with the legal regulation - by owning papers such as residential land tax invoice, family household records or the local authority allowed to occupy or use land lots affected by the project, and

c) Persons who have no legal rights recognized for their occupied land – if they occupy the land in the project area before the notice date as stated in the RP.

d) DP is recognized through collecting basic information for this RP;

e) Persons who have houses affected totally or partially (permanently or temporarily) by the project;

f) Persons who have residential or cultivated land affected totally or partially (permanently or temporarily) by the project;

g) Persons who have crops and perennial trees affected totally or partially (permanently or temporarily) by the project;

h) Persons who have businesses affected totally or partially (permanently or temporarily) by the project;

2.6. Compensation policy

Crops are compensated at market price. Land, buildings and structures and other real estates are compensated at replacement price.

Damaged land is compensated as follows:

- The damaged cultivated land is compensated (less than 10% of total land owned by DPs) at replacement price for the similar area and other damages are compensated in cash.

- Compensation for damaged cultivated land (more than 10% of total land owned by DPs) is as follows: (i) land with the same area and quality to the reclaimed project land, or (ii) in cash with replacement price as selected by DPs.

Compensation for land, buildings and structures and trees in cash with replacement price is as follows:

Compensation in cash for crops with market price is calculated in accordance with average productivity of the last three years (as specified in Circular No. 145 of Ministry of Finance).

Compensation price described in this RP is price list prepared by the Department of Finance of each province in accordance with the Decree No.

Because the date of preparing RP and date of project performance may be far from each other, at the date of project performance, such unit prices may not be matched with market price or replacement price. Therefore, all applicable unit prices shall be rechecked at the commencement date of project and adjusted, if necessary. The Detailed Measurement Survey shall be launched by CRC before initiating the project. Evaluation of compensation unit price at the Project’s commencement date shall be conducted by the independent consultant and Department of Finance. This activity shall be presented in TOR for the independent supervisor.

2.7 Compensation unit price

In order to ensure the applied compensation unit price is replacement price, the Consultant launches survey on unit price in some provinces in the project area and compares with the unit price approved by PPCs. Survey findings unveiled that: (i) newly promulgated compensation land unit price complies with Article 56 of Law on Land in 2003 and Decree No. 197/2004/ND-CP dated 3rd December 2004 issued in attachment with Circular No. 145/2004/TT-BTC dated 7th December 2004 and Decree No. 188/2004/ND-CP dated 16th November 2004 issued in attachment with Circular No. 114/2004/TT-BTC dated 16th November 2004) reflecting the available market price in the project area, and (ii) construction price given out by the Contractor in the project area relates to the works similar to the construction price applied in the RP.

Provisional expenses are also taken into consideration to the date of RP implementation.

2.7.1 Compensation unit price for works

The compensation unit price for works is not applied because no buildings or architectural structures are affected, totally or partially, by this project. Therefore, compensation unit price for buildings and architectural structures is not applied in this project.

2.7.2 Compensation unit price for land

Land unit price is established in accordance with the general price list as described in Decree No. 188/2004/ND-CP and Circular No. 114/2004/TT-BTC.


Decision No. 01/2010/QD-UBND dated 25th January 2010 of Thai Binh Provincial People’s Committee on announcing land price in Thai Binh.

Chapter II of Decree No. 188/2004/ND-CP – “Method on determining land price” is detailed in Chapter I of Circular No. 114/2004/TT-BTC (Article 1: Direct comparison method and Article 2: Income method) to ensure that the unit price responds to the replacement price at the date of promulgating the unit price. Such unit prices are based on replacement costs for land, buildings, trees and market price for crops.

However, such compensation unit price shall be local authority and the independent supervisors review at the initial stage of RP performance and the adjustment shall be conducted by the PPC (if necessary and it is used to calculate compensation benefits for DPs) to ensure that the DPs shall be compensated at the replacement price for land, buildings, trees and market prices for crops as prescribed in this RP.

Table 2.7.2 - Compensation unit price for land applied in each province (unit: VND/m2)

<table>
<thead>
<tr>
<th>Province</th>
<th>Unit price (VND)</th>
<th>Rice cultivated land (crops)</th>
<th>Hill land (forest)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Nghe An</td>
<td>38,000</td>
<td>18,000</td>
<td></td>
</tr>
<tr>
<td>2. Ha Tinh</td>
<td>35,202</td>
<td>20,148</td>
<td></td>
</tr>
<tr>
<td>3. Bac Giang</td>
<td>40,000</td>
<td>13,000</td>
<td></td>
</tr>
<tr>
<td>4. Thai Binh</td>
<td>34,000</td>
<td>14,300</td>
<td></td>
</tr>
<tr>
<td>5. Thai Nguyen</td>
<td>37,000</td>
<td>12,000</td>
<td></td>
</tr>
</tbody>
</table>

*Notes:*
Compensation unit price is only listed for places to be compensated in accordance with decision on land price announcement of PPCs. Compensation unit price for rice cultivated land (crops) and hill land (forest) are fixed for all areas in the province.

Newly promulgated compensation unit price reflects the practical land value suitable with the locality. However, “Land price consultant” (Article 57, Law on Land in 2003) or the external independent supervisor shall apply the ‘Direct Comparison Method’ and/or “Income Method” (Chapter I of Circular No. 114/2004/TT-BTC dated 26th November 2004) on determining land price to adjust land price in accordance with the replacement price at the date of releasing compensation unit price to implement the RP. Provisional expenses are also taken into consideration to the date of RP implementation.

### 2.7.3 Compensation unit price for crops:
Compensation must be calculated in accordance with market price.
According to the Circular No. 114/2004/ND-CP of Ministry of Finance, compensation for fruit trees is determined in accordance with crops, whereas the remaining perennial trees shall be compensated at replacement price; crops shall be compensated in accordance with the average productivity in the 3 recent years.

Through reference to the local unit prices, market price survey and price as recommended by DPs, the unit prices have no remarkable difference when comparing with these prices.

**Table 2.7.3a – Compensation unit price for crops (unit: VND/m²)**

<table>
<thead>
<tr>
<th></th>
<th>Crops</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rice</td>
<td>3000</td>
</tr>
<tr>
<td></td>
<td>1.200</td>
</tr>
</tbody>
</table>

**Table 2.7.3b – Compensation unit price for perennial trees (unit: VND/tree)**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Longan, mango and orange</td>
<td>300,000</td>
</tr>
<tr>
<td>Eucalyptus</td>
<td>15,000</td>
</tr>
</tbody>
</table>

**2.7.4 Funds**

- Funds for RP performance shall be derived from EVN. This fund shall be transferred to the provincial CRC by NPC. This fund shall be transferred to the district’s CRC by NPC.

- The provincial CRC shall:

  + Make payment for compensation and all direct benefits to DPs and,
  + Pay expenses for RP operations.

**2.7.5 Inflation-based adjustment**

Compensation unit price and benefits paid in cash for life recovery and allowances provided to DPs must be considered as necessary and adjusted at the date of implementing the RP in accordance with the annual inflation indicator and requirements of CRC.

**2.8 Benefits**

**2.8.1 Rights to be compensated by affected category**

<table>
<thead>
<tr>
<th>Type</th>
<th>Benefits</th>
</tr>
</thead>
</table>
| 1    | - Compensation in cash for affected crops and perennial trees at replacement price plus with cost of cutting trees down and crops at market price  
     | - No compensation for land  
     | - Restoring intact land condition after construction |
| 2    | - Compensation in cash for affected crops and perennial trees at replacement price plus with cost of cutting trees down and crops at market price  
     | - No compensation for land  
<pre><code> | - Restoring intact land condition after construction |
</code></pre>
<table>
<thead>
<tr>
<th>Type</th>
<th>Benefits</th>
</tr>
</thead>
</table>
| 3    | Compensation in cash for damaged buildings/structures  
- No compensation for land  
- No deduction into depreciation and reuse of materials  |
| 4    | Compensation in cash for damaged buildings/structures at replacement price  
- Compensation in cash for damaged land at replacement price  
- No deduction into depreciation and reuse of materials  |
| 5    | DPs can select:  
(i) “land for land”: Providing the residential land for replacement (house and garden) with similar area and DPs accept or compensation in cash with replacement price as selected by DPs; and  
(ii) compensation in cash for buildings/structures at replacement price  
- No deduction into depreciation and reuse of materials  |
| 6    | DPs having cultivated land to be damaged  
Damaged land ≤ 10% of total land ownership  
- Compensation in cash for damaged area if the remaining land still has economic value  
- Compensation in cash for damaged area if the remaining land still has no economic value  
- Compensation in cash for land-related assets  
Damaged land ≥ 10% of total land ownership  
DPs can select:  
(i) ‘land for land’ with the same area and productivity of affected area if the remaining land still has economic value, and, ‘land for land’ for entire affected land lot if the remaining land has no economic value  
(ii) Compensation in cash at replacement price  
- Compensation for fruit trees and perennial trees at replacement price  
- Recovery support  
DPs losing their residential land/hill land  
- If the remaining land is still sufficient to reorganize (over 60m² in the urban area and 100m² in the rural area): compensation in cash for damaged area and land-related real estate  
- If the remaining land is insufficient to reorganize:  
DPs can select:  
(i) compensation in cash for land and land-based real estate at replacement price  
(ii) ‘land for land’ for entire residential land area owned by DPs (not only for the damaged area) and land-based property  
Regarding affected buildings/
<table>
<thead>
<tr>
<th>Type</th>
<th>Benefits</th>
</tr>
</thead>
</table>
| 7    | Temporary impacts  
Compensation for damaged income within the affecting period.  
Permanent impacts  
- Provision of replacement business location with the same area and convenience to attract customers, acceptable to DPs  
- Compensation in cash for damaged business structures at replacement price for structures without depreciation  
- Compensation in cash for damaged income during the transition period. |
| 8    | Public works shall be restored and the community shall not bear this expense. |

2.8.2 Allowances and support

Allowances for transportation:

Article 27 of Decree No. 197/2004/ND-CP regulates all DPS are entitled to enjoy:
- DPs remove in the Province/ City at most 3,000,000 VND/household
- DPs remove out of the Province/ City at most 5,000,000 VND/household
- Persons whose residential land is reclaimed without accommodation shall be arranged with temporary house or other house when waiting for re-construction supporting house rental new accommodation (resettlement arrangement)

Removal allowances

Article 28 of Decree No. 197/2004/ND-CP: all DPS\(^1\) shall be enjoyed one time:
- DPs remove in the Province:  
  Support in cash (equivalent to 30kg of rice/month x 3 months) for a person/household
- DPs remove out of the Province:  
  Support in cash (equivalent to 30kg of rice/month x 6 months) for a person/household
- DPs have to remove to difficult or extremely difficult socio-economic areas:  
  Support in cash (equivalent to 30kg of rice/month x 12 months) for a person/household

Support on occupation change and job generation

Article 29 of Decree No. 197/2004/ND-CP\(^2\):  
DPS who are permanently affected with over 10% of land 3,000,000 VND/household\(^3\)  
cultivated land or income shall be trained. Other supports shall be decided by the PPC with funds from organizations/ individuals who shall use the reclaimed land lot.
Refer to Appendix 2 – Benefit matrix and Appendix 10 – Benefit details of DP.

1 Article 28 of Decree No. 197/2004/ND-CP specifies the support level is only applied for DPs who lost over 30% of agricultural land area. However, in order to comply with this Policy Framework, the aforesaid support level is applied for all DPs.

2 Article 29 of Decree No. 197/2004/ND-CP specifies that DPs who directly produce in the agricultural land when over 30% of their agricultural land area is reclaimed shall be supported with occupation change for people at the working age (specific support level and number of labor to be supported are decided by the PPC). However, in order to comply with this Policy Framework of RE2 project, the applied support level should be suitable with RE2 projects which are being launched in Vietnam.

3 The amount of 700,000 VND/main labor is directly paid to persons who are participating in training courses organized by technical consultants/technical assistance organizations and 800,000 VND for learners as a support during training (total worth 1,500,000 VND/learner. Regarding the estimates costs, each household is expected to have two main labors.
CHAPTER 3: PROJECT’S IMPACTS AND SOCIO-ECONOMIC CHARACTERISTICS OF DISPLACED PERSONS

3.1. Types of Impacts


- All buildings and public works in ROW must be removed or existed with restricted conditions.
- All high trees with distance from the top to the lowest wire of less than 3m – within the pylon foundation area and ROW of D/L must be cut down. All trees out of ROW which are possible to touch the wires if trees fall down (minimum distance from the top to the wire of 1m) must be cut down.
- All works and structures outside ROW which are possible to affect the Project such as bomb and mine warehouse, communication center and so forth must be removed.
- The project’s long-term reclaimed land includes:
  - Reclaimed land for pile foundation of D/L and DSS;
  - Long-term reclaimed land for road.
- Temporarily affected land includes:
  - Land area surrounding pylons during foundation excavation and pylon construction. The affected land area shall be used from one to two months;
  - Land used as road to transport materials into pylon construction site. The affected land area shall be used from one to two months;
  - Land used as road to transport materials into pylon construction site. The affected land area shall be used from one to two months;
  - Temporarily affected land area to serve for wiring includes 7m wide road (road is only calculated for list of annual cultivated land). Land area to be affected from 1- 2 months.

According to the nature of the Project’s impacts as described above and DP survey, impacts can be classified as follows:

3.1.1 Temporary impacts in ROW

All DPs who have cultivated land, crops, perennial trees or structures in the wire safety corridor surrounding column foundation in the construction road are temporarily affected during construction.

Type 1: DPs have crops and perennial trees affected by the project during construction due to road construction or wiring.
Type 2: DPs have the residential land, hill land and cultivated land temporarily reclaimed during construction

3.1.2 Permanent impacts

All DPs own land and land-based assets, which are permanently reclaimed for pile foundation and access road station (to construct and maintain the works). All DPs have buildings and other structures or perennial trees (high) in ROW removed, dismantled or cut down.

Type 3: DPs have partially damaged buildings/structures and such damages do not affect safety and use purpose of entire buildings/structures (removal area < 10% of total area) and the damaged buildings/structures can be re-constructed in total adjacent land area owned by DPs. Impacts on the unoccupied residential land in ROW may be temporary because it may be reused for certain purposes.

Type 4: DPs have partially damaged buildings/structures and such damages do not affect safety and use purpose of entire buildings/structures (removal area < 10% of total area or even > 10% of total area, but the remaining area can not be used or inconvenient to use), therefore, the buildings/structures must be completely removed and re-constructed in total adjacent land area owned by DPs. Impacts on unoccupied residential land may be temporary because it may be reused for certain purposes.

Type 5: DPs have totally damaged buildings/structures and such damages do affect safety and use purpose of entire buildings/structures, therefore, the buildings/structures must be completely removed and re-constructed. However, DPs have no residential land to construct buildings/structures with the same area with the damaged buildings/structures. Residential land standard in rural area is 100m².

Type 6: DPs have residential land and cultivated land permanently occupied by the project, even occupied to construct the permanent road and maintain works.

(a) Reclaimed cultivated land > 10% of total cultivated land owned by DPs.
(b) Reclaimed cultivated land < 10% of total cultivated land owned by DPs.
(c) Remaining residential land/ garden land < 100m² in rural area.
(d) Remaining residential land/ garden land ≥ 100m² in rural area.

Type 7: DPs whose businesses or services are permanently or temporarily affected

Type 8: Impacts on public works such as schools, water supply and drainage system, road, etc

3.2. Project’s impacts

3.2.1 Impacts on human being

The survey on impact statistics launched from June to August 2009 unveiled that:
Total DPs
in which:

DPs suffered from permanent impacts
- Number of DPs having over 10% of permanently reclaimed production land
  None
- Number of DPs having less than 10% of permanently reclaimed production land
  988  3952
- Number of DPs suffered from permanent impacts on totally/ partially buildings/ structures
  None
- Number of DPs suffered from permanent impacts on totally/ partially businesses
  None
- Number of DPs to be removed
  None
  
  Total DPs suffered from permanent impacts
  988  3952

DPs suffered from temporary impacts
- Number of DPs have temporarily reclaimed land
  988  3952
- Number of DPs suffered from temporary impacts on totally/ partially buildings/ structures
  None
- Number of DPs suffered from temporary impacts on totally/ partially businesses
  None

  Total DPs suffered from temporary impacts
  988  3952

Besides, there are 41 enterprises, forestation farms and cooperatives of localities where land is permanently and temporarily affected by the Project.

Total DP

<table>
<thead>
<tr>
<th>No.</th>
<th>Province</th>
<th>DPs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Number of households</td>
</tr>
<tr>
<td>1</td>
<td>Nghe An</td>
<td>278</td>
</tr>
<tr>
<td>2</td>
<td>Ha Tinh</td>
<td>180</td>
</tr>
<tr>
<td>3</td>
<td>Bac Giang</td>
<td>136</td>
</tr>
<tr>
<td>4</td>
<td>Thai Binh</td>
<td>141</td>
</tr>
<tr>
<td>5</td>
<td>Thai Nguyen</td>
<td>253</td>
</tr>
<tr>
<td></td>
<td>Total:</td>
<td>988</td>
</tr>
</tbody>
</table>

Refer to Appendix 9 – Statistics on the Project’s DPs
## Total DPs by impact type

<table>
<thead>
<tr>
<th>Type</th>
<th>Number of households</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 DPs have trees and crops to be damaged by the project during construction due to constructing temporary path or wiring</td>
<td>972/988</td>
</tr>
<tr>
<td>2 DPs have land, production land and garden temporarily reclaimed during the project performance</td>
<td>988/988</td>
</tr>
<tr>
<td>3 DPs have partially damaged or removed buildings/ architectural structures and the damaged part shall not affect the safety and use purpose of entire buildings or architectural structures (total damaged area is less than 10%), and buildings/ architectural structures to be damaged may be re-constructed in the adjacent land area owned by DPs. Impacts on reclaimed land in ROW are temporary because it may be reused for restricted purposes.</td>
<td>None</td>
</tr>
<tr>
<td>4 DPs have partially damaged or removed buildings/ architectural structures and the damaged part shall affect the safety and use purpose of entire buildings or architectural structures (total damaged area is over 10% or even less than 10% but the remaining part can not be used or it is inconvenient to use), therefore, buildings/ architectural structures to be damaged may be re-constructed in the adjacent land area owned by DPs. Impacts on reclaimed land lot are temporary because it may be reused for restricted purposes.</td>
<td>None</td>
</tr>
<tr>
<td>5 DPs have partially or totally damaged buildings, and the damaged part shall affect safety and use purpose of entire buildings or architectural structures, therefore, such buildings/ architectural structures must be removed and re-constructed. However, DPs have insufficient unoccupied land to re-construct buildings with the same size. Area threshold of unoccupied land area is 100m² in rural area.</td>
<td>None</td>
</tr>
<tr>
<td>6 DPs have permanently reclaimed residential and production land to construct permanent access to serve for project performance and maintenance.</td>
<td>None</td>
</tr>
<tr>
<td>(a) Reclaimed production land area is more than 10% of total production land area owned by DPs</td>
<td>None</td>
</tr>
<tr>
<td>(b) Reclaimed production land area is less than 10% of total production land area owned by DPs</td>
<td>976/988</td>
</tr>
<tr>
<td>(c) The remaining garden and residential land area is less than 100m2 (in rural area)</td>
<td>None</td>
</tr>
<tr>
<td>(d) The remaining garden and residential land area is equal or more than 100m2 (in rural area)</td>
<td>988</td>
</tr>
</tbody>
</table>
### 3.2.2. Impacts on assets

The project shall affect

- Land permanently used for pylon foundation and service road for project performance.
- Permanent impacts on buildings, structures, trees, crops and other assets in the expected pylon area and in ROW.
- Properties in the service road.
- All trees and crops or other assets surrounding pylon foundation and ROW.
- Temporarily reclaimed land during construction.

The socio-economic surveys revealed that:

**Permanent impacts:**

- Recovery of residential land and production land for pylons and service road;
- Trees and crops in the expected pylon foundation area;
- High trees to be cut down in ROW (distance from the tree top to the wire is less than 2m) and high trees in adjacent area with ROW which may touch the wirelines in case of falling.

**Permanent recovery of assets:**

- Residential land
- Production land
  - Rice (crop) $16,602 \, m^2$
  - Hill (forest) $6,616 \, m^2$

Total: $23,218 \, m^2$

(including land of forestation farms, cooperatives, etc) $4,883 \, m^2$

- Permanently affected buildings None
- Permanently affected crops
  - Rice (crop) $13,569 \, m^2$
Hill (forest) \[6,616 \text{ m}^2\]

- Permanently affected trees (longan, eucalyptus, etc) \[2,255 \text{ Tree}\]

**Temporary impacts:**

Temporary land recovery
- Production land is recovered during construction;
- Trees and crops along ROW of D/L during construction;

**Temporarily affected assets:**

- Temporarily reclaimed land
  - Residential land None
  - Production land
    - Rice (crop) \[82,909 \text{ m}^2\]
    - Hill (forest) \[38,819 \text{ m}^2\]

\[\text{Total: } 121,728 \text{ m}^2\]

- Land in forestation farms, cooperatives, etc
  \[18,487 \text{ m}^2\]

- Temporarily affected buildings None

- Temporarily affected rice/ crops
  - Rice (crop) \[65,450 \text{ m}^2\]
  - Hill (forest) \[36,819 \text{ m}^2\]

\[\text{Total: } 104,359 \text{ m}^2\]

- Temporarily affected trees (longan, eucalyptus, etc) \[9,519 \text{ Tree}\]

**Number, types and area of damaged houses**

None

**Quantity and area of affected living land area**

None

**Quantity and area of affected production land**

*Table 3.2.2a - Quantity and area of reclaimed production land:*

<table>
<thead>
<tr>
<th>No.</th>
<th>Province</th>
<th>Construction scale</th>
<th>Permanently occupied land area</th>
<th>Temporarily occupied land area</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Medium voltage wireline (m)</td>
<td>Transformer station (station)</td>
<td>Paddy field land (crop) (m²)</td>
</tr>
<tr>
<td>1</td>
<td>Nghe An</td>
<td>56,160</td>
<td>85</td>
<td>5,424</td>
</tr>
<tr>
<td>2</td>
<td>Ha Tinh</td>
<td>70,006</td>
<td>81</td>
<td>5,280</td>
</tr>
<tr>
<td>3</td>
<td>Bac Giang</td>
<td>48,539</td>
<td>61</td>
<td>2,013</td>
</tr>
</tbody>
</table>
(For details of each commune, refer to Appendix 8)

### Number of affected trees and crops

**Table 3.2.2b - Quantity of affected trees and crops**

<table>
<thead>
<tr>
<th>No.</th>
<th>Province</th>
<th>Types of permanently affected trees &amp; crops</th>
<th>Types of temporarily affected trees &amp; crops</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Rice (m²)</td>
<td>Maize (m²)</td>
</tr>
<tr>
<td>1</td>
<td>Nghe An</td>
<td>3,987</td>
<td>1,152</td>
</tr>
<tr>
<td>2</td>
<td>Ha Tinh</td>
<td>2,501</td>
<td>54</td>
</tr>
<tr>
<td>3</td>
<td>Bac Giang</td>
<td>2,013</td>
<td>0</td>
</tr>
<tr>
<td>4</td>
<td>Thai Binh</td>
<td>1,333</td>
<td>0</td>
</tr>
<tr>
<td>5</td>
<td>Thai Nguyen</td>
<td>2,529</td>
<td>367</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>12,363</strong></td>
<td><strong>1,206</strong></td>
<td><strong>3,271</strong></td>
</tr>
</tbody>
</table>

Reclaimed production land area and number of affected trees and crops in Tables 3.2.2a and 3.2.2b calculated for enterprises, forestation farms and agricultural cooperatives.

(For details, refer to Appendix 8)

### 3.2.3. Impacts on enterprises, forestation and cooperatives

41 enterprises, forestation farms and cooperatives of localities are permanently and temporarily affected by the Project, including mainly agricultural cooperatives at communes in the project area, and the minority is enterprises and forestation farms. Completely affected land is agricultural and forestry land without affecting buildings or architectural structures, etc.

2 enterprises and 01 forestation farm are affected including: Nghe An Fruit-Tree Company (Nghia Binh commune, Nghia Dan district); Jail No. 3 under Department of V26 (Nghia Hop commune, Tan Ky district); Song Con Forestation Farm (Tan Phong commune and Tan Phu commune, Tan Ky district). The remaining are 38 cooperatives in the concerned communes.

**Table 3.2.3a - Quantity and area of reclaimed production land:**
Table 3.2.3b - Quantity of affected trees and crops

<table>
<thead>
<tr>
<th>No.</th>
<th>Province</th>
<th>Types of permanently affected trees &amp; crops</th>
<th>Rice (m²)</th>
<th>Maize (m²)</th>
<th>Eucalyptus, acacia, pine (tree)</th>
<th>Longan, mango and orange (tree)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Nghe An Fruit-Tree Company</td>
<td></td>
<td>2340</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Jail No. 3 under Department of V26</td>
<td></td>
<td>295</td>
<td>170</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Song Con Forestation Farm</td>
<td></td>
<td>1049</td>
<td>653</td>
<td>117</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Cooperatives</td>
<td></td>
<td>2414</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong>:</td>
<td></td>
<td><strong>2,414</strong></td>
<td><strong>3,684</strong></td>
<td><strong>823</strong></td>
<td><strong>117</strong></td>
</tr>
</tbody>
</table>

3.3 **Socio-economic characteristics in the project area**

05 provinces involve in the Project, including: Nghe An, Ha Tinh, Bac Giang, Thai Binh and Thai Nguyen. In which 02 provinces namely Ha Tinh and Nghe An belong to the North Central Region, whereas, Thai Binh is situated in Hong River Delta and 02 provinces of Bac Giang and Thai Nguyen are located in the midland and the Northern mountainous areas.

3.3.1. **Natural conditions of concerned provinces are as follows:**

**Ha Tinh Province**

Ha Tinh is the home of 12 district-level administrative units including 1 city, 1 town and 10 districts with 259 communes, wards and towns.

**Geological position**
Ha Tinh belongs to the North of the central: The West borders with Laos whereas the East borders with South China Sea. Ha Tinh is situated in the East of Truong Son Mountain Range with narrow, slope and inclined terrain from West to East. Its West is characterized by 1,500m high mountain ranges, the lower is the low hill area similar to up-side-down bowl; the next is the narrow and small delta range along the sea; the last is coastal beach together with lagoons and bays which the outstanding ones are Vung Ang deep seaport and Thien Cam beach.

**Climate**

Situated in the tropical monsoon area, Ha Tinh is also affected by transitional climate of the North and the South with typical tropical climate characteristics of the South and a cold winter of the North, therefore, the climate here is very severe. Ha Tinh has two clear seasons in a year namely

Rainy season: The annual average rainfall is from 2,500 to 2650 mm. The last ten days of August and September and mid-month of November account for 54% of total rainfall in the year.

Dry season: It lasts from December to July of the next year. This is a scorching sun season with Southwest wind (flowing from Laos) which is dry, hot and high vapor.

**Natural resources**

Ha Tinh is characterized by long beach with abundant reserve of approximately 85.8 thousand tons of fish, 3.5 thousand tons of cuttle and 600 tons of shrimp. Ha Tinh has over 300,000 hectares of forest and forestland, in which forest area accounts for 66%. The remaining has no forest, including over 100,000 hectares of unoccupied land, bald hill, dust land and sand bank. Natural forest (164,978 hectares) is now mainly distributed in high mountainous area, far from traffic hubs, including 100,000 hectares and 63,000 hectares of production and business forest and protective forest, respectively. The forest coverage is 38% against the natural land area. Rich forest only accounts for 10%, the average forest accounts for 40% and the remaining (50%) is poor forest. Land area without forest is 151,000 hectares, accounting for 24.4% the province’s natural area in which some areas in hill sides are being eroded.

Ha Tinh is the home of Vu Quang National Garden which is 56,000 hectares with 307 tracheophyta under 236 branches and 99 families, 60 animal species, 187 bird species, 38 reptile species, 26 amphibious species and 56 fish species. Especially, Vu Quang forest is detected to exist Vu Quang ox or Asian unicorn and Muntiacus vuquangensis, which are unique species, not named in the animal list of the world.

**Population**

Ha Tinh is the home of 1,227,554 persons (population survey launched on 1st April 2009), reduced against the population survey in 1999 because a part of population removed to other localities to live, mainly the Southern provinces. There are over 20 ethnics living in Ha Tinh, mainly Kinh; other ethnics such as Chut, Thai, Muong, and Lao and so on live in districts of Huong Son, Vu Quang and Huong Khe with approximately several thousand of people living in the mountainous area.

**Traffic infrastructure**
- Road: There are 4 national highways and 27 provincial roads with total length of 387 km. If rural transportation road is accounted, total roadway length in the province is 2,917 km.

- Railway: Railway trespassing Ha Tinh is 70km long (through Duc Tho, Vu Quang and Huong Khe). There are many passenger and goods terminals, favorable for goods exchange of neighboring residential areas. However, traffic road from economic centers connecting to the railway is insufficient; hence, railway used to develop economic is limited.

**Nghe An Province**

Nghe An is the home of 1 subordinate city, 2 towns and 17 districts, 479 communal administrative units including 462 communes and wards and 17 towns.

**Geological position**

Nghe An has the largest area in Vietnam (16,487km²) under the North Central Region. The North borders with Thanh Hoa province, the South borders with Ha Tinh province, the west borders with Laos and the East borders with South China Sea. The Province’s administrative center is Vinh City.

**Climate**

Nghe An is situated in monsoon tropical climate area with 4 distinct seasons namely spring, summer, autumn and winter. The Province is affected by foehn wind, which is dry and hot from April to August in annual calendar. In winter, it is affected by the cold and wet Northeastern wind.

The annual average rainfall is 1,670 mm whereas the average temperature is 25.2 °C.

**Economic**

Currently, Nghe An’s industry development focuses in 3 areas including Vinh – Cua Lo, attaching with Southeastern Economic Zone, Hoang Mai area and Phu Quy area. It strives to develop many advantageous industries such as foodstuff – beverage processing industries, seafood processing, garment and textile, construction materials, mechanic, fine art and handicraft production, fine art stone and decorative stone processing, package, plastic and paper production, etc.

**Population**

Nghe An is the home of 3,113,055 persons (population survey launched on 1st April 2009), reduced against the population survey conducted in 2004 because a part of population removed to other localities to live, mainly the Southern provinces. Many ethnics are living in Nghe An such as Thai, Muong besides Kinh- the main ethnic.

**Traffic infrastructure**

Nghe An is an important traffic hub of Vietnam. It is recognized with developed and diversified traffic network, with road, railway, riverway, airport and seaports, which are properly established and distributed by residential areas and administrative and economic centers.
Roadway: In addition to the National Highways No. 7, 48, 46 and 15, there are 132 km of Ho Chi Minh road, trespassing the midland mountainous districts of the province.

Railway: 124 km, including 94km of North-South route with 7 stations which Vinh station is the main terminal.

Airway: Vinh airport with flights of Vinh – Da Nang, Vinh – Tan Son Nhat (and vice versa)

Sea ports: Currently, Cua Lo port can receive 1.8 thousand ton vessels favorably, acting as the international exchange center

International border gate: Nam Can and Thanh Thuy, Thong Thu border gate (Que Phong) which is planned to be available in the future.

**Power infrastructure**

Power source: Nghe An province receives the power source mainly from Hoa Binh Hydropower Plant to energize Hung Dong 220kV station through 220KV wirelines. The seven 110KV stations are mainly energized from Hung Dong station and partially from Thanh Hoa station. + Hydropower: Currently, Ban Canh hydropower plant in Ky Son district has capacity of 300 KW/h, voltage of 0.4/ 10 KV, energizing Ky Son district, combining with the national power grid through 35KV wireline of Cua Rao – Ky Son

Power grid system : Nghe An 110KV distribution grid system is mainly energized by 2 stations of Hung Dong and Thanh 220KV stations and 7 transformer stations of 110 KV/ 35/ 22/ 110 KV.

The system energizes through 35KV, 10KV, 22KV and 6 KV medium voltage power grids:

Power utilization situation: Up to now, 19/19 of districts, cities and towns use the national power grid.

Total communes, wards and towns accessing to power are 429/479, accounting for 91.47%, in which, number of energizing communes are 422/462; number of communes not accessing to power are 40/ 462. Percent of communes accessing to power is 90.78% of total communes.

- Number of households using power: Total number of households using power in the province: 598,585/ 626,999 households, accounting for 95.47% of energizing household against total households
- In which, rural households using power are 511.756/ 540,161 households, accounting for 94.74% of energizing household against total rural households

**Thai Binh Province**

Thai Binh has natural area of 1,545 km2, 7 districts and 1 city including 284 communes, wards and towns.

**Geological position**
This is a coastal province under Hong River Delta area, situated in the direct affected area of economic growth triangle of Hanoi, Hai Phong and Quang Ninh. The North borders with Hung Yen province, Hai Duong province and Hai Phong City. The West and Southwest border with provinces of Nam Dinh and Ha Nam. The East borders with Gulf of Tonkin.

**Climate**

Thai Binh is situated in the tropical monsoon climate. The annual average temperature is 23-24°C (the lowest is 4°C and the highest is 38°C). The annual average rainfall is 1,400mm – 1,800mm. Number of sunny hours in the year is about 1,600 – 1,800 hours. The average humidity is approximately 85-90%.

**Economic**

GDP in the province in 2008 was nearly 10,500 billion VND (CPI in 1994), it planned to achieve 11,900 billion VND in 2010; the average GDP growth rate was 11% in the period of 2006 – 2010.

Planned agriculture, forestry, fishery – industry, construction – service structures in 2010 were 34% - 33 % - 33%

Average GDP planned in 2010 was 11.2 million/person.

The industrial production value in 6 months in 2009 was expected to achieve 3322.3 billion VND, increasing 15.02% against the same period in 2008. Currently, the industrial parks in the province successfully attracted 127 projects, 102 completed projects had been put into operation with total investment capital of 4280.3 billion VND, attracting 31,514 labors.

Export turnover in the province should be 430 million USD, 950 million USD and 2300 billion USD in 2010, 2015 and 2020, respectively.

Total investment capital for social develop to 2010 was 27,550 billion VND.

Budget income in the first 6 months of 2009 increased 28% compared with the same period in 2008, expected to obtain 2,427 billion VND, accounting for 74.6% of estimates in the year.

**Population**

Population of Thai Binh in 2008 was approximately 1,827,000 persons mainly Kinh ethnics, in which rural population accounted for 94.2%, urban area made up 5.8%; population density was 1,183 persons/km2; average person was 3.75 persons/household; current rate of natural population development is 1.02%.

**Traffic infrastructure**

Roadway: The National Highway No. 10 accessing to Nam Dinh, the National Highway No. 39 connecting Hung Yen- Diem Dien and Hai Phong and the road 217 accessing to Hai Duong.

Waterway: Diem Dien is the national port which is being invested to receive the 1000 ton ships.

**Thai Nguyen Province**
Thai Nguyen has natural area of 356,282 hectares, 07 districts, 01 town and 01 city including 180 communes, wards and towns with 125/180 high and mountainous communes. The remaining are delta and midland communes.

**Geological position**

Thai Nguyen province’s North borders with Bac Kan province, the West borders with provinces of Vinh Phuc and Tuyen Quang, the East borders with provinces of Lang Son and Bac Giang and the South borders with Hanoi capital. Thanks to its geological position as one of the political, economical and education centers of Viet Bac region in particular and the Northeastern mountainous midland area in general, Thai Nguyen is the socio-economic exchange gateway between the mountainous midland area and Northern delta area. The exchange is conducted through sector-shaped roadway, railway and riverway systems which Thai Nguyen is the hub. Together with central position of Viet Bac, Thai Nguyen is also converging culture of ethnics in the Northern mountainous area, acting as a center of culture and education activities of the extensive mountainous area in the North.

**Climate**

In winter, climate in Thai Nguyen is divided into 3 clear areas:

- Colder area is situated in the North of Vo Nhai district.
- Medium cold area covers districts of Dinh Hoa, Phu Luong and the South of Vo Nhai district.
- Warm area covers districts of Dai Tu Thai Nguyen city, Dong Hy, Phu Binh, Pho Yen and Song Cong town.

The temperature varying between the hottest month (June: 28.9 °C) with the coldest month (January: 15.2 °C) is 13.7 °C. Total sunny hours in the year fluctuates from 1,300 to 1,750 hours and it is relatively even distributed to months in the year.

Climate in Thai Nguyen is divided into 2 clear seasons. The rainy season lasts from May to October and dry season last from October to May. The annual average rainfall is approximately 2,000 to 2,500 mm; the peak is August and the lowest one is January.

In general, climate in Thai Nguyen province is favorable for agricultural and forestry development.

**Economic**

GDP growth rate (according to the price in 1994) was 3,109.8 billion VND, increase of 12.37% against 2008, in which Industry and construction were 1,676 billion VND, increase of 11.2% against 2008, service was 1,304.8 billion VND, increase of 14.7% against 2008 and agriculture was 128.4 billion VND, increase of 5% against the same period in 2008.

GDP economic structure based on practical price: 7,018.4 billion VND was obtained in which Industry and construction were 3,353.2 billion VND, accounting for
47.77%; service industry was 3,290.6 billion VND, accounting for 46.9%; Agriculture was 374.6 billion, accounting for 5.33%.

The local production value of industry and small scale industry was 2,372 billion, achieving 105% of the province’s plan and 95% of plan, increase of 1.1% compared with the same period in 2008. The industrial production value in the locality obtained 6,579 billion VND, increase of 9.1% compared with the same period in 2008.

Budget collection was 380.1 billion VND, accounting to 152% of the province’s plan, increase of 30.3% against 2008.

Budget expenditure was 390.7 billion VND, accounting for 128% and 92% of the province’s plan and city’s plan.

Seed food output achieved 30,557 tons, accounting for 103.22% of the plan; cultivation and tea recovery covered 80 hectares, accounting for 100% of the plan; Number of buffalos were 6,532, accounting for 87.1% as planned; number of cows were 3,439, accounting for 76.4% as planned; number of pigs were 59,485, accounting for 98.5% as planned by the City; product value in one hectare of tea and fruit tree was 68.3% million VND, accounting for 113.8% as planned.

GDP per capita was 25 million VND/year (2009), accounting for 121.9% as planned (increase of 4.6 million VND against 2008).

**Population**

Population in Thai Nguyen province was 1,124,786 persons as recorded in the population survey launched on 1st April 2009. In Thai Nguyen, many ethnics are living, including 8 ethnics mainly Kinh, Tay, Nung, San Diu, H’Mong, San Chay, Hoa and Dao. Population is unevenly distributed, especially scattered in the high and mountainous areas, meanwhile population in city and delta is dense. The lowest population density is 72 persons/km² in Vo Nhai district, the highest one is 1,260 persons/km² in Thai Nguyen city. According to the general population and housing survey launched on 1st April 2009, in 10 years (1999-2009) the province’s population gained the average increase of 0.7%/year, lower than the average level of whole nation, i.e., 1.2% because many people removed to other provinces. There are 3 districts namely Dinh Hoa, Dai Tu and Phu Binh with negative population growth rate.

**Traffic infrastructure**

Thai Nguyen city is a traffic hub, trespassing by 3 national highways including: The National Highway No. 3 (access to Hanoi towards the South, access to Bac Kan towards the North), the National Highway No. 37 (access to Tuyen Quang towards the West, access to Bac Giang towards the East), the National Highway No. 1B (access to Lang Son). Moreover, in order to reduce density of vehicles accessing to the city center, bypass has been invested to construct. This road is now put into operation. Thai Nguyen city has two main railway systems namely Thai Nguyen – Hanoi and Luu Xa- Kep. The internal riverway system is not in used now.
It is the direct traffic hub with Hanoi capital with railway, riverway, the 80km long national highway No. 3, 50km far from Noi Bai International Airport.

Thai Nguyen is the gateway to the Northern provinces such as Cao Bang, Bac Kan, Ha Giang, Tuyen Quang, Lang Son, Bac Ninh and Bac Giang.

**Bac Giang Province**

Bac Giang has natural area of 3,823 km², 9 districts and 1 city including 229 communes, wards and towns.

**Geological position**

This province is located in the Northeast of the North; its East borders with Quang Ninh province, its North borders with Lang Son province, whereas its West borders with Thai Nguyen province and Soc Son district (Hanoi) and its South borders with Bac Ninh and Hai Duong.

**Climate**

Bac Giang is situated in the tropical monsoon climate of the Northeastern area. There are 4 seasons in a year. Cold winter, hot and wet summer, temperate climate in spring and autumn. The average temperature is 22 – 23°C. The humidity is remarkably changed from 73% – 87%. The annual rainfall is sufficient to supply water for production and life. Average number of sunlight hours is from 1,500 to 1,700 hours.

**Economic**

GDP growth rate (according to the price in 1994) was 3,109.8 billion VND, increase of 12.37% against 2008, in which Industry and construction were 1,676 billion VND, increase of 11.2% against 2008, service was 1,304.8 billion VND, increase of 14.7% against 2008 and agriculture was 128.4 billion VND, increase of 5% against the same period in 2008.

GDP economic structure based on practical price: 7,018.4 billion VND was obtained in which Industry and construction were 3,353.2 billion VND, accounting for 47.77%; service industry was 3,290.6 billion VND, accounting for 46.9%; Agriculture was 374.6 billion, accounting for 5.33%.

The local production value of industry and small scale industry was 2,372 billion, achieving 105% of the province’s plan and 95% of plan, increase of 1.1% compared with the same period in 2008. The industrial production value in the locality obtained 6,579 billion VND, increase of 9.1% compared with the same period in 2008.

Budget collection was 380.1 billion VND, accounting to 152% of the province’s plan, increase of 30.3% against 2008.

Budget expenditure was 390.7 billion VND, accounting for 128% and 92% of the province’s plan and city’s plan.

Seed food output achieved 30,557 tons, accounting for 103.22% of the plan; cultivation and tea recovery covered 80 hectares, accounting for 100% of the plan;
Number of buffalos were 6,532, accounting for 87.1% as planned; number of cows were 3,439, accounting for 76.4% as planned; number of pigs were 59,485, accounting for 98.5% as planned by the City; product value in one hectare of agricultural cultivation area was 53.2%, accounting for 113.8% as planned.

GDP per capita was 25 million VND/year (2009), accounting for 121.9% as planned (increase of 4.6 million VND against 2008).

**Population**

According to the population survey released in 1st April 2009, Bac Giang had 1,555,720 persons with population density of 407 persons/km2, 1.7 times higher than the average population of the whole nation. There were 26 ethnics living in Bac Giang, in which the most density ethnic was Kinh, accounting for 88.1% of population in the entire province, next was Nung, Tay, San Chay and San Diu, Hoa and Dao making up 4.5%, 2.6%, 1.6%, 1.2% and 0.5%, respectively.

### 3.3.2. The Socio-Economic Characteristics of Displaced Persons

#### Characteristics of population and households

The socio-economic survey was launched in places where D/L trespassed, including 155 communes under 38 districts under 05 provinces in the Project site, covering 100% DPs. Characteristics of surveyed households were as follows:

<table>
<thead>
<tr>
<th>Characteristics of population and households</th>
<th>Nghe An</th>
<th>Ha Tinh</th>
<th>Bac Giang</th>
<th>Thai Nguyen</th>
<th>Thai Binh</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average number of person in a household</td>
<td>4.0 persons</td>
<td>3.8 persons</td>
<td>4.1 persons</td>
<td>4.0 persons</td>
<td>3.5 persons</td>
</tr>
<tr>
<td>- Male</td>
<td>49.75%</td>
<td>49.54%</td>
<td>49.8%</td>
<td>49.7%</td>
<td>48.35%</td>
</tr>
<tr>
<td>- Female</td>
<td>50.25%</td>
<td>50.46%</td>
<td>50.14%</td>
<td>50.2%</td>
<td>51.65%</td>
</tr>
<tr>
<td>Age groups</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- 1 – 14 years old</td>
<td>23.5%</td>
<td>23.5%</td>
<td>23.3%</td>
<td>23.3%</td>
<td>20.7%</td>
</tr>
<tr>
<td>- 15 – 59 years old</td>
<td>63.8%</td>
<td>63.8%</td>
<td>67.0%</td>
<td>67.0%</td>
<td>66.3%</td>
</tr>
<tr>
<td>- Over 60 years old</td>
<td>12.7%</td>
<td>12.7%</td>
<td>9.8%</td>
<td>9.8%</td>
<td>13%</td>
</tr>
<tr>
<td>House owner</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Male</td>
<td>77.8%</td>
<td>77.8%</td>
<td>78.7%</td>
<td>78.7%</td>
<td>76.1%</td>
</tr>
<tr>
<td>- Female</td>
<td>22.2%</td>
<td>22.2%</td>
<td>21.3%</td>
<td>21.3%</td>
<td>23.9%</td>
</tr>
<tr>
<td>Education</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

All districts under 05 provinces of the Project area had at least one secondary school and 2-3 primary schools, 3-4 kindergartens in districts, and all communes had one primary school and 2-3 kindergartens.

<table>
<thead>
<tr>
<th></th>
<th>Nghe An</th>
<th>Ha Tinh</th>
<th>Bac Giang</th>
<th>Thai Nguyen</th>
<th>Thai Binh</th>
</tr>
</thead>
<tbody>
<tr>
<td>- High School</td>
<td>45</td>
<td>90</td>
<td>49</td>
<td>33</td>
<td>41</td>
</tr>
<tr>
<td>- Secondary School (10-12 classes)</td>
<td>193</td>
<td>405</td>
<td>226</td>
<td>181</td>
<td>272</td>
</tr>
<tr>
<td>- Primary school (5-9)</td>
<td>307</td>
<td>551</td>
<td>259</td>
<td>127</td>
<td>293</td>
</tr>
</tbody>
</table>
### Characteristics of population and households

<table>
<thead>
<tr>
<th>Classes</th>
<th>Nghe An</th>
<th>Ha Tinh</th>
<th>Bac Giang</th>
<th>Thai Nguyen</th>
<th>Thai Binh</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kindergarten (1-5 classes)</td>
<td>503</td>
<td>276</td>
<td>255</td>
<td>205</td>
<td>299</td>
</tr>
<tr>
<td>Reading/writing</td>
<td>91.2%</td>
<td>95.4%</td>
<td>93.4%</td>
<td>93.5%</td>
<td>95.0%</td>
</tr>
<tr>
<td>Illiteracy</td>
<td>4.8%</td>
<td>3.2%</td>
<td>3.7%</td>
<td>3.5%</td>
<td>3.0%</td>
</tr>
<tr>
<td>Never go to school</td>
<td>3.5%</td>
<td>2.4%</td>
<td>3.0%</td>
<td>2.6%</td>
<td>2.0%</td>
</tr>
</tbody>
</table>

#### Occupation

<table>
<thead>
<tr>
<th>Class</th>
<th>Nghe An</th>
<th>Ha Tinh</th>
<th>Bac Giang</th>
<th>Thai Nguyen</th>
<th>Thai Binh</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural</td>
<td>67.9%</td>
<td>63.5%</td>
<td>70.2%</td>
<td>66.5%</td>
<td>59.5%</td>
</tr>
<tr>
<td>Construction &amp; industry</td>
<td>13.7%</td>
<td>15.7%</td>
<td>15.9%</td>
<td>15.7%</td>
<td>24.1%</td>
</tr>
<tr>
<td>Service</td>
<td>18.4%</td>
<td>20.8%</td>
<td>13.9%</td>
<td>17.8%</td>
<td>16.4%</td>
</tr>
</tbody>
</table>

#### Average income of household/year (VND)

<table>
<thead>
<tr>
<th>Region</th>
<th>Nghe An</th>
<th>Ha Tinh</th>
<th>Bac Giang</th>
<th>Thai Nguyen</th>
<th>Thai Binh</th>
</tr>
</thead>
<tbody>
<tr>
<td>30,751,200</td>
<td>27,122,880</td>
<td>34,956,600</td>
<td>40,800,000</td>
<td>32,676,000</td>
<td></td>
</tr>
</tbody>
</table>

#### Income per capita/year (VND)

<table>
<thead>
<tr>
<th>Region</th>
<th>Nghe An</th>
<th>Ha Tinh</th>
<th>Bac Giang</th>
<th>Thai Nguyen</th>
<th>Thai Binh</th>
</tr>
</thead>
<tbody>
<tr>
<td>7,687,800</td>
<td>7,137,600</td>
<td>8,526,000</td>
<td>10,200,000</td>
<td>9,336,000</td>
<td></td>
</tr>
</tbody>
</table>

#### Utilities

<table>
<thead>
<tr>
<th>Feature</th>
<th>Nghe An</th>
<th>Ha Tinh</th>
<th>Bac Giang</th>
<th>Thai Nguyen</th>
<th>Thai Binh</th>
</tr>
</thead>
<tbody>
<tr>
<td>Household having qualified water source</td>
<td>87.4%</td>
<td>93.6%</td>
<td>92.3%</td>
<td>85.1%</td>
<td>99.3%</td>
</tr>
<tr>
<td>Household having qualified toilet</td>
<td>28.7%</td>
<td>24.9%</td>
<td>26.0%</td>
<td>33.7%</td>
<td>43.3%</td>
</tr>
<tr>
<td>Household to be energized</td>
<td>95.3%</td>
<td>99.3%</td>
<td>99.0%</td>
<td>98.1%</td>
<td>99.9%</td>
</tr>
<tr>
<td>Household not to be energized</td>
<td>4.7%</td>
<td>0.7%</td>
<td>1.0%</td>
<td>1.9%</td>
<td>0.1%</td>
</tr>
<tr>
<td>Household having reinforcement buildings</td>
<td>80.6%</td>
<td>77.9%</td>
<td>78.0%</td>
<td>61.7%</td>
<td>96.9%</td>
</tr>
<tr>
<td>Household having semi-reinforcement buildings</td>
<td>12.3%</td>
<td>12.7%</td>
<td>16.5%</td>
<td>25.6%</td>
<td>5.1%</td>
</tr>
<tr>
<td>Household having less reinforcement buildings</td>
<td>3.5%</td>
<td>5.4%</td>
<td>5.2%</td>
<td>4.5%</td>
<td>0.5%</td>
</tr>
<tr>
<td>Household having simple buildings</td>
<td>3.7%</td>
<td>4.0%</td>
<td>0.4%</td>
<td>8.2%</td>
<td>0.1%</td>
</tr>
<tr>
<td>Households with TV</td>
<td>83.9%</td>
<td>83.4%</td>
<td>91.6%</td>
<td>87.4%</td>
<td>89.5%</td>
</tr>
<tr>
<td>Radio</td>
<td>14.8%</td>
<td>16.6%</td>
<td>20.6%</td>
<td>15.9%</td>
<td>29.4%</td>
</tr>
<tr>
<td>Household with telephone set</td>
<td>39.1%</td>
<td>38.6%</td>
<td>45.4%</td>
<td>52.3%</td>
<td>44.9%</td>
</tr>
<tr>
<td>Computer</td>
<td>6.5%</td>
<td>6.1%</td>
<td>5.1%</td>
<td>10.7%</td>
<td>4.6%</td>
</tr>
<tr>
<td>Households with washing machine</td>
<td>6.5%</td>
<td>6.0%</td>
<td>5.4%</td>
<td>10.7%</td>
<td>6.8%</td>
</tr>
<tr>
<td>Households with refrigerator</td>
<td>17.6%</td>
<td>14.7%</td>
<td>24.5%</td>
<td>31.0%</td>
<td>23.3%</td>
</tr>
</tbody>
</table>
Characteristics of population and households

<table>
<thead>
<tr>
<th></th>
<th>Nghe An</th>
<th>Ha Tinh</th>
<th>Bac Giang</th>
<th>Thai Nguyen</th>
<th>Thai Binh</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Air conditioner</td>
<td>2.9%</td>
<td>2.1%</td>
<td>1.6%</td>
<td>3.4%</td>
<td>2.1%</td>
</tr>
<tr>
<td>- Households with</td>
<td>65.7%</td>
<td>63.7%</td>
<td>77.1%</td>
<td>75.0%</td>
<td>58.2%</td>
</tr>
<tr>
<td>motorbike</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Annual average</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>costs of one household</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Frequent costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Food and foodstuff</td>
<td>45.2%</td>
<td>45.2%</td>
<td>47.0%</td>
<td>47.0%</td>
<td>41.9%</td>
</tr>
<tr>
<td>- Fuel</td>
<td>3.4%</td>
<td>3.4%</td>
<td>3.6%</td>
<td>3.6%</td>
<td>2.7%</td>
</tr>
<tr>
<td>- Catering outside</td>
<td>5.7%</td>
<td>5.7%</td>
<td>5.0%</td>
<td>5.0%</td>
<td>6.6%</td>
</tr>
<tr>
<td>the family</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Drinking and smoking</td>
<td>2.3%</td>
<td>2.3%</td>
<td>2.2%</td>
<td>2.2%</td>
<td>2.2%</td>
</tr>
<tr>
<td>- Wearing</td>
<td>4.0%</td>
<td>4.0%</td>
<td>4.5%</td>
<td>4.5%</td>
<td>4.5%</td>
</tr>
<tr>
<td>- Power and water</td>
<td>3.2%</td>
<td>3.2%</td>
<td>3.1%</td>
<td>3.1%</td>
<td>4.0%</td>
</tr>
<tr>
<td>- Home appliances</td>
<td>8.0%</td>
<td>8.0%</td>
<td>8.7%</td>
<td>8.7%</td>
<td>8.8%</td>
</tr>
<tr>
<td>- Healthcare</td>
<td>6.0%</td>
<td>6.0%</td>
<td>5.4%</td>
<td>5.4%</td>
<td>7.0%</td>
</tr>
<tr>
<td>- Traveling/</td>
<td>10.7%</td>
<td>10.7%</td>
<td>13.3%</td>
<td>13.3%</td>
<td>13.2%</td>
</tr>
<tr>
<td>communication</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Education</td>
<td>8.5%</td>
<td>8.5%</td>
<td>5.1%</td>
<td>5.1%</td>
<td>6.7%</td>
</tr>
<tr>
<td>Sport and culture</td>
<td>0.4%</td>
<td>0.4%</td>
<td>0.5%</td>
<td>0.5%</td>
<td>1.5%</td>
</tr>
<tr>
<td>- Other services</td>
<td>1.5%</td>
<td>1.5%</td>
<td>1.5%</td>
<td>1.5%</td>
<td>2.0%</td>
</tr>
<tr>
<td>Cost percentage against</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>income</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Disabled person</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Blind</td>
<td>0.04%</td>
<td>0.03%</td>
<td>0.04%</td>
<td>0.05%</td>
<td>0.03%</td>
</tr>
<tr>
<td>- Deaf</td>
<td>0.13%</td>
<td>0.12%</td>
<td>0.09%</td>
<td>0.10%</td>
<td>0.13%</td>
</tr>
<tr>
<td>- Mental disorder</td>
<td>0.1%</td>
<td>0.12%</td>
<td>0.05%</td>
<td>0.02%</td>
<td>0.17%</td>
</tr>
<tr>
<td>- Handicapped</td>
<td>1.0%</td>
<td>0.98%</td>
<td>0.21%</td>
<td>0.18%</td>
<td>0.21%</td>
</tr>
<tr>
<td>• Veteran</td>
<td>5.13%</td>
<td>5.23%</td>
<td>2.13%</td>
<td>1.98%</td>
<td>2.67%</td>
</tr>
<tr>
<td>• Ethnic minorities in</td>
<td>1.28%</td>
<td>4.22%</td>
<td>11.9%</td>
<td>5.32%</td>
<td>0.01%</td>
</tr>
<tr>
<td>the Project site</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

There are 5,896 ethnic minority households (27,475 persons) belonging to ethnic groups of Thai, Tay, Nung, Dao, Tho and Cao Lan in the project area (in 38 districts under 05 provinces and cities) - See EMDP.

Healthcare

All districts in the project area have a district's general hospital and all communes are equipped with a communal clinical station.

The commune’s healthcare service often covers examination and treatment of simple diseases and obstetrics. The district’s hospital can examine and treat more serious diseases or cover simple surgery.
However, such service is not properly equipped with utilities and working conditions.

**Housing condition**

Vietnam standards on construction prescribe technical specifications of civil and industrial works. According to the characteristics, the housing conditions of the community in the Project area are listed as follows:

- House of grades 1 & 2: refers to reinforced house with modern interior furniture, separated toilet, living room, bedroom and bathroom. This house often exists in the center of city and town and it is unavailable in the area affected by the project.
- House of grade 3: refers to reinforced type with brick wall, reinforced concrete roof, tiled floor, normal interior furniture, accounting for approximately 30%.
- House of grade 4: refers to reinforced type with brick wall, tile roof or metal-sheet roofing, cemented or tiled floor, having no toilet inside the house. This type only accounts for 55%.

In addition to the above house types, there are many different houses not qualified with house of grade 4 in the project area, accounting for 15%.

Furthermore, there are many houses typed as tents with thatch roof, surrounded by bamboo. Simple construction works like camps, tent and sheep covered corral.

*(See Appendix 7 - House types as specified in Vietnam Standards on Construction).*

**Income**

<table>
<thead>
<tr>
<th>Income source</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary and wage</td>
<td>18.2%</td>
</tr>
<tr>
<td>Agriculture</td>
<td>40.78%</td>
</tr>
<tr>
<td>Forestry</td>
<td>9.29%</td>
</tr>
<tr>
<td>Fishery</td>
<td>36.67%</td>
</tr>
<tr>
<td>Service</td>
<td>10.6%</td>
</tr>
<tr>
<td>Others</td>
<td>0.84%</td>
</tr>
</tbody>
</table>

It is very difficult to determine exactly income and income source of DPs, hence, many DPs fail to self indicate their income and income source. Many DPs have income from a variety of source or mixed income source; their income changes as price fluctuation and agricultural harvest situation.

**Average income**

The socio-economic survey launched in 155 communes under 38 districts of the Project area in 05 provinces unveiled that the society’s average income in the Project area was approximately 33,261,336 VND/household/year or 8,577,480 VND/person/year.
3.4. Mitigation measures

3.4.1. Mitigation measures

Thanks to mitigation measures conducted right from the initial design period via community consultation and close cooperation with the local authorities and relevant stakeholders, the project's impacts are insignificant.

No DPs have real estate affected over 10% of their total ownership, therefore, no one is required to remove and resettlement area development is unnecessary.

All DPs- individuals, households and organizations who are permanently or temporarily affected by the Project are owner of land and property, and tenant in the safety corridor in the expected areas of column foundation and construction road.

3.4.2. Mitigation measures in the design phase

Transformer stations:

Transformer stations are installed in the pole with average height of 7m.

Road selection:

Road selection shall minimize the Project expenses and adverse impacts on community and local environment.

Following principles are complied with:

- Selected road is the shortest one with optimal station positions. Such roads are adjacent to the national highway to avoid land recovery for construction road and minimize expenses in construction, installation, operation and maintenance.

- The road should avoid trespassing or close to important works (such as petrol storage field, explosive warehouse and radio station), sensitive areas (such as historical and cultural relics, etc), protective forest and areas with high trees, sloppy sides and bypass are also avoided to reduce aggrandizement and angular piers.

During preparing the road map, NPC and the Consultant successfully studied various solutions in the map and field to select the best road.

In order to avoid effect on sensitive areas such as natural reserves, national gardens or architectural structures, some changes in road and some large angles of off-take are applied. In some cases, the angles of off-take are up to $35^0 - 85^0$, even in some special cases such angles can be $90^0$. Thanks to this, wireline must cross over the road at many positions to avoid impacts on the aforesaid areas.

Technical solutions

The applied average column gap is 100 - 120m for MV system. The pier foundation must be situated in unoccupied land.

The pier foundation area shall change in accordance with function and selected position. The foundation area changes from $3.2m^2 - 4.8m^2$ for medium voltage column.
The available channel and public road system are used to serve for construction transportation and the temporary construction road shall not be required.

3.4.3. **Mitigation measures in the construction phase**

During the detailed design phase, NPC and the Consultant shall launch road re-survey and adjust it, if necessary, to obtain the optimal results.

The feasible measures to be considered in the project construction phase are:

- Construction can be conducted right after harvesting crops and completing before the next crops. For such purpose, suitable work force and shifts can be calculated to shorten the temporary impact period.

- Worker camps during construction should be situated in the unoccupied land field, near the communal center. Camps should not be constructed in populated area.

  *(For more details, see section 6 of EMP)*
CHAPTER 4: COMMUNITY CONSULTATION AND INFORMATION DISCLOSURE

Information Disclosure

The drafts of “Policy framework” and “Benefit Matrix” are disclosed at PCs of 155 communes under 38 districts in the Project area.

Feedback of the local authorities and the RP are incorporated in this RP.

RP draft shall be disclosed at office of PPCs and Vietnam Development Information Center (VDIC) under WB office in Hanoi.

The final RP shall be reviewed by WB and ratified by PPCs.

4.1 Community meetings

In the period of project preparation (parallel with RP preparation), many community meetings were held in 155 communes in the project area by PMB and the Consultant. The meetings were attended by DPs and representatives of CPCs, relevant agencies and NGOs (women association, farmer association, veteran association, Fatherland Front, Youth Union and so forth) in which representatives of PMB explained about project-related issues such as Project investment funds, project objectives, project items and so forth.

Road plan draft was also presented in such meetings by discussion, public consultation and relevant agencies in the locality on the project’s possible impacts, project area selection, road selection, etc so that the selected roads and station position were within the minimum impact solution.

Through the community meetings organized in 155 communes involved in the project, questions of DPs on RP-related issues such as benefits, compensation and so forth had been explained by PMB and opinions of DPs including support for other affected assets such as trees, crops, etc with insignificant value were recorded.

Opinions of DPs in the project area:

- Power grid rehabilitation and expansion were warmly welcome by all local people, especially those who accessed to power but the service quality was still too low.
- DPs expected to be compensated with replacement price for the affected real estates and market price for temporarily affected crops.
- DPs expected to receive soon notice on project progress to have more time for site clearance preparation.

(See Appendix 4 - Sample community meeting minutes)

4.2 The socio-economic surveys

The socio-economic survey was launched by the Consultant and PMB by direct interview and filling in “Questionnaire” for 20% of DPs in the project areas.

(See Appendix 5 – Sample Questionnaires)
The survey team also delivered brochures of Q&A concerning RP-related issues, which were illustrated by ROW solutions and power-related accidents. 

(See Appendix 6 – Brochures)

“Benefit matrix” draft was copied and sent to the relevant stakeholders by NPC, including PPCs, relevant CRC of provinces/districts, relevant CPCs (listed in offices of relevant CPCs), Directors/ Chairman/ Secretary of NGOs, districts/communes (Women association, Farmer association, Veteran, Fatherland Front, Youth Union, etc), leader of the hamlets and DPs’ representatives.

4.3. Communication campaign and community consultation program

DPs and relevant stakeholders who are fully informed, consulted and participated shall (i) minimize potential conflicts, (ii) minimize project delay and, (iii) allow the project to prepare a resettlement and life recovery program like a comprehensive development program in accordance with DPs’ demand and priority, accordingly, to increase the socio-economic benefits of the project.

4.3.1. Objectives of community information mobilization campaign and DP consultation program:

- Every one is fully informed about the expected project area, project items, activities of the project and DPs.
- Information on DPs’ demand and preferences as well as their feedback to recommend policy and activities.
- Cooperation and engagement of DPs and community are obtained to serve for RP preparation and performance.
- Transparency is ensured in all activities relating to land recovery, resettlement and life recovery.

There are two periods in the mass information mobilization campaign and DP consultation.

4.3.2. Implemented activities during RP preparation phase

- RP planning and preparation periods includes road selection, population survey and inventory for DPs, affected assets and recognition of compensation, life recovery and removal strategies. Survey teams consulted DPs and local authorities on their opinion on road, potential adverse impacts, unit price in house construction and land price. CPCs were also consulted about public land which may be used in case of “land for land”.
- NPC sent the RP draft to PPCs and PCRC to review and contribute opinion.
- NPC also submitted the Benefit Matrix Draft to the relevant district’s CRC, Women Association, Fatherland Front, relevant communal farmer association.
- NPC requested the PPCs and relevant stakeholders to carefully review requirements on waiver, conformability in compensation, suggested benefit policy, RP expenses, HR, claim mechanism and unit price applied in the RP. Opinions of PPCs were forwarded to EVN in May 2009.
- RP draft was disclosed at office of People’s Committees in 05 provinces and Vietnam Development Information Center (VDIC) under WB office in Hanoi.
- All feedbacks of DPs, local authorities and relevant stakeholders were incorporated in the RP.

In this period, following activities were launched in turns:

Activity 1: Feedback of local authority on wirelines

After studying map and conducting market field trip, road was initially sketched in the 1/25,000 map by the Consultant. Such map was sent to all concerned local authorities. The local authorities agreed with the project road. Such activity happened on June and July 2010.

Activity 2: Survey on impacts and statistics

According to the agreed wirelines, the survey teams recognized road in the field and cooperated with the communal officials to prepare List of DPs (affected with land, buildings, trees, crops and so forth). The socio-economic survey sheet was delivered to 100% affected households. This activity was launched in July 2010.

Activity 3: Meeting with representatives of DPs

When survey was completed, the Consultant cooperated with the communal officials to organize meetings with DPs who had land and other assets situated in ROW and representatives of the village. In such meetings, the Consultant officially notified the participants about the project objectives, presented the detail of project impacts on land, crops, introduced RP objectives, principles and compensation policy and requested the local people not to build new structures in the project areas. DPs were consulted about benefits and compensation policy. DPs were also asked about their choice for compensation methods. Most of them selected the way of compensation in cash for land and other assets. They also proposed to receive full payment of compensation before site clearance with replacement price. They recommended to be clearly notified about the project progress.

Activity 4: Meeting with PPC

After the first survey of the first period, the Consultant worked with the relevant agencies and stakeholders of the province/district and province/district in the project areas. Accordingly, project purposes were clarified with PPCs/DPCs. The local officials were discussed about purposes and principles on site clearance; recommended policies of RP, legal and illegal issues, claim mechanism, etc. The Consultant also collected information about compensation unit price of the locality applicable for land, structures, perennial trees and crops.

The above activities were launched from the end of August 2010 by the Consultant’s survey teams. A meeting between NPC, the Consultant and relevant PPC/DPC was organized. The relevant issues were discussed, concretely agreement on selecting communes involving in the project, the project’s financial sources including compensation expenses. The Consultant’s representatives presented
database and RP policies to such PPCs and collected their comments and recommendations.

**Activity 5: Submitting RP draft and decentralized policy to the PPCs/DPCs for review**

The benefit matrix was submitted to the relevant local authorities in November 2010 for review and opinion contribution. NPC and the Consultant requested the PPCs/ DPCs and relevant stakeholders to carefully review requirements on waiver, conformability in compensation, suggested benefit policy, RP expenses, HR, claim mechanism and unit price applied in the RP draft. Opinions and comments of the relevant PPC would be submitted to EVN at the end of November 2010.

RP draft was sent to the offices of concerned PPCs and Vietnam Development Information Center (VDIC) under WB office in Hanoi.

**4.3.3. Activities to be launched when RP is released**

In this period, meetings would be organized by each commune. RP performance and life recovery activities include Implementing RPs, calculating benefits and paying compensation to DPs, completing the removal solutions, compensation and training methods, etc of DPs.

In this period, following activities were launched:

**Activity 1: CRC establishment, information popularization and HR training for CRC**

After loan agreement is signed, the first resettlement activity is to establish PPC, PCRC/DCRC. CRCs shall be provided with approved RPs by NPC, staffs of CRCs shall be trained about RP implementation contents and procedures. RIB is popularized to all DPs. Such activity happened on January 2011.

**Activity 2: DMS distribution and decentralization samples to DPs**

CRC shall conduct DMS and distribute decentralization samples of DMS to all DPs. List of DPs, affected assets and their benefits shall be sent to the communal head office. This activity was expected to be launched in November 2010.

CRC shall calculate benefits and popularize the benefit compensation samples to DPs. The benefit compensation samples shall be sent to the communal head office. This activity was expected to be launched at the end of January 2011.

Whenever RIB and benefit compensation samples are distributed to DPs, the district’s CRC and all communal authorities shall organize meeting in each commune once more to clarify RP policy to DPs. In such meeting, DPs can raise any questions about resettlement issues.

**Activity 3: Meeting with DPs regarding compensation payment**

After data on affected assets is available, CRC and communes shall organize meetings with DPs to introduce compensation prices for various affected assets. The
compensation price list shall be submitted to the head office of communal People’s Committee.

At the meeting, DPS can give out comments about the released compensation price, non-agreement on compensation price shall be concerned and reviewed.

DPs who agree with the compensation price for their assets shall sign in the compensation sheet sample. Disagreement shall be recorded and reported to the competent authorities.

In a next meeting, DP shall be informed about time, location and method of compensation methods applied for affected assets. The meeting may be conducted in the early of February 2011.

Activity 4: Notice about activity schedule to local authority

The local authority and DPs shall be notified about schedules, construction methods as well as RP implementation schedule by NPC.

The local authority, the communes and district’s CRC must closely operate to ensure that all DPs are fully informed about compensation schedule and RP/project performance schedule.

4.4. Resettlement Information Book (RIB)

In order to ensure that DPs, their representatives and concerned local authorities are fully aware about the RP, NPC shall compose RIB and distribute it to all DPs in the project area right from the first period. RIB includes following information:

Basic features:
- Project description;
- Designed Project Objectives;
- Implementation plan;
- Project’s impacts;
- Conditions for compensation and recovery, policy on benefit for DPs;
- Units –in charge for resettlement;
- Information disclosure and consultation of DPs;
- Claims and disputes;
- Inspection and evaluation of RP implementation.

Specific benefits of RP:
- Description of the project's detail activities to certain households;
- Compensation unit prices for each type of impact;
- Benefit transfer date.
CHAPTER 5: IMPLEMENTATION

5.1 Project performance methods

5.1.1 Notification to DPs

All DPs shall be carefully notified about RP’s benefits and polices, including compensation conditions, benefit policies, compensation method and price, schedule and rights of claims and denouncing. RIB shall be prepared and distributed to DPs or presented in meetings held at districts and communes by PMB; RIB is also listed in the administrative areas of communes and school.

Public notification is conducted right after the project is approved by the Government and WB. Main features of RIB are described in section 4.4, Chapter 4.

5.1.2 Compensation deadline:

Compensation payment for land and buildings must be conducted at least 5 months before site clearance; whereas, compensation payment for trees, crops and allowances/supports must be launched at least 1 month before the date of land recovery.

Regarding DPs, the local authority, NPC and PMB must effectively assist them to buy the residential land, construct houses and ensure that: Site clearance is only conducted when DPs completely construct their house in the new resettlement area.

However, in this project, no impacts on residential land and structure are available, hence, no DPs have to remove.

5.1.3 Resettlement and site clearance period

DPs who have affected houses and land and receive all compensations and allowances are required to remove out of affected house or conduct site clearance at least 15 working days before construction.

5.2 RP implementation process

RP and EMDP implementation includes three activities as follows:

i. General activity: Right after the project is prepared, works should be commenced.

ii. Separated activity: At some moments, each activity for each component of the project.

iii. Continuous activity: The next activity for RP implementation periods.

5.3 Necessary activities

5.3.1 Activity 1

Right after the loan agreement is signed, NPC and PMB shall select and sign contract with an independent qualified supervisor.

Notes: The available provincial and district CRCs relating to the Project.
5.3.2 Activity 2

CRC conducts DMS and statistics of affected assets (based on surveys of this RP). Unit prices applied for RP are evaluated and put forward to PPC for adjustment (if any) to ensure DPs are compensated at replacement price at the date of RP launch by the independent supervisor and other relevant units.

5.3.3 Activity 3

Right after completing DMS and statistics surveys, CRC shall check and determine number of official DPs, affected assets and total compensation expenses for DPs.

5.3.4 Activity 4

CRC shall announce the RP policies and schedules to DPS at community meetings, including issues relating to compensation, resettlement and site clearance.

5.3.5 Activity 5

Compensation payment is conducted for buildings/structures to support DPs who have affected buildings/structures, and DPs who have other affected assets are compensated.

DPs who have more than 10% of total production land or affected income shall be supported for recovery. They shall be assisted to train or offered with technical assistance in the agricultural/agricultural career programs (TA). Allowance worth 700,000 VND/person/main labor shall be directly forwarded to the training institution or TA. In addition, an amount worth 800,000 VND shall be given to learners during training (total 1,500,000 VND for each learner).

The training outlines or TA programs are prepared by NPC or the Consultant during RP implementation. Such outlines are developed in accordance with the results of consultation with the local authority and engagement of DPs. The outlines also cover possibility of learners to find a job after training. The outline shall be forwarded to IDA for agreement.

(However, no DPs have more than 10% of total production land or income affected by the project in long-term. In fact, rate of long-term affected production land is negligible, approximately 1.17%).

5.3.6 Activity 6

During project performance, PMB and the independent supervisor shall supervise/inspect all activities of RP implementation and life recovery programs.

5.4. Implementation schedule

One of terms of the RP is that RP shall be launched in accordance with the set procedures to ensure safety for site clearance and construction performance.

The implementation progress must ensure the synchronization between RP implementation and construction commencement: compensation progress is compatible with construction progress. Compensation payment must be completed before launching the project’s items.
Following is the recommended project performance schedule:

Schedule for PMB and CRC of the project:

1. Establish CRC of the Project (available)
2. Review and approve RP by relevant WB/PCs October 2010
3. Negotiate (GOV and WB) October 2010
4. Take effect November 2010
5. Start information disclosure December 2010
6. Start implementing DMS works January 2011
7. Pay compensation expense February 2011

Schedule for RPs:

1. Declare quantity and status of assets January 2011
2. Start compensation and site clearance February 2011

Bidding:

Start bidding of equipment and construction February 2011

Construction:

February 2010 – October 2011

Inspection:

June 2010 – March 2012

NPC, PMB and the Consultant discussed about the RP implementation schedule as mentioned above, in which it took into consideration the number of affected communes in each district, unexpected impacts besides the resettlement and possibility on implementing parallel activities.

All RP activities must be completed before the subprojects are approved by WB. Any changes for RP after WB approval must be reviewed and ratified by WB office in Hanoi.

5.5. Manpower for RP launch

5.5.1 Recommended manpower for RP launch:

<table>
<thead>
<tr>
<th>No.</th>
<th>Unit</th>
<th>Number of employees</th>
<th>Working hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>NPC PMB</td>
<td>5</td>
<td>3 months</td>
</tr>
<tr>
<td>2</td>
<td>Local PMB</td>
<td>10</td>
<td>3 months</td>
</tr>
<tr>
<td>2</td>
<td>Provincial CRC</td>
<td>1 x 5</td>
<td>3 months</td>
</tr>
<tr>
<td>3</td>
<td>District CRC</td>
<td>1 x 38</td>
<td>3 months</td>
</tr>
<tr>
<td>4</td>
<td>Communal People's Committee</td>
<td>1 x 155</td>
<td>3 months</td>
</tr>
<tr>
<td>5</td>
<td>The Consult</td>
<td>15</td>
<td>3 months</td>
</tr>
</tbody>
</table>
PMB of NPC for the available RE subprojects:
The local PMB (Rural Power Management Board)
The district and provincial CRC for rural power management

The independent supervisor must assign the qualified officials to be able to respond to requirements on WB’s independent inspection as scheduled. This unit must undertake the works right after launching RP until completion. The inspection is required to conduct through 6 months after completing the RP implementation to launch survey on satisfaction level of DPs. It is expected to release 01 initial report, 04 progress reports and 01 summary report. These reports shall be composed by the independent supervisor.

5.5.2 Training and conference

In order to successfully and favorably implement RP, before implementing RP, the training course and conferences should be organized for officials to implement the RP. The training courses and conference shall be organized by PMB with the technical assistance with WB’s resettlement officials. The training and conference objectives are to guide all employees of the relevant agencies and bodies relating to requirements of RP implementation procedures such as supervision, evaluation, report preparation and database management.

The intermediate training course and elementary training course are expected to organize in the initial period of RP implementation.

A conference is expected to organize for officials relating to RP implementation at the period of compensation payment.

The training courses and conference are held in each province in a short time: about 1-2 days. Number of trained officials is as follows:

<table>
<thead>
<tr>
<th>No.</th>
<th>Unit</th>
<th>Number of employees</th>
<th>Training contents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Intermediate training</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1</td>
<td>PMB of NPC</td>
<td>10</td>
<td>- DMS, benefit determination</td>
</tr>
<tr>
<td>1.2</td>
<td>Local PMB</td>
<td>10</td>
<td>- Main RP policies</td>
</tr>
<tr>
<td>1.3</td>
<td>Provincial CRCs</td>
<td>10</td>
<td>- Mechanism on claim/ dispute settlement</td>
</tr>
<tr>
<td>1.4</td>
<td>District CRC</td>
<td>2 x 38</td>
<td>Internal check and external check</td>
</tr>
<tr>
<td>1.5</td>
<td>The Consult</td>
<td>15</td>
<td>and RP implementation evaluation</td>
</tr>
</tbody>
</table>
No. | Unit | Number of employees | Training contents |
---|---|---|---|
2 | Elementary training | 2 x 155 | - Detailed measurement, inventory and survey |
2.1 | Communal officials | 15 | - Main RP policies |
2.2 | Internal inspector | | - RP implementation supervision and evaluation |
 | | | - Community engagement and consultation |
 | | | - Claims |

**Notes:**

The communal officials as mentioned above are land surveyor and one official of Department of Labor and Social Affairs.

The external independent supervisors are regarded as the professional organizations in terms of launching the RP and they are not required to train.

### 5.6. Claims and disputes

The project’s impact level is insignificant and entire RP implementation program is conducted with DPs’ participation, hence, hopefully, no claims shall not happen. However, in order to ensure the DPs to have place to settle their claims (relating to compensation and resettlement), the claim settlement procedures are successfully set up. The purpose is to feedback against DPs’ claims in a prompt and transparent manner. The mechanism is developed in accordance with the convenient, transparent and fair regulations. By settling claims at the project level, the project progress may be more stable.

Claim procedures are as follows:

**Step 1 – Communal level:**

If any one claims about any problems in the resettlement and life recovery program, he may put forward such claim in writing or oral to the communal authority. In case of oral claim, such claim shall be recorded and settled by the communal authority. The communal People’s Committee shall settle the problem within 15 working days since the date of receiving claim.

**Step 2 – District level:**

If claimer is not satisfied with decisions in Step 1, his claim may be submitted to district CRC. Within 15 working days since the date of receiving the decision in step 1, the district CRC shall make decision relating to claims.

**Step 3 – Provincial level:**
If claimer is not satisfied with decisions in Step 2, his claim may be submitted to the provincial CRC. Within 15 working days since the date of receiving the decision in step 2, the provincial CRC shall make decision relating to claims.

According to the Decree No. 197/2004/ND-CP (Article 39), DPs are entitled to claim to CRC or the corresponding PCs. Obligations, time and claim settlement procedures must comply with Article 138 of Law on Land and Articles 162, 163 and 164 of Decision No. 181/2004/ND-CP dated 29th December 2004 of the Government on implementing Law on Land.

Step 4 – Claims at the court

If DPs are not satisfied with decisions in Step 3, his claim may be submitted to the district’s court in accordance with “Civil Procedure Code”. Within 15 working days since the date of receiving the decision in step 2, the problems must be freely settled in the district’s court. Judgments of the court shall be legal basis for compensation.

DPs may claim about any problems of the resettlement and life recovery program, including recommended compensation price.

The claim procedures are publicized to DPs through community meetings and at offices of RBs.

This information is recorded in RIB to popularize to RPs before commencement.

Figure 5.6 - Claim process

5.7 Inspection and supervision

RP implementation must be inspected and supervised by NPC and PMB in combination with the local PC.

The independent consultant shall be selected to undertake supervision tasks.

The selected supervisor shall sign contract with PMB right after RP is approved and inspection and supervision activities are implemented when commencement period is initiated.

5.7.1 Internal inspection

The internal inspection and supervision includes following activities:

- To inspect number of population and socio-economic surveys for DPs; to check statistics on DPs' asset, status, job and living conditions; to supervise the compensation, resettlement and life recovery implementation for DPs in accordance with conditions acceptable to DPs.
- To check whether the compensation and resettlement implementation is implemented as directed by DPs or not.
- To check availability and quality of replacement land area
- To check effectiveness of resettlement implementation and compensation funds
- To investigate fair evaluation on claims
The internal inspection unit prepares the quarterly detailed reports on RP implementation progress. Such reports shall be forwarded to the authorities at suitable levels, the World Bank (WB) and external supervisor.

5.7.2 External supervision

In addition to evaluating the quarterly reports, the investigations are prepared and implemented similar to the internal audit by the independent internal officials. The independent external supervisor is responsible for:

- Reviewing compensation unit prices applied for RP; inspecting field to ensure that the compensation expenses corresponding to the replacement value when RP starts to be launched, or vice versa, recommending NPC and PPC for adjustment.
- Evaluating DMSs and benefits for DPs
- Evaluating the Project’s socio-economic impacts for DPs.
- Supervising RP implementation to achieve RP’s objectives, especially “improving or at least maintaining income and living conditions of DPs after resettlement”.
- Recommending the necessary amendments for the RP to obtain the RP’s objectives
- Giving out recommendations to improve the RP program
- Closely inspecting the compensation activities and being always available for claims
- Preparing the semi-annual report to submit to PMB and WB, the suitable authorities at levels and representatives of DPs
- Designing the summary document sets after RP is completed in 6 months. Such document set includes: RP detailed evaluation and RP implementation; the document also covers DPs’ interview on their status after being compensated and resettled as well as opinions of DPs
- Finally, according to the RP implementation experience background, such document must give out recommendations to improve RP effectiveness and future RPs.

Terms of Reference (TOR) for independent audit are composed and submitted to WB by NPC to gain agreement before inviting the independent supervisor.
CHAPTER 6: BUDGET AND EXPENSES

6.1. Budget

Budget for RP implementation shall be taken from the corresponding capital source of EVN, Northern Power Corporation (NPC) acts on behalf of EVN to pay RP implementation expenses for medium voltage part (including the external management, training, conference and inspection activities).

6.2 Calculation of compensation expenses

Estimates of compensation expenses for buildings, construction works, agricultural land, forest land, cultivated land, perennial trees and crops, which are temporarily and permanently affected, are based on:

- Decree No. 197/2004/ND-CP dated 3rd December 2004 of the Government on compensation, support and resettlement when land is reclaimed by the State.
- Surveys on replacement price and market price for structures, land and trees are conducted by the Consultant during inspection.
- Decision on compensation unit price promulgated by PPCs of Nghe An, Ha Tinh, Bac Giang, Thai Binh and Thai Nguyen.

6.3 Calculation of RP expenses

RP expenses include:

RP preparation
- All works at the office such as design research, preparing statistics, survey templates;
- Surveys: Population survey and statistics, the socio-economic survey

The survey is conducted in the 2 periods namely The initial period (for composing the RP) and implementation period (DMS- when starting the project and implementing the RP).

Compensation and recovery
- Compensation for permanently reclaimed land;
- Compensation for temporarily or permanently affected trees and crops (including cost for cutting trees down);
- Compensation for buildings and structures to be removed out of ROW area (including damage and repair expenses).
- Support and allowance for life recovery, including: displacement support, transportation allowance, training support, etc

Management
- Expenses for employees of PMB and CRC include: expenses for minimum requirements, salary and allowance for administrative organizations PMBs and
CRCs must cover many works during project performance and only some persons are entitled to sign the labor contract within a certain period of time.

- Expenses for training, conference, communication campaign, etc

**Inspection and supervision**

When the project is performed, PMB of NPC shall contract with an independent external supervisor to cover the external inspection. Expenses for jobs not to be done are not estimated in details, expected 2% of total expenses for compensation and RP preparation. The independent supervisor shall prepare the technical and financial drafts for bidding; the practical expenses shall be determined through the bidding results.

**Provision**

From experience of the implemented projects and on-going projects, provisions is estimated to be 20% of total expenses for compensation and RP preparation.

### 6.4 Total provisional expenses for RP performance

#### 6.4.1 RP and DMS preparation

**The initial phase – RP preparation**

In the initial phase of RP preparation, the socio-economic survey team shall be established. Such team shall undertake:

a) Research on design drawings and field trip;

b) Preparation of socio-economic survey templates (interview) and statistics samples (with basic measurements on fixed assets and asset calculation);

c) Organization of meetings and community consultation and distribution of project-related documents such as: Leaflets, Q&A sheets, etc

d) The socio-economic survey by using Questionnaires and direct interview.

e) Data processing;

f) RP preparation for approval

PMB signed the contracts with the Consultant to conduct the above works for each province. The contract value is as follows:
- Nghe An Province 65,603,201 VND
- Ha Tinh Province 76,472,949 VND
- Bac Giang Province 43,437,055 VND
- Thai Binh Province 35,226,848 VND
- Thai Nguyen Province 22,986,014 VND

**Total:** 243,726,067 VND

**Implementation phase - DMS**

In order to launch the RP, the CRC's assistance groups of districts are mobilized to:

a) Prepare DMS and statistics templates, RIB;
b) Organize the community meetings;
c) Conduct DMS and statistics works;
d) Negotiate with DPs;
e) Complete the compensation and life recovery templates of DPs and submit to the district’s CRC for approval.

**Assistance group:** Each district is provided with 03 assistants.

Total employees of the assistance groups are

3 persons x 38 districts x 3 months x 26 days = 10,260 man-days.

Total expenses for implementation period (estimated to include expenses for basic salary, allowance, accommodation and traveling of employees, printing templates, Q&A templates, leaflets and organizing the community consultation meetings): 1,778,400,000 VND.

**Total expenses for the RP**

- The initial phase (RP preparation) 243,726,067 VND
- Implementation phase (DMS) 1,778,400,000 VND

Total expenses for the RP preparation 2,022,126,067 VND

**6.4.2 Compensation and life recovery**

As mentioned in the previous chapters, when the project is launched, no land, buildings or structures are affected. Therefore, no DPs are required to remove. Accordingly, allowances, support and so forth are not covered in the compensation expenses. Expenses for the Project’s compensation include:

- Compensation for permanently occupied land
- Compensation for crops and trees in the permanently and temporarily occupied land.
**Table 6.4.2a: Summary of compensation expenses for permanently occupied land area**

<table>
<thead>
<tr>
<th>No.</th>
<th>Province</th>
<th>Paddy field land (crop)</th>
<th>Hill land (forest)</th>
<th>Total (VND)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Area (m²)</td>
<td>Unit price (VND/m²)</td>
<td>Amount (VND/m²)</td>
</tr>
<tr>
<td>1</td>
<td>Nghe An</td>
<td>5,424</td>
<td>38,000</td>
<td>206,112,000</td>
</tr>
<tr>
<td>2</td>
<td>Ha Tinh</td>
<td>5,280</td>
<td>35,202</td>
<td>185,866,560</td>
</tr>
<tr>
<td>3</td>
<td>Bac Giang</td>
<td>2,013</td>
<td>40,000</td>
<td>80,520,000</td>
</tr>
<tr>
<td>4</td>
<td>Thai Binh</td>
<td>1,356</td>
<td>34,000</td>
<td>46,104,000</td>
</tr>
<tr>
<td>5</td>
<td>Thai Nguyen</td>
<td>2,529</td>
<td>37,000</td>
<td>93,573,000</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td></td>
<td><strong>16,602</strong></td>
<td></td>
<td><strong>6,616</strong></td>
</tr>
</tbody>
</table>

**Table 6.4.2b: Summary of compensation expenses for affected trees and crops:**

<table>
<thead>
<tr>
<th>No.</th>
<th>Province</th>
<th>Rice</th>
<th>Maize</th>
<th>Longan, orange and mango</th>
<th>Eucalyptus, acacia</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Quantity(m²)</td>
<td>Unit price (VND/m²)</td>
<td>Amount (VND)</td>
<td>Quantity(m²)</td>
<td>Unit price (VND/m²)</td>
</tr>
<tr>
<td>1</td>
<td>Nghe An</td>
<td>17,266</td>
<td>3,000</td>
<td>51,798,000</td>
<td>10,528</td>
<td>1,200</td>
</tr>
<tr>
<td>2</td>
<td>Ha Tinh</td>
<td>8,895</td>
<td>3,000</td>
<td>26,685,000</td>
<td>94</td>
<td>1,200</td>
</tr>
<tr>
<td>3</td>
<td>Bac Giang</td>
<td>17,494</td>
<td>3,000</td>
<td>52,482,000</td>
<td>1,200</td>
<td>0</td>
</tr>
<tr>
<td>4</td>
<td>Thai Binh</td>
<td>11,373</td>
<td>3,000</td>
<td>34,119,000</td>
<td>1,200</td>
<td>0</td>
</tr>
<tr>
<td>5</td>
<td>Thai Nguyen</td>
<td>13,456</td>
<td>3,000</td>
<td>40,368,000</td>
<td>1,200</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td></td>
<td><strong>68,484</strong></td>
<td></td>
<td><strong>10,622</strong></td>
<td></td>
<td><strong>2,786</strong></td>
</tr>
</tbody>
</table>

*(For details, refer to Appendix 8)*
6.4.3 Management:

Management

Expenses for employees of PMB and CRCs include: expenses for minimum requirements, salary and allowance for administrative organizations. PMBs and CRCs must cover many works during project performance and only some persons are entitled to sign the labor contract within a certain period of time.

Number of employees involving in the implementation is as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Number of Employees</th>
<th>Man-day Months</th>
</tr>
</thead>
<tbody>
<tr>
<td>PMB</td>
<td>5 persons x 3 months</td>
<td>15 man-day months</td>
</tr>
<tr>
<td>Provincial CRC</td>
<td>5 persons x 3 months</td>
<td>15 man-day months</td>
</tr>
<tr>
<td>CRCs of districts</td>
<td>(1x38) employee x 3 months</td>
<td>114 man-day months</td>
</tr>
<tr>
<td>Communal People's</td>
<td>(1x155) persons x 3 months</td>
<td>465 man-day months</td>
</tr>
<tr>
<td>Committees</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>609 man-day months</td>
</tr>
</tbody>
</table>

Notes:

The positions as mentioned above are not required to cover full-time work during RP implementation. Therefore, man-day month is temporarily calculated for the practical working time of the implementation position during the process. It is noticeable that positions of PMB may extend the working period to 6 months after the subprojects are completed in combination with the independent supervisors.

Total management expenses (including basic salary, traveling allowances, meeting and administrative expenses): 1,055,600,000 VND.

Training, conference, communication campaign, etc

Right after the RP is initiated, it is expected to organize an elementary training course, intermediate training course and a conference when compensation payment is made in practice. In order to facilitate the local leaders relating to the project, the training courses and conference shall be organized in short term, lasting from 1 to 2 days in each province.

Total expenses for training and conference (including technical assistance, documents and administrative expenses) are 500,000,000 VND.

6.4.4 Supervision

The independent supervision for RP implementation is estimated to account for 2% of total expenses for compensation and RP preparation. The concerned independent supervisor shall prepare the technical and financial drafts for bidding; the practical expenses shall be determined by the contractor.
6.4.5 Provision

Rate of expected provision is approximately 20% of total expenses for compensation and RP preparation.

6.4.6 Total expenses for RP performance

Table 6.4.6 - Total expenses for RP performance

<table>
<thead>
<tr>
<th>No.</th>
<th>Work items</th>
<th>Nghe An Province</th>
<th>Ha Tinh</th>
<th>Bac Giang</th>
<th>Thai Binh</th>
<th>Thai Nguyen</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>RP preparation and DMS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The initial phase (RP preparation)</td>
<td>65,603,201</td>
<td>76,472,949</td>
<td>43,437,055</td>
<td>35,226,848</td>
<td>22,986,014</td>
<td>243,726,068</td>
</tr>
<tr>
<td></td>
<td>Implementation phase (DMS)</td>
<td>468,000,000</td>
<td>374,400,000</td>
<td>327,600,000</td>
<td>327,600,000</td>
<td>280,800,000</td>
<td>1,778,400,000</td>
</tr>
<tr>
<td></td>
<td><strong>Subtotal 1</strong></td>
<td>533,603,201</td>
<td>450,872,949</td>
<td>371,037,055</td>
<td>362,826,848</td>
<td>303,786,014</td>
<td>2,022,126,068</td>
</tr>
<tr>
<td>2</td>
<td>Compensation and life recovery</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Permanently occupied production land</td>
<td>250,824,000</td>
<td>199,204,536</td>
<td>106,650,000</td>
<td>46,104,000</td>
<td>111,093,000</td>
<td>713,875,536</td>
</tr>
<tr>
<td></td>
<td>Affected trees and crops</td>
<td>225,741,600</td>
<td>42,892,800</td>
<td>749,532,000</td>
<td>34,119,000</td>
<td>172,788,000</td>
<td>1,225,073,400</td>
</tr>
<tr>
<td></td>
<td><strong>Subtotal 2</strong></td>
<td>476,565,600</td>
<td>242,095,938</td>
<td>856,182,000</td>
<td>80,223,000</td>
<td>283,881,000</td>
<td>1,938,948,936</td>
</tr>
<tr>
<td>3</td>
<td>Management</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Management</td>
<td>275,600,000</td>
<td>254,800,000</td>
<td>182,000,000</td>
<td>213,200,000</td>
<td>130,000,000</td>
<td>1,055,600,000</td>
</tr>
<tr>
<td></td>
<td>Training, conference, communication</td>
<td>100,000,000</td>
<td>100,000,000</td>
<td>100,000,000</td>
<td>100,000,000</td>
<td>100,000,000</td>
<td>500,000,000</td>
</tr>
<tr>
<td></td>
<td>campaign, etc</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Subtotal 3</strong></td>
<td>375,600,000</td>
<td>270,000,000</td>
<td>282,000,000</td>
<td>313,200,000</td>
<td>230,000,000</td>
<td>1,555,600,000</td>
</tr>
<tr>
<td>4</td>
<td>Independent supervision = 2% (1+2)</td>
<td>20,203,376</td>
<td>13,859,378</td>
<td>24,544,381</td>
<td>8,860,997</td>
<td>11,753,340</td>
<td>79,221,472</td>
</tr>
<tr>
<td>5</td>
<td>Standby expense = 20% (1+2)</td>
<td>202,033,760</td>
<td>138,593,777</td>
<td>122,721,905</td>
<td>88,609,970</td>
<td>117,533,403</td>
<td>669,492,816</td>
</tr>
<tr>
<td></td>
<td><strong>Total(1+2+3+4+5)</strong></td>
<td>1,608,005,938</td>
<td>1,115,422,042</td>
<td>1,656,485,341</td>
<td>853,720,815</td>
<td>946,953,757</td>
<td>6,265,389,291</td>
</tr>
</tbody>
</table>
### APPENDIX

<table>
<thead>
<tr>
<th>1. Project area map</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Benefit matrix</td>
</tr>
<tr>
<td>3. Minutes on wireline and transformer station position agreement</td>
</tr>
<tr>
<td>4. Community meeting minutes</td>
</tr>
<tr>
<td>5. Sample questionnaires</td>
</tr>
<tr>
<td>6. Sample “RIB”</td>
</tr>
<tr>
<td>7. Building category (Vietnam Construction Standard)</td>
</tr>
<tr>
<td>8. Statistics of affected households</td>
</tr>
<tr>
<td>9. Policy framework on compensation and resettlement</td>
</tr>
</tbody>
</table>
APPENDIX 1

PROJECT AREA
## ANNEX 2: ENTITLEMENT MATRIX

<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>
</table>
| 1  | Temporary acquisition of productive land in ROW                              | All DPs have trees, crops, other assets in ROW                               | DPs with/without land certificate included in the inventory or able to prove land occupancy prior to cut-off date. | - 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.  
- No compensation for land  
- Rehabilitate land after the project construction. | - 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.  
- PMU 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.  
- Full compensation at least 01 month before land clearance. Payment to DPs will be delivered by PMU 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. |
<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>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>- MPU and local authorities determine and ensure that compensation for trees will be at the replacement cost. If DP is requested for cutting affected trees, PMU 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></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></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>
<td></td>
</tr>
</tbody>
</table>
| 3   | Temporary impact on residential and garden land. Partial house/building within ROW (area in ROW less than 10% of total area) and | All DPs have house/building and trees/fruit trees in ROW                                                                                     | -do-                        | **House/ building:**  
- 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. Subsidy allowance for fireproof materials and lightning arrestors for the existing house/building; or  
ii) Cash                                                                 | - MPU and local authorities determine and ensure that compensation will be paid at the replacement cost, without deduction for salvageable materials.                                |
<p>|     |                                                                               |                                                                                                                                             |                             | 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. | - DPs will demolish the impacted part/ room and                                                                                                   |</p>
<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>
</table>
| 1  | the demolished area does not impact to the remaining house/building. |                                                                              | compensation for the directly affected rooms at the replacement cost and cost for demolishing an affected room.                                                                                             | reconstruct/or improve their houses themselves.  
- Full compensation for trees and fruit trees at least 01 month before land clearance. If DP is requested for cutting affected trees, PMU or project provinces will pay money for this work. DP has right for using salvageable trees. |
| 2  | Residential land and garden land outside of ROW is sufficient for re-organizing (not less than 60 m²). |                                                                              | Tree and fruit tree  
- Compensation for affected trees and fruit trees at the replacement cost.  
Allowances:  
- Relocating allowance of 30 kg of rice equivalent per person per month in six months.                                                                 |                                                                                                                                                      | - Full entitlement payment to DPs impacted on house/building at least 03 months before land clearance.  
- Payment to DPs will be delivered by PMUs and/or DRCs  
- Land in ROW could be used with restricted purposes.  
- Finance available for compensation and well information disclose/disseminate to DPs and all key stake holders. |
| 3  | Temporary impact on residential and or garden land. Impact more than 10% of total house/building area but the demolished area will impact to the remaining All DPs have house/building and trees/fruit trees in ROW | -do-                                                                          | House/ building:  
- Consultation for DP’s options on remains their house in ROW or move out of ROW.  
- PCs and local authorities determine and ensure that compensation will be replacement cost at the time of payment.  
- DPs will demolish the impacted areas and reconstruct/or improve their houses themselves. |
<table>
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<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>
</table>
|    | of house/structure. Land outside of ROW is sufficient for reorganizing (not less than 60 m²). | All DPs have house/building and trees, fruit trees in ROW | and demolish DP’s house in ROW.  
- No compensation for land.  
- Rehabilitate land after the project construction by contractors.  
**Tree and fruit tree**  
- Compensation for affected trees and fruit trees at the replacement cost. | - 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.  
Full compensation payment for impacted house and allowances to DPs at least 03 months before land clearance. | - 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.  
Full compensation payment for impacted house and allowances to DPs at least 03 months before land clearance. |
|    | 4 | Allowances: | - Relocation allowance of 30 kg of rice equivalent per person per month in six months. |
|    | 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) | 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. Subsidy allowance for fireproof materials and lightning arrestors for the existing house/building;  
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 demolished and reconstructed or improved. | - 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  
- DPs receive compensation will demolish the impacted house areas and reconstruct/or improve | - Payment to DPs will be delivered by PCs and DRCs  
- Cleared residential could be reused with other restricted purposes.  
- Finance available for compensation/rehabilitation and well information disclose/disseminate |
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<th>Implementation Issues</th>
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<td>be obtained by local authorities; or ii) “Land for land” with the same area which DP occupied and cash at replacement cost for the affected assets associated with land. Land occupied by DP will be obtained by local authorities. - Compensation for affected trees and fruit trees at the replacement cost. <strong>Allowances:</strong> - Relocating allowance of 30 kg of rice equivalent per person per month in six months - Transportation allowance for relocating DP according to the Compensation Decree 197/2004/ND-CP dated Dec 3rd, 2004 of GOV.</td>
<td>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 PMU and DRCs - Cleared residential could be used with other restricted purposes. - Finance/ land available for rehabilitation and restoration and well information disclose/disseminate to MPU and key stake holders..</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td>- Rehabilitation assistance if DPs permanently losing business or more than 10% of their incomes. - Incentive for relocating in a timely manner: maximum 5,000,000 VND/HH</td>
<td>- PMU and local authorities will consult with DP who are eligible to restoration programs for their options and prepare proposal for restoration programs in the period of RAP implementation.</td>
<td></td>
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<td></td>
<td>Permanent acquisition of land for <strong>tower foundations</strong>, substation and access roads etc.</td>
<td>All DPs occupied land and properties associated with land permanently impacted by towers</td>
<td><strong>For DP losing productive land:</strong> <em>Land loss less than 10% of their total landholdings</em> - 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</td>
<td>- Consultation for DP’s options on land compensation. - PMB and local authorities determine and ensure that compensation will be at replacement cost at the time of payment. - Replacement land, and resettlement sites development. - DPs receiving compensation will demolish the</td>
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<tr>
<td>№</td>
<td>Type of loss</td>
<td>Application</td>
<td>Definition of entitled DPs</td>
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</table>
|   | foundations, substation and access roads etc.                               |                                                                            | economically viable.                                                                     | - Cash compensation for properties associated with land  
*Land loss equal or more than 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 trees and affected fruit trees at the replacement cost.  
- Rehabilitation assistance.  
- If remaining land is sufficient for reorganizing (not less than 60 m²): Cash compensation for lost area and assets associated with land.  
- If remaining land is not sufficient for reorganizing:  
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 impacted areas and reconstruct/or improve their houses themselves.  
- *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.*  
- Full compensation for impacted house and allowances to DPs at least 05 months before land clearance.  
- No award civil work contract before completion of compensation and reorganizing houses or relocation.  
- Payment to DPs will be delivered by PMB and DRCs  
| 6  |                                                                             |                                                                            | - Finance/ land available for compensation/ rehabilitation and well information disclose/disseminate.  
- PMU 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.  
- PMU will be granted with Land Use Right Certificate  
Without payment of administrative fees.                      |                                                                                                                                                                                                 |                                                                                                                                                                                                 |
<table>
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<th>№</th>
<th>Type of loss</th>
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<th>Implementation Issues</th>
</tr>
</thead>
</table>
| 7  | DP impacted on business or other     | All DPs impacted on business and other services                             | -do-                       | (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.                     | - Full compensation for incomes lost to DPs at least 01 month before land clearance.  
- PMB 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. |
|    | services                              |                                                                             |                            |                                                                                                                                                      |                                                                                                                                                                                                                      |
| 8  | Public Work                          |                                                                             |                            |                                                                                                                                                      |                                                                                                                                                                                                                      |
|    | Temporary Impacts                    | All impacted institutional DPs (who directly manage and operate such impacted public work system) | All impacted institutional DPs shall be approached in advance for cooperation for impact mitigation measure as well as measure for maintaining the normal functioning of their impacted system by the Contractor (s) | Alternative measures to maintain the normal functional of the public work (i.e road, water supply, drainage system, telephone line ect)  
Reinstatement after the project construction  
All expense on alternative measures to maintain the normal functioning of the impacted system shall be born by Contractor (s) | Contract (s) with Contractor (s) should bear one article on this specific responsibility of the contractor (s)  
Approach for institutional DPs for cooperation  
Arrange and pay the expenses for alternative measures to maintain the normal functioning of the impacted system to the satisfaction of the institutional DPs.                                                                                   |
|    | Permanent Impacts                    | -do-                                                                        | -do-                       | Alternative measures to maintain the normal functional of the public work (i.e road, water supply, drainage system, telephone line ect) | -do-  
Complete the work for “alternative solution” prior to commencement of the project work.                                                                                                                                  |
APPENDIX 3

SAMPLE MINUTES ON WIRELINE AND TRANSFORMER STATION AGREEMENT
APPENDIX 4

SAMPLE COMMUNITY MEETING MINUTES
APPENDIX 5
SAMPLE QUESTIONNAIRES
APPENDIX 6
SAMPLE “RIB”
ANNEX 7: TYPE OF HOUSE (VIETNAM CONSTRUCTION STANDARDS)

<table>
<thead>
<tr>
<th>Categories</th>
<th>Time for using</th>
<th>Level of fire preventive</th>
<th>Conveniences</th>
<th>Perfected lever</th>
<th>Electric-water supplied</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>More than 100 years</td>
<td>I or II</td>
<td>Bedroom, sitting room, dining room, kitchen, complete bathroom.</td>
<td>High perfection, having decorated materials</td>
<td>Comfortable</td>
</tr>
<tr>
<td>2</td>
<td>50 – 100 years</td>
<td>III</td>
<td>Bedroom, sitting room, dining room, kitchen, complete private bathroom.</td>
<td>Fairly perfection, having decorated materials</td>
<td>Comfortable</td>
</tr>
</tbody>
</table>
| 3          | 20 - 50 years     | IV                       | ● Bedroom, sitting room, dining room, kitchen  
● Common Bathroom | average                  | average                  |
| 4          | Less than 20 years | V                        | ● 1-2 rooms is public. Common kitchen and bathroom. | Below average                                           | Only electric lights, water supply for kitchen and common bathroom. Using poor materials. |

Temporary

There is no main standard for temporary house/structures. But, we can understand that these house/structures will be constructed by material with low value as woods, bamboo… which means: cottage or poor quality brick, mortar, scrap iron.
APPENDIX 8

STATISTICS OF AFFECTED HOUSEHOLDS
ANNEX 9

POLICY FRAMEWORK

Socialist republic of Vietnam

Rural energy II project
Policy framework for compensation, resettlement and rehabilitation of project affected persons

Attachment to ministry of industry’s Decision
Number:

July, 2007
Table of contents

Section 1: Introduction
The project
Policy framework
Project affected people
Principles and objectives
Inventories
Resettlement action plan

Section 2: institutional and legal framework
institutional framework
Legal framework

Section 3: Entitlement Policy

Section 4: Site selection, site preparation, and relocation

Section 5: people participation

Section 6: baseline information
inventories
Resettlement action plans

Section 7: Implementation arrangement
Implementation schedules
Complaints and Grievances
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.

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):

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

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

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.

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.

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

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.

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.

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

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

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 RPs will be carried out.

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, 3 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

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

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. 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.

17. 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.


Decree 197/2004/ND-CP issued on December 3, 2004 on 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 25th 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.

18.1 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.
18.2 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
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.

20. 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 3$^{rd}$ 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”.

THANG LONG POWER DEVELOPMENT JOINT STOCK COMPANY
22.2 Article 18 (item 3, 4) and Article 20 (item 2, 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.


24.1 Article 21: This article state that the DP who rent GoV house and has to be relocated by shelf 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 state 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:

DPs losing agricultural/productive land and crops

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.

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.

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

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.

DPs losing residential land and house/structure

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 DPs’ choice; and (2) cash compensation reflecting full replacement cost of the house/structures, without deduction for depreciation or salvage materials or compensate in kind according to DPs’ options.

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.

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.
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.

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.

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 Annex 1)

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 resettlers' 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:
   - number of persons and names;
   - number, type, and area of the houses lost;
   - number and area of all the residential plots lost;
   - number, category and area of agricultural land lost;
   - quantity and types of crops and trees lost;
   - businesses lost including structures, land and other fixed assets;
   - productive assets lost as a percentage of total productive assets;
   - quantity and category of other fixed assets affected by each sub-Project;
   and
   - Temporary damage to productive assets.

   The proposed census and inventory form is attached (see Annex 2)

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. (see annex 3)

36. The entitlements of DPs will be calculated based on the above information (see annex4).
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 experienced 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 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:

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 .

Oversee that the RPs are implemented as designed and approved.

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.

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:

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

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

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

COSTS 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
3. Annex 3: Socio-economic form of Project Affected People
4. Annex 4: Entitlement 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.