ETHNIC MINORITIES DEVELOPMENT PLAN

(EMDP)

(Final Draft)

VIETNAM - EMERGENCY NATURAL DISASTER RECONSTRUCTION PROJECT

Ninh Thuan Subproject

August, 2017
ETHNIC MINORITIES DEVELOPMENT PLAN
(EMDP)

VIETNAM - EMERGENCY FLOOD DISASTER RECONSTRUCTION PROJECT

Ninh Thuan Subproject

REPRESENTATIVE OF CLIENT                CONSULTANCY AGENCY

AUGUST, 2017
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<tr>
<td>AHs</td>
<td>Affected Households</td>
</tr>
<tr>
<td>PMU</td>
<td>Project Management Unit</td>
</tr>
<tr>
<td>PC</td>
<td>People’s Committee</td>
</tr>
<tr>
<td>CARB</td>
<td>Compensation, Assistance and Resettlement Board</td>
</tr>
<tr>
<td>DMS</td>
<td>Detailed Measurement Survey</td>
</tr>
<tr>
<td>DOLISA</td>
<td>Department of Labor, War Invalids and Social Affairs</td>
</tr>
<tr>
<td>ENDR</td>
<td>Emergency Natural Disaster Reconstruction</td>
</tr>
<tr>
<td>EM</td>
<td>Ethnic Minority</td>
</tr>
<tr>
<td>EMDP</td>
<td>Ethnic Minorities Development Plan</td>
</tr>
<tr>
<td>IMA</td>
<td>Independent Monitoring Agency</td>
</tr>
<tr>
<td>LURC</td>
<td>Land Use Right Certificate</td>
</tr>
<tr>
<td>MOLISA</td>
<td>Ministry of Labor, War Invalids and Social Affairs</td>
</tr>
<tr>
<td>OP</td>
<td>World Bank’s Operational Policy</td>
</tr>
<tr>
<td>RPF</td>
<td>Resettlement Policy Framework</td>
</tr>
<tr>
<td>RAP</td>
<td>Resettlement Action Plan</td>
</tr>
<tr>
<td>EM</td>
<td>Ethnic Minority</td>
</tr>
<tr>
<td>SC</td>
<td>Site Clearance</td>
</tr>
<tr>
<td>WB</td>
<td>World Bank</td>
</tr>
<tr>
<td>ODA</td>
<td>Official Development Assistance</td>
</tr>
<tr>
<td>VND</td>
<td>Vietnam dong</td>
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Ethnic Minorities Development Plan – Ninh Thuan Subproject

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>SVB</td>
<td>State of Vietnam Bank</td>
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<tr>
<td>PC</td>
<td>People’s Committee</td>
</tr>
<tr>
<td>EMPF</td>
<td>Ethnic Minorities Policy Framework</td>
</tr>
<tr>
<td>EMDP</td>
<td>Ethnic Minorities Development Plan</td>
</tr>
<tr>
<td>EM</td>
<td>Ethnic Minority</td>
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</tbody>
</table>
GLOSSARY

Project impacts
Means positive and negative impacts on EMs caused by all project components. Adverse impacts are often consequences immediately related to the taking of a parcel of land or to restrictions in the use of legally designated parks or protected areas. People directly affected by land acquisition may lose their home, farmland, property, business, or other means of livelihood. In other words, they lose their ownership, occupancy, or use rights, because of land acquisition or restriction of access.

Affected People
Refers to individuals, organizations that are directly affected socially and economically by the project. This could be as a result of involuntary taking of land and other assets that results in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location. Mandatory land acquisition includes ownership when the owner has given permission and has benefited from ownership/residence in another area. In addition, affected person is one for whom involuntary restriction of access to legally designated parks and protected areas result in adverse impacts on livelihoods; however, the project also takes consideration into both negative and positive indirectly affected groups. In addition, displaced person is one for whom involuntary restriction of access to legally designated parks and protected areas that result in adverse impacts on livelihoods also.

Indigenous Peoples
Equivalent with *ethnic minority peoples* in Viet Nam to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identify by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, social, economic, social or political institutions that are separate from those of the dominant society and culture; and (iv) an indigenous language, often different from the official language of the country or region.

Vulnerable groups
People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits, include: (i) women headed household (single, widow, disabled husband) with dependents, (ii) disables (loss of working ability), the elderly alone, (iii) poor household, (iv) the landless, and (v) ethnic minority groups.
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Culturally appropriate</td>
<td>Means having regard for all facets of the cultures, and being sensitive to their dynamics.</td>
</tr>
<tr>
<td>Free, prior and informed consultation</td>
<td>Refers to a culturally appropriate and collective decision-making process subsequent to meaningful and good faith consultation and informed participation regarding the preparation and implementation of the project. It does not constitute a veto right for individuals or groups.</td>
</tr>
<tr>
<td>Collective attachment</td>
<td>Means that for generations there has been a physical presence in and economic ties to lands and territories traditionally owned, or customarily used or occupied, by the group concerned, including areas that hold special significance for it, such as sacred sites. “Collective attachment” also refers to the attachment of transhumant/nomadic groups to the territory they use on a seasonal or cyclical basis.</td>
</tr>
<tr>
<td>Customary rights to lands and resources</td>
<td>Refers to patterns of long-standing community land and resource usage in accordance with Ethnic Minority Peoples’ customary laws, values, customs, and traditions, including seasonal or cyclical use, rather than formal legal title to land and resources issued by the State.</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

Vietnam Emergency Natural Disaster Reconstruction Project– Ninh Thuan province subproject comprises of 03 components. In the first 18-month period, the Subproject will prioritize 03 works items including repairing and upgrading of Dinh river, embankments to protect Ba Rau residential area and the residential area on 02 banks of Lu river, Ninh Phuoc district.

Items of the Subproject carried out in the first 18 months will cover 03 communes/wards, including 02 communes (including Loi Hai, Thuan Bac district and Phuoc Dan town, Ninh Phuoc district) with EMs (Cham and Raglay people) affected by the project implementation. Items affecting EM people consist of:
- Construction of anti landslide embankment to protect Ba Rau residential area, Thuan Bac district (Raglay people)
- Construction of protection embankment for residential area on 02 banks of Lu river, Ninh Phuoc district (Cham people)

Ethnic Minorities Development Plan.

Screening results in the Subproject area found out the presence of (Ethnic Minority) EM community according to characteristics defined in OP/BP 4.12 and regulations of the Government.

Concerning programs, 02 EMDPs will be developed for Ninh Thuan province subproject, of which 01 EMDP will be carried out in the first 18 months and the other is set for the remaining items.

Affected EMs in the Subproject area reside in 02 communes of Loi Hai and Phuoc Dan town where the mainly affected people are Raglay and Cham communities. Work items of the Subproject will be conducted in the first 18 months with estimation of 68 EM households to be affected 5,960 m² of land by permanent land acquisition for works construction.

Positive and negative impacts

Positive impacts:

The ENDR Project – Ninh Thuan subproject will repair, overcome and upgrade infrastructures for production (irrigation works, dykes, river and sea embankments, irrigation canals, domestic water supply, etc.) to recover the production, ensure safety for people and assets as well as reduce risks caused by natural disasters.

After rehabilitating roads, bridges, etc. Smooth transport will be provided to people; goods exchange and production improvement, creating favorable conditions for urgent rescue for local people in flooding and drought areas in the case of natural disasters and storms.

It is estimated that about 29,600 households (equivalent to 124,491 people) living in the subproject areas of Ninh Thuan will be beneficiaries from aforesaid rehabilitated and restored works. In addition, agricultural production organizations in the location will be benefited from the project thanks to rehabilitated irrigation infrastructures; then, travelling time and costs in the location are reduced owning to improved transport works.

Negative impacts:

According to initial screening results, the project implementation will directly cause impacts on land and assets of 68 EM households with a total affected land area of 5,960 m², including 3,576 m² of residential land area and 2,384 m² of agricultural land area. Of these 68 affected EM households, 28 households are severely affected with more than 10% of affected cultivating land. No household has residential land, households and structures affected. Apart from impacts from land acquisition, local people in the Project area, including EMs will be bore potentially negative effects during construction. These impacts are identified as follows:

- Potentially temporary effects on livelihood and income of households: land, agricultural activities
Ethnic Minorities Development Plan—Ninh Thuan Subproject

- Obstruction on roads in the process of construction.
- Material and waste disposal transportation may break infrastructures.
- Increase in social evils because of a large number of workers gathering at the site.

Mitigation measures guide affected EMs to select crop varieties that have growth duration suitable to the construction schedule; raise community awareness of traffic safety and social evils prevention during the construction period; ensure contractors measures for transporting materials and restore the affected infrastructure to its original conditions.

Legal Framework of EMDP. The legal framework and policies for preparation and implementation of this EMDP has been determined by the relevant laws, decrees and circulars of the Government of Viet Nam (GOV) for the minority community and in compliance with the policy on Indigenous Peoples (OP/BP 4.10) of the World Bank (WB).

Gender. The social assessment results show that with regards to public services access, there is no discrimination or obstruction to men or women in their access to healthcare, education as well as social and cultural institutions, but there is a tradition that bans female family members the right to inherit land, which denies women accessibility to this key asset.

Information Disclosure and Public Consultation. The public consultation with the EM communities in the subproject area was conducted in March and April 2017 to assess the impact on livelihoods and determine the action/mitigation measures to meet the needs of the community. The consultation results are incorporated in this EMDP. The process of consultation and information disclosure will continue to be conducted during the rest of the project implementation. Consultations with the EM communities, also informed about the benefits brought by the subproject, and adverse impacts that negatively affect people in the area. EM communities in the subproject area confirmed the EM peoples’ broad support to the subproject implementation.

Implementation Arrangements. Ninh Thuan Provincial People's Committee (PPC) on behalf of the Government is the Project Owner. Ninh Thuan PPC is responsible for the entire project. Ninh Thuan Agriculture and Rural Development Project Management Unit (PMU), was established to coordinate the project implementation. Ninh Thuan PMU is responsible for the overall implementation of EMDP prepared under the sub-project and ensuring that all project stakeholders understand the purpose of EMPF, and how EMDP for each sub-project are prepared and approved prior to implementation.

Grievance Redress Mechanism. The complaints resolution mechanism for the EM people will be conducted through the grievance redress mechanism applicable and established to the whole project. However, if local leaders could provide support or guidance for conflict resolution, the traditional procedures for these cases would be taken into account.

Monitoring and Evaluation. The implementation of the EMDP will be monitored and guided on a frequent basis by Ninh Thuan PMU. The independent monitoring reports of EMDP implementation will be submitted in biannual basis to the World Bank.

Activities proposed to ensure the EMs benefit from project investments expected to boost the farming activities, and business, training courses will be designed that (i) are accessible and content culturally appropriate curriculum for the EM peoples; and (ii) support women to participate to reach at least 30% of the participants.

Budget. EMDP will be implemented as a standalone program. The total cost estimates for the implementation of EMDP is VND 432,000,000, equivalent to US $18,989 (exchange rate VND 22,750 = US$ 1). The cost of compensation and assistance for the temporary impacts on livelihoods is included in the total project cost.
I. INTRODUCTION

1.1. General Context

1. The Government of Vietnam received a loan from the World Bank for Vietnam Emergency Natural Disaster Reconstruction Project including Ha Tinh, Quang Ngai, Binh Dinh, Phu Yen and Ninh Thuan provinces (hereafter called the ENDR1). The project has been implemented to rebuild priority infrastructure works in some flood-damaged provinces in 2016 and to strengthen capacity to effectively respond to future disasters in five provinces. The project will benefit affected persons by natural disasters, including the poor, women and ethnic minorities, by improving access to essential infrastructure and services and increasing adaptation capacity as well as supporting for agricultural production through improvement of irrigation works. Specific investment items by the project have been currently identified with the objectives without causing serious negative social impacts.

2. The project will be implemented from 2017 to 2020 with total fund of US $118 million, of which IDA loan is US $118 million, including 03 components: 1) Resilient Reconstruction of Flood Damaged Infrastructure; 2) Disaster Recovery Capacity Enhancement 3) Project Management;

3. The Project Development Objective is to reconstruct infrastructure assets in the project areas. The PDO will be achieved by rebuilding key infrastructure assets based on a “build back better” approach emphasizing all stages of infrastructure lifecycle including design, construction and maintenance and strengthening institutional capacities for climate and disaster risk management.

4. Specific objectives of the Project include:
   - Repairing, improving and upgrading of production infrastructure (including irrigation works, dykes, river embankments, sea embankments, irrigation canals, domestic water supply, etc.) in order to restore production, protect lives and property of the local people, reduce risks caused by natural disasters.
   - Overcoming damages on traffic infrastructure to facilitate travel, business and production development of the people, facilitate transportation of rescue forces, materials and equipment for emergency rescue for local people in flooded and drought areas in case natural resources and floods in the region.
   - Support for capacity strengthening of the Client in the project implementation.

1.2. Vietnam - Emergency Natural Disaster Reconstruction Project – Ninh Thuan Subproject

5. Vietnam Emergency Natural Disaster Reconstruction Project – Ninh Thuan Subproject has been implemented in Ninh Son, Ninh Thuan and Thuan Hai districts of Ninh Thuan province, at locations affected by disaster, in which, the project focuses on rehabilitation of essential infrastructure works to ensure life, restore production and ensure smooth transportation.

6. It is estimated that about 29,600 households (equivalent to 124,491 people) living the project districts of Ninh Thuan province will benefit directly from the reconstruction and rehabilitation of works of the subproject. Besides, agricultural production organizations in the region will also benefited from the Subproject thanks to improved irrigation works; saving time and cost of travelling in the project area thanks to improved traffic works.

7. According to preliminary estimation, total estimated investment capital of the Subproject is US $18.1 million. Of which:
   (i) Preferential credit loans (IDA) from the World Bank: US $16 million; and

Vietnam Emergency Natural Disaster Reconstruction Project – Ninh Thuan Subproject consists of such components as follow:

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1 English name of the Project: Vietnam Emergency Natural Disaster Reconstruction Project (hereafter called ENDR).
Component 1: Resilient Reconstruction of Flood Damaged Infrastructure and disaster prevention in the future

This subcomponent will implement rehabilitation of 6.6 km of anti landslide embankment, and solidification of 72 km of canal, construction of residential water supply and irrigation system through 07 subprojects.

b. Subcomponent 1.3: Transport (estimated cost of US $ 6.10 million)
This Subcomponent will finance for rehabilitation, reconstruction of damaged road with total length of L=18.7km, restoration and new construction of 07 works on streams.

Component 2: Capacity Building

8. To well manage construction works and improve the effectiveness of disaster prevention activities, the Project will finance a budget from the counterpart fund of the province to carry out some activities including training, capacity building, community communication and initial costs for O & M activities. These activities will support the sustainable operation and management of works in the future.

9. In addition, the World Bank also commits to find a number of non-refundable aids to carry out a number of research, capacity building and training activities to promote the effectiveness of funded works of the Project. The details of this component will be clarified during the preparation phase of feasibility study report.

Component 3: Project Management

10. The objective of this component is to provide support for effective project implementation, including project auditing, monitoring, and mid-term and end-term evaluation, supply of equipment and technical assistance to the PMU during the project implementation process and individual consultancy services and PMU operating costs. This component will also provide reports and project management support to other components. It will provide institutional support and capacity building for project management, coordination, review and evaluation of technical, environmental and social safeguards aspects and project evaluation monitoring. This component will provide workshops to enhance the awareness of management officials and community-related to natural disasters. On the other hand, this component will also provide budget support for key project officials, including project managers, construction engineers and specialists in the field of natural disaster risk management, compliance monitoring, finance, bidding and other related fields of the Project. These key staff will be hired under Time and Scheduled Contracts of the Project.

Table 1: Estimated Invested Works of Ninh Thuan Province Subproject

<table>
<thead>
<tr>
<th>TT</th>
<th>NAME OF WORKS</th>
<th>WARDS/COMMUNES</th>
<th>DISTRICTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>WORKS PRIORITIZED IN THE FIRST 18 MONTHS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Construction of protection embankment of Dinh river, Phuoc Son commune, Ninh Phuoc district</td>
<td>Phuoc Son commune</td>
<td>Ninh Phuoc</td>
</tr>
<tr>
<td>2</td>
<td>Construction of protection embankment of Ba Rau residential area, Thuan Bac district</td>
<td>Loi Hai commune</td>
<td>Thuan Bac</td>
</tr>
<tr>
<td>3</td>
<td>Construction of protection embankment of residential area on 02 banks of Lu river, Ninh Phuoc district</td>
<td>Phuoc Dan town</td>
<td>Ninh Phuoc</td>
</tr>
<tr>
<td>B</td>
<td>REMAINING WORKS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Construction of protection embankment of Ong river, Tan Son town,</td>
<td>Tan Son town</td>
<td>Ninh Son</td>
</tr>
</tbody>
</table>
### Table 1: Names of Works

<table>
<thead>
<tr>
<th>TT</th>
<th>NAME OF WORKS</th>
<th>WARDS/COMMUNES</th>
<th>DISTRICTS</th>
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</thead>
<tbody>
<tr>
<td>5</td>
<td>Solidification of 2, 3-leveled canal system at Ta Ranh reservoir, Ninh Phuoc district</td>
<td>Phuoc Thai commune</td>
<td>Ninh Phuoc</td>
</tr>
<tr>
<td>6</td>
<td>Solidification of 2, 3-leveled canal system at Tan Giang reservoir, Ninh Phuoc district</td>
<td>Phuoc Huu commune</td>
<td>Ninh Phuoc</td>
</tr>
</tbody>
</table>

#### 1.3. Scope of EMDP

11. **Vietnam Emergency Natural Disaster Reconstruction Project (ENDR) – Ninh Thuan Subproject** consists of 4 components with 6 work items. During the first 18-month period, the Subproject will take priority over 3 26 works items under the Flood Prevention and Irrigation Sub-components.

12. Regarding the programs and policies on indigenous people, two EMDPs will be developed for Ninh Thuan Subproject, of which one EMDP will be developed for works items prioritized within the first 18-month period and the other will be developed for the remaining works items.

![Figure 1: Location of prioritized works within the first 18-month period](image)

**Item 1:** Embankment of Dinh river

**Item 2:** Embankment of Bo Rau stream

**Item 3:** Embankment of Lu river
<table>
<thead>
<tr>
<th>No.</th>
<th>NAME OF WORKS</th>
<th>WARDS/COMMUNES</th>
<th>DISTRICTS</th>
<th>SCOPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Construction of protection embankment of Dinh river, Phuoc Son commune, Ninh Phuoc district</td>
<td>Phuoc Son commune</td>
<td>Ninh Phuoc district</td>
<td>Construction of embankment to protect lives, properties, crops, public works (especially the 500 KV line) during wet seasons when the provincial road 708 can be potentially affected. L=1,373 m</td>
</tr>
<tr>
<td>2</td>
<td>Construction of protection embankment of Ba Rau residential area, Thuan Bac district</td>
<td>Loi Hai commune</td>
<td>Thuan Bac district</td>
<td>Construction of embankment to control the direction of flow to limit river bank erosion, protect production land, houses, and structures of the people living on the river bank. L=1,500 m</td>
</tr>
<tr>
<td>3</td>
<td>Construction of protection embankment of residential area on 02 banks of Lu river, Ninh Phuoc district</td>
<td>Phuoc Dan town</td>
<td>Ninh Phuoc district</td>
<td>The embankment of two river banks through the Phuoc Dan town to ensure the safety of lives, properties, crops and public works during wet season.</td>
</tr>
</tbody>
</table>

1.4. Objectives of Ethnic Minority Development Plan (EMDP)

13. The Ethnic Minority Development Plan is prepared in accordance with The World Bank’s OP/BP 4.10 policy on Indigenous Peoples. This plan is prepared based on social assessment (SA) carried out for the project and consultation with EM people in the Subproject area.

14. Objectives of this EMDP:
- Summarize potential impacts on EM people of work items conducted during the first 18 months as well as prevention/mitigation measures;
- Proposed activities that need developing to ensure the project’s socio-economic benefits on genders and multi-generations through training and livelihood improvement activities. Development activities displayed below are proposed after thoroughly consulting with EM peoples and outputs of the Project’s social assessments.

II. POLICY FRAMEWORK FOR ETHNIC MINORITY PEOPLE


a) Socialist Republic of Vietnam is the unified state of all nationalities living in the country of Vietnam.

b) The nationalities equal, unite, respect and help each other to develop; prohibits any discrimination, ethnic division.

c) The national language is Vietnamese. The nation has the right to use voice, text, preserving the national identity, promoting traditions, customs, traditions and culture.

d) The State implements a comprehensive development policy and creates reasonable conditions for the ethnic minorities to mobilize resources, along with the development of the country.
16. The Socio-Economic Development Plan and Socio-Economic Development Strategy of Vietnam specifically call for attention to ethnic minorities. Major programs targeting ethnic minority people include Program 135 (infrastructure in poor and remote areas) and Program 134 (eradication of poor quality houses). A policy on education and health care for ethnic minorities is in place. The legal framework was updated in 2014.

17. The Government of Vietnam has developed a series of policies to develop, enhance socio-economic condition of ethnic minorities in the mountainous and remote regions. After the programs 124, 125 for the phase 1, 2, the GoV launched the program 135 for the phase 3 to accelerate socio-economic development in communes, villages, especially particularly difficult areas and ethnic and mountainous regions. Besides the overall development program for ethnic minorities, the Government assigned the Committee for Ethnic Minorities Affairs to guide provinces to prepare projects Development Assistance for ethnic groups with less than 1,000 people, i.e. Si La, Pu Peo, Ro Mam, Brau, O Du. The government also conducted Rapid and Sustainable Pro-poor Program 61 poor districts, where many ethnic minorities live.

18. The Prime Minister promulgated the Decree No. 84/2012/ND-CP by dated 12 October, 2012 on the functions, tasks, powers and organizational structure of the Committee for Ethnic Minorities Affairs (CEMA). The Decree stipulated that the CEMA, a ministerial government, performs the function of state management of ethnic affairs in the country; state management of public services under the jurisdiction of CEMA as stipulated by law. Along with Decree 05/2011/ND-CP dated 14 January, 2011 on the work of EM, Decree 84/2012/ND-CP was issued as a legal basis for CEMA to continue concretizing guidelines and policies of the State on ethnic minorities in the period of industrialization and modernization; promote the power to unite the whole nation for the target rich people, strong country, social justice, democracy and civilization, in order to ensure and promote equality, solidarity, respect, help each other to develop and preserve the cultural identity of the peoples in the great family of ethnic groups of Vietnam.

19. The documents of the Government based on democracy and the participation of local people are directly related to this EMPF. Ordinance No. 34/2007/PL-UBTVQH11, dated 20 April, 2007 (replaced for Decree 79/2003/ND-CP dated 07 July, 2003) on the implementation of democracy in communes, wards, and town provides the basis for community involvement in the preparation of development plans and supervision of community in Vietnam. Decision No. 80/2005/QD-TTg by the Prime Minister, dated 18 April, 2005 regulates the monitoring of community investments. Legal Education Program of CEMA (2013 - 2016) aims to improve the quality and effectiveness of legal education, awareness rising on self-discipline, respect, strictly abiding law of officials and public servants, and the employees of the organizations for EM.

20. The Land Law 2013 affirms that land belongs to all peoples, with the State representing on behalf of all peoples the ownership and management of this land. The State authorizes the land use rights to the land users through land allocation, land lease, recognition and management of land use. For the allocation of forestland, the Land Law provides that allocation of production forestland, protection forestland, special use forestland for organizations, households, individuals, community; however, each type of forestland allocated for different user has different rights. Those being allocated by the State are called “land users”. Land Law prescribes that land users are issued with land use certificates, entitled to products from the investment on the land. Households, individuals allocated by the State for production plantation land have the right to transfer, convert, lease, inherit, mortgage and joint venture the value of the land area; forest allocated communities are not able to transfer, convert, lease, inherit, mortgage and joint venture the value of the land area.

21. Development of socio-economic policies for each region and target group should consider the needs of EMs. Socio-economic development plan and strategy of Vietnam calls for special attention to ethnic minorities. Policies on education and health care for ethnic minorities have also been issued. The legal framework was updated in 2014; all legal documents related to EM are shown in Table 3.
### Table 3: Legal Documents Relating to Ethnic Minority

<table>
<thead>
<tr>
<th>Year</th>
<th>Document Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>Decision 2085/QD-TTg by the Prime Minister on approval the Special policy to support socio-economic development in ethnic minority and mountainous areas in the period of 2017 – 2020.</td>
</tr>
<tr>
<td>2016</td>
<td>Decision No 1722/QD-TTg dated 02/9/2016 of the Prime Minister on approval of National Target Program for Sustainable Poverty Reduction in the period 2016-2020</td>
</tr>
<tr>
<td>2015</td>
<td>Decision No. 1557/QD-TTg dated 10/09/2015 of the Prime Minister on the approval of a number of indicators for the Millennium Development Goals for ethnic minority associated with sustainable development goals after 2015.</td>
</tr>
<tr>
<td>2015</td>
<td>Decision No 601/QD-UBDT dated 29/10/2015 of Committee on Ethnic Minority Affairs on additional recognition, adjustment of particularly difficult hamlets, communes in the region I,II, III under mountainous and ethnic areas.</td>
</tr>
<tr>
<td>2013</td>
<td>Joint Circular No. 05/2013-TTLT-CEM-ARD-MPI-TC-XD dated on November 18, 2013 guideline of program 135 on support infrastructure investments, production development for extremely difficult communes, border communes, particularly difficult villages.</td>
</tr>
<tr>
<td>2012</td>
<td>Decision No. 54/2012-QD-TTg of the Prime Minister dated on December 04, 2012 on promulgation of lending policy for development for particularly difficult ethnic minorities in period 2012-2015</td>
</tr>
<tr>
<td>2012</td>
<td>Joint Circular No. 01/2012 / TTLT-BTP-CEM date on January 17, 2012 of the Ministry of Justice and the Committee for Ethnic Minorities on guideline and legal assistance for ethnic minorities.</td>
</tr>
<tr>
<td>2010</td>
<td>Decree No.82/2010/ND-CP of government, dated 20 July 2010 on teaching and learning of ethnic minority languages in schools.</td>
</tr>
<tr>
<td>2009</td>
<td>Decision No 102/2009 / QD-TTg dated on August 07, 2009 of the Prime Minister on directly policy assistance for the poor in difficult area.</td>
</tr>
<tr>
<td>2007</td>
<td>Circular No.06 dated 20-September-2007 of the Committee for Ethnic Minorities Affair guidance on the assistance for services, improved livelihood of people, technical assistance for improving the knowledge on the laws according the decision 112/2007/QD-TTg.</td>
</tr>
<tr>
<td>2007</td>
<td>Decision No. 05/2007/QD-UBDT dated 06-September-2007 of the Committee for Ethnic Minorities Affair on its acceptance for three regions of ethnic minorities and mountainous areas based on development status.</td>
</tr>
</tbody>
</table>
2.2. **World Bank’s Operational Policy on Indigenous People (OP/BP 4.10)**

22. The OP/BP 4.10 policy aims at limiting effect factors, adverse impacts on indigenous people and increase activities to bring about projects benefits considering benefits and their traditional cultural values. The Bank requires indigenous peoples (i.e. ethnic minority people) to be fully informed and able to freely participate in projects. The project has to be widely supported by the affected EMs. Besides, the project is designed to ensure that the EMs are not affected by negative impacts during the development process, especially impacts of the projects funded by the WB and that the EM peoples should be ensured to receive socio-economic benefits that should be culturally appropriate to them. The Policy defines that EM can be identified in particular geographical areas and the following characteristics at different levels:

   a. Self-close attachment as members of distinct indigenous cultural group and recognition of this identity by others;

   b. Collective attachment to geographically distinct habitats or ancestral territories in the project area ad close to natural resources in these habitats and territories;

   c. Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and

   d. Speak an indigenous language, often different from the official language of the country or region.

23. As a prerequisite for an investment project approval, OP/BP 4.10 requires the borrower to conduct free, prior and informed consultations with potentially affected EM peoples and to establish a pattern of broad community support for the project and its objectives and the project activities. It is important to note that the OP/BP 4.10 refers to social groups and communities, and not to individuals. The primary objectives of OP 4.10 are:

   a. to ensure that such groups are afforded meaningful opportunities to participate in planning project activities that affects them;

   b. to ensure that opportunities to provide such groups with culturally appropriate benefits are considered; and

   c. to ensure that any project impacts that adversely affect them are avoided or otherwise minimized and mitigated.

24. In context of Subproject, EM groups in the project area are likely to receive long-term benefits through repairing, construction of transport and irrigation works, however, they may be negatively affected their cultural and social lives in the project area and adjacent locations during the project implementation process.

### III. SOCIAL ASSESSMENT FOR THE SUBPROJECT

#### 3.1 Ethnic Minority population in the Project Area

25. Ninh Thuan province is located in South Central coast of Viet Nam, It borders Khanh Hoa province in the North, the South is Binh Thuan province, the West is Lam Dong province and the East is Dong sea.
Ethnic Minorities Development Plan– Ninh Thuan Subproject

26. The province has its natural area of 3,358 km², including 7 administrative units of 01 city and 06 districts. Phan Rang city – Cham tower is the provincial city which is the political, economic and cultural center of the province. 350km away from Ho Chi Minh city, 60km away from Cam Ranh airport, 105km away from Nha Trang city and 110 km from Dalat city; resulting convenience for socio-economic exchange and development.

27. Ninh Thuan is a coastal province, with 6 districts, 01 city with 65 communes and towns; 01 poor district is Bac Ai district under Resolution No. 30a/2008/NQ-CP; 37 mountainous communes with ethnic minorities, of which 15 communes in III area, 07 communes in II area and 15 communes in I area; two coastal communes; there are 124 villages in ethnic minorities area.

28. Ethnic minorities have 34,616 households/161,010 people, accounting for 23.75% population of the whole province, of which Cham people have 17,230 households/82,497 people; Raglai people have 15,470 households/70,453 people, Hoa people have 943 households/3,771 people, other minorities have 973 households/4,289 people. Poor households of ethnic minorities have 11,139 households/51,673 people, accounting for 32.17% and near-poor households have 5,371 households/25,393 people, accounting for 15.51%.

<table>
<thead>
<tr>
<th>Province</th>
<th>District/Town</th>
<th>No. of EM people in the region</th>
<th>Population of districts/communes</th>
<th>Rate (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>NINH THUAN</td>
<td>Thuan Nam</td>
<td>19,615</td>
<td>58,497</td>
<td>34%</td>
</tr>
<tr>
<td></td>
<td>Ninh Son</td>
<td>20,007</td>
<td>75,208</td>
<td>27%</td>
</tr>
<tr>
<td></td>
<td>Bac Ai</td>
<td>25,649</td>
<td>26,685</td>
<td>96%</td>
</tr>
<tr>
<td></td>
<td>Ninh Phuoc</td>
<td>52,152</td>
<td>129,990</td>
<td>40%</td>
</tr>
<tr>
<td></td>
<td>Ninh Hai</td>
<td>9,355</td>
<td>91,937</td>
<td>10%</td>
</tr>
<tr>
<td></td>
<td>Thuan Bac</td>
<td>30,273</td>
<td>41,229</td>
<td>73%</td>
</tr>
<tr>
<td></td>
<td>Phan Rang</td>
<td>3,959</td>
<td>172,304</td>
<td>2%</td>
</tr>
<tr>
<td></td>
<td>Thuan Nam</td>
<td>19,615</td>
<td>58,497</td>
<td>34%</td>
</tr>
<tr>
<td></td>
<td>Ninh Son</td>
<td>20,007</td>
<td>75,208</td>
<td>27%</td>
</tr>
</tbody>
</table>

(Source: Provincial Ethnic Minority Department, 2017)

3.2 Overview on EM Community in the Project Area and Adjacent Locations

29. The works items of Subproject implemented in the first 18 months will be carried out in 03 communes/wards, of which 02 communes (Loi Hai commune of Thuan Bac district and Phuoc Dan town of Ninh Phuoc district) with EM people (Cham people in Phuoc Dan town and Raglai people in Loi Hai commune) are affected by the project implementation. Works items affecting EM people include:

- Construction of embankment to protect Ba Rau residential area, Thuan Bac district
- Construction of embankment to protect residential area on 02 banks of Lu river, Ninh Phuoc district

30. According to the initial screening results, the Project implementation will directly affect the land and assets owned by 68 ethnic minority households in the area. In addition, the construction may also cause negative impacts on the cultural and social life of ethnic minority communities in adjacent areas.
with Subproject area. The following section discusses the socio-cultural characteristics of ethnic minority groups in the consulted area.

### 3.3 Socio-economic situation of EM Community affected by the Subproject

#### 3.3.1 Characteristics of Cham EM community

31. **Population:** According to the statistics by 31/12/2015, total population of Cham ethnic group in the province is 17,230 households/82,497 people, in which they live mainly in 13 plain communes, accounting for 12.3% population of the province.

32. **Language:** Cham people have their own language and alphabets.

33. **Economic Activities:** The Cham is an ethnic minority with many long-standing traditions such as embroidery, weaving, pottery, brick making, tool manufacturing, trading, boat building, fishing, sculpture, of which water rice has been developed early and improved continuously in terms of seedlings and irrigation.

34. The Cham live in plain areas where rice production is the main sector. They are proficient in technique of intensive paddy rice cultivation by seeds, fertilizers and irrigation. Their two famous handicrafts are pottery and cotton weaving. In Ninh Thuan, Cham people have traditional handicrafts such as brocade weaving, pottery which are not developed strongly, mainly in the Textile Traditional Village and Bau Truc Pottery Village.

35. **Material life:** Material is a precious product which is created during human formation and development; it reflects the level of economic and cultural development, the natural environment conditions, and the formation of national psychological concepts. The self-creation of production and living tools is regarded as the most important mean to help people to get on with the nature and natural exploitation for serving people’s living needs.

36. The former residence of Cham people was a clay house, with four roofs, roofed with thatch or tiles. Their house usually has three components: main house (*than Dua*), guesthouse (*than Khanh*), kitchen (*than kien*). Instead, the Cham current houses have been largely "concretized", meaning a change in style (similar to that of Kinh people or Western-style architecture in some better-off households) and building materials; cementious brick wall, painted and tiled houses, etc.

37. Women's festive clothing with long dresses, skirts; Men wear a round-necked shirt with two bags, civilians wear *ba ba* pants (South Vietnamese pajamas), dignitaries wear *chang*. Casual wear: older women wear long dresses, skirts, teens dress shirts, dresses or trousers; Men wear T-shirt, trousers.

38. Cham people follow the religion of Brahmanism, Islam (the old Muslim or Madam). They worship ancestors, people who are merited by the nation, Gods.

39. **Cultural life:** The ancient literature of the Cham is very rich and distinctive with stele, bible, myths, tale of hero, fairy tales. Architecture of tower, the cathedral is unique and typical. The traditional music includes saranai, paranung drum, kinang drum, erhu and bronze gongs.

40. **Social relationships:** The Cham people mainly live in Palei Cam (Cham villages). Each paley has about 300 to 400 households, a certain religion and different clans live together. Each paley has an administrative unit: Custom council and Po Paley (the Elderly leader of the village), of which Po Paley plays the most important role.

41. Traditionally, the Cham reside according to the chess board structure. Each clan and family or sometimes only a family gather together in form of a square or rectangular. In the village, each plot is separated by a small path. Population of almost all Cham villages are from 1,000 to 2,000 people.

42. Each clan has a Atau, Akauk Guap and a separate group. As regulations of the Cham, Akauk Guap is the elderly who understanding clearly about the traditional customs, prestigious in the families, rich and must have no second wife.
43. **Religion:** The Cham people follow the Brahmanism, Islam (the old Muslim or Madam). They worship the ancestor, people who have significant merit to the nation, and gods.

44. **Marriage:** Matriarchy and goddess worship is still remained by Cham people. The men are in charge of home-unrelated tasks while women take care of their home jobs and genealogy. They name their children after mother’s last name (nearly equivalent to the father side in the Kinh people’s concept). The bride will find a husband for their daughter. After marrying, the husband will live in the wife’s family until the wife is passed away. When the wife pass away, the husband will take care of his wife’s funeral, then the remaining of the wife will be brought back the husband family for continuing the worship. In family, only girls can be inherited the ancestor temple for worshipping their ancestors and will be responsible for taking care of elderly parents.

3.3.2. **Characteristics of Raglai EM Community**

45. **Population**

46. According to the statistics by 31/12/2015, total population of Raglai ethnic group in the province is: 15,941 households/67,202 people, in which they live mainly in mountainous and difficult communes, accounting for 10.4% population of the province.

47. **Language:** Raglai people have their own language with no alphabets.

48. **Economic Activities:** Raglai is an ethnic minority which has an unique culture associating with environmental conditions of agricultural cultivation. Raglai people breed buffalo, pig, chicken and duck. Previously, they mainly used these animals for worshipping. Currently, they use buffalo and cow for pulling force. Pig, chicken and duck become the food for meals. Raglai have woven bamboo and rattan for making containers, rice screeners, baskets. Crafts are mainly made by men.

49. **Material life:** Material is a precious product which is created during human formation and development; it reflects the level of economic and cultural development, the natural environment conditions, and the formation of national psychological concepts. The self-creation of production and living tools is regarded as the most important mean to help people to get on with the nature and natural exploitation in order for serving people’s living needs.

50. The former residence of Raglai people was a clay house, with four thatch roofs.

51. Women's festival dress are usually in black and blue, with skirts; Men wear round-necked short sleeves. Casual dresses for girls are blouse, dresse, teens wear T-shirts, skirts or trousers; Men wear T-shirts, trousers.

52. **Cultural life:** Raglai people have rich cultural life with diversified music art, anecdote about the sun and land, about species; fairy tales, idioms reflecting the labor life of cultivation, fighting against natural disasters, loving the hometown and loves between girls and boys. Raglai people own song tunes as alau (chanty, Antiphonal sing), xuri tunes (sing the blue) se ngai tunes (love confession)

53. **Social relationship:** Raglai people live into each paley (village) in high, even areas where are near water sources. Each Paley includes tens of houses which are in a same clan. The members of a family consist of father, mother and unmarried children. Leader of a village is a Po paley (village leader), he is the first person to find out a land area. The Po paley takes responsibility for worshipping the gods for the case of drought. He is the most prestigious person in a village.

54. **Religion:** The Raglai follows the multi-god belief “animism”. They name after their last name according to the the name of rock, mountain and forest, consider the things as their white lighter. “Giang” is an invisible deity. The deity can help people to get lucky or disasters, thus Raglai people worship Giang to not be dead as punishment of Giang and pray for abundant harvest. In addition, they worships deities as: Mountain Deity (Yang chóng), Forest her/his parents. Mother or wife is the person to make decisions. If a girl wants get married a man, she will ask their parents to hold a wedding party to her and the man. There are many last names of Raglai families as Chamalea, Pi Năng, KaTor, Pupu, Asah, Tala, Jack,
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Taing, Cao, of which Chamalé is dominated. Each last name has its own story telling about their origin in particular and about their nation in general.

3.3.3. Results of Socio-Economic Survey of Affected Households In The Project Area

❖ Survey Scope

55. Out of 68 EM households affected by the Subproject, none of severely affected households have to relocate, 34 EM households lose 10% or more of total agricultural land area, affected EM households under Ba Rau residential site embankment, Thuan Bac district and residential site embankment along Lu river banks, Ninh Phuoc district. Thus, from 03-18/ April 2017, resettlement consultants carried out SES for 34 affected EM households out of 68 affected EM households (accounting for 50% of total affected EM households). The surveyed EM households are severely affected households.

❖ Characteristics of Household Members

56. According to survey data from 34 affected EM households, the majority of households consists of from 3 to 5 members (accounting for 55.6%), followed by households with 6 - 9 members, accounting for 42.3% and households with 1 to 2 members, accounting for only 2.1%. On average, each AH household in the project area has 4.6 persons / household and the average main number of laborers per household is 2.3 persons.

❖ Education level

57. According to survey data from 34 affected households, education level of EM people in the project area remains low, percentage of household heads with primary school accounts for 66.3%, only 17.7% of households heads graduated from secondary school; none of household heads graduated from high school and college/university. Meanwhile, the rate of illiteracy/non-attendance is 24%, at which Co and Ho De people are living. Due to difficult economic situation, lack of local infrastructure, it is impossible for them to attend school, education level of EM people remains low.

❖ Occupation of Household Heads

58. The survey results showed that the main source of income for all affected households in the affected communes is mainly based on agricultural production activities, including afforestation, growing rice and livestock and so on. Agricultural production is a great determinant of the stability and well-being of the household. Thus, economic condition of households gets many difficulties.

❖ Income and Expenditure

59. According to SES results from 34 affected EM households, 28 households have income level below 700,000 VND/person/month. Poor households, and near poor households affected by the Subproject live mainly in Loi Hai commune, Thuan Bac district. The commune has also the highest number of EM households and poor households in the project area, according to socio-economic results of CPC in 2016, rate of the poor households in Loi Hai commune accounts for approximately 80% out of total households in the entire commune.

60. Income level of households is decisive factor on their expenditure, with such income level, majority of surveyed households answered that they do not have enough money to cover their living expenses (including: eating, investment for their children education, medical treatment and so on). Their main source of income mainly depends on agriculture. Thus, during the project implementation process, poor households, ethnic minorities, policy households, etc. should be paid special attention in the case of resettlement, they have to relocate to new places, and their opportunities for restoring income and maintaining lives for these households are so difficult.

❖ Households Ownership of Commodities

61. Value of assets in each household depends much on their economic condition. In the surveyed communes/wards areas, rate of poor households is majority, thus, means of living of households are mainly essential, common and low value including bicycles and television and so on.
Access to Utilities and Services

62. **Use of electricity:** According to consultation results, 90% of surveyed households use the national power grid with their own electricity meters and the average electricity consumption of a household is about 80,000 VND / household / month.

63. **Use of water for eating, living and production:** 100% surveyed households use drill well water or stream water for living and eating.

64. **Use of toilets:** Out of total 34 surveyed AHs, 21 households have their own toilets; 13 households do not have toilets. Out of households with toilets, none of households have septic tanks, majority of households use two compartment toilet and ash toilet.

65. **Waste collection:** Currently, in the project area, there has not been waste collection service yet. Waste of households is often burned, buried or dumped into the backyard of households.

3.4 Potential Impacts

3.4.1. Positive impacts

66. **Mitigation of Negative Impacts of Climate Change:** Ninh Thuan is one of the South Central coastal provinces with very complex climatic and topographic features. Consequently, Ninh Thuan is one of the provinces affected by many types of natural disasters such as hot weather, drought, typhoon, tropical low pressure, heavy rain, flood, etc. that seriously affect local lives and properties. In the past few years, the country in general, and Ninh Thuan province in particular, has seen an unpredictable occurrence of the weather which is erratic and more intense. Among these types of natural disasters, the followings frequently occur in Ninh Thuan province, such as storm, tropical low pressure, cyclone, lightning, heavy rain, flooding, flash flood, and landslide due to rain and flow, heat, drought and others.

67. Vietnam Emergency Natural Disaster Reconstruction Project – Ninh Thuan province subproject will repair, overcome and upgrade infrastructures for production (irrigation works, dykes, embankments, irrigation canals and transport bridges and roads) to recover the production, ensure safety for people and assets as well as minimize impacts caused by natural disasters.

68. **Improvement and Upgrading of the Transport and Irrigation Quality:** Over the past time, Ninh Thuan province has borne severe impacts of natural disasters, many works are totally damaged, the inter-province, district, communes roads are seriously degraded, causing difficulties for travelling of local people.

69. Vietnam Emergency Natural Disaster Reconstruction Project – Ninh Thuan province subproject covers 03 districts, where affected by natural-disaster; in which, essential works for production and smooth transportation are prioritized.

70. After upgrading roads and bridges, etc., people’s travel, goods exchanges will be promoted, creating favorable conditions of the development and urgent rescue for local people in flooding and drought areas in the cases of natural disasters.

71. Ninh Thuan province has an estimation of about 29,600 households (equivalent to 124,491 people) as beneficiaries from the upgraded and rehabilitated works in project areas. Besides, local agricultural production organizations will be benefited from the project thanks to renovated irrigation works; At the same time, improved roads will therefore help local people to save travelling time and cost.

72. **Promotion of Local Economic Growth, Improvement of Income and Living Conditions for Local People:** The Project implementation will bring about mid-term and long term positive effects in the project areas in particular and in Ninh Thuan province. This project aims at sustainably overcoming negative impacts of natural disasters through rehabilitating and upgrading of essential infrastructures for production and through capacity building for efficiently responding to upcoming natural disasters. Restoring and rehabilitating of items such as roads, dykes, embankments, etc. will lessen the frequency and level of floods in the region, improve the infrastructure system, and generate positive benefits for the environment, public health and socio-economic development. The project will contribute to the
improvement of transport network, flooding control, protection of people’s houses from flooding-incurred damages, and create positive conditions for economic development and goods transportation.

3.1.1. **Negative Impacts**

73. **Land acquisition and Resettlement:** Survey data show that the implementation of the Subproject’s Items in the first 18 months will affect 68 EM households by land acquisition with total affected area of 5,960 m². Of which:

- Affected residential area: 3,576 m²
- Affected agricultural land area: 2,384 m²

74. According to the initial screening results, the project implementation will directly affect the land and assets of 68 EM households with total affected areas of about 5,960 m², including 3,576 m² of affected residential land areas and 2,384 m² of affected agricultural land. Of 68 EM affected households, there are 28 severely affected households with losses 10% or more of cultivating land. It is estimated that there are 12 households affected with structure works (fencing Wall, shed and brick yards). Affecting levels of EM affected households in each item of the Subproject are displayed as follows:

<table>
<thead>
<tr>
<th>No.</th>
<th>Items</th>
<th>Location</th>
<th>No. of AHs</th>
<th>Affected land areas</th>
<th>Total affected land area (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Residential land (m²)</td>
<td>Agricultural land area (m²)</td>
</tr>
<tr>
<td>1</td>
<td>Construction of protection embankment of Ba Rau residential area, Thuan Bac district</td>
<td>Loi Hai commune</td>
<td>63</td>
<td>3,040</td>
<td>536</td>
</tr>
<tr>
<td>2</td>
<td>Construction of protection embankment of residential area on 02 banks of Lu river, Ninh Phuoc district</td>
<td>Phuoc Dan town</td>
<td>5</td>
<td>2,145</td>
<td>239</td>
</tr>
</tbody>
</table>

*(Sources: Resettlement survey outputs, 04/2017)*

75. For mitigating impacts from land acquisition, the design Consultant should consult with the local community in the process of making detailed design to figure out mitigation measures for land acquisition and other negative impacts on people. Besides, a resettlement policy frame for entire project and a resettlement action plan for the Subproject’s work items carried out in the first 18 months have been prepared to ensured satisfactory compensation for all project incurred losses.

76. **Impacts during the construction process:** Besides positive effects, the project implementation causes some potential negative impacts. The screening results show that apart from impacts of land acquisition, people including EMs in the project area have to bear potential negative impacts during construction period. These impacts are defined as follows:

- Potential temporary impacts on livelihood and incomes of households: land, agricultural activities.
- Impacts on travelling of local people during construction.
- Infrastructures damaged by material and waste disposal transportation.
- Increase in social evils because of population growth at the construction site.
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77. **Risks Threatening the Community Safety and Health:** A large number of workers will come to the site during the construction period, leading to certain disturbances to socio-economic and cultural life of local people.

78. Although the province has prepared a separated area for workers, such large number of labors will demand various requirements such as accommodations, foods, entertainment and other cultural needs. These demands may be far different from the local culture; this lead to certain disturbances for the community, especially the EMs community in Loi Hai commune and Phuoc Dan town where the construction is being carried out.

79. The project construction will be accompanied with environmental negative impacts such as dust, noise, etc. Besides, diseases may be generated due to population growth at the site. The gathering of such large number of workers can induce issues rated to prostitution, diseases, especially HIV, AIDS, and sexually infectious diseases.

80. The use of some specialized roads for material transportation will obstruct people’s travel and imply risks of traffic accidents.

81. Therefore, the project owner and construction units shall be responsible for preparing labor management options to avoid adverse impacts on the community. As for the community, a communication plan which provides people with basic knowledge about arising social issues, and disease models must be made in order to draw out a protection mechanism for people against outside risks.

3.2. **Mitigation Measures**

82. With regards to impacts related to impacts by taking of land, and other impacts during construction, these impacts will be minimized by applying compensation and assistance measures as established in the Resettlement Policy Framework prepared for the Project. As to the potential impacts as identified above, to minimize these impacts, the following mitigation measures will be taken:

- Inform people concerning construction schedule in advance so that they could actively select crop varieties that have growth duration suitable to the construction schedule;
- Raising community awareness of traffic safety and social evils prevention during the construction period;
- Request the contractors to take measures for transporting materials or sludge and comply with the regulations on the load of vehicles transporting materials and waste. In case the local infrastructure is damaged due to the transport activities, the construction unit must restore the affected infrastructure to its original conditions before returning to the locality;

**Table 6. Summary of Negative Impacts and Relevant Mitigation Measures**

<table>
<thead>
<tr>
<th>Adverse impacts</th>
<th>Mitigation Measures</th>
<th>Implementing agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effects on agricultural land</td>
<td>Announcement to local people before construction</td>
<td>PMU is required to closely work with local authorities for timely information dissemination of each commune</td>
</tr>
<tr>
<td>Impacts on traffics and increased social evils (Such as prostitution, drugs, alcohol, etc.)</td>
<td>Raising community awareness of traffic safety and social evils prevention for the local people</td>
<td>PMU should closely work with the relevant authorities to develop a communication strategy for these issues. Based on the available communication system in communes to disclose the project contents to households</td>
</tr>
<tr>
<td>Impacts on Infrastructures</td>
<td>The Contractor will comply with the rules of materials transportation</td>
<td>PMU should require contractors to comply with the contract provisions on the load</td>
</tr>
</tbody>
</table>
Adverse impacts | Mitigation Measures | Implementing agency
---|---|---
and infrastructure rehabilitation | and the measures to ensure the environmental sanitation during the transportation of materials as well as provisions for offsets when infrastructure damaged

83. To increase the socio-economic benefits to the area, some activities/measures will be encouraged to apply as follows: (i) Organize technical training courses on agricultural production; provide intensive cultivation knowledge and techniques to people; provide new crop varieties which bring high economic efficiency; (ii) Organize technical training on aquaculture for the EM households in the area for household economic development.

IV. CONSULTATION WITH THE EM COMMUNITIES

4.1. Objectives of Public Consultations

84. As part of social assessment for the subproject, the free, prior and informed consultations with EM peoples under the project area are carried out in accordance with the WB’s OP 4.10. The consultations are to a) inform EM group in the subproject area of the project’s potential impacts (both negative and positive impacts), b) solicit feedbacks of EM peoples (when impacts are identified), and c) propose development activities to ensure culturally-matching socio-economic benefits (of the project) for EM peoples, then confirming broad supports of EMs on the Subproject implementation.

4.2. Public Consultation Methods

85. Various inquiry tools such as group discussion, in depth interview, site survey, household surveys are used for collecting feedbacks of EM peoples. The free, prior, informed consultations in compliance with the WB’s OP 4.10 are constantly used in the period of consultation.

86. Inquiry techniques: the following techniques were used to solicit the feedbacks of the EM peoples included: group discussions, participant observations, community meetings. The consultant team is aware of the comfort that needs to be maintained with regards to use of language on the part of EM peoples. As such, before the consultation, check was made to ensure the consulted EM peoples have a preference for the language to be used during the consultation exercise. To ensure language comfort for the EM consulted, each EM groups were consulted separately. A local person (of the same EM group) were invited to join the consultation just in case local EM language is required to promote the free exchange of information between the EM peoples, and the consultant team. The representatives’ participated ethnic HHs in the consultation meeting can use fluently Viet language. It should be noted that the person who led the consultation process and interview has extensive experience back grounds with EM peoples in Vietnam.

87. Consultation process: Three (03) consultation exercises were implemented in 3/2017 in communes where affected EMs live and reside. Consultations will use both household’s inquiry, and group discussion/community meeting (as mentioned above) during consultation course. Both male and female are consulted. Particularly, EM women are encouraged raising their voice/questions. Consultations with EM community are held at the village cultural house. Affected communities are all received prior announcement.

4.3. Consultation Results

88. During the EMDP preparation process, public consultation with the EM communities was conducted in March 2017. By providing project information and potential impacts (positive and adverse) to EM households, the consultation has covered the following important aspects: a) what the potential impacts on households and communities are; b) on the basis of measures proposed to minimize adverse
impacts, which suggestions/proposals would ensure that the adverse impacts can be avoided/minimized for all levels of impacts; and c) which socioeconomic opportunities brought by the subproject are for the EM households.

### Table 7: EM Public Consultation

<table>
<thead>
<tr>
<th>No.</th>
<th>Time/address</th>
<th>Participants</th>
<th>Total participant</th>
<th>Gender</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>- Representatives of local authorities and local unions/agencies</td>
<td></td>
<td></td>
<td>Male</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Head of village and , representatives of community and ethnic HHs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Loi Hai commune</td>
<td></td>
<td>12</td>
<td>8</td>
<td>4</td>
</tr>
<tr>
<td>2</td>
<td>Phuoc Dan town</td>
<td></td>
<td>11</td>
<td>6</td>
<td>5</td>
</tr>
</tbody>
</table>

89. The results of the public consultations show that:

a) The EM communities and households in the subproject area confirmed that they were informed about the subproject. As to the EM communities in the communes adjacent to the subproject area, they were also aware of the subproject through consultation meetings organized by the consulting agency. The EM households thus support the subproject implementation in the area.

b) Through the public consultations, the EM people were aware of the benefits and positive effects brought by the subproject. In addition, adverse impacts caused by the subproject were also identified and households understood these impacts.

90. Being fully informed about the subproject, the EM communities have given their broad support for the subproject implementation. In addition, they have specific comments and suggestions which focus on two aspects: (i) recommendations related to the subproject construction activities; and (ii) proposals related to community development. Their comments are summarized as follows:

- The subproject should be implemented in a timely manner to minimize the impact;
- Organize technical training courses on livestock raising; provide financial support and information on market for livestock products for people; establish small-scale livestock raising enterprise models;
- Support people in using available financial resources to invest in activities that generate economic benefits for the households.

### 4.4. Public Consultation during EMDP Implementation

91. To ensure free, prior, informed and consultation with EM in the process EMDP implementation, the EM community consultation framework will be used during the EMDP implementation and summarized as below:

- During EMDP implementation, the same consultation approach (which has been used during EMDP preparation) will be adopted. Specifically, consultation will be on the basis of free, prior, and informed manner, and in a participatory manner. This is to ensure the EM communities’ feedback are made based on their actual needs which arise when EM people understand more (during EMDP implementation) about the potential adverse impact so as to appropriately propose ways to minimize such adverse impact, as well as to development activities that they need to support their livelhoods restoration, and their development needs (which should be in line with the Project’s objectives).
• The EM communities will be consulted on all of the project activities during the project cycle.
• Project Management Unit of Construction Investment Works for Agriculture and Rural Development and socio-political organizations and local agencies will responsible for ethnic minority affairs. Meetings and consultations will be conducted including separate meetings with EM men and women in order to know their opinions about the project activities as well as identify the positive and adverse impacts caused by the Project on their life.
• Information and communications activities will be conducted continuously during the project implementation process to ensure that all of the stakeholders are fully aware of and understand the project. Communications activities include disseminating information, organizing public meetings, conducting interviews, and receiving feedback from the EM communities. The feedback should be reviewed, considered, and solved in a timely manner.
• Community consultations will be documented and submitted to World Bank for review and examination.
• During the project implementation, the consultation and information disclosure to the affected EM communities should use methods and communication means appropriate in terms of cultural and gender aspects in order not to create communication barriers. This can include translating documents into ethnic languages, using interpreters during the public meetings, using more visual communication means, and organizing separate meetings with men and women.

V. ACTIVITIES PROPOSED FOR ETHNIC MINORITY PEOPLE

92. In addition to the anticipated positive impacts the Project would bring about to improve EM living conditions and transportation, access to public services, negative impacts that should be addressed properly including permanent land acquisition by 150 EM households; infectious diseases such as HIV/AIDS; human trafficking; gambling; fighting; traffic accident; child and women labor abuse. Activities for EM development developed to ensure that EM groups receive social and economic benefits that are culturally appropriate. It includes measures to enhance the capacity of the project implementing agencies. Once detailed design is available, more consultation will be conducted in a free, prior and informed manner. Together with the RAP, this EMDP will be updated accordingly.

93. Establishing a participatory community group and practicing participatory monitoring: A community group to be established among the EM groups at the commune level to receive feedbacks from agencies, organizations, and individuals that are affected by or related to project activities. It may include representatives from the affected EM villages, both male and female, and from women’s unions and the fatherland front. PMU will organize regular meetings to receive comments from the participatory community group and may set focus on the implementation of this EMDP as below:

• What are the latest project activities in the community?
• What benefits do the communities receive from these activities?
• Have they received these benefits in a culturally appropriate manner? If not, why? How can these gaps be addressed?
• Has consultation been conducted as suggested in the EMDP?
• Is there any difficulty for the affected EM groups in understanding the language on communication facilities or during the meetings? How should public awareness activities be organized to overcome these difficulties?
• How can PMU help the affected EM groups to access project information more efficiently and practically?
• Are there any adverse impacts from migrant workers on local communities?
Ethnic Minorities Development Plan – Ninh Thuan Subproject

- Are there any issues/activities that the affected EM groups remain unsatisfied with? Why? What measures do the communities propose to address these issues/activities?

94. Through these meetings, PMU can learn what still dissatisfies their communities, even it may not be a direct impact of the project. By addressing this issue, if possible, PMU can foster trust and goodwill with the community. Furthermore, if negative impacts are identified during the implementation process, PMU should take responsibility to correct it, not trying to hide it or misguide the communities. Also, being open with information allows the community to propose creative solutions and ideas for the projects that impact their lives.

95. In addition, during the project implementation, PMU will coordinate with local mass organizations and NGOs to pass on as much “know how” as possible. PMU may provide training to local community members on community monitoring, turning them into ‘monitors’, with such knowledge of construction elements, erosion, water contamination, air pollution, and much more. This knowledge empowers these monitors, many of them being women who later became leaders in their communities.

96. Organizing community meetings: Series of meetings at each commune to be organized to respond to queries and clarify issues. It will be deployed before and during project implementation. Materials used for meetings will be prepared in an understandable manner, with clear messages and images. Timing and venues of community meetings should be convenient for local people.

97. Enhancing community awareness: Awareness raising activities can be incorporated into regular community meetings and other community events. Based on the community consultation, the issues to be raised during such activities may include but not be confined to the following: (i) Project activities; (ii) Traffic safety; (iii) The importance of the community consultation and participation in every stage of the project activities, from planning and preparation to implementation and monitoring and evaluation; (iv) The role of community in monitoring project activities, and in operations and maintenance of the project works; (v) Gender issues (for example, as women take care of children, they need to be notified/warned of potential risks are inherent during the relocation of their houses); (vi) Domestic violence and sexual abuse; (vii) HIV/AIDS and other communicable diseases; (viii) Labor rights; (ix) The importance of access to clean water and hygienic practices; (x) Management of household assets and spending; (xi) Enhanced education opportunities for children to have better access to the labor market and income-generating opportunities; Any other issues emerging during the project implementation.

98. Communication activities: Several individuals and organizations may be more effective communication channels in the project areas, such as village elders, village heads, spiritual leaders, women’s unions and the fatherland front. In addition to conventional communication channels, such as community meetings, focus groups and loudspeakers. The communications materials will be archived at cultural houses or community centres for reference so that residents can access them easily. In addition, PMU may consider promoting access to and sharing of project information to the related EM groups through disclosing project information directly related to the interests of the affected EM groups on the provincial webpage.

99. Training of local officials and other stakeholders: An orientation workshop should be organized at the district level for officials and other stakeholders in the project who work with the affected EM communities so that they can have more understanding the latter’s cultures, customs and religions, and thus their working approach would be culturally appropriate and gender-sensitive. The workshop will be focused on: special requirements of the EM peoples given their socio-economic and cultural profiles as described above in this EMDP. Due attention and support should be given to those who face language barriers; the importance of public consultation with the EM communities; and the knowledge and skills needed for working with the affected EM groups to achieve the objectives of this EMDP and, concurrently, to enhance the project management capacity for the relevant stakeholders.

100. Employment policies in favor of the EM groups:
• Local hiring information should be provided to EM groups as early as possible to gain support and acceptance of the communities, allowing the project to proceed without any significant challenges.

• Actively promoting gender-inclusive policies for women to participate and benefit from the project, in all stages, including the increased participation of women, especially those from the affected EM groups, in the construction workforce. The impacts of the gender-inclusive policies and initiatives may go beyond a worksite and are instrumental in helping women overcome barriers and gender-based stereotypes in surrounding communities.

• Priority to training and recruiting EM people, male and female alike. The project will work simultaneously on two key elements: education that will support the inclusion of the local EM people in the local labor market and changes in the recruiting language to emphasize equal opportunities for men and women, to remove the traditional doubts about abilities of the EM people, especially women. EM people, especially women, should be prioritized to work in the project if needed.

101. Promoting gender equality: Gender is a cross-cutting theme. Measures help to ensure gender equality include: contractors ensure that priority on job opportunities should be given to EM women; labor wage paid to EM women should be equal to men for the same works; workers made to respect EM culture, etc. Monitoring by PMU and contractors is established and implemented by PMU and contractors.

102. Participation and empowerment: It is essential to increase the participation of women, especially in the affected EM groups, in various project activities and interventions, such as information dissemination events, training courses, local support work, and participatory community groups. Importantly, women should be consulted in good faith throughout the project cycle, from the design to the evaluation steps to ensure their voices to be heard and paid due attention to. Specific measures may therefore be necessary to enhance their current access to information and their associated engagement in the project activities. Efforts will be needed to arrange a location and time suitable for the participation of the related women, and additional promotional activities may also be necessary to maximize attendance by EM female household heads.

103. Awareness raising: Women should be fully aware of potential impacts on their communities and households, particularly income generating activities, and as such propose measures that the project should do to avoid or minimize the impacts. It is important to raise awareness for women of their rights and benefits in joint husband-and-wife titling and use of land-use rights certificates for bank loans, lease and contributions to joint business, their rights to access to the GRM and how to lodge their complaints when needs arise.

104. Planning: It should be recognized that engagement of and awareness raising for women, especially EM ones, is a time-consuming process which should be planned and phased effectively with clear and practical short-, medium- and long-term objectives to make various steps feasible, with lessons reviewed and learnt as well as plans revised after each phase.

105. Capacity building: 02 trainings on gender and EM will be provided to PMU staff and local officials and stakeholders as well as project staff, who will work with EM groups. Training will provide PMU staff in charge knowledge, skill and requirements on ethnic minority of WB and Viet Nam and necessary measure to ensure that EMDP is properly implemented. Training on monitoring EMDP is also included.

106. Training and job opportunities: As some EM households may change their jobs, i.e. households which depend on seasonal income – primarily from crops and/or fruit trees, counseling and training of new job skills for this group should be done with the capacity of men and women in mind to make training knowledge applicable, and the possibility of success with the new job is enhanced. Further details of these activities are included in the discussion on job training and opportunities under this section.
107. **Empowering and supporting EM women at worksite:** It is important to create job opportunities for EM women from the project. For this purpose, it is necessary to assess women’s requirements for skills training to facilitate income restoration. All contractors participating in civil works should inform PMU job opportunities appropriate for women in general, including those from EM groups, and PMU will inform those in need. As women entered the project’s workforce, it is necessary to address traditional behaviors of gender-based violence, sexual harassment, work-life balance difficulties, and doubts about women’s physical resilience. The necessary actions include:

- Implementing a “zero tolerance policy” for sexual harassment: training on sexual harassment will be provided to all employees during induction and at additional sessions to reinforce the “zero tolerance” policy.
- Implementing a grievance mechanism that treats all harassment cases as “high risk” and requiring immediate attention.
- Addressing gender-based violence in the communities, in alliance with the commune’s women’s unions. Women will be trained in their labor rights.

108. **For directly affected EM people by loss of land and assets:** These EM people are entitled to compensation and rehabilitation programs as described in the RAP. In addition, all EM people affected on land will be granted with LURC for their remained land holdings and for land they purchase without any payment. Severely affected EM farmers will be assisted in accessing loan from the Bank for Social Policies (BSP) with preferential interest amount of loan in the short and/or medium terms. Proper technical guidance will be provided so that the people will know how to use and manage credit properly.

109. **For EM people benefited by the project:** Training courses will be designed to ensure: (i) the contents are culturally appropriate to the EM peoples; and (ii) women are encouraged to participate with at least 30% of the participants.

110. **Summary** on the above said measures are presented in Table bellows:

<table>
<thead>
<tr>
<th>Impacts</th>
<th>Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent loss of agricultural land</td>
<td>• Proper public consultation</td>
</tr>
<tr>
<td></td>
<td>• Agricultural production technical training for ethnic households who wishing in the agricultural production development and techniques, especially aquaculture activities that will also be provided to requested ethnic households</td>
</tr>
<tr>
<td></td>
<td>• Compensation, support and assistance will be paid to 46 affected EM households. Details are given at RAP</td>
</tr>
<tr>
<td>Open to infectious or sexually transmitted infection, such as HIV/AIDS</td>
<td>• An increase in worker influx that may cause Contractors provide awareness raising and trainings to workers on infectious and sexual diseases and and safe sexual intercourse</td>
</tr>
<tr>
<td></td>
<td>• PMU assign staff to address EMDP, including monitoring the implementation of EMDP and supervise Contractors and to ensure that the issue is well managed</td>
</tr>
<tr>
<td></td>
<td>• Awareness raising and trainings to EM women shall be delivered ensuring that women is protected from these diseases.</td>
</tr>
<tr>
<td>Human trafficking</td>
<td>• An increase in worker influx that may lead to social disorder such as women trafficking. Contractors are required to provide awareness raising and trainings to workers on human trafficking and measure mitigate the issues</td>
</tr>
<tr>
<td></td>
<td>• PMU assign staff to address EMDP, including monitoring the implementation of EMDP and supervise Contractors and to ensure that the issue is well managed</td>
</tr>
</tbody>
</table>
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<table>
<thead>
<tr>
<th>Impacts</th>
<th>Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Local authority inform EM persons and local people on risk of human trafficking</td>
<td>• Contractors are required to provide job opportunities to EM women. Payment rate paid to EM workers, especially EM women should be same as rate paid to other workers.</td>
</tr>
<tr>
<td>Works child abuse, low wage for EM women of the same works</td>
<td>• PMU assign staff to address EMDP, including monitoring the implementation of EMDP and supervise Contractors and to ensure that the issue is well managed</td>
</tr>
<tr>
<td>Traffic accident</td>
<td>• Awareness raising and trainings to EM persons, especially women shall be delivered through loudspeaker to ensure that EM persons, especially EM women and children aware accident and measure to protect themselves.</td>
</tr>
<tr>
<td></td>
<td>• Contractors ensure that their vehicle follow transportatin rules and not travel during the peak time</td>
</tr>
</tbody>
</table>

111. This EMDP will be updated before being implemented to re-define the development demands of EMS and reflect other demands needed when the project’s impacts are identified based on the final technical design.

VI. INFORMATION DISCLOSURE AND DISSEMINATION

112. During the preparation process, the final EMDP/RP will be disclosed locally at the public places including CPC/DPC offices and community houses. Such EMDP will be disclosed in a form and language understandable to the EM peoples as well as other project stakeholders.

113. These documents will be publicly disclosed at Ninh Thuan PMU, PPC and information office of WB at Washington D.C, before starting the project implementation.

114. During the project implementation process, PMU and local authorities at all levels will ensure that all EM households in the subproject area are informed and invited to the public consultations to be conducted during EMDP implementation.

115. The draft EMDP was disclosed locally on June 20, 2017 and on the Bank’s website on June 22, 2017.

VII. IMPLEMENTATION ARRANGEMENTS

Assessment of Ninh Thuan PMU and stakeholders on EMDP implementation

116. It is acknowledged that safeguard staff of Ninh Thuan PMU has rich knowledge, skill and experience in civil engineering, but other social aspects, including: ethnic minority development, resettlement, and gender equality. Especially, experience, knowledge and skill on EM development in infrastructure projects following WB requirement (OP 4.10). Thus, capacity building for Ninh Thuan PMU staff and the safeguard staff. Details on capacity development for Ninh Thuan PMU safeguard staff is in below section.

Capacity building scheme

117. In view of the shortage in capacity to carry out the EMDP at grassroot level, there is a need of a strong corporative working tie among the EMDP undertaking institutions.

118. The staffs of Ninh Thuan PMU will be provided with intensive trainings to enable them to be able to undertake screening of ethnic minority peoples in the subproject area. Where local capacity is insufficient to prepare an EMDP, qualified consultants may be mobilized to assist the Ninh Thuan PMU.
in development of EMDP for the subprojects. Trainings to PMU staff and relevant agencies will be delivered by the Ethnic Minority Specialist hired by the Central Project Management Unit.

119. 02 training on gender and EM will be provided to PMU staff and local officials and stakeholders as well as project staff, who will work with EM groups. Training will provide PMU staff in charge knowledge, skill and requirements on ethnic minority of WB and Viet Nam and necessary measure to ensure that EMDP is properly implemented. Training on monitoring EMDP is also included.

**Coordination mechanism**

120. The staff of Ninh Thuan PMU who oversees EMDP implementation will incorporate the Ninh Thuan province Ethnic Committee to check and review this EMDP implementation

121. At the district level, officials of the DPC Ethnicity Division will coordinate with the Ninh Thuan PMU and Ninh Thuan province Ethnic Committee to perform it. They will provide feedback from ethnic people and EM community to PPC and relevant agencies.

122. At the commune level, community leaders and representatives of minority group leaders are the key persons in the EMDP implementation. They will be directly support local people to overcome the difficulties in the project implementation process; Organize community meetings to disseminate information about the project; provide information on the EMDP mitigation and development activities; and support local authorities and Ninh Thuan PMU in preparing the list of participants of the EMDP development activities. Key features of the cooperation mechanism are belows:

    - Ninh Thuan PMU staff with assistance of EM consultant, to implement EMDP.
    - PMU social safeguard staff will take part in regular meetings (monthly or quarterly) to monitor, supervise the EMDP implementation. Issues and challenges will be addressed following requirement given in the EMDP.
    - Reports, data and information on EMDP implementation will be recorded and shared among stakeholders promptly to promote quality of EMDP implementation. All issues relating to EM during and after the subproject implementation will be timely addressed or at least mitigated.
    - EM representatives from subproject communes will work closely with Ninh Thuan PMU, local authorities, contractors and NGOs (Women Union, Fartherland Front, Farmer Association, Youth Union etc) to monitor and supervise the EMDP implementation. Any issues or challenges faced by the EM persons will be reported to PMU Ninh Thuan, contractors, local authority for consideration and settlement.

123. The PMU, via Environment and Resettlement Division, will be responsible for ensuring effective implementation of the EMPF and the EMDP in close consultation with the same level departments and project districts.

**VIII. GRIEVANCE REDRESS MECHANISM**

124. The grievance mechanisms under the Subproject will be two-tiered: one internal to the communities concerned and the other, involving third-party/external mediation. For each Project province, a Grievance Redress Committees (GRC) will be established with members from villages/districts to provincial levels built on the existing structures consisting of concerned departments, mass organizations, women and ethnic representatives. At the village level, community based co-management will incorporate in the existing grievance mechanisms that will be chaired by elder and/or
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spiritual/tribal leaders, which are largely acceptable to local communities, particularly the ethnic minority groups.

125. The grievance redress mechanism will be applied to persons or groups that are directly or indirectly affected by the Project, as well as those that may have interests in a Project and/or have the ability to influence its outcome -- either positively or negatively. The Project will provide training and support to strengthen these existing structures for effectively and collectively dealing with possible grievances that may arise during the project implementation. All complaints and grievances must be properly documented by PMU, with copies being filed at commune and district levels.

126. If the affected EM peoples are not satisfied with the process, compensation or mitigation measures, or any other issue, the EM themselves or EM representatives or village leaders can lodge their complaints to the local authorities or to the PMU following the grievance redress mechanism established in the EMDP. All grievances will be addressed promptly, and in way that is culturally appropriate to the affected EM peoples. All costs associated with EM’s complaints are exempt to EM complainants. PPMU and independent monitoring consultant are responsible for monitoring the progress of resolution of EMs’ complaints. All cases of complaints must be recorded in PMU project files, and be reviewed regularly by independent monitoring consultant.

127. The grievance redress mechanism is established on the basis of the Vietnam’s laws. The mechanism of complaint and complaint and grievances resolution steps are as below:

- **First Stage – Communes/Wards/Towns People’s Committee:** An aggrieved APs may bring his/her complaint to the One Door Department of the Communes/Wards People’s Committee (CPC), in writing or verbally. The member of Communes/Wards PC at the One Door Department will be responsible to notify the communes/wards PC leaders about the complaint for solving. The Chairman of the communes/wards PC will meet personally with the aggrieved APs and will have 30 days following the receiving date of the complaint to resolve it. The communes/wards PC secretariat is responsible for documenting and keeping file of all complaints handled by the communes/wards PC.

- **Second Stage - At Districts People’s Committee (DPC):** If after 30 days the aggrieved affected household does not hear from the communes/wards/towns PC, or if the APs is not satisfied with the decision taken on his/her complaint, the APs may bring the case, either in writing or verbally, to any member of the DPC or the DRC of the district. The DPC in turn will have 30 days following the receiving date of the complaint to resolve the case. The DPC is responsible for documenting and keeping file of all complaints that it handles and will inform the DRC of district of any decision made. Affected households can also bring their case to Court if they wish.

- **Third Stage - Ninh Thuan PPC:** After 30 days, if the affected people have not received any complaints from DPC, or not satisfied with the decision for their complaint, they may submit his/her case, either in writing or vocal, to any staff of the PPC at the Reception. The PPC will have 45 days to resolve complaints to satisfy the involved parties. The PPC is responsible for keeping a record of all complaints that it resolves. AHs can reflect their problems in Court if they wish.

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

128. Decision on solving the complaints must be sent to the aggrieved APs and concerned parties and must be posted at the office of the People’s Committee where the complaint is solved. After three days, the decision/result on solution is available at commune/ward level and after seven days at district or province level.
129. To ensure that the above grievance mechanism is put into practice and approved by the affected ethnic minority people (by subproject), the mechanism should be consulted with local and community authorities when considering and evaluating culturally specific elements as well as traditions and cultural systems affecting the arising and settlement of complaints/grievance. If the goals and efforts of the ethnic minority people are taken to determine and decide how to solve the problems for them to accept.

130. In addition to commune level (mentioned above) where EM peoples could lodge their questions/comments, or complaints officially, EM peoples may contact directly PMU using the contact details provided in the Project Information Leaflet in case there have any questions related to subproject goal/scope/impact, etc, or including general compensation and support policies.

131. Since grievances lodged are primarily related to in the case involving land acquisition, to ensure the grievances are timely and effectively addressed, the following measures should be used by both designed contact points at commune and PMU level.

132. A recording system/book that records systematically complaints received. This grievance system should be maintained by contact point for GRM at both commune and PMU level. Record should show when the complaints are lodged, by whom, and how, and by whom such grievances are solved, and when the solving is completed. Pending issues that last for more than one month, for example, should be flagged for timely and appropriate action on the part of PMU and local governments. Where complaints are made verbally, such complaints should be recorded into the grievance recording system for timely following up and resolving.

133. Where complaints are made verbally, such complaints should be recorded into the grievance recording system for timely following up and resolving.

134. EM people will be sent leaflets, which cover information about adversely affected people, beneficiaries and project information (as referred above) to appoint a contact person at the communes and Project Management Unit of Construction Investment Works for Agriculture and Rural Development to address complaints raised by EM people easily, if any.

IX. MONITORING AND EVALUATION

135. Responsibility of overall monitoring and implementing the EMDP will be subjected to external independent monitoring by a qualified consultant. The external independent monitoring consultant will be hired by the PMU. This service could be integrated into the contract for independent monitoring of the implementation of RPF and RP.

9.1. Internal Monitoring

136. PMU will be responsible for the overall implementation and internal monitoring of this EMDP.
Table 9: Internal Monitoring Indicator

<table>
<thead>
<tr>
<th>Monitoring contents</th>
<th>Monitoring criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost and time</td>
<td>• Are there enough staffs supporting EM people as planned?</td>
</tr>
<tr>
<td></td>
<td>• Are supporting activities satisfactory with set plans?</td>
</tr>
<tr>
<td></td>
<td>• Is the cost for EMDP implementation distributed to implementing agencies timely and adequately?</td>
</tr>
<tr>
<td>Consultation, complaints and outstanding issues</td>
<td>• Are public consultations and information dissemination to EMs in compliance with plans?</td>
</tr>
<tr>
<td></td>
<td>• Are EM group discussions held by groups?</td>
</tr>
<tr>
<td></td>
<td>• How many people are aware of their benefits?</td>
</tr>
<tr>
<td></td>
<td>• Do EM people know and use the grievance redress mechanism as set forth in EMPF? How are the results?</td>
</tr>
<tr>
<td></td>
<td>• Number and type of complaints received (classified into gender and vulnerable groups)</td>
</tr>
<tr>
<td></td>
<td>• Number and type of complaints redressed (classified into gender and vulnerable groups)</td>
</tr>
<tr>
<td></td>
<td>• Levels of awareness and satisfaction of EM people</td>
</tr>
<tr>
<td></td>
<td>• Satisfactory levels about grievance mechanism.</td>
</tr>
</tbody>
</table>

9.2. Independent monitoring

An independent monitoring consultant (IMC) will be contracted to monitor the implementation of social safeguards of subprojects, including the EMDPs. Monitoring report will be submitted to the World Bank for review and comments. External monitoring should be conducted twice a year during the implementation of the Project to timely identify issues that might need immediate action from PMU.

Table 10. Independent Monitoring Indicators

<table>
<thead>
<tr>
<th>Monitoring contents</th>
<th>Monitoring criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic information about EM households</td>
<td>• Location</td>
</tr>
<tr>
<td></td>
<td>• Number of EM households</td>
</tr>
<tr>
<td></td>
<td>• Average number of members in households, ages and educational attainment level</td>
</tr>
<tr>
<td></td>
<td>• Gender of household heads</td>
</tr>
<tr>
<td></td>
<td>• Accessibility to medical and education services, utilities and other social services</td>
</tr>
<tr>
<td></td>
<td>• Status of land and legal land use</td>
</tr>
<tr>
<td></td>
<td>• Occupation and jobs</td>
</tr>
<tr>
<td></td>
<td>• Income sources and levels</td>
</tr>
<tr>
<td>Monitoring contents</td>
<td>Monitoring criteria</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------------------</td>
</tr>
</tbody>
</table>
| Satisfactory levels of EM people | • Do EM people agree with EMDP implementation?  
• What are the assessments of EM people on the recoverability of their live and livelihood?  
• EM people’s awareness of the grievance redresses process and compensation procedures?  
• Are EM people’s complaints addressed timely and satisfactorily in accordance with EMPF? |
| Supporting efficiency | • Are benefits of EM people ensured satisfactorily?  
• Are vulnerable groups supported and assisted? |
| Other impacts | • Are there any impacts on EM people’s jobs and income?  
• How can unexpected impacts be addressed (if any)? |

**X. IMPLEMENTATION SCHEDULE AND BUDGET**

**10.1. Implementation Schedule**

138. EMDP will be implemented in two years, 2017 and 2018, to ensure that the majority of the EM households (non-affected households but present in the subproject communes and adjacent areas) will receive socioeconomic benefits in agricultural extension and business development (according to their recommendations/suggestions in the public consultations).

1. Ethnic Minorities Development Plan inclusive of information dissemination, public consultation and survey: These activities have been carried out during preparation of EMDP from April 2017 to August 2017. The specific activities include: (i) Collecting and gathering relevant documents, data, information, reports; (ii) Organizing stakeholder meetings with PMU, agencies, communities, focus groups (i.e. women, ethnic minorities, the poor); (iii) Indepth-interviews with key persons; and (iv) need assessment.

2. Preparation of Ethnic Minorities Development Plan: this has been carried out from June 2017 to August 2017. Based on the document, information and data collected, EMDP is to be drafted.


4. Training for PMU, relevant agencies and communities will likely start in September 2017, regarding: Training on Gender Equality, Training on Ethnic Minority Development Plan Monitoring, Training on agricultural development, Guidances of traffic safety, prevention of social evils etc.


6. Information dissemination, awareness raising: (i) Informing about the Grievance Redress Mechanism, (ii) Seminars about HIV/AIDS; Infectious diseases/epidemic; Trafficking of women and children; Gamble; Social security disorders etc.

7. Monitoring and Evaluation: This takes place from July 2017 to the end of the project including (i) Internal monitoring and (ii) engaging an external independent monitoring consultant.
Ethnic Minorities Development Plan– Ninh Thuan Subproject

Table 11: Implementation Schedule

<table>
<thead>
<tr>
<th>Activities</th>
<th>Year 2017</th>
<th>Year 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4 5 6 7 8</td>
<td>9 10 11 12</td>
</tr>
<tr>
<td>Information dissemination and public consultation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preparation of the Ethnic Minorities Development Plan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Submission of Draft Ethnic Minorities Development Plan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Training on EM to PMU and relevant agencies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approval of the Ethnic Minorities Development Plan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Information dissemination, awareness raising</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Village meetings</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Broadcasting through loudspeakers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monitoring and evaluation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Constructions activities</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

10.2. Budget

All necessary costs to carry out the activities proposed in this EMDP are included in the project’s cost. PMU will coordinate to implement EMDP in a timely manner to ensure that EMDP can support the EM peoples present in the subproject area to receive culturally appropriate socio-economic benefits.

Table 12: Cost Estimate of EMDP

<table>
<thead>
<tr>
<th>No.</th>
<th>Programs</th>
<th>No. of courses</th>
<th>No. of benefited HHs</th>
<th>Unit cost (VND)</th>
<th>Total (VND)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Training in Agricultural development</td>
<td>10</td>
<td>300</td>
<td>20,000,000</td>
<td>200,000,000</td>
</tr>
<tr>
<td>2</td>
<td>Support loan in agricultural production (50 million/commune)</td>
<td>2 com.</td>
<td>50</td>
<td>50,000,000</td>
<td>100,000,000</td>
</tr>
<tr>
<td>3</td>
<td>Guidance of traffic safety, prevention of social evils</td>
<td></td>
<td></td>
<td></td>
<td>60,000,000</td>
</tr>
<tr>
<td>3.1</td>
<td>Meeting in villages</td>
<td>12</td>
<td>500</td>
<td>6,000,000</td>
<td></td>
</tr>
<tr>
<td>3.2</td>
<td>Dissemination through communal loudspeaker</td>
<td>1200</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>3.3</td>
<td>Seminars about HIV/AIDS; Infectious diseases/epidemic; Trafficking of women and children; Gamble; Social security disorders</td>
<td>12</td>
<td>500</td>
<td>18,000,000</td>
<td></td>
</tr>
<tr>
<td>3.4</td>
<td>Training classes about Traffic Safety; Labor safety</td>
<td>12</td>
<td>500</td>
<td>36,000,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total (1+2+3)</strong></td>
<td></td>
<td></td>
<td>360,000,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Contingency (10%)</td>
<td></td>
<td></td>
<td>36,000,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cost Management (10%)</td>
<td></td>
<td></td>
<td>36,000,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>GRAND TOTAL (VND)</strong></td>
<td></td>
<td></td>
<td>432,000,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total (USD, 1 USD = 22,750)</td>
<td></td>
<td></td>
<td>18,989</td>
<td></td>
</tr>
</tbody>
</table>
## Annex

### Annex 1. Summary of Consultation Results with EM Group

<table>
<thead>
<tr>
<th>No.</th>
<th>Project Location</th>
<th>Time</th>
<th>Location</th>
<th>Participants</th>
<th>Consultation results</th>
</tr>
</thead>
</table>
| 1   | Loi Hai commune, Thuan Bac district | 3/04/2017 | Office of CPC | - Representatives of Department of Agriculture and Rural Development  
- Social Consultants  
- Representatives of communes and households  
- Representatives of Raglai households (10 households) | - Support for the project implementation;  
- Protection embankment of Ba Rau residential area, Thuan Bac district will bring many benefits for ethnic minority people; meanwhile the construction of the management road with a width of 3 meters will facilitate their travel;  
- EM language should be used during the consultation process to explain and take propaganda for receive support and help from EM people.  
- Provide technical support for cultivation, production of EM households |
| 2   | Phuoc Dan town, Ninh Phuoc district | 04/4/2017 | Office of CPC | - Representatives of Department of Agriculture and Rural Development  
- Social Consultants  
- Representatives of communes and households  
- Representatives of Cham households (05 households) | - Group discussion and interview with households at locality shows that households support for the project implementation;  
- The indigenous people desire safety for their lives and properties after construction of protection embankment for residential area on 02 banks of Lu river, Ninh Phuoc district. In fact, many canals are avalanched by flood over thei surface, affecting households’ properties; |
CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập - Tự Do - Hạnh phúc

Dự án Khắc phục hạn chế quá khích tại một số tỉnh miền Trung
BIẾN BẢN THAM VÀN CỘNG DỘNG
VỀ CHÍNH SÁCH AN TOÀN MÔI TRƯỜNG VÀ XÃ HỘI

Thời gian: .................................................................
Địa điểm: .................................................................
Thành phần: (Đặt sách chi tiết đính kèm theo)
- Đại diện Ban QLDA:
  Ông/ bà
- Đại diện Chính quyền địa phương:
  Ông/ bà
- Đại diện đơn vị Tư vấn: Ông/ bà
- Đại diện cộng đồng khu dân cư: Ông/ bà

Số người tham gia: .................................................................
Chủ trì cuộc họp: .................................................................
Thủ ký cuộc họp: .................................................................

Mục đích tổ chức cuộc họp:
- Giới thiệu dự án (Cung cấp thông tin chính về Mục tiêu, các hạng mục công trình chính, các tiêu chí tích cực và tiêu chí tiềm ẩn)
- Giới thiệu về chính sách an toàn về Môi trường và xã hội của Dự án
- Thảo luận các vấn đề thực hiện dự án
- Thảo luận các vấn đề liên quan đến môi trường và xã hội tại khu vực thực hiện dự án
- Ghi nhận những ý kiến đề xuất của chính quyền, cộng đồng đối với dự án

Trang 1
NỘI DUNG

1. CÁC VĂN ĐỀ VỀ CHẾ NÁU CHÍNH SÁCH AN TOÀN XÃ HỘI
1. Phổ biến Khung chính sách đối tượng, hỗ trợ và tài chính của dự án

2. Sàng lọc dân tộc thiểu số trong khu vực dự án

3. Chăm sóc sức khỏe và vệ sinh môi trường: Đánh giá hiện trạng các dịch vụ y tế, chăm sóc sức khỏe tại phường/xã: (i) Trạm y tế: Hiện trạng Cơ sở hạ tầng, nhân lực tại trạm y tế (điệt dat chuẩn? Diện tích, số phòng, Cố bao nhiêu nhân sự, trình độ) (ii) các dịch vụ từ nhân viên cơ – danh giá chất lượng dịch vụ?

4. Vấn đề VSMT và sức khỏe tại cộng đồng: Vệ sinh môi trường và sức khỏe (Cần lưu ý những địa điểm trong khu dân cư VSMT còn chưa tốt, những loại bệnh có liên quan tới VSMT thường xảy ra vào thời điểm nào trong năm? (hậu quả khoa,oriented, gian sán, tiêu chảy, đau bụng, ngộ độc thủy phân, say chán miệng, ức chế, đau mắt đỏ, bệnh ngôi đái ứng) Đối tượng thường hay mắc bệnh là ai?...)

5. Vấn đề Giới: Các dự án tại địa phương đã và đang tiến hành có liên quan tới vấn đề Giới. Những khó khăn của các chị em hiện nay đang gặp phải? Và nguy cơ rủi ro đối với trẻ em và phụ nữ trong quá trình thi công/xây dựng dự án?

Trang 2
6. Các vấn đề xã hội khác trong khu vực (Bệnh tật: HIV, hea liều, giang mai, nghèo đói, bán bán phụ nữ và trẻ em, lao động trẻ este, bảo hành gia đình và nghiên cứu):

Trong những vấn đề gian dầy, không có lũ lụt, tương, hưu, bão,... phụ nữ, trẻ em.

7. Nhóm để bị tổn thương (xác định các nhóm để bị tổn thương, bao gồm nhóm DITTS, đánh giá các rủi ro họ sẽ gặp phải và đề xuất các biện pháp can thiệp)

Huống... vui... tự công... về người dân để Chơn và người dân Đại Huy.

8. Tác động thu hồi đất

* Thông tin và cơ yếu... kiến thức người dân.
1.3.2. Phản hồi của chủ đầu tư

Tiep thu ý kiến đóng góp của chủ đầu tư

III. NHỮNG Ý KIẾN ĐỂ XUẤT ĐỘI VỚI DỰ ÁN

Ý kiến của Ông/Bà

IV. KẾT LUẬN

Địa phương đóng góp với dự án

Dị diển Ban QLDA

Dị diển UBND phường/xã

Dị diển tư vấn

Dị diển cộng đồng

Trang | 5
Annex 3: Project Information Booklet

Introduction:
Vietnam Emergency Natural Disaster Reconstruction Project-Ninh Thuan Subproject is implemented in Ninh Thuan province, at all locations affected by natural disasters, in which the project focuses on rehabilitation of essential works to ensure life, restore production and ensure smooth transport.

Objectives of the Project
- Repairing, improving and upgrading of production infrastructure (including irrigation works, dykes, river embankments, sea embankments, irrigation canals, domestic water supply, etc.) in order to restore production, protect lives and property of the local people, reduce risks caused by natural disasters.
- Overcoming damages on traffic infrastructure to facilitate travel, business and production development of the people, facilitate transportation of rescue forces, materials and equipment for emergency rescue for local people in flooded and drought areas in case natural resources and floods in the region.
- Support for capacity strengthening of the Client in the project implementation.

Components of Project
Vietnam Emergency Natural Disaster Reconstruction Project-Ninh Thuan Subproject includes 03 Components as follow:
- Component 1: Construction, rehabilitation of damaged works and disaster prevention in the future.
- Construction of Dinh river embankment, Phuoc Son commune, Ninh Phuoc district
- Construction of Ba Rau residential site embankment, Thuan Bac district
- Construction of residential site embankment along Lu river bank, Ninh Phuoc district
- Construction of Ong river embankment,
e) Asset compensation and relocation of affected households should be completed prior to the commencement of any construction activity.
f) Some specific assistances will be provided to ethnic minority households, female-headed households, households with disabilities and other vulnerable households.

Detailed Measurement Survey (DMS)
Detailed measurement will be carried out with the presence of affected households. Affected households were informed prior to the survey.

Project Implementation Time
The project is divided into two (02) implementation phases:
Component projects are implemented in the first 18 months (expected from Q3 / 2017):
- Construction of Dinh river embankment, Phuoc Son commune, Ninh Phuoc district
- Construction of Ba Rau residential site embankment, Thuan Bac district
- Construction of residential site embankment along Lu river bank, Ninh Phuoc district

The remaining project components (expected from Q1/2018):
- Construction of Ong river embankment, Tan Son town, Ninh Son district
- Solidification of canal level 2,3, Ta Ranh reservoir, Ninh Phuoc district
- Solidification of canal system level 2,3, Tan Giang reservoir, Ninh Phuoc district

When will the next consultations be carried out?
Consultation with households will continue during the detailed design phase and before detailed inventory. Affected households will receive invitations to participate in community meetings.

Should there be any disagreements or issues
Tan Son town, Ninh Son district
- Solidification of canal level 2,3, Ta Ranh reservoir, Ninh Phuoc district
- Solidification of canal system level 2,3, Tan Giang reservoir, Ninh Phuoc district
- Component 2: Capacity building
- Component 3: Project management

Impact magnitude

Survey has been implementing to identify numbers of affected households.

Who are affected households?

Affected households are those who are living in the affected area at the time of project disclosure. The cut-off date for eligible persons is the announcement date of land acquisition. Those who encroach land after the cut-off date will not be received any compensation or assistance.

Which resettlement policies and principles of the project are applied for affected households?

Basic resettlement principles of the project include:

a) All affected households are entitled to compensation for lost property, and affected income, businesses at replacement cost and are entitled to adequate rehabilitation measures to help them improve or at least to maintain the standard of living, income and production capacity that they have gained during the project.

b) The lack of legal ownership of the property of some affected people should not be taken as reason for impeding compensation.

c) Compensation for affected assets will be paid at market prices.

d) Preparation of resettlement plans and implementation will be conducted with the participation and consultation of affected people.

arising in the process of project implementation such as compensation or litigation relating to the project, shall I be entitled to appeal?

Any affected household can fill a complaint. The project has a grievance redress process and AHs can present complaints to the relevant local government officials and the Compensation and Site Clearance Committee, verbally or in writing.

The first complaint can be lodged at the commune level and may be taken to the highest level if the household is dissatisfied with the decision of the commune or district. Affected households will be exempted from taxes, administrative and legal fees related to filing and settlement of disputes.

Anyone who has any questions or concerns about the project, please contact the staff under: Ninh Thuan Province Agriculture Sector Project Management Unit