NAM DINH CITY PEOPLE'S COMMITTEE
NAM DINH CITY CONSTRUCTION AND INVESTMENT MANAGEMENT UNIT

VIET NAM URBAN UPGRAADING PROJECT
NAM DINH CITY SUB PROJECT
CREDIT ITEM IDA 3887-VN (WB)

RESETTLEMENT PLAN

COMPONENTS USING UP THE FUND ALLOCATED FOR THE
NAM DINH CITY URBAN UPGRAADING PROJECT - PHASE 2

NAM DINH - 02/2012
NAM DINH CITY PEOPLE'S COMMITTEE
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NAM DINH CITY SUB PROJECT
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RESETTLEMENT PLAN

COMPONENTS USING UP THE FUND AlLOCATED FOR NAM DINH CITY URBAN UPGRADE PROJECT - PHASE 2

INVESTOR

CONSULTANT
VIET NAM WATER, SANITATION & ENVIRONMENT JOINT STOCK COMPANY (VIWASE)

NGUYỄN VĂN THÀNH
TỔNG GIÁM ĐỐC

NAM DINH – 02/2012
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<th>Description</th>
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<tbody>
<tr>
<td><strong>Vulnerable Groups</strong></td>
<td>Separate groups who could be adversely affected by the relocation (Poor households, ethnic minority groups, handicapped people...)</td>
</tr>
<tr>
<td><strong>Compensation and Resettlement</strong></td>
<td>is the general term related to land acquisition and compensation for loss of asset whether it involves actual relocation, loss of land, shelter, assets or other means of livelihood.</td>
</tr>
<tr>
<td><strong>Recovery</strong></td>
<td>is the process to restore earning capacity, production levels and living standards in the long term</td>
</tr>
<tr>
<td><strong>Resettlement plan</strong></td>
<td>Completion of Plan with fully timetable and detailed budget for developing resettlement strategy, objectives, rights, actions, responsibilities, monitoring and evaluation.</td>
</tr>
<tr>
<td><strong>Replacement cost</strong></td>
<td>is the necessary amount of money to replace lost assets basing on their actual/market values including transaction cost. This cost is calculated basing on the respective norm under a regulation.</td>
</tr>
<tr>
<td><strong>Living Standard recovery</strong></td>
<td>Supplement of compensation for assuring DP who suffer seriously from loss of production material, loss of income/job or means of livelihood to have an equally or better living standard.</td>
</tr>
<tr>
<td><strong>Cut-of-date</strong></td>
<td>The date of announcement of component boundary to Displaced Persons and local communities, DP will be informed of the cut-off date for each Project component, and that anyone moving into the Project Area after that date will not be entitled to compensation and support under the Project.</td>
</tr>
<tr>
<td><strong>Eligibility</strong></td>
<td>Any person who at the cut-off-date was located within the area affected by the project, its sub-components, or other subproject parts thereof, and would have their: (i) standards of living adversely affected, (ii) rights, titles, or claim in any land (agricultural, grazing or forest), house or structure (be it residential, commercial permanent or temporary), or (iii) production assets such as business, occupation, place of work, residence, or habitat, or (iv) access to assets adversely affected (e.g. fishing rights). Eligibility is irrespective of: (a) formal legal rights to land, or (b) customary claim to land or asset, or (c) having no recognizable legal right or claim to the land they are occupying.</td>
</tr>
<tr>
<td><strong>PAP-meet condition to receive compensation</strong></td>
<td>is mentioned in the article 8 Decree No.197/2004/ND-CP.</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

Project Introduction

Nam Dinh City has implemented the Urban Upgrading Project funded by the World Bank with development credit agreement, credit loan no. 3887-VN signed between the Government of Vietnam and World Bank on July 8th, 2004. The project will be implemented in two phases with 6 major components, namely:

- Components 1: Upgrading tertiary infrastructure
- Components 2: Upgrading primary and secondary infrastructure
- Components 3: Houses for resettlement
- Components 4: House and land management
- Components 5: Revolving fund for house rehabilitation
- Components 6: Capacity building

At the present, the work items in the Phase 1 are completed; those in the phase 2 are under construction and to be completed. However, as expected, after all the work items in both phases, the project will remain an amount of about 6.126 million USD, some work item investments will be developed to use up the fund allocated for Nam Dinh city urban upgrading project- phase 2 as approved by the provincial People’s Committee and WB.

Resettlement Plan (RP) is prepared for work items that use up the fund allocated for the Vietnam urban upgrading project - Nam Dinh City sub-project in the period of feasibility study report including: legal policy and right; property; social-economic condition; affected subjects; affected property statistic, community consultation and participatory activities; implementation and monitoring plan comprising grievance procedures; implementation; time implementation and budget.

Land acquisition scope

The design was revised to minimize effects of the project, it is expected to recover 95 m² of residential land and 96,591 m² of agricultural land for upgrading and construction of project items. Field survey of effects of the project showed that there are about 34 households and 3 organizations. Within 34 households, 3 households need to be resettled.

Legal framework and compensation policy

Compensation policy in subproject Nam Dinh City Urban Upgrading will comply with guidelines of World Bank (involuntary resettlement policy OP/BP 4.12) and laws, regulations of Vietnamese government and the resettlement plan framework (RPF) accepted by both Vietnamese Government and the World Bank. The RPF has been cleared and approved through the Official Document No. 211/VP5 dated September 9, 2003 and the Official Document No. 1513/CP-NN dated November 4, 2003 by the Nam Dinh Provincial People’s Committee and Prime Minister of Vietnamese Government respectively.
The basic principle applying for resettlement activity plan is that project affected people are supported sufficiently to have better living standard, incomes and productivity or at least equivalent ones in comparison with prior to project implementation. All project affected people living at project sites before cut off date are compensated or supported. Lack of legal basic on land owning will not interfere the affected households accessing the compensation and/or support of economic recovery. Lost properties will be compensated based on replacement cost.

Resettlement site

For whole or a part land acquisition households, if they have to displace and want to enter concentrated resettlement site of the project, they will be provided. The Tram Ca Resettlement site, Van Mieu village, with area of more than 10 ha was built completely on technical infrastructure. This resettlement site is designed sufficiently large to cover all affected households by Nam Dinh City Urban Upgrading Project (for both phases).

Implementation / Institutional arrangement

Compensation, support and resettlement are implemented directly by City ground clearance Board; compensation, support and resettlement Committee. In the progress, these units have to work closely with Nam Dinh city construction and investment management unit (PMU) functional organizations, commune authorities and communities in the project site to ensure an obvious and timely compensation – land acquisition, in accordance with the approved RP.

Consultation and participation

RP of the project is made with close cooperation of local authorities, community representatives and affected people. Commune authorities and representatives of affected households were consulted through different means and information channels including community meetings and consultations, questionnaire for all households affected by component 2 – Nam Dinh City Urban Upgrading subproject (phase II). The collected information during consultation is the important basic to make resettlement policy including plans of compensation, support and incomes recovery.

Grievance and grievance solution procedure

During land acquisition (resettlement activity Plan), grievances will be solved in order of approved project policy. Grievances of affected subjects will be solved by authorities equally and quickly basing on present legal regulations.

Monitoring and evaluation

The implementation of detail resettlement plan will be evaluated and monitored internally. In addition, an independent consultation unit employed by PMU will evaluate and monitor the implementation of RAP externally. The issues and difficulties met during implementing will be shown and solved timely as a result of regularly monitoring.

Implementation plan

Resettlement plan is carried out with construction of the project. It is expected that ground clearance in component 2 will be implemented within 6 months. Land acquisition is required to complete before the contractor receiving the site for construction.
Cost estimation

The total site clearance and resettlement cost is estimated at around VND 5,608,831,736 equivalent to USD 269,655 (exchange rate: VND 20,800 = 1 USD).

Latest regulations of Nam Dinh People’s Committee on compensation, assistance, and resettlement have been updated in this report’s site clearance and resettlement cost estimate, and the rates applied to activities have been adequately and reasonably calculated.

This cost includes compensation, land and construction support, programs of incomes recovery, transfer support, monitor, and evaluation and administration management.
1. INTRODUCTION

The Government of Vietnam has received a credit funded by the World Bank on Vietnam Urban Upgrading Project (VUUP). VUUP has been implemented in four cities, including Nam Dinh, Hai Phong, Ho Chi Minh City, and Can Tho. The objective of the project is to reduce poverty in urban areas by improving living and environmental conditions of the urban poor. In each city, the project includes the six following components:

- Component 1: Upgrading tertiary infrastructure
- Component 2: Upgrading first and second-level infrastructure
- Component 3: Houses for resettlement
- Component 4: House and land management
- Component 5: Revolving fund for house rehabilitation
- Component 6: Capacity building

The pre-feasibility study report on Nam Dinh City Urban Upgrading Project was prepared in 2002, updated again in 2007, which has identified 26 low income areas (LIAs) in 20 wards of the city. The first and second-level infrastructures, network of main sewers and roads requiring investment have been identified so that the tertiary infrastructure will operate effectively.

The construction of tertiary infrastructure works is now completed, the first and second-level infrastructures are still implemented. The completed works has proved themselves to be effective in improving the infrastructure, environmental sanitation for the city. According to the project schedule, all work items are going to be completed in 2014.

Despite the fact, as expected, after all the work items in both phases, the project will remain an amount of about 6.126 million USD. Nam Dinh People's Committee and the Department of Planning and Investment of Nam Dinh Province have the submissions no. 36/TTr-UBND dated March 10th, 2011 and no. 99/TTr-SKHDT March 16th, 2011 on proposing the use-up of the allocated fund of Nam Dinh city urban upgrading project – Phase 2 for implementation of project components. On April 1st, 2011, Nam Dinh People’s Committee issued the Notice no. 48/TB-UBND on the use-up of the allocated fund for project components. The proposal of using up the fund allocated for the project was approved by WB and had no objection letter dated April 22nd, 2011.

The work items proposed to use up the allocated fund of Nam Dinh City urban upgrading project are implemented using site-specific design principles, which minimize the impacts on land acquisition. At the present, the project preparation and study on technical alternatives for work items that use up the project’s allocated fund - phase 2 are being implemented.

Along with the project preparation, a separate resettlement plan will be established for guidance on activities related to compensation, support, and resettlement upon land acquisition during project implementation.
2. PROJECT DESCRIPTION

2.1. Project objectives:

The main project objectives include:

- Reducing urban poverty, improving living and sanitation conditions for the poor living in low income areas in Nam Dinh City.

- Improving services and tertiary infrastructure: Implementing the program on provision or upgrading of tertiary infrastructures and restoring selected social infrastructures in low income areas, on the basis of the priority items indentified by particular local communities, including road and alley upgrading; clean water supply, drainage, sanitation service and solid waste management; grid and road lighting connection; kindergarten, primary school, medical station, markets and public toilets rehabilitation; and community facilities provision.

- Upgrading supplementary first and second-level infrastructures: Implementing first and second-level infrastructure upgrading programs required to support and improve the effectiveness of tertiary infrastructure upgrading developed at the community level, including rehabilitating the North drainage basin, completing drainage connections in the South, rehabilitating second-level drainage system and connecting tertiary drainage system in low-income areas with first-level drainage system.

- Evaluating and making full use of exploitation capacity of the existing works such as channels, lakes, main sewers... connecting tertiary infrastructures to promote the unified efficiency of upgraded infrastructures.

2.2. Construction works proposed for investment

For Component 1:

In the two implementation phases, the Urban Upgrading Project has invested in comprehensive upgrading tertiary infrastructures in low-income areas in 20 wards all over Nam Dinh City. The beneficiaries have actively gotten involved in project phases from preparation to project implementation. However, there are still some tertiary infrastructures in low income areas not yet proposed to be upgraded. The inflation at the time of Phase 2-FS report preparation was high, so the social infrastructures were not fully studied and negative impacts were not anticipated when upgrading the neighbouring areas. For that reason, some households didn’t propose upgrading. At the moment, the tertiary infrastructures proposed for the project have been constructed, then in some other areas of Tran Te Xuong and Loc Ha Wards, the infrastructures degrades, the sewers fail to meet drainage requirements in the residential areas. This often results in flooding as it rains, waste water is not discharged properly or stagnant water pollutes the environment. The social infrastructures that were built long ago began to degrade; they no longer meet current use requirements. Requirements and upgrading proposals of community and local authorities in Tran Te Xuong and Loc Ha ward will be included in the list of project works using up the allocated fund of the project - phase 2.
Table 1. Construction works under Component 1 (Tertiary infrastructures)

<table>
<thead>
<tr>
<th>No</th>
<th>Item</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Constructing and upgrading Cua Bac Ward’s medical station;</td>
<td>261m² floor</td>
</tr>
<tr>
<td>2.</td>
<td>Constructing Truong Thi Ward’s medical station</td>
<td>388 m² floor</td>
</tr>
<tr>
<td>3.</td>
<td>Constructing Tran Te Xuong Ward’s community center</td>
<td>130m²</td>
</tr>
<tr>
<td>4.</td>
<td>Constructing tertiary infrastructure (drainage and concrete pavement) in Tran Te Xuong Ward</td>
<td>3.7 ha (3.3 ha in Area 13 and 0.4 in Area 8,9,10,11 in Tran Te Xuong Ward)</td>
</tr>
<tr>
<td>5.</td>
<td>Constructing tertiary infrastructure (drainage and concrete pavement) in Loc Ha Ward</td>
<td>6.74 ha</td>
</tr>
</tbody>
</table>

For Component 2:

- A number of sewers under the Phase 2 are completed; however, according to the design, there is no pavement reinstatement, so the sewer surface becomes the pavement where people and motor vehicles regularly travel across; this will affect the quality and durability of the sewers. To ensure long-term use of the sewers as well as contributing to urban rehabilitation, developing the traffic in the project areas, further investment in road construction over such sewers will be carried out.

- Currently, in Nam Dinh city, there are some open ditches, although investment has been made for rehabilitation, two-side rock embankments, but due to the poor awareness of the residents, so frequent littering and waste discharges in ditches causes flow congestion and environmental pollution. During this phase, the project will develop concrete sewer method for such ditches to reduce pollution and construction of roads over sewers to provide convenient transportation for local residents.

- Dam Bet and Dam Do Lakes in Loc Vuong Ward, Nam Dinh city have a large area of over 25ha. Along with other lakes in the city, it contributes to the climate and environmental control and stable drainage in the center of Nam Dinh City. Presently, the lake land management encounters difficulty, the area of lakes increasingly shrinks due to lake encroachment of the surrounding people for construction of houses and buildings that affect the landscape around the lake and the region. In this phase, the project proposes to construct embankments around two lakes, walkways and entertaining areas within the lake region.
Table 2. Construction works under Component 2

<table>
<thead>
<tr>
<th>No</th>
<th>Item</th>
<th>Scale</th>
</tr>
</thead>
</table>
| 1. | Constructing rock embankment, walkways, sewers, planting around Dam Bet and Dam Do Lakes and social buildings in the campus | **A.** Main campus close to Dam Bet Lake \( (S = 23,129.0 \text{ m}^2) \)  
**B.** Constructing Dam Bet and Dam Do Lakes:  
Total area **292,050.5 m}^2** (inclusive of Dam Bet Lake = 211,386.8 m^2; Dam Do Lake = 80,663.7 m^2).  
- Length of roof of rock embankment: 2,294 m  
- Total length around lake 3,048 m |
| 2. | Constructing routes over sewers of Phuc Trong Canal (under package CP12, concrete sewers constructed) | - Length 841 m  
- Road cross section (5m sidewalk + 7m pavement + 4m median strip + 7m pavement + 5m sidewalk = 28.0m).  
- **Sewers:** Constructing separate rainwater drainage and waste water sewers, manholes for collecting the water from road surface and sidewalk discharge into main box sewers \( 2B \times H = 2 \times (1500 \times 1500) \text{mm} \).  
- Technical trench system, water supply, public lighting, power supply, trees |
| 3. | Applying concrete to open ditches of sewers in Tram Ca Resettlement Site and planting trees | - Total length of main sewer line: 384 m  
- **Culverts:** Constructing main culverts \( B \times H \) (1400x1400), \( B \times H \) (1500x1500), \( B \times H \) (2000x1500), level of culvert bottom at the beginning of the line \( H = +0.30 \text{m} \), level of culvert bottom at the end of the line \( H = 0.05 \text{m} \).  
- **Planting trees:** Placing fertile soil of 30 cm average thickness over sewers, constructing grass boxes and trimmed shrubs for landscaping, constructing sidewalks where previous bridges once exist. |
| 4. | Applying concrete to open ditches, traffic roads, and public lighting system in open sewers along Dinh Bo Linh branch connected to Nang Tinh Lake, open | **Traffic road:** Total length: \( L = 233.1 \text{m} \)  
- Section 1: from Tran Quang Khai Road to pile P3: \( L = 112.3 \text{m} \) road design: concrete pavement in 15 cm thickness, average 2 m sidewalk cross section, + 4.0 m pavement + 1.5 m sidewalk, Block-type tiles for sidewalk.  
- Section 2 from Pile P3 to Nguyen Van Troi Road: |
<table>
<thead>
<tr>
<th>No</th>
<th>Item</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>sewer line over Ma Dien Canal, and placing covers for sewers over discharge canal to Red River</td>
<td>L=120.8m: L=112.3m road design: concrete pavement in 15cm thickness, average 3m sidewalk cross section + 5.0m pavement + 2.5m sidewalk, Block-type tiles for sidewalk</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Sewers: Constructing main culverts BxH(2000x1800) and BxH (2800x2000) from bridge over Tran Quang Khai Road to location of culvert over Nguyen Van Troi Road, level of culvert bottom at the beginning of Nguyen Van Troi Road H = +0.15m, level of culvert bottom at the end of Nguyen Van Troi Road H = 0.15m. At the same time, constructing culverts for connecting existing drainage system to main sewer line.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Domestic water supply: Removing the existing domestic water supply system to construct new work items.</td>
</tr>
<tr>
<td>5.</td>
<td>Constructing road over sewer line from Truyen Thong Lake to T3-11 Canal</td>
<td>- Constructing the 8-m-wide road, including road bed in 5.5m width, two sidewalks in 1.0 – 1.5m (open spaces to be used for expanding sidewalks up to 5.0m), fine asphalt concrete pavement for in 5.0cm thickness, Block-type tiles for sidewalks, applying M75-cement mortar, 2 cm in thickness, constructing sewer line B400 along the left side of the route from Duong Bai Road to T3-11 Canal, arranging manholes on right sidewalks at the interval of 50m, water discharged in reinforced concrete sewers placed in the middle, planting trees on sidewalks, constructing lighting-built roads in 450 length, installing reinforced 8.5m concrete posts along the right sidewalk of the road, high-voltage lamps to be arranged on such posts.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Total length: L= 311.05m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Road: Placing coherent asphalt over previous pavement, adding straightness to pavement using no-fines asphalt concrete cover, fine asphalt concrete pavement for in 5.0cm thickness, constructing curbs, colorless Block-type tiles for sidewalks in adequately wide places.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Culvert: Only renovating damaged manholes and woven manhole covers.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Upgrading and renovating: Domestic water supply, post office system</td>
</tr>
</tbody>
</table>

Components using up the fund allocated for Nam Dinh City urban upgrading project-Phase2
According to the project design, the construction works under Component 1 does not affect land acquisition. Drainage system and roads in two low-income areas of Tran Te Xuong and Loc Ha Ward are designed and constructed based on the site-specific situation. The social infrastructures include (i) development of medical station of Cua Bac Ward on previous foundation of former medial station, (ii) development of medical station of Truong Thi Ward, and (iii) development of Tran Te Xuong Ward’s community on vacant area of local People’s Committee.

As for the construction works under Component 2, only works (i) Dam Bet Lake embankment, (ii) Dam Do Lake embankment, and (iii) development of the traffic road over the sewer line from Truyen Thong Lake to T3-11 Canal make impacts on acquisition of land, buildings, assets on land belonging to households living around the lake and along the route from Dam Bet embankment.

2.3. Investment solution

- Embankments of Dam Bet and Dam Do Lakes

The Dam Bet and Dam Do Lakes are adjacent, which are separated by a soil pathway. Dam Bet Lake is under the control of Kenh Tuong Cooperative; the cooperative signs rental contracts with individuals to cultivate on land and water surface, and the annual dividends are provided to its members. Dam Do Lake is under the control of Loc Vuong Ward’s PC. Currently, a lot of area around the lake is encroached upon by the locals to build houses. The construction of embankments for lake rehabilitation will result in land acquisition against the encroached area for the purpose of constructing the project works.

The technical solution proposed for renovating lake embankment is such that the entire embankment route, walkway, and walkway sidewalks are to be designed to penetrate further the lake bed (not designed in the areas encroached upon by the locals) so that the construction layout site is made available right after the completion of design. The areas encroached upon by the locals will be designed with grass boxes and culverts and other entertaining works upon completed site clearance. Therefore, in order not to affect the overall construction progress, the construction of Dam Bet and Dam Do Lakes are divided into two stages:

(1) Stage 1 - construction of all embankments, walkways and sidewalks. The total area of permanent land acquisition is about 71,055 m², including residential area of 95 m² and lake land of 70,960 m², and the temporary lake land acquisition is 22,390 m². There are three agencies are affected, namely Loc Vuong Ward People’s Committee, Kenh Thuong Cooperative, Nam Dinh Land Fund Development Center and other three affected households, of which two households rent lake land of Kenh Thuong Cooperative; the remaining household is affected by garden land acquisition, this garden land area is arbitrarily established by the household on the land beyond Lake managed by Kenh Thuong Cooperative.

(2) Stage 2 - construction of sewers, trees, grass boxes for landscaping and entertaining works is implemented as designed. The total area of permanent land acquisition is about 3,241 m², and there are 28 affected households.
Main investment content includes:

**A. Main campus close to Dam Bet Lake: \( S = 23,129.0 \text{ m}^2 \)**

1. Main traffic road:
   - Opening a main road route from canal passage to location adjacent to 2 lakes (Dam Bet and Dam Do)
   - Road cross section: \( (3\text{m sidewalk} + 5.5\text{m road} + 3\text{m sidewalk}) = 11.5\text{m} \)

2. Management house: Approx. 100 \( \text{m}^2 \) floor area, reinforced concrete flat roof house with heat-resistant steel roof.

3. Public toilet: Approx. 58 \( \text{m}^2 \) floor area, reinforced concrete roof.

4. Pentagon floor (places where the residents rest): constructed with reinforced concrete, total building area of 556 \( \text{m}^2 \).

5. Parking: Approx. 250 \( \text{m}^2 \), concrete in 12cm thickness.

6. Nourishment yard: Terazo tiles applied to surface, approx. 760 \( \text{m}^2 \).

7. Entertaining and sport area, recreational area for children, outdoor stage, and grand stand with total area of 6,100 \( \text{m}^2 \): Terazo colorful and pattern tiles applied.

8. Internal road separates functional areas, green pathway to be applied with red coconut leaf tiles

9. In this space, trees and shade trees are planted; spaces are reserved for plantings trees as icons and objects.

**B. Constructing Dam Bet and Dam Do Lakes: Total area of 292,050.5 \( \text{m}^2 \)** (Inclusive of Dam Bet Lake = 211,386.8 \( \text{m}^2 \); Dam Do Lake = 80,663.7 \( \text{m}^2 \)).

- Average cross section: Embankment 0.45m + Tree box 2.0m + Road 5.5m + 3.0m sidewalk + Vacant land for grass cover + willow-leaved justicia fence and household = 11.0m

1. Design level of embankment top \( H = +240 \); embankment bottom after dredging: - 0.30m

2. Rock embankment around lake: Embankment foundation and wall built using ashlars with grade 100, embankment slope \( \text{m} = 1:1 \)

3. Green space, walkway around lake, campus around lake, culverts

4. Around the lake, culverts B500 are to be constructed, water drainage direction towards the lake. Particularly at the canal passage to the lake (at the moment, circulating sewer going across Canal passage), new construction of culverts BxH= 2000 x 2000 and road route over the culverts for circulation with canal passage, water drainage from lake through canal passage to open ditch, then water discharged through sport center to Canal T3-11 close to National Highway 10.

5. Campus of Dam Do Lake is connected with drainage system through sewer line 2B = 2x1,000x1,000. It is constructed in the Phase 2 and connected with T3-11 Canal. The traffic system is connected with internal traffic roads (Duong Bai Road and Truyen Thong Lake) through road route over culverts connecting Truyen Thong Lake to Canal T3-11; 2-branch road route connecting to Duong Bai Road.

*Figure 1: Current status of Dam Bet and Dam Do Lakes*
- Constructing road over sewer line connecting Truyen Thong Lake to Canal T3-11

The project construction site is box culvert 2BxH (1000x1000) under package CP12, Phase 2, connecting Truyen Thong Lake to Canal T3-11. The current status shows that two sides in the proximity of residential areas and farming land are now unoccupied so there are densely populated water ferns and lotus causing poor sanitation.

Design solution:

Traffic:

Constructing 8m wide road, including road bed in 5.5m width, two sidewalks in 1.0 – 1.5m (open spaces to be used for expanding sidewalks up to 5.0m), fine asphalt concrete pavement for in 5.0cm thickness, Block-type tiles for sidewalks, applying M75-cement mortar, 2 cm in thickness, constructing sewer line B400 along the left side of the route from Duong Bai Road to T3-11 Canal, arranging manholes on right sidewalks at the interval of 50m, water discharged in reinforced concrete sewers placed in the middle, planting trees on sidewalks, constructing lighting-built roads in 450 length, installing 8.5m-high- reinforced concrete posts along the right sidewalk of the road, high-voltage lamps to be arranged on such posts.

Figure 3: Current status of sewer line connecting Truyen Thong Lake to Canal T3-11
Figure 3: Site layout of embankments of Dam Bet and Dam Do Lakes and Site layout of construction works over sewer line connecting Truyen Thong Lake to Canal T3-11
DAM DO - DAM BET PARK
NAM DINH CITY - NAM DINH PROVINCE
GENERAL LAYOUT OF DAM DO - DAM BET PARK

GHI CHÚ (NOTES)
1. KIỂU THỂ THAO
2. SÂN TẬP PHƯƠNG SĨNH
3. NOURISHING TRAINING GROUND
4. NHA Ô ÓAN LT
5. MANAGEMENT HOUSE
6. SÂN KHẤU NGOẠI TIẾO
7. AIR STAGE
8. KIỂU VƯU CHỈ THỊNH SỊE
9. ENTERTAINMENT AREA FOR CHILDREN
10. VIỆT CỘ VỊNH
11. FAIRY GARDEN
12. SÂN CHƠI
13. PLAYGROUND
14. CHỞ NỀ
15. SHELTER OF REST
16. NHA VỆ SINH CỘNG CỘNG
17. PUBLIC TOILET
3. SCOPE OF LAND OCCUPATION AND RESETTLEMENT

3.1. Scale of land acquisition and resettlement

According to the design, there are 3 construction works under Item 2 of the project that affect land acquisition for project implementation, including (1) Dam Bet Lake Embankment, (2) Dam Do Lake Embankment, walkways, culverts, trees, and (3) constructing road over sewer line connecting Truyen Thong Lake to Canal T3-11. During the project preparation study, the design consultant introduced design proposals and technical solutions based on the principle of minimizing impacts as a result of land acquisition against households residing in project areas. This is a crucial criterion for selecting locations for development of construction works.

As designed, the project proceeds with land acquisition of 95 m² residential area and 96,591 m² lake land (Dam Bet and Dam Do Lakes) for upgrading and constructing project buildings, including

Permanent land acquisition includes:

- Residential area (tenure land) 95 m²

Lake land: 74,201 m², of which garden area encroached upon, backfilled and leveled by the locals over lake land: 12,839 m² (garden area of households: 4,047 m², areas of local PC and other agencies: 70,154 m²) and area of lake surface: 59,224 m²

- Total area of affected buildings: areas of houses, premises, auxiliary works, yards are 1,934 m²; and areas of fences and walls are 410 m²

- Total affected graves: 4 anonymous graves

Temporary land acquisition during project implementation includes:

- Lake land: 22,390 m²

- Total area of affected perennial crops (ornamental plants): 484 plants

According to statistics made by surveys, project-affected subjects include 34 households and three agencies, namely Loc Vuong Ward’s PC, Kenh Thuong Cooperative, and Nam Dinh Land Fund Development Center. Of 34 affected households, residential areas of three households are affected, three households rent lake land of Loc Vuong Ward and now build houses on farming land. Based on cadastral map measured and prepared by Loc Vuong Ward’s PC in 2004, the total affected areas of the remaining households are the land without any land-use certificate, illegally encroached upon by the households towards the lake. There are totally three households affected by resettlement, two of which built houses on rented land of Kenh Thuong Cooperative. In case of need, these affected households shall be arranged to resettled in the project’s resettlement area. One household from the three affected households works as wood carpenters with shop at home, which will be dismantled during project site clearance. Mitigation measures of impacts on the shop’s production activities during relocation and construction of a new shop is mentioned in Chapter “income recovery”.

Components using up the fund allocated for Nam Dinh City urban upgrading project-Phase2

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The project also affects 4 anonymous graves. Furthermore, there is no other impact on valuable architectural and cultural works. There is no ethnic minority community in project areas.

For ensuring implementation of overall project meets the setup progress, site clearance activities is expected to be implemented in two stages:

- Stage 1: Site clearance for construction of stone embankment, construction of walkway, construction of sewers;
- Stage 2: Site clearance for construction of green areas and parks
Table 3. Summary of land acquisition by the project

<table>
<thead>
<tr>
<th>Code</th>
<th>Items</th>
<th>Acquired land area (m²)</th>
<th>Permanent land acquisition</th>
<th>Temporary land acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td>Resident</td>
<td>lake land</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I.</td>
<td>Build stone embankments, footpaths, drainage, planting trees around the Dam Bet and Dam Do lakes</td>
<td>74,201</td>
<td>0</td>
<td>74,201</td>
</tr>
<tr>
<td></td>
<td>Loc Vuong People’s committee office</td>
<td>0</td>
<td></td>
<td>38,521</td>
</tr>
<tr>
<td></td>
<td>Kenh Thuong cooperative (including 2 households renting land)</td>
<td>26,419</td>
<td>0</td>
<td>26,419</td>
</tr>
<tr>
<td></td>
<td>Centre for land development</td>
<td>5,214</td>
<td>0</td>
<td>5,214</td>
</tr>
<tr>
<td></td>
<td>Land of households (occupied lake land)</td>
<td>4,047</td>
<td>0</td>
<td>4,047</td>
</tr>
<tr>
<td>II.</td>
<td>Construction of road on the sewer line connecting the Truyen Thong lake to cannel T3-11</td>
<td>95</td>
<td>95</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>74,296</td>
<td>95</td>
<td>74,201</td>
</tr>
</tbody>
</table>

Components using up the fund allocated for Nam Dinh City urban upgrading project-Phase2
## Table 4. Summary of land acquisition by stage I of the project (build stone embankments, footpaths)

<table>
<thead>
<tr>
<th>Code</th>
<th>Items</th>
<th>Acquired land area (m²)</th>
<th>Permanent land acquisition</th>
<th>Temporary land acquisition</th>
<th>Area of lake land</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td>Resident</td>
<td>lake land (land filled and leveled into garden and lake’s surface area)</td>
<td>Total number of affected households and organizations</td>
</tr>
<tr>
<td>I.</td>
<td>Build stone embankments, footpaths, drainage, planting trees around the Dam Bet and Dam Do lakes</td>
<td>70,960</td>
<td>0</td>
<td>70,960</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>Loc Vuong People's committee office</td>
<td>38,521</td>
<td>0</td>
<td>38,521</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Kenh Thuong cooperative (including 2 households renting land)</td>
<td>26,419</td>
<td>0</td>
<td>26,419</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Centre for land development</td>
<td>5,214</td>
<td>0</td>
<td>5,214</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Land of households (occupied lake land)</td>
<td>806</td>
<td>0</td>
<td>806</td>
<td>1</td>
</tr>
<tr>
<td>I.</td>
<td>Construction of road on the sewer connecting the Truyen Thong lake to T3-11 channel</td>
<td>95</td>
<td>95</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>71,055</strong></td>
<td><strong>95</strong></td>
<td><strong>70,960</strong></td>
<td><strong>9</strong></td>
</tr>
</tbody>
</table>
### Table 5. Summary of land acquisition by stage II of the project (Construction of pavement, grass and HH's water collection sewer)

<table>
<thead>
<tr>
<th>Code</th>
<th>Items</th>
<th>Permanent land acquisition</th>
<th>Temporary land acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Acquired land area (m²)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td>Resident</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I.</td>
<td>Build stone embankments, footpaths, drainage, planting trees around the Dam Bet and Dam Do lakes</td>
<td>3,241</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Land of households (occupied lake land)</td>
<td>3,241</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td>3,241</td>
<td>0</td>
</tr>
</tbody>
</table>
3.2. Scope of land acquisition by the project

The result of survey in affected areas and affected household survey presents impact level by works of the project as:

Table 6. Statistics of affected properties

<table>
<thead>
<tr>
<th>Affected properties</th>
<th>Unit</th>
<th>Works</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(i)</td>
<td>(ii)</td>
</tr>
<tr>
<td><strong>Permanent effect</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land acquisition</td>
<td></td>
<td></td>
</tr>
<tr>
<td>* residential land</td>
<td>m²</td>
<td>0</td>
</tr>
<tr>
<td>* Lake land</td>
<td>m²</td>
<td>74,201</td>
</tr>
<tr>
<td>Household</td>
<td>m²</td>
<td>4,047</td>
</tr>
<tr>
<td>Kenh Thuong cooporative</td>
<td>m²</td>
<td>23,996</td>
</tr>
<tr>
<td>Land managed by Loc Vuong ward</td>
<td>m²</td>
<td>40,644</td>
</tr>
<tr>
<td>Centre for land development - Nam Dinh City</td>
<td>m²</td>
<td>5,214</td>
</tr>
<tr>
<td><strong>Affected house and structure</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>House with 2 floors</td>
<td>m²</td>
<td>59</td>
</tr>
<tr>
<td>House with 1 floors</td>
<td>m²</td>
<td>0</td>
</tr>
<tr>
<td>Grade 4 - house</td>
<td>m²</td>
<td>710</td>
</tr>
<tr>
<td>Temporary house</td>
<td>m²</td>
<td>15</td>
</tr>
<tr>
<td>Sub-structure</td>
<td>m²</td>
<td>163</td>
</tr>
<tr>
<td>Yard</td>
<td>m²</td>
<td>861</td>
</tr>
<tr>
<td>Fence</td>
<td>m²</td>
<td>410</td>
</tr>
<tr>
<td>brick kiln</td>
<td>m²</td>
<td>126</td>
</tr>
<tr>
<td>Grave</td>
<td>No</td>
<td>4</td>
</tr>
<tr>
<td><strong>Affected crop and tree</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gardens, water spinach, sweet water</td>
<td>m²</td>
<td>13,187</td>
</tr>
<tr>
<td>Fish</td>
<td>m²</td>
<td>59,657</td>
</tr>
<tr>
<td><strong>Temporarily impact</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential land</td>
<td>m²</td>
<td>0</td>
</tr>
<tr>
<td>Agricultural land (aquarium)</td>
<td>m²</td>
<td>22,390</td>
</tr>
<tr>
<td>Kenh Thuong cooporative (aquarium)</td>
<td>m²</td>
<td>15,797</td>
</tr>
<tr>
<td>Loc Vuong ward (aquarium)</td>
<td>m²</td>
<td>6,593</td>
</tr>
<tr>
<td>Perennials (tree) (influence to move)</td>
<td>tree</td>
<td>484</td>
</tr>
</tbody>
</table>

(i) Build stone embankments, footpaths, drainage, planting trees around the Dam Bet and DamDo Lakes
(ii) Construction of road on the sewer connecting the Truyen Thong lake to T3-11 channel

Components using up the capital for Nam Dinh City urban upgrading project
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- Residential area: Part of residential areas of three households is affected.

- Lake land:
  - Three agencies, namely Loc Vuong Ward’s PC, Kenh Thuong Cooperative, and Nam Dinh Land Fund Development Center, are affected.
  - There are 31 affected households: 2 households affected on rental land of Kenh Thuong Cooperative and other 29 households affected garden land. All affected garden areas of these 29 households are illegally encroached land, not included in the areas granted with land use certificates in accordance with the cadastral map measured by Loc Vuong Ward in 2004.
  - There are three relocated households of which 02 households rent land of Kenh Thuong Cooperative. In case of needed, these households will be displaced and arranged in the project’s resettlement area.

- As for business and manufacturing activities: Of affected households, one household provides carpentry, have home shop and business registration. The land acquisition will affect house and premises destruction. There are two households used to manufacture bricks, however, the brick manufacture have been stopped for already 10 years. Presently; this 2 households work as gardening and fish aquaculture. The area for brick manufacturing before has been returned to Loc Vuong ward’s PC to manage; At present, this area is left fallow.

- As for houses: Total households have affected houses, auxiliary works, yards, fences, and walls are 9.

- As for crops: 34 households and 3 agencies have affected crops
  - Affected crops are mainly miscellaneous gardens and various vegetables.
  - 20 households have affected ornamental plants, which must be rearranged in new places.

- As for pets and livestock: A very large area under the control of Kenh Thuong Cooperative and Loc Vuong Ward’s PC that is now used for fish breeding and feeding will be affected. Of which, permanently affected area is approx. 59,224 m² and temporarily affected area is approx. 22,390 m² during project implementation.

4. SOCIO-ECONOMIC CHARACTERISTICS OF PROJECT AREAS

Socio-economic survey and inventory loss survey will be conducted from September 12th – 17th, 2011. Socio-economic data provides information about social conditions of displaced persons (DPs), including:

- Demographic characteristics, income analysis and other information related to affected householders.
- Living conditions of affected households.
- Household income generating sources.
Resetlement plan report

- Infrastructures and environmental sanitation
- Poverty

4.1. Demographic characteristics

- Demographic characteristics

100% DPs surveyed are Kinh ethnic group, no other ethnic groups. Total affected households are 35 equivalent to 124 inhabitants. The family size is approx. 3.54 inhabitant/household. The percentage of male/female is equal, the number of female is 60, accounting for 0.48%, the number of male accounts for 0.52%. The working age population is high, children under 6 only accounts for 7.7% local population.

- Education level

The percentage of residents having only high school/secondary school/primary school degrees is the highest, accounting for 65.88%, of which the percentage of the residents having high school degrees is 17.65%, the percentage of the residents having secondary school degrees accounts for 42.35% (the highest), the percentage of the residents having primary school degrees is 5.88%. The percentage of the residents having university/college/graduate degrees accounts for 16.47%; the percentage of the ones having vocational training high school accounts for 2.35%, the percentage of the ones under school age accounts for 15.29%. Speaking of which, the knowledge level of the residents living in project areas is not very high as compared to the general knowledge level of the whole Nam Dinh City.

Table 7. Education structure of total inhabitants of households located in the areas affected by the Project

<table>
<thead>
<tr>
<th>No</th>
<th>Education level</th>
<th>No of person</th>
<th>Percentage(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>University/College</td>
<td>20</td>
<td>16.47</td>
</tr>
<tr>
<td>2</td>
<td>Intermediate level</td>
<td>3</td>
<td>2.35</td>
</tr>
<tr>
<td>3</td>
<td>High secondary/primary school</td>
<td>82</td>
<td>65.88</td>
</tr>
<tr>
<td>4</td>
<td>Being Child</td>
<td>19</td>
<td>15.29</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>124</td>
<td>100.00</td>
</tr>
</tbody>
</table>

4.2. Socio-economic characteristics and environmental sanitation

- Occupational characteristics

The occupational structure of the residents living in project areas is quite diverse. Of which, the number of free occupation accounts for 45.6% with 57 people; the number of farmers accounts for 2.2% with only 3 people (due to the recent urbanization, the farms nowaday have no land for agriculturing, their current live on non-agricultural jobs), the percentage of retirees accounts for 6%, the percentage of state officials and staff and the ones working for military accounts for 9%. The remaining people are the ones in school age or under school age. The socio-economic survey results of affected households show that there are no households doing business in project areas, only one households provides carpentry service and manufacturing at home.
Table 8. Occupational distribution of residents living in areas affected by the Project

<table>
<thead>
<tr>
<th>No</th>
<th>Occupation</th>
<th>No of person</th>
<th>Percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Child (under school age)</td>
<td>21</td>
<td>16.7</td>
</tr>
<tr>
<td>2</td>
<td>School age</td>
<td>19</td>
<td>15.6</td>
</tr>
<tr>
<td>3</td>
<td>Retire</td>
<td>8</td>
<td>6.7</td>
</tr>
<tr>
<td>4</td>
<td>Farmer</td>
<td>3</td>
<td>2.2</td>
</tr>
<tr>
<td>5</td>
<td>Free occupation</td>
<td>56</td>
<td>46</td>
</tr>
<tr>
<td>6</td>
<td>Public servants (teacher, soldier)</td>
<td>9</td>
<td>6.6%</td>
</tr>
<tr>
<td>7</td>
<td>Worker</td>
<td>8</td>
<td>6.7</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>124</td>
<td>100</td>
</tr>
</tbody>
</table>

- **Average income**

The survey results of living standards of households in project areas show that the average income of household reaches 5,142,308 VND/month (equivalent to income of 1,428,419 VND/person/month). It can be said that the household income is in average - good the range. The survey results show that there is no significant income difference among local households.

The stable income is mainly generated from salaries, pensions; unstable income is generated by trading and business activities, services such as motorbike taxi, employment...

- **Household expenditure structure**

In order to assess the expenditure for living and saving capability of households living in project areas, the socio-economic survey program on affected households also mentions daily household expenditure. The average daily household expenditure is about 5,065,384 VND/month, equivalent to expenditure of 1,407,051 VND/month/person. As a result, compared to average household income 5,142,308 VND/month and personal income of 1,428,419 VND/person/month, most of household income is used for daily needs such as meals, clothes, children education, purchase of home appliances, and production investment. Currently, no households have any saving.

- **Facilities**

Facilities used for daily life, production, and business of households are also surveyed and assessed. The results show that all households have indispensable and basic appliances such as motor vehicle (69% households), telephone (75%), fridge (55%), television (97%), cable TV (55%), and washing machine (38%).

However, in respect of high-class facilities such as car and internet, the percentage of households having a chance to access those facilities is quite low. This result shows that the current living condition of local residents is rather poor.
Table 9. Conveniences of households affected by the project

<table>
<thead>
<tr>
<th>No</th>
<th>Asset</th>
<th>No of HH (HH)</th>
<th>Percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Motorcycle</td>
<td>35</td>
<td>98</td>
</tr>
<tr>
<td></td>
<td>Bicycle</td>
<td>35</td>
<td>96.6</td>
</tr>
<tr>
<td>3</td>
<td>Telephone</td>
<td>35</td>
<td>96.9</td>
</tr>
<tr>
<td>5</td>
<td>Refrigerator</td>
<td>2</td>
<td>6.1</td>
</tr>
<tr>
<td></td>
<td>Air-conditioner</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>6</td>
<td>Washing machine</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>7</td>
<td>Radio/Multi-speaker</td>
<td>36</td>
<td>100</td>
</tr>
<tr>
<td>8</td>
<td>Television</td>
<td>35</td>
<td>98</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>36</td>
<td>100</td>
</tr>
</tbody>
</table>

- **Habitat**

The people care the most about the habitat. The survey and interview results show that the air ambience in project areas is pretty good; the water environment begins to be polluted. Many households have little awareness of domestic waste collection and disposal. Littering takes place, and particularly several households often discard garbage bags in local lake and pond, which makes negative impact on lake water quality and landscape.

The survey results also show that there are a lot of water ferns and garbage floating in lakes; this makes negative impact on fish breeding and feeding of local residents. The lake behaves itself as a receptor of domestic waste water discharged by the households living in the surrounding. The locals say that the lake water quality deteriorates day by day; they often have itch, rash, and get allergic when they use lake water for bathing.

5. **LEGAL FRAMEWORK AND RIGHT POLICY**

The resettlement activity plan will apply the various laws, degrees, and circular regulating use of land in Vietnam as well as the World Bank policy.

5.1. **Vietnamese Laws, Decrees, and Circulars**

The following laws of the Socialist Republic of Vietnam applied are:

- The Land Law, dated on 26 November 2003,
- Decree No. 181/CP dated on 29 October 2004, regulating land law implementation
- Decree No. 188/CP dated on 16 November 2004, regulating method defining price and price framework for land categories
- Decree No. 198/CP dated on 3 December 2004, regulating land use cost
- Decree No. 197/CP dated on 3 December 2004, regulating compensation, assistance, resettlement when the state acquires land
- Decree No. 17/CP dated on 6 February 2006, regulating modification, supplementation land law implementation guideline Decree.

- Decree 131/2006/N§-CP dated on 9 November 2006, regulating management and using ODA loan.

- Decree 84/CP, 25 May 2007, additional regulating issuing land use right certification, land acquisition, land use right, procedure of compensation, assistance and resettlement when the state acquires land;

- Decree No. 123/CP 27 July 2007, modify and supplement some items in Decree No. 188/CP 16 November 2004, regulating method defining price and price framework for land categories.

- Decree No.69/2009/ND-CP dated 13/08/2009, regulating additional planning of land use, land prices, land acquisition, compensation and resettlement assistance;

- Decision No.640/2005/QD-UBND dated 7/3/2005 issued by Nam Dinh province’s PC on regulations on the maximum amount of residential land allocated to households and individuals to build house by themselves and the maximum amount of residential land for application of the certificate of land use rights to households and individuals.

- Instruction No 569/HD-TNMT dated 06/05/2005 issued by the Department of Natural Resources and Environment guiding the implementation of Decision No 640/2005/QD-UBND of Nam Dinh province dated 07/03/2005 on the maximum amount of residential land allocated to households and individuals to build house by themselves and the maximum amount of residential land for application of the certificate of land use rights to households and individuals.

- Decision No.24/2009/QD-UBND dated 27/11/2009 issued by Nam Dinh province’s PC on regulations on compensation, assistance and resettlement upon the State’s land acquisition in the area of Nam Dinh province.

- Decision No.28/2010/QD-UBND dated 3/12/2010 issued by Nam Dinh province’s PC on regulations on classification of urban roads in 2011.

- Decision No. 34/2010/QD-dated 23/12/2010 issued by Nam Dinh province’s PC on regulations on price of land categories in Nam Dinh in 2011.

- Decision No.2104/2007/QD-UBND dated 21/8/2007 issued by Nam Dinh City’s PC on regulations on procedure of compensation, assistance and resettlement upon the State’s land acquisition in the area of Nam Dinh province.

- Decision No. 02/2008/QD-UBND dated 7/3/2008 issued by Nam Dinh province’s PC on regulations on unit price of houses, constructions to compensate and assist site clearance, when the state recovers land in the provincial area.

- Decision No. 15/2008/QD-UBND dated 29/7/2008 issued by Nam Dinh province’s PC on regulations on unit price of crop, tree and animal.

- Decision No.25/2009/QD-UBND dated 27/11/2009 issued by Nam Dinh province’s PC, adding and amending some articles of Decision No. 02/2008/QD-UBND dated
7/3/2008 issued by Nam Dinh province’s PC on unit price of houses, constructions when the state recovers land in the provincial area.

- Decision No. 1/2007/QD-UBND dated 11/1/2007 issued by Nam Dinh province’s PC on regulations on decentralizing implementation management of land recovery in the province

- Resettlement framework of the project

- The other relevant Regulation and guidelines.

The Land Law of 2003 gives people access to land through land-user rights which is similar as individual property. Some of the important issues relevant to land usage, acquisition can be summaries as follows:

a) The State reserves the right to allocate land and determine its usage.

b) Families and individuals who have been allocated land have the right to exchange their land for another piece; transfer their right to use land to another party; and rent, bequeath, or use their land as collateral.

c) The People’s Committees at all levels (Province, District, and commune) are responsible for the administration of land use in their localities; the People’s Committees at all levels are responsible for managing land their domain.

d) The State reserves the right to expropriate land when truly necessary, in cases of national defense or security, or national and public interest. In these cases, the land user will be compensated for loss of possessions. The “national and public interest” is defined in GoV Degree No 197/2004/ND-CP of 3 December 2004 which includes infrastructure projects.

e) Before land is recovered, the land user must be informed of the reason for expropriation, time schedule and plan for relocation, if necessary, and options for compensation

5.2. Policies to be applied the VUUP project

The Resettlement Policy to be applied in the Vietnam Urban Upgrading Project (VUUP) will be harmonizing the World Bank’s requirements (Involuntary resettlement policy OP/BP 4.12) and the GOV laws and regulations and the resettlement plan framework (RPF) accepted by both Vietnamese Government and the World Bank. The RPF has been cleared and approved through the Official Document No. 211/VP5 dated September 9, 2003 and the Official Document No. 1513/CP-NN dated November 4, 2003 by the Nam Dinh Provincial People’s Committee and Prime Minisiter of Vietnamese Government respectively.

- The main rules in resettlement policy to be applied include:

a. Minimizing land acquisition or property effect and resettlement via examine and select the optimal solution.

b. All project affected people, irrespective of tenure status, social or economic standing, will be entitled to be compensated or assisted for their lost assets, incomes, and businesses at

Components using up the fund allocated for Nam Dinh City urban upgrading project-Phase2 27
full replacement cost and provide with rehabilitation measures sufficient to assist them to improve or at least restore their pre-project living standards, income levels and productive capacity. Lacking of legal right of affected properties will not interfere project affected people obtaining living recover

c. Households, who are provided with land use certificates according to land survey map of Loc Vuong ward people's committee in 2004, have their assets on affected areas or other damage caused by project implementation deserve to have compensation (compensation or support).

d. Compensation and rehabilitation will be provided as a substitution, or replacement cost paid without depreciation.

e. The closer replacement of land and agriculture soil to original place, the better, and accepted by affected people.

f. PAPs are assisted fully for replacing with supported cost of replacing and other compensation, assistance cost basing on replacement price of land, houses and other properties

g. Plans, activities relevant to land acquisition and resettlement should be based on consultation of affected people as well as community and local government of the project area

h. Assurance of previous public services will be maintained or better done

i. Effective and timely design, plan, implementation of resettlement and recover will be carried out to prevent unnecessary slowdown and lead to unprofitable consequences to project affected households. Besides, it is necessary to have internal and external monitoring to all resettlement activities.

j. Defining time of resettlement implementation, compensation and recover to ensure available land for replacement as well as resettlement before carrying out the project. Do not make land acquisition when affected people have not received compensation, assistance and enough time to build a new house yet.

k. Monitoring resettlement is implemented regularly with affected people participation.

l. Encourage affected households to give away land and assets on land for project

✓ Compensation policy

a. All PAPs living in the Project area before the cut-off date, which is established as the date that the planned components was publicly announced, are entitled to compensation for their losses and/ or to rehabilitation assistance. Lack of legal rights or titles do not make them ineligible for entitlements

b. The PAPs will be compensated at full replacement and substitution costs, and relocated or resettled in consultation with them. The preliminary compensation rates for replacement and substitution cost will be proposed to the PAPs to give them an opportunity to compare them with the prevailing market rates.

c. The Provincial/City authorities will give preferential treatment to PAPs reconstructing their houses on their own, and to obtain the necessary property titles and official certificates. Land will be compensated in cash or land for land according to PAPs' choice.
d. PAPs who want “land for land” will be rehabilitated by providing them with land plots or apartments in a new residential area nearby. The resettlement area will be planned and designed properly. All infrastructures will be provided such as paved roads, sidewalks, drainage and water supply, and main lines for electricity and telephone.

e. PAPs who want “cash for land” will be compensated at the replacement cost, plus a cost for fees and taxes, to be used for their own purchase of replacement land/housing. Compensation in cash for all residential, commercial or other structures will be paid at the replacement cost of these structures, without any depreciation of the structure and without deduction for salvageable materials. The PAPs will be provided full assistance for transportation of personal belongings, household inventory and salvaged material, and will be given a relocation allowance in addition to the compensation at replacement costs of their houses, lands and other properties. The rehabilitation transition period will be minimized by providing cash compensation at least 2 months prior to the expected start-up date of the Project construction.

f. For PAPs relocating in a resettlement site, payment of compensation and relocation activities, including construction of houses at the relocation site, will be completed at least 30 days prior to the start of the civil works. Compensation and rehabilitation assistance must be completed at least 30 days prior to the taking of the assets for non-relocating PAPs and 60 days for self-relocating PAPs.

g. Resettlement plans will be implemented in consultation with the PAPs. In the resettlement area, community infrastructure and services will be built and improved, so that the PAPs will have access to these services. Effective and timely design, planning and implementation of resettlement and rehabilitation measures will be conducted to avoid unnecessary delays and consequent inconveniences to the PAPs.

h. Institutional arrangements will be made for internal and external monitoring of all important resettlement activities.

✓ Project Affected People (PAP)

PAP can be a person, a household, an organization or government damaged by the project implementation, including:

- Land is influenced permanently or temporarily
  - Houses or constructors, plants, farm produce, other properties are affected

Theses influences may lead to:

- Losing benefits, rights totally or partly of land, houses or properties of their own
- Houses, careers, business, living environment are affected
- Incomes and living standard are declined.

✓ Compensation policy of the project

PAP will have right of compensation policy (compensation and assistance) suits to principles of Vietnam and WB. Affected one will not receive compensation or any assistance if they break into the project area after the cut – off date.
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For some special cases (poor or under preferential treatment policy families) verified by local authority, they will be examined separately to get assistance by compensation Council.

✓ Conditions for land compensation (article 8, decree 197/2004/CP and decree 69/2009/ND-CP)

Whom their land are acquired by Government, have one of the conditions, will receive compensation:

1. Certification of land use right suits to principles of land law;

2. Decision of land allot of government authorities suits to principles of land law

3. Households, individuals are using land steadily, verified by commune people Committee that there are no conflicts, have one of the documents:

   Documents of land use right prior to the 15th October 1993 assigned by authority during implementing land policy of the republic democratic of Vietnam, the republic temporary revolution of Southern Vietnam and the society republic of Vietnam

   b) Certification of temporary land use right assigned by government authorities or have names in registered book of land, book of land survey.

   c) Legal documents of inheritance, award of land use right or properties connecting to land; allot documents of affection houses connecting to land

   d) Land use transfer and deal documents of houses connecting to land prior to the 15th October, 1993, verified by People Committee that land was used before the 15th, October, 1993

   e) Legal liquidate, price of house, buying houses documents

   f) Documents assigned by authorities in the old regime.

4. Land using households, individuals have one of the documents stated in item 3 of this Article are on the documents named by others, with documents about land using transfer right signed by stakeholders, however at land acquisition decision time, no transfer procedure is done, now verified by People Committee that land has no conflict.

6. Land using households, individuals have no the documents which stated at items 1, 2, 3 of this Article, however the land has been used steadily prior to the 15th, October, 1993, verified by the commune People Committee that no conflict of land using is known.

7. Households, individuals can use land as stated at the judgement or decision of the court, executive decision or decision of dealing land conflict of government authorities which were implemented.

8. Land using households, individuals have no documents stated at items 1, 2, 3 of this Article but the land was used from the 15th, October, 1993 to the time of land acquisition decision, at the time using land they do not break the plan, do not break secure corridor of constructors, approved by the authority, in public announced, landmark set up; not an illegal land occupation, verified by the commune People Committee that there is no conflict.
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9. Households, individuals use land which the Government decided to manage in land policy implementation, however in fact the Government have not managed yet, the households, individuals still use the land.

10. Community are using land which have pagodas, temples, communal houses in the village, ancestral temples verified by the commune People Committee that the land is used for public and no conflict.

11. Land using organizations in the following cases:
   a) Land is allotted by the Government with land use cost but the cost is not original from government budget;
   b) Land was transferred from legal land using person, cost of land transfer is not original from government budget;
   c) Land has legal origin of households, individuals.

Valid

Entitlement policy

Land compensation – assistance/support

Project affected land users meet conditions of compensation stated at the article 8, Degree 197/2004/CP are entitled to 100% compensation of the land lost at replacement costs.

PAP have not enough conditions of compensation stated at the article 8, Decree 69/2009/ND-CP are assisted with 60% compensation of the land lost at replacement cost.

Households and individuals that have encroached upon land after Loc Vuong Ward’s PC measured and prepared cadastral map and issued land use certificates would not be entitled to land compensation; however, the project will support 100% for filling and leveling to households having lake-encroaching lands.

PAH will select land compensation and assistance mode as follows:

PAP to use the affected land is entitled to cash compensation for acquired land at replacement cost equivalent productive capacity a location acceptable to the PAP. In the case of remaining land after acquisition is not enough for house or structures rebuilt and if the PAP want to have full land compensation (including the remaining land), cash compensation at 100% of replacement cost. For households having lands without legally land use documents and before 2004 shall be compensated equally 60% of replacement cost.

PAP have enough conditions of compensation for land acquisition but in progress of conflict deal will get compensation with 100% of replacement cost and only get the amount of money when the conflict is solved.

Compensation-assistance for damaged houses and constructions

PAPs have affected houses and structures regardless of the legal status of the land are entitled to 100 % compensation of the house and structures lost at replacement costs by cash. Cost reduction for depreciation or salvageable materials will not be made.

Compensation for the loss of plants and crops

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PAP who lose annually and perennial farm produce will get 100% compensation or assistance in money according to regulations.

Affected equipments

Households having affected equipment (water tanks, electricity meter, water meter...) affected will receive a compensation amount of 100% of the replacement price.

Compensation for business damage

For economic establishments, production and business households having business registration certificates (households work as carpentry having registration certificate):

a) To compensate for loss of income to economic establishments, production and business households having business registration certificates and being stopped from business activities, a support equal to 100% of real monthly interest within 6 months basing average monthly interest of the most recent 3 years which was declared to the tax office.

b) To provide compensation for the loss of structures, production materials at full the replacement costs of the structures, excluding depreciation.

c) Where a business location is relocated, a new one having equal area and customer access capacity should be provided to suit the displaced persons, or a cash compensation amount for the loss of area according to DP should be made at the replacement price, added by support for transport expenses to relocate assets and production materials attached to the area.

Compensation policy for temporary impacts in the construction time

Where their land and assets attached to land are temporarily affected, households shall reserve the rights:

- To compensate for all affected assets attached to land at the replacement price
- To restore the land to the pre-displacement level or improve land quality
- To compensate for loss of incomes during the land being appropriated by the project.

Compensation policy for impacts on production and business

- To compensate and support for damages of income for production households, collectives, private enterprises during construction.

- To compensate for assets attached to land at the replacement price.

For compensation for damages to household and public structures due to contractor in construction time

Contractors shall promptly restore damaged structures to the status quo after finalizing their work.

According to specific provisions in the Construction contract, contractors are required to take special precautions in avoiding damages to assets within the implementation phase. If damages arise, contractors have to make immediate
compensation to households, communities or State bodies in accordance with compensation levels applicable for other assets damaged by the project. Moreover, the restoration of damaged assets to their original quality must be done right after finalizing construction and installation activities.

**Compensation policy for affected public assets**

Where public infrastructure such as schools, bridges, factories, water sources, roads, and wastewater systems is damaged, the project is required to ensure those infrastructure works shall be restored or repaired to each circumstance and the community do not have to pay for the expenses.

Activities of project have to minimize the affect to cultural poverty. In case, the affection can not avoid, there must be individual solution considering every one. For cultural structures, churches, communal dwelling houses, pagodas, hermitages, shrines under the local governance that need to be relocated, the City People’s Committee shall make decisions based on proposals of the Site clearance and compensation Council and consultant opinions of local authority and community in areas where there are affected structures.

**Allowance and restoration support**

In addition to compensations for damages of land, assets and infrastructure as above stated, PAP may receive other support including:

- **Relocation allowance**

  A maximum transportation allowance of VND 3,500,000 is provided to households moving to a new location in the same Province; maximum VND 6,000,000 to households moving to a new location in other Province. Specific allowance level shall be regulated by the Province People’s Committee.

- **House rent allowance**

  Supporting rent cost from 3 to 6 months for households whom their land are acquired and have no place to live during the construction period of the new house or transition period; The support ranges 200,000 VND – 400,000 VND/inhabitant/month based on the number of household inhabitants.

- **Assistance to households renting lands for aquaculture**

  PAP who rent land for aquaculture will get 100% assistance in money for property, livestock loss.

- **Life stabilization allowance**

  PAHs that lose part of their house (the remaining part can still be used for accommodation) will be entitled to a subsistence allowance in cash equal to 30 kg of rice/person/month during 6 months.

Income restoration for HHs greatly affected income source shows on chapter 6.
Households which have members entitled to social assistance (revolutionary contribution) will have allowance of 3,000,000 VND per household; the remaining entitled to social assistance will have allowance of 1,500,000 VND.

Organizations and households abide well by the State’s guidelines and policies on demolition and hand over of land according to plan of compensation, support and resettlement council will be awarded minimum and maximum of 700,000 VND/household and 7,000,000 VND/household, respectively. The specific award is set up by the compensation council.
6. INCOME\textsubscript{s} RESTORATION PROGRAM

6.1. Income restoration program

In completing the project, in addition to construction of socio-economically significant buildings, the care about project-DPs having a normal life is the ensured stable development of the project. The objectives of the income restoration program is to assist subjects – households subject to income loss as a consequence of project implementation, namely (i) interruption of production and business as a result of unavailable places and equipments for manufacturing, and (ii) occupational transition due to agricultural land loss... in restore their incomes as they were before the project implementation or reaching higher incomes, and ensuring that project-DPs can adapt themselves to new condition at the soonest.

The project ensures adequate compensation and support policies on affected land, buildings, assets against replacement cost. Additionally, the interest policies to support income restoration for DPs are also ensured and fully specified in the Project’s Compensation, Support, and Resettlement Framework approved by the Government of Vietnam (GOV).

6.2. Income restoration measures

- Principles to prepare proposed income restoration include:
  a) Ensure that the continued access to work as well as working condition before and after project implementation remains unchanged.
  b) Make compensations to loss of businesses and capital goods using adequate replacement cost without depreciation.
  c) Making compensations to damages to incomes of economic organizations, business households having business registration certificates with their business activities being interrupted using cash of 100\% monthly real interest in 6 months based on monthly average real interest of the most recent year declared to tax agency.
  d) In case of relocated business places, business places for replacement are offered with equivalent area and customer access, which are suitable for DPs, or compensations will be made in cash for area loss using replacement cost as requested by DPs, plus transportation support for displacement of associated assets and capital goods.

- Income restoration measures

Income restoration program is prepared based on consultation with DPs and local authorities. The results of socio-economic survey and consultation with DPs conducted in September 2011 show that:

- Compared to the Phase 2 of project, the number of households affected by the work items that are implemented by the remaining fund of phase 2 is inconsiderable; the households mainly reside around the construction site of embankments of Dam Bet and Dam Do Lakes in Loc Vuong, Ward and along the route connecting between Truyen Thong Lake and Canal T3-11. Total affected households are 34 and 3 agencies. Most of households are affected garden areas; some of affected households must dismantle houses and auxiliary works, fences,
wells, but most of these buildings are situated on lake area (of agricultural land origin) encroached upon by the locals. These households will be entitled to full compensations to damaged works and assets on land, and supports to land loss in case of land acquisition by the project.

For the two households renting lake land of Kenh Thuong Cooperative for aquaculture, their houses will be destroyed for project's site. If these households want, they would be resettled in Tram Ca resettlement area of the project and the fee of removal would be supported by the project. Also, these households shall be assisted for changing jobs. Job-changing assistance will be by money with an amount of equally joining a job-training course for each labour person in the family. If the households hope to continue renting land, Kenh Thuong Cooperative will consider the ability of continuing for rent.

For the 2 households used to do the job of making bricks before, they have changed their job to work as gardeners and aquacultural farmers for about 10 years. The land area for manufacturing bricks have been returned to Loc Vuong PC, and presently left fallow. Therefore, acquisition of this land area shall not affect on income sources of the 2 households.

Most of agricultural land and water surface land affected by the project are under control of local authorities in Loc Vuong Ward, Kenh Thuong Cooperative, and Nam Dinh Land Fund Development Center. In respect of areas under control of Loc Vuong Ward's PC and Land Fund Development Center. In accordance with legal regulations, there is no compensation will be made to these areas. However, for the land areas which were encroached after 2004, the project will support 100% of beyond established value.

Agricultural land and water surface land in Dam Bet Lake under control of Kenh Thuong Cooperative were handed over in accordance with Decision no. 115 by provincial PC in 1992, but because of lake land, the water surface could not be divided to each farmer for cultivation. Therefore, Kenh Thuong Cooperative behaves itself as manager and exploiter through annual fixed-rate contracts and dividends offered to each member of the cooperative. If such permanent land acquisition takes place, the life and partial income of people of Kenh Thuong Cooperative will be affected. Accordingly, once land acquisition takes place for project implementation's purpose, all areas under control of Kenh Thuong Cooperative and local authority will be compensated and supported in accordance with project policies. However, based on the opinions of Kenh Thuong Cooperative and local authority raised in the meeting dated October 12th, 2011 between Nam Dinh Construction and Investment Management Unit and Loc Vuong Ward's PC, Kenh Thuong Cooperative, and consultants, the compensation plan is expected "land for land". Instead of cash compensation and support offered by the project, Kenh Thuong Cooperative will hand over Dam Bet Lake land to the project and accept back Dam Do Lake land (in the proximity of Dam Bet Lake with similar uses) for continued farming and living using previous methods, avoiding livelihood changes.

Because the land area of Dam Do lake is public land managed by Loc Vuong Ward's PC, the project shall not have to compensate for this land area. However, the water surface of Dam Do lake is being rent for aquaculture. Project shall base
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on the square area of the lake and existing evaluated values to compensate and assist for the affected water surface.

Among project-affected households, there is no service business household, only one household provides carpentry with home workshop and business registration certificate. Land acquisition by the project will affect the workshop, which is to be relocated and re-constructed. According to results of public consultation, this household would like to reconstruct the workshop at a new place; however they have not yet found out any reasonable site. To create favourable conditions and to assist this household in re-establishment of the workshop and to minimize impacts on production activities and income of the household during relocation and reconstruction of a new workshop, the project's owner (Nam Dinh City PC) will guide this household to prepare documents for renting a new area in An Xa Industrial Cluster for reconstruction of the workshop.

The preparation of documents for renting land in An Xa Industrial cluster shall be implemented soon so that to have site for reconstruction of new workshop soon. The construction of new workshop should be completed before the dismantlement of the existing workshop. This is to ensure that production activities of the workshop are kept continuously. Project shall also compensate for dismantlement and relocation of the workshop.

So, affected households from the implementation of project components are the households renting land from Loc Vuong people’s committee for production activities, resettled households and households in Kenh Thuong Cooperative.

7. **RESETTLEMENT SITE**

The Tram Ca resettlement area – Van Mieu commune has an area of 10 ha being built with completed infrastructure and social condition. This site is designed large enough to have all affected households by Nam Dinh City Urban Upgrading Project (for both two phases) occupied. There are more than 100 households being relocated in the first process of the project receiving land and building houses. Identifying resettlement site of the project was implemented in the first phase baing on some criteria as follows:

- Resettlement location's suitable for social circumstances, manners and customs of relocated people.

- Influences of land acquisition for resettlement area construction were reduced via selecting sparse land with main areas of farms and aquaculture ponds, easy for compensation and site clearance.

- The resettlement area is in the place of inhabitant plan basing on overall plan of the City, being accepted by government authority and jurisdiction's levels.

- Reasonable cost of construction investment.

Resettlement designing for area of low incomes households was included in detail plan of the area supporting the people being approached to public and social services, including:
- Designed traffic system ensured to travel easily, connect to traffic system in the city, keep sanitation, light enough for living activity, have vehicles and travellers moving in normal and fired condition.

- Water run off system is fast, stable, closed and clean

- Water supply system for the area is connected to water supply system of the city.

- Light system is designed basing on standard of light street, being put along street to assure light for moving and living activity of inhabitants.

- The result of resettlement monitoring showed that households moving to resettlement area are satisfied with conditions in the new place. The Tram Ca resettlement area has sufficient conditions to arrange resettlement for relocated households.

According to results of the consultation, relocated households desired to resettle at the Tram Ca resettlement area of the project.

In period of implementing the components proposed to use up the allocated fund of Nam Dinh upgrading project- phase 2, there are 3 resettled households.

Principle of resettlement:

- Affected people are compensated and recovered the new residence in better or equivalent to the old residence.

- Ensuring of resettlement is to minimize affects to income; disorder in family life and break of social relations.

- Arrangement of new residence will be referred options of relocated people and based on review conditions at the old residence. Households will be based on their finance capacity for choosing form of buying house, land ....

- Among the 3 relocated households, there are 2 households renting land and remaining one built house on the encroached land. Houses of these households shall be dismantled and relocated. If they do not have any other place and if they want, they will be considered priorly to buy a land lot in Tram Ca Resettlement Site of the City. In case of households do not have enough money to buy land lot in the resettlement site, Nam Dinh City PC would consider to grant a land lot with minimum square area (36m2). The City Compensation Council shall study detailly for every specific cases and decide during land acquisition implementation.

- Results of public consultation with affected households shows that all of households, which need to be relocated are supporting the project and agree to move to the resettlement site.

8. COMMUNITY PARTICIPATION AND CONSULTATION

8.1. Activity principle and objective

- Activity principle
Ensuring participation of local authority, related organizations and displaced persons into the project in order to speed up project implementation conveniently. Announcing information for PAP and involved agencies is an important part for project preparation and implementation. Consulting to affected people and ensure that they participate into the project positively. This will reduce the potential for conflicts and minimize the risk of project delays. This will also enable the Project to design the resettlement and rehabilitation program as a comprehensive development program to suit the needs and priorities of the displaced persons, and thereby maximizing the economic and social benefits of investments.

- The objectives of the public information and consultation program are as follows:
  a) To ensure that local authorities, as well as representatives of PAPs, will be included in the planning and decision-making processes.
  b) To fully share information about the proposed project components and activities with the PAPs.
  c) To obtain information about the needs and priorities of the PAPs, as well as receiving information about their reactions to proposed policies and activities.
  d) To ensure that PAPs are able to make fully informed decisions that will directly affect their incomes and living standards, and that they will have the opportunity to participate in activities and decision-making about issues that will directly affect them.
  e) To obtain the cooperation and participation of the PAPs and communities in activities necessary for resettlement planning and implementation.
  f) To ensure transparency in all activities related to land recovery, resettlement, and rehabilitation.

8.2. Methods of community participation and consultation

Main methods are used in resettlement community – based management including:

- Public announcement: through communication campaign with public media such as television, radio at communes, poster, leaflet.

- Community meeting at project sites

- Group foundation and discussion makes information channel for PAP participating in planning and implementing the project.

- Interviewing directly representatives of the households to have an agreement of their rights.

- Establishing council including related groups to plan, monitoring the project and have community’s participation.

- Developing grievance’s procedure and solution

In process of consultation, to strengthen participation of community and stakeholders, should considering some points:
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- Identification and attract participation of all stakeholders including benefit receivers and affected people.

- Developing strategy of community-based plan, implementation, monitoring and evaluation of the project.

- Listing completely and in detail requests for communication campaign and information advertisement as well as developing steps for PAP to negotiate their rights.

- Attracting participation of stakeholders in decision process in all implementation steps (for example: compensation mode; compensation mode selecting, resettlement plan of PAP....)

- Developing time frame to complete activities such as information campaign, solution mode and compensation level, conditions of compensation, moving areas and plans.

- Developing program of community-based compensation and resettlement management....

- Involving assistances of public organizations (such as women association, farmers’ association, veteran’s organization,Fartherland Font...) in related issues of community consultation and participation.

8.3. Consultation during project preparation

At the beginning of project preparation, Nam Dinh authority, the Departments and leaders of authoritative levels in project areas are informed about the project, objectives and activities of project. They are consulted for ideas and participate positively into discussion of development demands and priority of local. Local authority and people who were consulted to their agreements and undertake to implement Resettlement Policy be described in Policy Framework of the project. This policy reflects all policy objectives of World Bank and Vietnam Government.

Participatory of the local people in preparation step is implemented through plan making from October, 2007 to June, 2008, including:

- Project introduction: meeting and announcing to institutions, authorities and communities at the project site. Public media will inform of the project.

- Identification of community developing: community meeting with participatory of local authorities, unions, community representatives to discuss, recommend demand of developing and participatoring of community.

- Developing technical opinions basing on design standard, principles of the project and capacity of communities. The recommended mode is approved by Project Management Unit, functional institutions and send to communities for consulting and suggesting.

- Community consultation: community meeting for acknowledging households’ participatory and their ideas of selected technical mode as well as environmental impacts, influences of land acquisition, compensation modes, assistances and resettlement of the project.

- Agreement of mode selection: complete consultation of recommendations and agreement with representative of management Board, consultation, commune authorities and community representatives.
Information announcement and community consultation of communes in the project site are implemented via community meeting, households consultation with survey on social-economic and impacts of the. The project site’s community and PAHs are involved in all plan making including participatory and being consulted fully about impacts of land acquisition; rights, compensation, assistances, resettlement policy; desire to have incomes restoration … Social survey is carried out with 100% of PAHs at the project works.

Suggestions of PAHs are received and they focus mainly on:

- Limiting impacts of land acquisition through technical solutions aiming to reduce area of acquisitive land.

- Organizational planning, site clearance should be clear, in detail and explicit, avoid to extend and divide into small steps to have compensation value of PAHs guaranteed

- Households of land acquisition suggesting compensation price of the project’s land should close to market price.

- PAHs from stopping business, produce during construction should be assisted reasonably to not impact their normal incomes.

8.4. Consultation Proposed During Implementation

During project implementation, project management unit, local authorities, with assistance by the project consultants, will undertake the following:

a) Provide detail information on policies and schedule to Compensation and resettlement committee and related organizations at all levels.

b) Conduct information dissemination to and consultation with PAPs throughout the life of the project.

c) Update the city unit prices, and confirm land recovery and impact in properties through a Detailed Measurement Survey (DMS) in consultation with PAPs.

d) The Compensation and resettlement Committee will then apply prices, calculate compensation entitlements, and complete the Compensation Forms for each affected household.

e) DPs will be received the Compensation Form, showing the household’s affected assets and compensation entitlements, will the need to be signed by the DPs to indicate their agreement with the assessment. Any complaints from DPs have about the contents of the form will be recorded and solved at this time. Consultation regarding PAP/DPs preferred option for rehabilitation support. This applies to severely affected and vulnerable DPs. The Compensation and resettlement Committee will inform PAPs of options and entitlement to rehabilitation support before asking them to indicate preferences for such rehabilitation support.

Consultation activities and participatory of communities and PAPs can be carried out through the following ways:

Communities meeting

Communities meetings in each commune are carried out to give information regularly to PAPs and create opportunities to discuss openly on policy and procedure of resettlement in
affected areas. All affected households will be attended and suggest their ideas. Related information and documents on project content, impacts and rights of PAPs are send to affected people directly in meetings.

Public announcement

By means of public communication such as broadcasting station – television, presses combined to use leaflets with simple content and easy to understand so that they can be imparted necessary information for the project, State policies to all PAPs.

Besides, these Resettlement Policy Framework and Resettlement Plan are also announced widely in public information centers of the city, Site clearance and compensation Boards, commune of Project areas.

9. IMPLEMENTATION ARRANGEMENT

Sub-project Nam Dinh Urban Upgrading is implemented by the city People Committee. Structures of implementation arrangement and an overview of key responsibilities for/in every level/unit participating in implementation of project resettlement can be described as follows:

9.1. Provincial People’s Committee - PPC

Provincial People’s Committee is the highest authority agency has authorized City People’s Committee approved the Resettlement Plan for sub project of the province and decide sub project resettlement-related issues, including

a) To direct, organize, propagate, and mobilize all organizations and individuals about compensation, support and resettlement policies, and implement the Site Clearance basing on land acquisition decision of authorities.

b) To direct departments, divisions and City people’s Committee implementing the assigned tasks.

c) Approve land price; issue cost estimation table for compensation; define support levels

d) To make sure that it is equivalent and unbiased to examine and decide compensation and resettlement when Government withdrawn land basing on right at this Degree.

e) To decide or assign the district-level People’s Committees to apply coercion to cases of deliberately failing to abide by the State’s land recovery decisions according to their competence.

f) To direct the examination and handling of violations in the compensation, support and resettlement domain.

9.2. City People’s Committee

City People’s Committee (CPC) is an adminitrative organization. City People’s Committee have responsibilities on compensation, planning support and resettlement for PAP including:

a) To Establish and guide the Site Clearance and Compensation Council surveying and identifying land price for compensation-resettlement , mode of locally suitable assistance, making and approving implementation of compensation mode
b) Approve plans for compensation and resettlement support

c) To direct, organize, propagate, and mobilize all organizations and individuals about compensation, support and resettlement policies, and implement the Site Clearance basing on land acquisition decision of authorities.

d) To coordinate with related departments, divisions, organizations implementing investment project, establishing resettlement area at local basing on arrangement of the provincial people’s committee.

e) To collect and evaluate reports, update data of compensation and resettlement given by resettlement –compensation Council, reporting regularly to the provincial people’s committee on related issues to implementing RAP

f) To solve complaints, denunciations of inhabitants on compensation, assistance and resettlement; decision of coerce and coerce for authorized cases; coordinate with functional departments implementing coerce.

9.3. **Provincial departments, divisions**

**Investment – Planning Department:**

The Department has responsibility for managing whole short and long term plans and social economic development program of the province. The chairman board- Committee evaluate and approve project belonging to the Department has responsibility for making budget plan annually including budget for compensation and resettlement.

**Department of Finance:**

a) To coordinate with related departments to submit to the PC for approval of land and assets prices.

b) To guide on making record of compensation, allowance and resettlement.

c) To examine the payment of compensation, allowance and costs for implementation of compensation, allowance and resettlement.

**Department of Natural Resources and Environment:**

a) To guide the defining of types of land, land areas and conditions for entitlement to compensation when land is recovered by the State.

b) To determine level and scope of impact, recovered land area in order to create a basis for calculating compensation and support to all subjects.

c) To coordinate with the Department of Investment and Planning and the Department of Construction in order to submit to the PC for decision on scope of land to be recovered for the project.

**Department of Construction**

a) To guide the defining of scope, areas and legality of construction works connecting closely with land recovery.
b) To preside coordinating with related departments to determine prices of dwelling houses and architecture works constructed on lands in order to calculate compensation value for the PC’s approval.

c) To coordinate with authority agencies to determine the position and scope of resettlement areas.

d) State-level management of water supply service, and infrastructure in Nam Dinh.

**Department of Transportation**

To manage activities relating to public traffic.

### 9.4. Construction and investment management Unit/ Site clearance Unit

Project management unit is representative for investment Head having responsibility for managing and implementing of Project including resettlement activities. Project management unit includes technical, financial, administrative and site clearance/resettlement parts. Main tasks of Management unit includes: selecting consultant and tenderer basing on guidance of WB and Vietnam Government for collection, preparation, submission project documents to obtain approval; annually financial reporting and budget planning, contract sign with consultant and tenderer, monitor, transfer constructor completed by consultant and tenderer, payment procedure; and preparation, implementation of compensation-resettlement with main following functions:

a) To support making and updating resettlement plan, compensation mode, assistance and resettlement for the project and submit authority for approval.

b) To coordinate related departments ensuring implementation and management effectively compensation-resettlement basing on made principles and objectives.

c) To disseminate information, announcing RAP at local; answer questions of PAP as well as PAH.

d) To establish a mechanism on budget allocation for compensation, assistance payment and resettlement for PAP.

e) To prepare recurrent reports on implementation RAP and documents necessary for the project.

**Site clearance Unit:** belonging to Nam Dinh city construction and investment management Board, is an unit in charge of site clearance activities with missions:

a) To implement site Clearance activity, the project is approved by authority in Nam Dinh city basing on legal regulations and principles of Nam Dinh city people’s committee and guideline of the city people committee on site clearance.

b) To participate site clearance Council and being a permanent department of the Council.

c) To coordinate with commune people’s committee, Construction management Department and related units, organization of allotting resettlement land for resettlement households, fund management of resettlement land.
d) To being dealt with investment head implementing site clearance of projects in Nam Dinh city for the projects which the city people’s committee is not the investment head. Make and submit budget balance of site Clearance legally.

e) To manage finance, property and staff according to regulations of the province people’s committee and current regulation of Government.

f) To implement other assigned missions of City people’s committee.

9.5. **Compensation and resettlement Council**

Compensation–Resettlement Council (CRC) was founded at city level, suit to regulation of Decree 197/2004/ND-CP and regulation of Nam Dinh province people’s committee

Resettlement and compensation Council will coordinate closely with site clearance Board, project management Board in related issues to resettlement and compensation. Component of resettlement – compensation council: chair or vice chair of city will take position of compensation council chair, other members includes representatives of departments such as finance, land survey, construction, representatives of social organizations, representatives of PAP. The council works basing on team’s principles and majority. Responsibilities of compensation and resettlement Council are:

a) To make, submit and implement compensation, assistance and resettlement mode

b) To ensure coordinating between land acquisition and compensation payment and constructors at the same time; compensation payment and resettlement; operation and make necessary solutions to support resettlement activities; consultant and information, keep public relationships effectively among stakeholders in implementing RAP.

c) Compensation, assistance and resettlement Council Chair has responsibility for leading council members making, approving and implementing compensation, assistance and resettlement mode, has responsibility for correction, appropriation of data, law of compensated or non – compensated properties in compensation and resettlement mode.

d) Cooperate closely with independent monitoring department.

9.6. **Commune people’s committee**

Commune PCs are responsible for cooperating with functional agencies to confirm land, properties and supporting PAH meeting organization; to carry out studies and campaigns that the inhabitants should adopt site clearance. Propaganda content includes land recovery purposes, policies on compensation, support and resettlement of the project.

9.7. **Independent Monitoring Organization**

Independent Evaluation can implement by Research Organization, University or NGO that is specialize in social science. These agencies will implement surveys of economic social, monitoring, and evaluation of implementation of RP. Reports of Progress Evaluation and suitability of RP and related proposals is needed to prepare quarterly.

10. **PROCEDURES OF GRIEVANCE REDRESS**

Any grievances and complaints of DP about compensation right, compensation policy, compensation cost, land recovery, resettlement and rights related to programmes of restoration support will be acknowledged and solved by functional authorities of level.
Social organizations in local such as Fatherland Front, Farmer Union, Women Union, Representative team of households of and so on are mobilized to positively participate into procedures of grievances redress of DP.

A four-stage procedure for redressing grievances is proposed as follows:

**Step 1:** Complaints forms DPs on any aspect of resettlement programme or unsolved losses will firstly submit to Ward People's Committee or Nam Dinh city construction and investment management Unit /Site clearance unit in a written form or meeting directly. PMU will coordinate with related agencies of the city in order to redress these grievances. These grievances need to be solved within 15 days from the date of receiving grievances.

**Step 2:** If within 15 days from the date of registering grievances that are disagreed or reconciled, in addition if DP does not receive the feedback of their complaints, they can appeal to CPC and CRC. Grievances need to be solved within one month from the date of receiving original grievances. CPC, CRC need to have a decision within 15 days from the date of receiving grievances.

**Step 3:** If DP are not satisfied with the decision of City People's Committee, the case may be submitted for consideration by Province People's Committee and Provincial compensation and resettlement council. They will have a decision of grievance redress within 15 days from the date receiving grievances.

**Step 4:** DP still not satisfied with the decision of Province People's Committee and Provincial compensation and resettlement councilor in absence of any response from them. The case may be submitted for consideration Administrative Court in order to be solved by fixed law.

During the time of waiting for grievance redress, including disputes, displaced persons also have to relocate and transfer their land according to stipulated plan.

All documents of complaint and grievance and solution measures will be stored in Local People's Committee and office of project management Board.

11. IMPLEMENTATION SCHEDULE

Site clearing plan of the project and implementation schedule are made in detail in resettlement plan for the project. Implementation schedule is as follows:

1. **Announcing information**

Meetings of information announcement will be hold in affected wards in order to announce to communities about: (i) scope of the project; (ii) impacts, (iii) inherited rights for types of losses and damages, (iv) Operation schedule staring with study of detailed design, (iv) responsibilities of organization, and (v) mechanism of complaint and grievance. Popular documents (pictures and books) of project implementation will be prepared and delivered to all displaced persons in meetings. Information announcement and ideas receiving of the inhabitants are carried out regularly during the project implementation.

2. **Establishing compensation and resettlement council**

The City will establish Compensation and Resettlement Council (CRC)once after the project es approved with representatives of project management Board, related institutions, local government and PAPs.

3. **Training for resettlement staffs**
Resetlement plan report

When once Council on CRC is established, all resettlement staffs of the project management unit, CRC and local staffs will participate into training courses with the support of consultants. Training subjects will include:

- Objectives of RAP;
- Principles, policies, and entitlements of the RAPs;
- Consultation and information dissemination methods
- Implementation steps, procedures, and schedule;
- Grievance redress mechanism; and
- Powers and obligations of individuals/agencies involved in the process of resettlement programs.

4. **Preparing land survey Department, making overview plan of compensation, assistance and resettlement**

Preparing completely necessary documents on detail plan, land map, information of land acquisition’s area. Making an overview plan with main contents: (i) legal basic, (ii) overview information on land area, properties and affected subjects, (iii) compensation levels; (iv) cost estimation, cost source and implementation process.

5. **Approving the overview plan and announcing on land acquisition**

Once after the overview plan is approved, land users will be announced of land acquisition’s reason, compensation, assistance and resettlement level’s anticipation, time of replacing and handing over the ground.

6. **Updating replacement cost**

During the designing process, The People's Comittee will annually update compensative unit-prices (for land) by the replacement cost, and adjust the benefit to keep pace with the inflation. The cost adjustment will conducted through consultation of affected people and the local authorities.

7. **Detailed measurement survey**

After inhabitants receiving land acquisition decision, land claim, listin, affected properties and source definition, detailed measurement survey ..... will be carried out.

8. **Making and submitting a detail plan of compensation, assistance and resettlement**

Site clearance unit of the city has responsibility to price and prepares compensation forms for every affected ward. These tables will be appraised cost and quantity of affected assets and DPs’ entitlements so on by the project management Board, compensation Council, functional Departments before posting them at each ward for DP to review and comment. All compensation forms must be checked and signed by the DPs to indicate their agreement.

9. **Compensation and allowance**

Money for compensation and subsidireis will be paid in Site clearance and compensation Board, commune people committee under the supervision of representatives of Site clearance and compensation Council.
10. Supervising and evaluating

Supervising and evaluating internally as well as independently should be done regularly during implementation of land acquisition to have explicitness of the project guaranteed.

Land acquisition should be done before the tenderer receiving the ground for construction.
### Table 10. Plan of site clearance

<table>
<thead>
<tr>
<th>Activities</th>
<th>1st month</th>
<th>2nd month</th>
<th>3rd month</th>
<th>4th month</th>
<th>5th month</th>
<th>6th month</th>
<th>7th month</th>
<th>8th month</th>
<th>9th month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public information</td>
<td></td>
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<tr>
<td>The initial activities: establishing resettlement committee; training for resettlement staff; setting up land survey document</td>
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<td></td>
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<tr>
<td>Updating replacement cost</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Detailed measurement and census survey</td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Establishing detailed compensation solution</td>
<td></td>
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<td></td>
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<tr>
<td>The compensation and support payment</td>
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<td></td>
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<td></td>
<td></td>
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<tr>
<td>Land acquisition and construction demolition</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Internal monitoring</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Self-contained monitoring</td>
<td></td>
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</tr>
</tbody>
</table>

Continuous time: ____________

Discontinuous time: _______

**Components using up the capital for Nam Dinh City urban upgrading project**
12. MONITORING AND EVALUATION

12.1. Objectives

Monitoring and evaluation activities should be carried out during the implementation phase and after the resettlement phase in order to ensure that land recovery and resettlement are carried out in accordance with regulations and guidelines which are showed in detail in resettlement plan. Monitoring provide all stakeholders with continuous reflects about implementing situation. This activity helps to assess real successful ability and difficulty which is occurred immediately if possible in order to create conditions for dressing in time during the phase of project implementation.

Objectives of monitoring and evaluation activities are to (i) reviewing project activities which are completed effectively or not, including quantity, quality and time; (ii) assessing these activities reach the goals and objectives of the proposed project or not and how is the level of achievements.

Nam Dinh city construction and investment management Board (PMU), implementation agencies as well as independent monitoring organization regularly supervise the implementation of resettlement activities.

12.2. Internal monitoring

The Construction and Investment Management Board of Nam Dinh City (PMU) cooperating with departments of the city and commune people committee. The project management Board will monitor process of preparation and implementation of resettlement through announcing quarterly progress report.

Main content of internal monitoring activity:

- Making clearly basic information of all PAPs about lost, damage, compensation, assistance with different levels’ evaluation basing on compensation policy being described in RAP.
- Checking activities of subsidize payment, technical assistance, replacing; restoring incomes and rights to have restoration assisted; announcing information and consulting communities.
- Monitoring RAP is carried out exactly like approved design.
- Assuring financial source for RAP is implemented timely and fully basing correct objectives
- Acknowleging and solving timely complaints, grievance of inhabitants as well as existed issues need attention about management
- Monitoring closely of land acquisition’s completion.

12.3. Independent monitoring

In order to assure information completed and unbiased, implementation agencies will assign one independent organization having responsibility of monitoring and evaluating independently. Independent monitoring may be carried out by external research organization.
or consultant which has experiences of resettlement independent monitoring having
selected by tenderer. Common objective of independent monitoring is to provide evaluate
result and examine independently result of resettlement objectives, changes of living and
working standard, incomes restoration and social basic of affected people, results, impacts
and sustainability of right, necessary to have more methods of minimising damages if and
when, and to have experiences for policy making and planning then. This independent
monitoring should be started as soon as the plan is being approved. Independent
monitoring report should be made biannually submitting related agencies.

The main indicators of independent monitoring and evaluation will include of:

a) Payment of compensation will be as follows: (a) full payment to be made to all affected
persons sufficiently before land recovery; (b) adequacy of payment to replace affected
assets.

b) Provision of technical support for house construction to DPs who rebuilding their structures
on their remaining land, or building their own structures in new places as arranged by the
project, or on newly assigned plots.

c) Provision of income restoration support.

d) Public consultation and awareness of compensation policy: (a) DPs should be fully informed
and consulted about land recovery, leasing and relocation activities; (b) the monitoring team
should attend at least one public consultation procedures, problems and issues that arise
during the meetings, and solutions that are proposed; (c) public awareness of the
compensation policy and entitlements will be assessed among the DPs; and (d) assessment
of awareness of various options available to PAPs as provided for in the RPs.

e) Displaced persons should be monitored regarding restoration of productive activities.

f) The level of satisfaction of DP with various aspects of the RP will be monitored and
recorded. The operation of the mechanisms for grievance redress, and the speed of grievance
redress will be monitored.

g) Throughout the implementation process, the trends of living standards will be observed and
surveyed. Any potential problems in the restoration of living standards will be reported.

12.4. Monitoring methodology and reporting

Survey
A socio-economic survey is initial foundation of RP preparation, monitoring, and
evaluation. The survey will be required before, during and after resettlement
implementation to provide a clear comparison of success/failure of the resettlement plan.

PRA will be applied by project survey. Monitoring will be on a sample basis. The sample
size should be 100% of relocating households and severely affected farmers, and at least
20% of all other households.

A Post-Resettlement Evaluation will be carried out 6 months or 1 year after completion of
all resettlement activities.

Database Storage
Project monitoring and evaluation is based on database system. It will contain drawing,
figures and files on DPs surveyed and will be updated based on information collected in
successive rounds of data collection. All databases compiled will be fully accessible by implementing agencies and the project management unit.

**Reporting**

**Internal Monitoring Report**: is required to prepare during the resettlement and land recovery process. The implementing agencies will be required to submit the report as part of general progress report.

The implementing agencies will coordinate with CCCs to collect information and data concerning to resettlement and displacement process for submitting findings of monitoring and evaluation. The report should contain:

- A report on the progress of RP implementation (number of DP by type of loss and compensation, relocation and rehabilitation schedule by each component, budget allocated to project activities or compensation and disbursement amount for each activities...)
- Grievance and redressing output (if any);
- Issues arising during implementation (if any) and solutions;
- A report on progress of the resettlement and updated report on the coming time.

**Independent Monitoring Report**: is prepared before, during and after resettlement. The report need to reflect the followings:

- Determine internal monitoring output;
- Assess whether the resettlement objectives have been achieved; how PAP living standard and income improved and rehabilitated.
- Review whether the resettlement entitlements are appropriate with PAP's conditions.
- Evaluate effectiveness, impacts and level of the resettlement sustainability; lesson learned for planning and developing resettlement policy framework in future.

13. **COSTS AND BUDGET**

13.1. **Replacement price**

A - **Replacement cost study**

The important objective of replacement cost study is to ensure that unit price applied to calculation of compensations made to all affected assets is fixed at replacement cost. This objective will be achieved through detailed survey on market and/or element such as production capacity, equivalent elements, value of replacement assets, disadvantages of affected subjects... and concurrently making comparison and assessment about unit prices issued by Provincial People’s Committee.

- Determine current land price
- Determine current tree and crop price
- Determine current price of building materials and manpower for constructing houses and buildings.
- Prepare replacement cost plan on land, assets, tree, and crop at the time of study.
The replacement cost study was conducted by the Consultant at the same time through various channels such as households living in affected areas and nearby, local officials, and local real estate agencies from September 26th, 2011 to October 5th, 2011. The replacement cost study is conducted through:

- Directly communicate with households living in affected areas and nearby to collect land price information, construction works assessed based on local current situation using a set of structural questionnaires to seek information about prices of all-type lands and assets on and in the area;

- Legal documents issued, including sheets of land unit prices, through communications in person with local authorities, determine prices of lands, crops, and other assets in affected areas, collect price-related documents on other types of asset (including supports);

- Access local real estate agencies for further information.

B - Study results

- **Land compensation unit prices:**
  - There is almost no transfer, selling, and buying of agricultural land,
  - The people say that the current unit price is low; however; they cannot provide certain figures of how much lower or what reasonable values they propose
  - People living in project areas (canal passage, Duong Bai Road) in Loc Vuong Ward propose land unit price of 5,000,000 - 7,000,000 VND/m² for each location facing road.

- **Unit prices for structures:**
  - Presently, in Nam Dinh province, the Decision no. 02/2008/QĐ-UBND dated March 7th, 2008 by Nam Dinh PPC issuing compensation unit price of houses and structures in case of land acquisition by the State is still existing. However, at the time of implementation of this project there must be some slippage in prices, therefore, based on CPI value at implementation time period, an adjustment of about 30% encreace to compare with the original price as in Decision no. 02/2008/QĐ-UBND is proposed to apply in this project.

- **Unit prices for crop and livestock**
  - As for crops and livestock, the PPC issued Decision no. 15/2008/QĐ-UBND dated July 29th, 2008 promulgating unit prices for crops and livestock in case of land acquisition by the State, of which specific and detailed unit prices of crops on land are fixed.
  - Compensation unit prices for crop and livestock are considered reasonable compared to real prices.

C - Conclusions and recommendations

Conclusions

The Consultant has conducted the study and the opinions are stated below:
1. The compensation unit prices for land acquisition and site clearance has been fixed by Nam Dinh provincial government in each year, and adjustments have been made in case of market movements; however, such adjustments are not made in a timely manner;

2. In project-affected areas, trading transactions relating to transfer of land and assets on land take place at a normal rate; there is no significant difference between such land price and the State unit price;

3. The residents – especially DPs – now tend to announce land unit prices at the time of project availability. This element more or less affects the land unit price of affected households compared to that of unaffected households; in some places, the unit price is doubled up for a land lot of same location and grade;

4. Land compensation unit prices fixed in the decision no. 34/2010/QD-UBND dated December 23rd, 2010 by Nam Dinh provincial government are lower than the market unit prices indeed. If the supports are applied in accordance with Compensation, Support, and Resettlement Framework of the Project, the possible access of local land compensation unit prices to market unit prices is satisfied;

5. Compensation unit prices for houses and structures, displaced graves shall be adjusted according to PCI value during implementation time; for crops the unit prices by Nam Dinh PPC are closely equivalent to the market unit prices.

**Recommended unit price:**

- **Unit price proposed for land compensation:**
  
  - **For lake land:** For areas belong to Loc Vuong Ward’s PC, Nam Dinh Land Fund Development Center will not make any compensation. For land areas of households which are affected by project, project will support 100% for filling and levelling these areas to become gardens.
  
  - As calculated, the expected unit price of support for filling and levelling value\(^1\) is 228,000 VND/m\(^2\) by digging norms, unit price of labor day are calculated including the inflation coefficient at the time of making RP report.
  
  - **As for residential land:** Replacement cost of 5,000,000 VND/m\(^2\) is proposed for project-affected areas (according to existing regulations of Nam Dinh Provincial PC at Decision 34/2010/QD-UBND dated 23/12/2010, the unit price of land at this area is 3 million VND/m\(^2\)).
  
  - **Unit prices for structures:** Compensation unit prices fixed by Nam Dinh PPC are to be applied in accordance with Decision no. 02/2008/QD-UBND dated March 7\(^{th}\), 2008, with adjustment according to CPI value during implementation to ensure the replacement prices;
  
  - **Unit prices for crops and livestock:** Compensation unit prices fixed by Nam Dinh PPC are to be applied in accordance with Decision no. 15/2008/QD-UBND dated July 29\(^{th}\), 2008. If there could be differences with the market prices, Compensation Council would consider and propose a new set of unit prices to submit to Nam Dinh Proincial PC for review and approval.

13.2. **Cost and budget**

  ✓ **Permanent effect**

  1. Compensation for residential land:

\(^1\)Comparison with garden pond land unit price of 220,000 VND/m\(^2\); 60% price of garden pond land is 132 VND/m\(^2\)

Components using up the fund allocated for Nam Dinh City urban upgrading project-Phase 2
95 m² of residential land will be acquired. Compensation cost for residential land basing on market price is 5,000,000 VND/m² x 95 m² = 475,000,000 VND

2. Allowance for garden land:
Unit price of support for beyond established value for HH’s encroached land is 228,000 VND/m². There is total 4,047 m² of encroached land, the estimated cost is equal to 922,716,000 VND

3. Compensation for house and structure:

Table 11. Compensation cost for house and structure

<table>
<thead>
<tr>
<th>Structures</th>
<th>Area (m²)</th>
<th>Price unit (VND/m²)</th>
<th>Amount (VND)</th>
<th>5% of value of electricity, water system</th>
<th>Total of amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>House with 2 floors</td>
<td>59</td>
<td>3,461,380</td>
<td>204,221,420</td>
<td>10,211,071</td>
<td>214,432,491</td>
</tr>
<tr>
<td>Grade 4 – house</td>
<td>710</td>
<td>1,873,300</td>
<td>1,330,043,00 0</td>
<td>66,502,150</td>
<td>1,396,545,150</td>
</tr>
<tr>
<td>Temporary house</td>
<td>60</td>
<td>1,242,800</td>
<td>74,568,000</td>
<td>3,728,400</td>
<td>78,296,400</td>
</tr>
<tr>
<td>Sub-structure</td>
<td>163</td>
<td>1,420,900</td>
<td>231,606,700</td>
<td>11,580,335</td>
<td>243,187,035</td>
</tr>
<tr>
<td>Yard</td>
<td>861</td>
<td>59,150</td>
<td>50,928,150</td>
<td>2,546,408</td>
<td>53,474,558</td>
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<tr>
<td>Fence</td>
<td>610</td>
<td>291,200</td>
<td>119,392,000</td>
<td>5,969,600</td>
<td>125,361,600</td>
</tr>
<tr>
<td>Brick kiln</td>
<td>126</td>
<td>260,000</td>
<td>32,760,000</td>
<td>10,211,071</td>
<td>32,960,000</td>
</tr>
</tbody>
</table>

Grand total

|                |            |                     |              |                          | 2,144,257,234   |

4. Crop, tree and animal:
For vegetables: 12,889 m² x 7,500 d/m² = 96,667,500 VND
For fish: 59,224 m² x 5000 d/m² = 296,120,000 VND

Compensation for temporary effects:
For Fish: 22,390 m² x 5000 VND/m² = 111,950,000 VND
For moving tree (plants): 489 trees x 50,000 VND/tree = 50,489,000 VND

Allowance and resettlement:
Transportation allowance: 3 HH x 3,500,000 VND/HH = 10,500,000 VND
House renting allowance: 3 x 4 person/HH x 250,000 VND/person x 6 months = 18,000,000 VND

Life stabilization allowance: for 3 HHs which have to relocated will be entitled to a subsistence allowance in cash equal to 30 kg of rice/person/month during 6 months. The average prices of the region at the time compensation will be applied. Total of life stabilization allowance cost is

30 kg of rice/person x 12 persons x 6 months x 18,000 VND/kg = 38,880,000 VND

Assistance to the lost of business activities: for 01 HH doing carpentry products at home, the workshop will be dismantled and moved to a new place, the project will assisted this
households for the fee of transport during relocation of the workshop. The total amount of this assistance is estimated about 5 truck ships x 5,000,000 VND/ship = 25,000,000 VND.

**Assistance to changing jobs:** Presently, Kenh Thuong Cooperative is managed Dam Bet Lake for agriculturing. After land acquisition of Dam Bet lake, Loc Vuong Ward’s PC will give the land renting right of Dam Do to Kenh Thuong Cooperative to manage and agriculturing with “land for land” compensation method.

For the two households currently renting land of Kenh Thuong Cooperative at Dam Bet lake, they will be assisted by the project for changing jobs with average 1 job training course for each main labour. Total cost of job training courses is estimated as 5 million VND/course/person * 10 persons = 50 million VND.

If the househouses want to continue renting land, Kenh Thuong Cooperative will consider to continue sign agreement with these households.

**Table 12. Costs for the compensation and resettlement for additional works**

**Urban upgrading project - Nam dinh city sub project – Phase 2**

<table>
<thead>
<tr>
<th>No</th>
<th>Work items</th>
<th>Amount (VND)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Residential land</td>
<td>475,000,000</td>
</tr>
<tr>
<td>2</td>
<td>Allowance (filling)</td>
<td>922,716,000</td>
</tr>
<tr>
<td>3</td>
<td>House and structure</td>
<td>2,144,257,234</td>
</tr>
<tr>
<td>4</td>
<td>Crop, tree and animal</td>
<td>392,787,500</td>
</tr>
<tr>
<td>5</td>
<td>Temporary allowance</td>
<td>112,000,489</td>
</tr>
<tr>
<td>6</td>
<td>Allowance (transportation, Renting house, restoration income...)</td>
<td>141,500,000</td>
</tr>
<tr>
<td>7</td>
<td>Assistance to changing jobs</td>
<td>50,000,000</td>
</tr>
<tr>
<td>8</td>
<td>Communication</td>
<td>50,000,000</td>
</tr>
<tr>
<td></td>
<td><strong>Total (A)</strong></td>
<td><strong>4,288,261,223</strong></td>
</tr>
<tr>
<td>9</td>
<td>Independent monitoring</td>
<td>300,000,000</td>
</tr>
<tr>
<td>10</td>
<td>Administration cost 2%(A)</td>
<td>85,765,224</td>
</tr>
<tr>
<td></td>
<td><strong>Total (B)</strong></td>
<td><strong>385,765,224</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Contingency 20% (A+B)</strong></td>
<td><strong>934,805,289</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Grand Total</strong></td>
<td><strong>5,608,831,736</strong></td>
</tr>
</tbody>
</table>

The total site clearance and resettlement cost is estimated at around VND 5,608,831,736 equivalent to USD 269,655 USD (exchange rate: VND 20,800 = 1 USD).

Latest regulations of Nam Dinh People’s Committee on compensation, assistance, and resettlement have been updated in this report’s site clearance and resettlement cost estimate, and the rates applied to activities have been adequately and reasonably calculated.

Estimated cost for project implementation will be updated basing on detail design and time of land acquisition.
# ANNEX 1. Entitlement matrix

<table>
<thead>
<tr>
<th>No</th>
<th>Type of loss</th>
<th>Definition of entitlement person</th>
<th>Entitlement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Loss of land</td>
<td>Land user meet the condition of compensation</td>
<td>DP will be entitled (i) Cash compensation for acquired land at 100% of replacement cost, and (ii) Buying resettlement land as regulation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Land users under dispute</td>
<td>DPs are entitled to compensation at 100% of replacement cost. DP only have received compensation cost when the dispute are resolved (that amount of money will be deposited at one account basing on regulations)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Land users disqualified to be compensated</td>
<td>DP are entitled to compensation at 60% of replacement cost by cash for the households who use land before 2004 or support 100% for filling and levelling these areas for the households who use land after 2004.</td>
</tr>
<tr>
<td>2</td>
<td>Loss of house/structures and other assets</td>
<td>No distinguishing owning and using condition</td>
<td>(i) Compensation for affected constructions with 100% of replacement price. No deducting for salvaged materials or value’s deduction. (ii) Compensation price being calculated on real affected area</td>
</tr>
<tr>
<td>3</td>
<td>Loss of income and business/ productive assets</td>
<td>Economic organizations, registered business households</td>
<td>(i) Compensation for loss of incomes for economic organizations, registered business households being stopped will be paid in cash of 100% monthly real interest during 6 months basing on real average interest of the closest year being paid for tax agency. (ii) If business place is moved, providing business replacement with same area and approaching to customers, suitable to affected people, or, compensating in cash for loss area basing replacement cost, plus assistance of moving properties, enclosed materials.</td>
</tr>
<tr>
<td>No</td>
<td>Type of loss</td>
<td>Definition of entitlement person</td>
<td>Entitlement</td>
</tr>
<tr>
<td>----</td>
<td>--------------</td>
<td>----------------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>4</td>
<td>Loss of standing crops and trees</td>
<td>Lost crop farmers.</td>
<td>Receiving compensation for lost crop basing on market price.</td>
</tr>
</tbody>
</table>
| 5  | Temporary impact during construction | Land and properties owners on affected land temporarily | (i) Compensation for all properties on affected land basing on replacement price  
(ii) Recovering land completely or improving it better.  
(iii) Compensation for loss of incomes during encroached time by the project |
|    | Affected business head of households temporarily | (i) Compensation and assistance for loss of incomes for producing households, coordinating group, private business during implention.  
(ii) Compensation for affected properties with replacement price |
|    | Damages on private and public constructors by tenderer | (i) Tenderer is requested to pay the compensation once for individuals, communities, organizations, agencies which are damaged by constructing.  
(ii) Losses should be repaired once to recover construction |
<p>| 6  | Loss of community assets | Communes, streets, administrative management units have damaged houses, public architectures, schools, bridges, factories, water sources, roads, wastewater systems, irrigating systems | The Project has to assure that the infrastructures are recovered or repaired depending on each case and communities have not to pay for that cost |
| 7  | Assistance for restoration | Assistance for moving and dismounting Relocated households | Assisting cost of moving with maximum amount of 3,500,000 Vietnamese dong for households moving to new place at the same City; maximum assistance of 6,000,000 Vietnamese dong for households moving to another Province. |</p>
<table>
<thead>
<tr>
<th>No</th>
<th>Type of loss</th>
<th>Definition of entitlement person</th>
<th>Entitlement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Assistance for house rental</td>
<td>Households moving to another place.</td>
<td>Assisting rental in the period from 3 to 6 months for households having land acquisition and having no living place. Assistance level is from 200,000 Vietnamese dong to 400,000 VND/person/month depending on number of individuals in households.</td>
</tr>
<tr>
<td></td>
<td>Assistance for living stability and producing recovering</td>
<td>Households being moved to another place and households being rebuilt at old land</td>
<td>Assistance for living activities in cash equal to 30 kg of rice per person per month during 6 months according to average price of the area at the land acquisition time.</td>
</tr>
<tr>
<td></td>
<td>Special social assistance</td>
<td>Households being moved which belonging to preference treatment policy households</td>
<td>Households which have members entitled to social assistance (revolutionary contribution) will have allowance of 3,000,000 VND per household; the remaining entitled to social assistance will have allowance of 1,500,000 VND</td>
</tr>
<tr>
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<td>Awarding</td>
<td>Households being moved and resettled</td>
<td>Will be received an award with minimum level of 700,000 Vietnamese dong per household and maximum of 7,000,000 Vietnamese dong per household.</td>
</tr>
</tbody>
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BIÊN BẢN HỢP THAM VĂN

Tên cuộc họp: ..............................................
Thời gian: ..............................................
Địa điểm: ..............................................

Thành phần tham dự:
- Đại diện Chủ đầu tư: ..............................................
- Đại diện đơn vị tư vấn: ..............................................
- Đại diện UBND phường: ..............................................
- Đại diện các ban-đội của theo địa phương: ..............................................
- Đại diện các hộ gia đình bị ảnh hưởng: ..............................................

Nơi dụng hợp tham vấn công đồng:
1. Giới thiệu các thành viên tham dự cuộc họp, mục đích của buổi tham vấn;
2. Giới thiệu dự án: Xuất xứ dự án; Tóm tắt các hạng mục để xuất dự án; Nguồn vốn, tiền độ triển khai dự án, kế hoạch chuẩn bị dự án.
3. Chỉ rõ các hạng mục đầu tư liên quan đến thu hồi đất, thông kê số bò các tác động, các ảnh hưởng dự kiến trên các diện tích đó;
4. Chính sách bồi thường, hỗ trợ và quyền lợi của người bị ảnh hưởng, trách nhiệm, tổ chức, kế hoạch thực hiện.
5. Tham vấn ý kiến của các hộ bị ảnh hưởng tạm thời về các tác động dự kiến, chính sách bồi thường, hỗ trợ cũng như các mong muốn, đề xuất của công đồng khi triển khai dự án.

Kết quả tham vấn:
Thống kê ảnh hưởng:

1. Phạm vi bị ảnh hưởng (x): ..............................................

Biên bản họp tham vấn công đồng về Kế hoạch tái định cư

3. Tổng diện tích đất thu hồi (tầm thông): 5,67. m²

4. Diện tích hoa màu, cây cối hay thủy sản bị ảnh hưởng bởi dự án:

5. Tài sản bị ảnh hưởng trên diện tích đất

6. Đèn chưa miêu tả và công trình văn hóa, di tích lịch sử

Ý kiến đóng góp của công cộng tham gia họp: …Dì. tỉnh: 24. chủ, xã, thị xã: chiến: bị cứu nước

Biên bản họp tham vấn công cộng về Kế hoạch tài định cư
Kết luận

1. Thi nghiệm Việc thực hiện việc điều chỉnh

2. Xử lý quy trình của việc điều chỉnh

3. Thực hiện việc điều chỉnh trong các trường hợp

Bản: Họ: Ký

Ký: Chú: Chức

Chủ đầu tư
Dự điểm tư vấn
UBND phường
Đại diện
Hồ bơi ấn hưởng

KTGiam doc
Phó giám đốc
CHU SY CHỨC

KT CHỦ TỊCH
PHÓ CHỦ TỊCH
TRAN HUY TÀI

Bản bản hợp tham vân cộng đồng vệ Kế hoạch tài định cư
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### DANH SÁCH THAM ĐƯỢC

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<th>Địa chỉ</th>
<th>Ghi chú</th>
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<td>Khoảng</td>
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<tr>
<td>2</td>
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<td>worker</td>
<td>456 Office Rd.</td>
<td>Thứ 5</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Đinh Văn Long</td>
<td>manager</td>
<td>789 Corporate Ave.</td>
<td>Kế hoạch</td>
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Người lập biểu

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PHỤ LỤC 3. MỘT SỐ HÌNH ẢNH HỘP THAM VÀN CỘNG ĐỒNG