PEOPLE’S COMMITTEE OF QUANG BINH PROVINCE
Quang Binh Environmental and Urban Development One Member Ltd., Co.

VIETNAM COASTAL CITIES ENVIRONMENTAL SANITATION PROJECT
DONG HOI CITY SUB-PROJECT

RESETTLEMENT PLAN
(FINAL VERSION)

PACKAGE DH 6.20.1A
CONSULTING SERVICE IN PREPARATION OF ENVIRONMENTAL IMPACT ASSESSMENT, ENVIRONMENT MANAGEMENT PLAN AND RESETTLEMENT ACTION PLAN FOR PHASE II COMPONENTS 2&3

Prepared by:

Infra-Thanglong

April 2010
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The Employer
QUANG BINH ENVIRONMENTAL AND URBAN DEVELOPMENT ONE MEMBER LTD., CO.

The Consultant
THANG LONG INFRASTRUCTURE DEVELOPMENT JOINT STOCK COMPANY

APRIL 2010
## DEFINITION OF TERMS

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Displaced Person (DP)</td>
<td>Term used in OP 4.12 of the World Bank means any person or persons, household, firm, private or public institution that, on account of changes resulting from the Project, will have their or its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (including residential, commercial, agricultural, forest and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement. In the case of a household, the term affected household includes each member residing under one roof and operating as a single economic unit, who is adversely affected by a project or any of its components. A person or organization may be a DP even if living or working or operating a shop or other business outside the project area. The only condition is that the person or organization is adversely affected by any aspect of the project.</td>
</tr>
<tr>
<td>Impacted communities</td>
<td>The impacted communities by the project including: (i) Communities impacted by land acquisition, whether anybody will be relocated or not; (ii) Communities will be receiving relocated households, so called &quot;host villages&quot;; (iii) Communities that may not be physically impacted by land acquisition or other environmental impacts, but which are located in the vicinity and likely to be socially and culturally impacted by the project development.</td>
</tr>
<tr>
<td>Resettlement Assistance</td>
<td>Means additional support provided to DPs losing assets (particularly productive assets), incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.</td>
</tr>
<tr>
<td>Cut-off date</td>
<td>The date of completion of inventory of losses during preparation of the RP. Displaced Persons and local communities will be informed of the cut-off date for each Project component, and that anyone moving into the Project Area after the cut-off date will not be entitled to compensation and assistance under the Project.</td>
</tr>
<tr>
<td>Detailed Measurement Survey (DMS)</td>
<td>Means the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of DPs earlier done during the preparation of the final RP.</td>
</tr>
<tr>
<td>Entitlement</td>
<td>Means the range of measures comprising compensation, assistance, including income restoration support, transfer assistance, income substitution, relocation support and resettlement which are due to</td>
</tr>
</tbody>
</table>
### RESETTLEMENT PLAN – COMPONENT 2&3

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Host community</td>
<td>Means the community already in residence at a proposed resettlement site.</td>
</tr>
<tr>
<td>Income restoration/Livelihood improvement</td>
<td>Means the re-establishment and improvement of sources of income and livelihood of relevant DPs.</td>
</tr>
<tr>
<td>Inventory of Losses (IOL)</td>
<td>Means the process of identification, location, measurement and valuation of replacement cost of all fixed assets that will be recovered or adversely affected by or as a result of the project. These include, (without limitation or being an exhaustive list) lands used for residence, commerce, agriculture, ponds; dwelling units, stalls and shops, other structures, such as fences, tombs, wells; trees with commercial value, sources of income and livelihood. It also includes the assessment of the severity of the impact on land and property on the affected assets and the severity of impact on the livelihood and productive capacity of DPs.</td>
</tr>
<tr>
<td>Land recovery</td>
<td>Means the processes by which all or part of land and property owned, possess, occupies or uses, are compulsorily recovered or otherwise acquired from an individual, household, firm or private institution by the State or are acquired by agreement.</td>
</tr>
<tr>
<td>Relocation/Resettlement</td>
<td>Means the physical relocation of a DP from the DP’s pre-project place of residence and/or business.</td>
</tr>
</tbody>
</table>
| Replacement Value                         | Means the amount calculated before displacement which is needed to replace an affected asset without deductions for depreciation, salvageable materials, taxes, and/or costs of transaction as follows:

  (i) Productive land (agricultural, fishpond, garden, forest) based on market prices that reflect recent land sales of comparable land in the district and other nearby areas, and in the absence of such recent sales, based on productive value;

  (ii) Residential land based on market prices that reflect recent sales of comparable houses and residential land in the district and other nearby areas, and in the absence of such recent land sales, based on sales in other locations with similar attributes;

  (iii) Houses and other related structures based on current market prices of materials and labor without depreciation nor deductions for salvaged building materials plus fees for getting the ownership papers;

  (iv) Standing crops equivalent current market value of the crop at the time of compensation;

  (v) Perennial crops and trees, cash compensation equivalent to current market value given the type, age and productive value (future production) at the time of compensation.

  (vi) Timber trees, the price that would currently be paid for the trees on the nearest market based on the diameter of each tree at breast height. |
| Replacement Cost Study                    | Means the process involved in determining the replacement cost of land, houses and other affected assets based on surveys.                                                                                |
| Severely Affected Person                  | Means DPs who will (i) lose 20% or more of their total productive                                                                                                                                      |
Vulnerable People

Means individuals or distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of land and property recovery or resettlement and specifically includes: (i) female headed households with dependents, (ii) disabled individuals (iii) households with disabled persons, (iv) households falling under the current MOLISA benchmark poverty line, (v) children and elderly households who are landless and with no other means of support, (vi) landless households, (vii) non-integrated ethnic minorities.
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Annex 1: Entitlement Matrix
EXECUTIVE SUMMARY

Introduction
1. This Resettlement Plan (RP) is developed for Components 2&3, Contract Package DH6.20.1A, Dong Hoi City Environmental Sanitation Project, Phase 2. The RP includes the results of inventory of loss (IOL), socio-economic survey (SES); replacement cost survey, entitlements relating to any further impacts defined through IOL and surveys; resettlement areas and rehabilitation programme; implementation schedule and cost estimations, monitoring and evaluation, community participation and consultation and grievance redress mechanism etc.

Scope of Land Acquisition Impacts
2. The report describe scope of land acquisition and resettlement for component 2&3, in which (a) great efforts was made to minimize land acquisition and resettlement impacts by the project component 2, but it is unavoidable. Compensation and relocation is required mainly for the project component 2 including (i) Land acquisition for waste water treatment plant with the total area of more than 14.52 ha (constructed in two phases) and 2.7ha for access road to the plant and (ii) no land acquisition for the waste water treatment plant for Viet Nam-Cu Ba hospital. There is no impact on residential land, just 155 households with 616 persons are impacted on the agricultural land, of which 88 households affected by the treatment plant and 67 households by the access road. Besides that, land acquisition is also necessary for installing power supply in the landfill site which is (i) very small scale of permanently acquired land (28 m2) for pole foundations (less than 01 m2 per foundation) and (ii) temporary land acquired within the ROW is also marginal (with 8.190m2), and the land users are entitled to continuous use for annual crops or bush tress that its height is not over 4 m, and (b) the project component 3 will be constructed on 31.5 ha of existing landfill site in Ly Trach Commune, Bo Trach District. Hence, no land acquisition required for the project component 3.

Legal and Policy Frameworks
3. The RP is developed based on the laws of the Government of Viet Nam (GoV) and the World Bank Policy on Involuntary Resettlement (OP 4.12). The GOV policy on compensation, assistance and relocation has been improved significantly in recent years (Land law-2003; Decree 197-2004; Decree 17-2006, Decree 84-2007 and especially Decree 69-2009 etc.). it is very close compliance to World Bank requirements. However, there have been still some gaps between the GoV policies and World Bank regulations on involuntary resettlement. These gaps were analyzed in the project resettlement policy framework and the waver for bridging the gaps was accepted by Quang Binh Province and approved by the Prime Minister in his decision no. 840/TTg-CN, dated 06-June, 2006.

4. The main policy objectives and principles to the Project Compensation and Resettlement policy are (i) land acquisition should be minimize as much as possible, if unavoidable, the policy should be developed to (ii) ensure that affected people receive compensation at full replacement values and with relocation assistance so that they will be at least as well off as their pre-project living condition or otherwise improved.

5. The cut-off date of this project is the date of completion of the census, that the project cut-off date was 31-July 2009.
Public Participation and consultation

6. Several rounds of consultations and participation were held as in kind of public meetings and commune discussions with affected households and local authorities, local NGOs in the PFS period and from April to July 2009 by Infra-Thanglong, Safeguard Consultant. Many DPs and local officials at the different levels from the province to commune as well as local NGOs have been consulted for the different aspects of compensation and resettlement such as compensation and resettlement policy, options to compensation modes (in cash or in kind, cash for self-relocation or to relocate at the resettlement sites which will be constructed by the project), preference to the livelihood restoration/development programs etc. Many different instruments and channels of consultation and participation were applied and organized. Many feedbacks have been obtained from DPs, local NGOs, local authorities and relevant provincial, district Departments. The results of consultation with and participation of key stakeholders were used for planning of this RP. At the early time of the RP and project implementation, Public Information Booklet (PIB) will be prepared by the Project Management Unit and will be disseminated to the affected households and posted at the public places.

7. Key information about the project, entitlements of compensation and assistance will be summarized as in Project Information Booklet (PIB) and will be disseminated to all DPs in the fourth quarter of 2009. The Project Management Unit is responsible for disclosing a draft RP and the final RP. The RP will be disclosed at affected City/districts and Wards/Communes as well as at DONRE and DOF offices of Quang Binh Province. A summary on a final RP will be prepared by the Project Management Unit and will be disseminated to all DPs in early time of RP implementation. The RP will be disclosed at Info-shop of the World Bank and VIDIC of the World Bank office in Viet Nam.

Grievance Redress

8. In the RP implementation, the complaints will be resolved based on the procedures approved in the Project Resettlement Policy Framework (Resettlement Policy Framework). The local authorities at all levels and project staffs will resolve DPs' complaints fairly and quickly. They will not pay any administrative fees for their grievance redress.

Implementation Arrangements

9. The Project’s compensation, assistance and resettlement will be under the management of the Project Management Unit (Specialist Division) and the City Compensation and Resettlement Committee (CRC) will be directly in charge of this work. During the implementation, it is necessary to establish the close cooperation among officials of the implementation organizations, CRC, Project Management Unit, ward officials and leaders of residential groups as well as the coordination with the project resettlement specialists in the compensation, assistance and resettlement.

Monitoring and Evaluation

10. The implementation of the detail resettlement plan will be monitored and examined internally by PMU’s officials. At the same time, an independent monitoring organization will be employed to monitor the RP implementation and evaluate the DP’s living standards after resettlement.
The Implementation Schedule

11. The implementation schedule of RP is proposed based on the schedule of the project construction; detailed schedule is shown as in Chapter VII. The schedule for key activities is summarized as below.

<table>
<thead>
<tr>
<th>No</th>
<th>Activities</th>
<th>Target dates/time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Surveys and consultation for preparing RP</td>
<td>April to July - 2009</td>
</tr>
<tr>
<td>2</td>
<td>First Draft RP submitted for Provinces and WB's review</td>
<td>September - 2009</td>
</tr>
<tr>
<td>3</td>
<td>Disclose and disseminate a draft RP</td>
<td>October - 2009</td>
</tr>
<tr>
<td>4</td>
<td>Submit a final RP to the WB; Viet Nam relevant authorities for their clearance and approvals.</td>
<td>April - 2010</td>
</tr>
<tr>
<td>5</td>
<td>Information campaign: Information disclosure and dissemination of RP at info shop of the WB in DC and VIDIC at Viet Nam office and at PC office Quang Binh Province. A summary of project background and RP disseminated to all affected communities and DPs.</td>
<td>April - 2010</td>
</tr>
<tr>
<td>6</td>
<td>Approval of Quang Binh PPC on land recovery for the project areas</td>
<td>May - 2010</td>
</tr>
<tr>
<td>7</td>
<td>Inform affected districts, communities, DP about the decision of the PPC on land recovery for a whole affected areas and plan for IOL.</td>
<td>May - 2010</td>
</tr>
<tr>
<td>8</td>
<td>Carry out IOL and prepare for compensation and relocation plans for affected HH, disseminate this form, plans to affected HH for their review and feedback.</td>
<td>May to July - 2010</td>
</tr>
<tr>
<td>9</td>
<td>Pay compensation to and relocate for DPs</td>
<td>July – August 2010</td>
</tr>
<tr>
<td>10</td>
<td>Site clearance</td>
<td>November - 2010</td>
</tr>
<tr>
<td>11</td>
<td>Monitoring and evaluation</td>
<td>December - 2010 to June - 2011</td>
</tr>
</tbody>
</table>

Cost and Budget

12. The total cost for RP - Components 2 & 3 is estimated at about VND 22,181,558,750, including cost for compensation, assistance, income restoration, resettlement implementation and contingency. The cost is estimated based on the unit cost which enacted by Quang Binh Province. Before implementing RP, the replacement cost will be surveyed by independent evaluators and submitted to PPC of Quang Binh for its approval and application for compensation.
I. INTRODUCTION

I.1 Background

1. The Government of Vietnam (GoV) requested IDA to support Environmental Sanitation Projects (ESP) and the World Bank is presently supporting the Ho Chi Minh Environmental Sanitation Project and the Three Cities Environmental Sanitation Project. In both cases the projects focus on the rehabilitation of primary drainage (generally combined sewers), the commencement of wastewater collection (normally interceptor sewers) and treatment systems, household sanitation initiatives (small loans for septic tanks) and, in some cases, improvements to solid waste management systems. Recently, the GoV has requested a further similar project be prepared covering three cities, namely Nha Trang, Quy Nhon and Dong Hoi. This is called the Coastal Cities Environmental Sanitation Project (CCESP).

2. The objectives of the project are (i) Flooding damages mitigation for Dong Hoi city via rehabilitation and upgrading its drainage system and implementation of flooding control measures (ii) improvement of sanitation, environment and living standards for the city’s residents through improvement and extension of existing sewage system, construction of wastewater treatment plants and revolving fund for household sanitation improvement; (iii) enhancing the collection and transportation capacity of solid waste; (iv) improvement of solid waste management through the capacity building for whole environmental monitoring and sanitation sector, including drainage O&M, environmental monitoring and flood control management.

3. The project components include: (i) Rehabilitation and improvement, including construction of new channels, of Drainage Systems; (ii) Waste water treatment; (iii) Solid waste management; (iv) Resettlement; (v) Revolving Fund for Improvement of Sanitation; and (vi) Institutional capacity building for natural disaster mitigation.

4. The project proposed to be implemented in eight (08) years starting from 2006 to 2014 and subdivided into two phases: Phase 1 from the year 2006 to 2011 and Phase 2 from 2008 to 2014.

5. This Resettlement Plan is prepared for the project Components 2 & 3, in which (a) the project component 2 includes (i) waste water treatment plant with the total area of 14.52 ha; (ii) access road requires 2.7 ha (length of 1,365m and width of 24.6m but gradually narrowing) and (b) the project component 3 will be constructed on 31.5 ha of existing landfill site in Ly Trach Commune, Bo Trach District, Quang Binh Province.

I.2. Potential Impact on Land Acquisition

6. Among the five (05) above mentioned project components, only three first ones cause land acquisition and resettlement impacts on the local population.

7. Initial results of the project’s screening show that there is not any cultural heritage works negatively impacted by the project. The project implicates certain resettlement impacts due to necessary land acquisition for rehabilitation and developing drainage and sewerage systems, including construction of primary and secondary drains, sewers, regulating ponds, wastewater treatment plants (WWTP), construction of public toilets, development of landfills and solid waste treatment facilities; etc.
I.3. Measures to Minimize Land Acquisition

8. During the project’s Pre-Feasibility Study, in close cooperation with PPU, extended consultation with local authorities at the different levels, the technical consultants have made a lot of efforts in identification, study on alternatives. One of the alternative selection criteria is an effort of avoiding or mitigating the impacts of land acquisition. The Consultants have taken a number of measures to avoid land acquisition whereas it’s possible, for example the option to lay sewers or drains on sidewalks, etc. Where the land acquisition is unavoidable, the design consultant manage to arrange the project on the communal or public land, or on the low economic value land types as well as application of underground option for the pumping stations. The selection of an appropriate planning alternative of WWTP or landfills with rectangular or square configuration, reflecting specific circumstances could be measure minimize land acquisition and resettlement impacts on local population in the proposed project areas.

9. As initially agreed, in the first phase of the project implementation, the PPU gave the priority to the works of draining and wastewater sewerage systems and other physical works that do not implicate or if does, then anticipates limited land acquisition and insignificant resettlement impacts. Thus, the scale of resettlement impacts (of the three subprojects) in the Phase 1 is rather limited. The project resettlement impacts are likely to be faced in the second phase of its implementation. Land acquisition to households will be from the development of the drainage and wastewater collection systems, dredging and rehabilitation Phong Thuy channel in Dong Hoi city and constructing wastewater treatment plant in Duc Ninh Commune, Dong Hoi City.
II. SCOPE OF LAND ACQUISITION IMPACTS

10. The impacts survey on land acquisition and other affected properties involves census and the inventory of losses (IOL). All fixed assets and their owners as well as public works and collective assets located in the project affected areas are identified and measured.

11. The severity of impacts on the affected assets and those on the livelihood and productive capacity of DPs are also determined. Information on the number of affected households, members of the affected households, sources of livelihood, income level, and legal status of the ownership of productive assets are gathered.

12. The impacts survey and census of DPs were first done by VIWASE in 2005 and then updated by Infra-Thanglong Consultant in April to July 2009. According to regulations of Viet Nam Gov on land acquisition, compensation, relocation assistance, as soon the project is approved, the following key steps need to be done:

(i) Identifying land use demand, then Quang Binh PPC issues Decision on approval of the project land acquisition.

(ii) Public announcement the above Decision to all DPs by Dong Hoi city authorities;

(iii) Conducting Detailed Measurement Survey (DMS) for affected properties;

(iv) Preparing Compensation, Assistance and Resettlement Plan(s), in which impact on each DPs and other affected institutions are identified; to be appraised by DOF, and approved by Quang Binh PPC;

(v) Compensation payment will be delivered to the DPs; relocated DPs before the project civil works started.

(vi) Implementing the land clearance.

II.1. Data Collection Instruments

13. The basic tools used in the census are (i) questionnaire survey for socioeconomic (SES) and affected properties (IOL) and (ii) cadastral maps which available in each affected ward/Commune, actually the affected area boundary has not yet been available at that time.

14. The questionnaire was divided into 3 major sections, consist of (i) the first section describe households information such as household composition, ages, sex, ethnicity, occupation, living conditions, etc, (ii) the second part is the information required to analyze on the land acquisition impacts caused by the project to the DPs and (ii) the third part is some consultation questions such as alternatives for DP's relocation modes, income restoration program etc.

15. The survey on the socioeconomic and land acquisition impacts involved in ward/commune authorities and the project DPs and owners of the collective assets that carried out from April to July 2009.

16. Other tool for data collection applied in this project is public community consultation meeting. The purpose of the meeting conducted during preparation of the resettlement plan was to provide information and consult with DPs and other stakeholders regarding: (i) project information; (ii) the scope and objectives of the project based on preliminary design; (iii) the policies, principles, entitlement and procedures for land acquisition, compensation and resettlement; (iv) implementation schedule and, (v) preliminary estimates of land acquisition requirements and grievance redress. For detail performance, pls refer to Chapter VIII: Consultation and Participation.
II.2 Cut-off Date

17. According to definition of the cut off date for the project, the cut-off date for these project components is 31-July 2009. The cut-off date's disclosure in the project area was implemented publicly. From the cut-off date any further encroachment is considered illegal and any relevant claim for compensation is rejected.

18. Currently, the technical design are still continued and therefore, the project land acquisition boundary is not yet exactly available, after discussion with the designers, the survey teams visited the sites, discussed with the commune leaders on their available cadastral maps, then the census and inventory were done by Infra-Thanglong.

II.3 Inventory of Losses Survey

19. The project component 3 will be constructed on 31.5 ha of existing landfill in Nam Ly Ward, Dong hoi city so no land acquisition is required.

20. The great efforts was made to minimize land acquisition and resettlement impacts by the project, however, it is still unavoidable. Land acquisition and compensation is required mainly for the project component 2. The total land area to be required is about 17.22 ha, of which 14.52 ha for wastewater treatment plant and 2.7 ha for access road (with scale: 1,365 m long and 24.6 m wide). No land acquisition for the wastewater treatment plant for Viet Nam-Cu Ba hospital. In short, all acquired land is agricultural land with annual crops; there is no impact on residential land.

21. Besides, it is also necessary to permanently acquire about 28m2 for installing the power line (mostly in existing section, about 1.5 km to be newly constructed with less than 01 m2 for each pole foundation) to supply for the landfill site. Temporarily acquired land within the ROW is also marginal (8.190m2) and land users are entitled to continuous use for annual crops or bush tress that its height is not over 4m.

22. Total 170 households (HHs) are impacted on the agricultural land, of which 88 HHs severely affected by the treatment site, 67 HHs marginally impacted by the access road and 15 HHs both permanently and temporarily impacted by tower foundation. Impacts on land acquisition are described as in table 1 below.
Table 1: Agricultural Land Acquired for the Project Component 2

<table>
<thead>
<tr>
<th>Commune</th>
<th>Number of affected HHs</th>
<th>Affected area (m²)</th>
<th>Affected area &lt;20% Land holding</th>
<th>Affected area &gt;20% Land holding</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>HHs</td>
<td>Heads</td>
</tr>
<tr>
<td>1. Permanent Impacts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duc Ninh (Treatment site)</td>
<td>88</td>
<td>145,200</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Access road</td>
<td>67</td>
<td>27,000</td>
<td>67</td>
<td>268</td>
</tr>
<tr>
<td>Tower Foundation</td>
<td>15*</td>
<td>28</td>
<td>15</td>
<td>60</td>
</tr>
<tr>
<td>Total 1</td>
<td>170</td>
<td>172,228</td>
<td>82</td>
<td>328</td>
</tr>
<tr>
<td>2. Temporary Impacts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electrical grid</td>
<td>15*</td>
<td>8.190</td>
<td>15</td>
<td>60</td>
</tr>
<tr>
<td>Total 2</td>
<td>15</td>
<td>8.190</td>
<td>15</td>
<td>60</td>
</tr>
<tr>
<td>Total</td>
<td>170</td>
<td>180,418</td>
<td>82</td>
<td>328</td>
</tr>
</tbody>
</table>

Data source: Results of IOL, in 2009

* 15 HHs have land to be both permanently and temporarily impacted by electric power line
III. SOCIO-ECONOMIC INFORMATION

III.1 Socioeconomic Profile of the Project Area

23. Dong Hoi city locates at 17°22' North longitude and 106°29' East latitude, by the National Highway no. 1. It is about 490 km from Ha Noi in the South and about 160 km far from Hue city in the North. The population of Dong Hoi city is some 108,526 people (population within the city is about 71,620 people) and the city area is 155.5 sq. km. There are 16 Wards/Communes, including 10 Wards within the city and 06 communes in the suburb area. The population density is about 696 persons per sq. km. The natural growth rate of population is 7.92 %, dead rate is 4.22 %. It is forecasted that by the end of 2020, the population of Dong Hoi city will reach about 184,900 people.

24. According to the statistical results in 2008, the population structure, density and trend of Dong Hoi city is shown in below tables.

Table 2. Dong Hoi city Population

<table>
<thead>
<tr>
<th>Year</th>
<th>Population</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Total</td>
<td>Total</td>
</tr>
<tr>
<td>2006</td>
<td>846,020</td>
<td>418,385</td>
<td>427,635</td>
</tr>
<tr>
<td>2007</td>
<td>854,918</td>
<td>422,720</td>
<td>432,198</td>
</tr>
<tr>
<td>2008</td>
<td>857,818</td>
<td>422,583</td>
<td>435,235</td>
</tr>
</tbody>
</table>

Source: statistical results in 2008

Table 3. The Population Increasing Trends

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
<th>Sex</th>
<th>Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>2000</td>
<td>802,683</td>
<td>398,763</td>
<td>403,920</td>
</tr>
<tr>
<td>2001</td>
<td>809,619</td>
<td>400,703</td>
<td>408,916</td>
</tr>
<tr>
<td>2002</td>
<td>814,990</td>
<td>402,763</td>
<td>412,227</td>
</tr>
<tr>
<td>2003</td>
<td>823,804</td>
<td>407,452</td>
<td>416,352</td>
</tr>
<tr>
<td>2004</td>
<td>831,583</td>
<td>411,299</td>
<td>420,284</td>
</tr>
<tr>
<td>2005</td>
<td>838,650</td>
<td>414,800</td>
<td>423,850</td>
</tr>
<tr>
<td>2006</td>
<td>846,020</td>
<td>418,385</td>
<td>427,635</td>
</tr>
<tr>
<td>2007</td>
<td>854,918</td>
<td>422,720</td>
<td>432,198</td>
</tr>
<tr>
<td>2008</td>
<td>857,818</td>
<td>422,583</td>
<td>435,235</td>
</tr>
</tbody>
</table>

Source: statistical results in 2008
Table 4: The Population Density

<table>
<thead>
<tr>
<th>Ward/Commune</th>
<th>Population Total</th>
<th>Female</th>
<th>Area (Km²)</th>
<th>Population density (Persons per sq. Km)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Dong Phu Ward</td>
<td>8.646</td>
<td>4.383</td>
<td>3.81</td>
<td>2.269</td>
</tr>
<tr>
<td>4. Hai Thanh Ward</td>
<td>5.134</td>
<td>2.598</td>
<td>2.45</td>
<td>2.096</td>
</tr>
<tr>
<td>5. Nam Ly Ward</td>
<td>11.912</td>
<td>5.974</td>
<td>3.90</td>
<td>3.054</td>
</tr>
<tr>
<td>8. Dong My Ward</td>
<td>2.757</td>
<td>1.397</td>
<td>0.58</td>
<td>4.837</td>
</tr>
<tr>
<td>9. Bac Nghia Ward</td>
<td>7.397</td>
<td>3.710</td>
<td>7.67</td>
<td>963</td>
</tr>
<tr>
<td>10. Duc Ninh Dong Ward</td>
<td>5.031</td>
<td>2.546</td>
<td>2.77</td>
<td>1.816</td>
</tr>
<tr>
<td>12. Duc Ninh commune</td>
<td>7.747</td>
<td>3.892</td>
<td>5.57</td>
<td>1.391</td>
</tr>
<tr>
<td>15. Quang Phu commune</td>
<td>3.178</td>
<td>1.631</td>
<td>3.23</td>
<td>984</td>
</tr>
<tr>
<td>16. Thuan Duc commune</td>
<td>3.788</td>
<td>1.937</td>
<td>45.36</td>
<td>84</td>
</tr>
</tbody>
</table>

Note: In 2004, Duc Ninh and Nghia Ninh split into two communes each, thus there are 16 Wards and Commune now

25. The number of people who are working on-farm accounts for a high rate in Dong Hoi, but it is decreasing time to time. In the meanwhile, more people working in the fields of construction, business, aquacultures etc. The statistical analysis on the labor of Dong Hoi city is as in Table 5.
Table 5. The Population Occupations

<table>
<thead>
<tr>
<th>Occupations</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural and forestry</td>
<td>260,835</td>
<td>258,078</td>
<td>253,745</td>
<td>247,959</td>
</tr>
<tr>
<td>Aquaculture</td>
<td>30,546</td>
<td>32,078</td>
<td>35,800</td>
<td>37,678</td>
</tr>
<tr>
<td>Mining</td>
<td>3,177</td>
<td>3,279</td>
<td>2,172</td>
<td>1,927</td>
</tr>
<tr>
<td>Small industries</td>
<td>39,262</td>
<td>39,493</td>
<td>38,524</td>
<td>40,762</td>
</tr>
<tr>
<td>Construction</td>
<td>13,451</td>
<td>14,074</td>
<td>14,262</td>
<td>15,150</td>
</tr>
<tr>
<td>Trade, services</td>
<td>20,215</td>
<td>21,582</td>
<td>26,940</td>
<td>28,165</td>
</tr>
<tr>
<td>Hotel, restaurant</td>
<td>6,813</td>
<td>7,635</td>
<td>7,034</td>
<td>7,860</td>
</tr>
<tr>
<td>Transportation</td>
<td>8,037</td>
<td>8,167</td>
<td>8,289</td>
<td>8,746</td>
</tr>
<tr>
<td>Finance</td>
<td>934</td>
<td>1,255</td>
<td>1,416</td>
<td>1,469</td>
</tr>
<tr>
<td>State institutions</td>
<td>5,600</td>
<td>5,994</td>
<td>6,372</td>
<td>6,668</td>
</tr>
<tr>
<td>Education</td>
<td>13,205</td>
<td>13,240</td>
<td>13,636</td>
<td>14,316</td>
</tr>
<tr>
<td>Health care</td>
<td>2,512</td>
<td>2,732</td>
<td>2,910</td>
<td>2,865</td>
</tr>
<tr>
<td>Sport-cultural institutions</td>
<td>381</td>
<td>395</td>
<td>425</td>
<td>651</td>
</tr>
<tr>
<td>Unions, Associations etc</td>
<td>1,139</td>
<td>2,220</td>
<td>2,232</td>
<td>2,235</td>
</tr>
<tr>
<td>Estate business</td>
<td>20,215</td>
<td>21,582</td>
<td>26,940</td>
<td>28,165</td>
</tr>
</tbody>
</table>

Source: statistical results in 2008

26. According to the poverty line set forth by MOLISA (2005), if the average household income in the city is under VND 250,000 per person per month, that the household will be categorized as the poor. Based on these criteria, Dong Hoi city has about 2.5 % to 3.0 % poor households. Dong My Ward is better-off with about 0.5% poor HHs. About 50% of populations have their income from VND 500,000 to 1,000,000 a month and 12% to 15 % have their income over VND 3,000,000 per month.

27. Dong Hoi has several types of water-born diseases with hemorrhage fever is commonly happened. This disease could be caused by bad hygienic condition and living condition in the locality (people living close to stagnant areas in the rainy and flood season with a lot of mosquitoes).

28. In recent years, the economic growth rate of Dong Hoi city has highly increased; the GDP is about US 400 per capita. The living standards are being improved quickly. Some industry zones are being developed and the Dong Hoi airport was set up nearby. The tourist service is also significantly developed and generates a good income and creates jobs for the local people.
III.2 Socioeconomic Profile of the Project DPs

29. A Socio-economic Survey (SES) was carried out from September to October-2005 during Pre-feasibility Study, but it is out of date after 5 years. So, in the period from April to July 2009, Infra-Thanglong carried out an additional socio-economic survey for 25% DPs. The survey was implemented in Duc Ninh commune\(^1\) where the wastewater treatment plant to be located, than the questionnaire is developed to obtain (i) key relevant information related to DPs and (ii) to be used as M&E indicators during implementation phase. The information obtained include the demography, living amenities, and income sources, etc. that is summarized as below.

30. **Household Size.** Table 6 below shows that there are mainly 4 or 5 persons in one family. As compared with data in 2005 (with 4.5 person/ household), the household size in the project area is slightly increased.

<table>
<thead>
<tr>
<th>Commune</th>
<th>DPs number</th>
<th>Form 1-3 persons</th>
<th>Form 4-5 persons</th>
<th>More than 5 persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duc Ninh</td>
<td>19</td>
<td>3</td>
<td>16%</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9</td>
<td>47%</td>
<td></td>
</tr>
</tbody>
</table>

31. **Occupation and Income.** Most of DPs are working on agricultural/aquaculture production, some work for state institutions or small business. Actually, their income is based on agricultural production. The average income is VND 660,000 per capital per month.

32. Table 8 shows that almost all surveyed households have their income from 1 to 3 VND million per month, number of HHs with income less than 01 VND million per month (under poverty line) are 3 HHs. Comparing to the results of socioeconomic survey in 2005, the living conditions and incomes of people are improved.

33. Balance of income and expenditure shows that the rate of HHs with expenditure higher than income is still significant (about 37%).

---

\(^1\) The survey carried for the whole project components 1,2,3,5, but information provided in this report is for components 2+3 in Duc Ninh commune only.
Table 9. Income-Expenditure Balance

<table>
<thead>
<tr>
<th>Commune</th>
<th>DPs</th>
<th>Expense &gt; Income</th>
<th>Expense = Income</th>
<th>Expense &lt; Income</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>HHs %</td>
<td>HHs %</td>
<td>HHs %</td>
</tr>
<tr>
<td>Duc Ninh</td>
<td>19</td>
<td>7 36.80%</td>
<td>0 0.00%</td>
<td>12 63.20%</td>
</tr>
</tbody>
</table>

34. **Loan Access.** Results of the survey show that many HHs accessed to loans of the Government or the local Banks. Compared to 2005 survey, number of households accessing to the loans of GoV is increasing. The loan purposes are mostly for their children schooling (47.5%), business (15.8%) and housing.

Table 10. Number of HHs borrowed loans

<table>
<thead>
<tr>
<th>Commune</th>
<th>Surveyed HH</th>
<th>Loan from the Banks</th>
<th>Loans from government institutions</th>
<th>Borrowed from relatives</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>HHs</td>
<td>%</td>
<td>HHs %</td>
<td>HHs %</td>
</tr>
<tr>
<td>Duc Ninh</td>
<td>19</td>
<td>8 42.10%</td>
<td>14 73.70%</td>
<td>1 5.30%</td>
</tr>
</tbody>
</table>

35. **Gender and Vulnerable Group.** The affected vulnerable groups such as female headed HHs with dependents, Elderly and Poor HHs; etc., are shown as in table 11 below.

Table 11. Vulnerable Groups

<table>
<thead>
<tr>
<th>Commune</th>
<th>HHs number</th>
<th>Female headed HHs</th>
<th>Policy HHs</th>
<th>Heroic mother</th>
<th>Elderly</th>
<th>Poor HHs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duc Ninh</td>
<td>19</td>
<td>0</td>
<td>5 26%</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

36. The survey results show that almost all women in the project area work in agriculture and housework, some of them work for state/private organizations.
IV. LEGAL FRAMEWORK

37. The legal framework for compensation and resettlement in the project is followed the approved RPF which was accepted by Quang Binh Provincial People’s Committee on its Decision No. 2305/QD-UBND, dated 26- August, 2005 and the approved by the Prime Minister in the Decision No. 840/TTg-CN, dated 06-June, 2006.

38. This RP is prepared based on the project regulations under Resettlement Policy Framework, GoV policies and guideline of the World Bank on Involuntary Resettlement Policy. However, in RPF which was approved by GoV in 2006, there are many changes in some policies and guideline of both GoV and the Sponsor, especially the latest Decree 69/2009. Hence, this RP shall comply with regulations in Project Resettlement Policy Framework and update the latest regulations/policies in the Decree 69/2009 to ensure the conformity with current situations and follow the general principles of the RPF.

IV.1 National Laws on Land Acquisition and Resettlement

39. The Constitution of the Socialist Republic of Viet Nam (1992) confirms the right of citizens to own and protect the ownership of a house. In addition, Government has enacted a number of laws, decrees, circulars and regulations that constitute the legal framework for land acquisition, compensation and resettlement as well as information disclosure, dissemination and policies for ethnic minorities. The principal documents include:

- The Land Law No. 13/2003/QH11, dated March 26, 2003 provides a comprehensive land administration law. The 2003 Land Law supersedes earlier versions of 1987 and 1993. Under the 2003 Land Law, ownership of land in Viet Nam resides with the State. The State exercises the right to assign and lease land to land users, including individuals, households and organizations. In the case of assigned land, the State delegates to the Provincial People’s Committees (PPCs) the authority to grant land use rights certificates (LURC) to land users.

- The construction law no. 16/2003/QH 11, enacted on 01-December-2003;

- Decision No. 153/2004/QD-TTg of the Prime Minister, dated August 17, 2004 promulgates the oriented strategy for sustainable development in Viet Nam (Vietnam’s agenda 21). The Oriented Strategy for Sustainable Development in Vietnam is a framework strategy containing major orientations which serve as legal bases for the ministries, branches, localities, organizations and concerned individuals to organize the implementation thereof, and at the same time reflect Vietnam’s international commitments.

- Decree No. 181/2004/ND-CP, dated October 29, 2004 guides the implementation of the Land Law.

- Decree No. 188/2004/ND-CP, dated November 16, 2004 specifies methods for pricing land and land price frameworks in the event of land recovery by the State; the transfer of land use rights and for land rents for government lands. It establishes the minimum and maximum prices for different types and categories of land. The underlying principle of the determination of land prices is the actual transfer price on the market under normal conditions between a willing seller and buyer without regard to factors such as speculation, changes in planning, forceful transfer or blood relationship.

Decree No. 197/2004/ND-CP, dated December 03, 2004 stipulates for compensation, support and resettlement in the event of land recovery by the State. The underlying principles of compensation are: (i) recovery of land from eligible persons shall be compensated; (ii) in the event the affected person is not eligible for compensation, consideration will be given to forms of assistance; (iii) compensation for affected land will be made in the form of new land allocation with the same purpose of use or, if no such land is available, cash compensation equal to the value of land use rights at the time of recovery; and, (iv) outstanding financial liabilities associated with land to be recovered will be deducted from the amount of compensation or assistance money.

Decree No. 17/2006/ND-CP amends Decree 197 to strengthen several aspects of the provisions for compensation, assistance and resettlement, including: (i) a requirement of land price adjustment, as necessary, to reflect market values for affected land; (ii) an assistance for affected poor households must be provided for not less than three years and not more than ten years; and, (iii) assistance for occupational change and job creation for affected households losing significant portions of their productive assets, as well as for affected households that relocate to resettlement sites.


Decree No. 84/2007/ND-CP, dated May 25, 2007 supplementary stipulations on issuance of LURC, land acquisition, land use right implementation, procedures of compensation, assistance and resettlement in the event of land recovery by the state and grievance redress.

Decree No. 17/2006/ND-CP, regulating the democracy implementation in communes, including the requirements for consultation and local people’s participation in wards and communes under certain projects.


Decree No. 131/2006/ND-CP, on the management and use of Official Development Assistance (ODA). Decree No. 131/2006/ND-CP provides that in case of “gaps between any provision in an international treaty on Official Development Assistance, to which the Socialist Republic of Viet Nam is a signatory, and the Vietnamese Law, the provision in the international treaty on ODA shall take precedence” (Article 2, Item 5).


IV.2. Quang Binh Province Regulations

40. Quang Binh PPC has issued Decisions related to compensation and resettlement as well as the subproject as follows:

Decision No. 05/2009/QD-UBND dated 11-March-2009 of Quang Binh PPC on the policy for compensation, resettlement and assistance when the State recovers the land in the locality of Quang Binh Province.
Decision No. 06/2009/QD-UBND dated 12-March-2009 of Quang Binh PPC on the compensation unit costs for houses and other substructures.


Decision No. 28/2008/QD-UBND, dated 24-December-2008 of Quang Binh PPC on the compensation unit costs applied in 2009 for lands.

Decision No. 2305/QD-UBND, dated 26-August-2005 of Quang Binh PPC on its concurrence to the project compensation and resettlement policy.

Decision No. 840/TTg-CN, dated 06-June-2006 of the Prime Minister approved for the project compensation and resettlement policy.

IV.3 Involuntary Resettlement Policy of the World Bank

41. Regarding social safeguard policy of the World Bank the OP4.12 on involuntary resettlement is applied to all components of the project that result in involuntary resettlement, regardless of the source of financing. It also applies to other activities resulting in involuntary resettlement, that in the judgment of the Bank, are (a) directly and significantly related to the Bank-assisted project, (b) necessary to achieve its objectives as set forth in the project documents; and (c) carried out, or planned to be carried out, contemporaneously with the project. The objectives of the policy are:

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.

- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

IV.4. Main Gaps between Viet Nam and World Bank Policy

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

- On the issue of land tenure and the legal right to compensation, the Government and World Bank approaches are compatible. Vietnam has a process whereby people without legal land rights may meet conditions of legalization and receive compensation for losses up to a rate equal to 100% of land price minus the taxes and fee for land use right registration from 15 October 1993 (Article 42, 49 and 50 of 2003 Land Law)

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

- Resettlement sites offer not only better improved infrastructure and services but represent a higher standard of living
Allowances are provided to help the DPs in the transition period and there is an institutional structure through which people are informed, can negotiate compensation, and can appeal.

Compensation at replacement cost is ensured in Article 6 of Decree 197/2004/ND-CP dated December 3rd, 2004 that “…people who have land being acquired shall be compensated with land of similar land use purpose. If there is no land for compensation, cash compensation equal to land use rights value at the time of land acquisition shall be applied. If there is many differences in value, in case of compensation by new land or house, such difference shall be settled in cash” and Article 19 in the same Decree states that “…house and structure of domestic use of household or individual shall be compensated with the value of construction of new house, structures of similar technical standard”.

43. However, with the promulgation of the 2003 Land Law and the adoption of Decrees No. 197/2004/ND-CP and No. 188/2004/ND-CP, Decree 17/2006/ND-CP, Decree 84/2007/ND-CP, and Decree 69/2009/ND-CP the policies and practices of the Government have become more consistent with WB’s social safeguards policies. Nonetheless, provisions and principles adopted to the project will supersede the provisions of relevant decrees currently in force in Viet Nam wherever a gap exists, consistent with Decree No. 131/2006/ND-CP on ODA management. The main gaps between national policy and OP 4.12 on involuntary resettlement of the World Bank are as follows.

- The ‘significance’ of impact is triggered by a loss of 30 per cent or more agricultural land in Decree 197, in the RPF the trigger is a loss of 20 per cent or more of productive land/assets.
- Houses and structures will not be compensated if they have been constructed without permission, constructed in contravention of a land use plan, or if they have encroached upon a demarcated safety protection corridor. However, they will be supported up to 80 per cent of their value or compensation rate if they have been built on land that is ineligible for compensation;
- Decree 197 recognizes businesses or economic entities DPs as only if they hold a business certificate (i.e. excludes non-registered businesses);
- Decree 197 recognizes DPs losing employment only on a permanent basis (i.e. if they are made redundant) and only if the DPs has an employment contract and is employed by a business or economic entity holding a business certificate;
- Under Decree 197, assistance for occupational change and job creation is only provided to DPs engaged directly in agricultural production and in cases where more than 30 per cent of their agricultural land is affected;
- The requirements for consultation in the Land Law and Decree 197 are limited to “informing” DPs rather than providing information and seeking feedback from those directly affected; and
- Decree 198 on the price frame for lands limits the upper prices for land and thus in some cases land will not be compensated at the replacement cost.

These gaps were approved by GOV for a waiver as in the project RPF.
V. ENTITLEMENT POLICY

V.1. Objectives

60. The overall objective of this Resettlement Policy are (i) every effort has to be made to minimize land acquisition impact and other social adverse impacts; (ii) if relocation is unavoidable, a full or abbreviated RP is prepared in a way to ensure that displaced persons (DPs) are not worse off; rather, they should be able to at least maintain or otherwise improve their pre-project living standards and income-earning capacity. The project should also provide an opportunity for the local population to derive benefits from it. Likewise, the Project should serve as an occasion for the local population to participate in its planning and implementation, thereby engendering a sense of ownership over this development undertaking.

V.2. Principles

44. The principles of compensation and resettlement in the Dong Hoi city are summarized as described following.

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

b. The general mechanism for compensation of lost agricultural land will be through provision of "land for land" arrangements of equal productive capacity, satisfactory to the DP. If land compensation size is smaller or lower quality, DPs will be entitled to compensation on cash equivalent the differences.

c. All DPs residing, working, doing business or cultivating on land within the acquired area under the Project as of the cut-off-date are entitled to be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-Project living standards, income earning capacity and production levels. Lack of legal rights to the assets lost will not bar the DPs from entitlement to such rehabilitation measures.

d. The rehabilitation measures to be provided are: (i) compensation at replacement cost without deduction for depreciation or salvage materials for houses and other structures; (ii) agricultural land-for-land of equal productive capacity acceptable to the DP; (iii) replacement of premise land (if any) of equal size acceptable to the DP; (iv) transportation and subsistence allowances, and (v) business/income rehabilitation allowances.

e. Replacement premise and agricultural land will be as nearby as possible to the land that was lost, and acceptable to the DP. In case of minor fractions of land (less than 20% of total land holding), cash compensation may apply at the choice of DP or if there no land is available for compensation "land for land".

f. The resettlement transition period will be minimized and the rehabilitation means will be provided to the DPs no later than one month prior to the expected start-up date of works in the respective Project site.

g. Plans for acquisition of land and other assets and provision of rehabilitation measures will be carried out in consultation with the DPs to ensure minimal disturbance. Entitlements will be provided to DPs no later than one month prior to expected start-up of works at the respective project site.
h. The previous level of community services and resources will be maintained or improved.

i. Adequate budgetary support will be fully committed and be made available to cover the costs of land acquisition and resettlement and rehabilitation within the agreed implementation period. Physical resources for resettlement and rehabilitation will be made available as when required.

j. The WB shall not approve of any civil works contract for any subproject to be financed from the loan proceeds unless the Government has completed satisfactorily and in accordance with the approved RP for that subproject compensation payment and ensured rehabilitation assistance is in place prior starting civil work. Entitlements will be provided to DPs no later than one month prior to expected start-up of works at the respective project site.

k. Institutional arrangements will ensure effective and timely design, planning, consultation and implementation of the Resettlement Plans (RP).

l. Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system. Evaluation of the land acquisition process and the final outcome will be conducted independent of the executing agency.

V.3. Project Displaced Persons (DPs)

45. Displaced People are those who are affected by:

(i) The involuntary taking of land resulting in:
   (a) Relocation or loss of shelter (partially or fully);
   (b) Lost of assets (partially or fully) or access to assets;
   (c) Loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or

(ii) The involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

46. The DPs are categorized into non-severely and severely. The severely affected DPs are the affected households/individuals who will (i) lose 20% or more from their total productive land and/or assets, (ii) have to relocate; and (iii) cannot continue their businesses. The severely affected DPs and vulnerable affected groups will be provided with additional assistance to make sure that the objectives of RP will be achieved. The DPs who do not meet these criteria are considered as non-severely affected DPs.

V.4. Eligibility

47. The DPs eligible for compensation and rehabilitation will include:

a. Those who have formal legal rights to land or other assets;

b. Those who initially do not have formal legal rights to land or other assets but have a claim to legal rights based upon the laws of the country; upon the possession of documents such as land tax receipts and residence certificates; or upon permission of local authorities to occupy or use the project affected plots; and
c. Those who do not belong to (a) and (b) above but are certified by the Commune People's Committee that they have been using the affected land and assets on the land before the cut-off date.

48. Persons covered under (a) and (b) are provided compensation at full replacement cost for their affected land, assets on the land and other relocation assistance. Persons covered under (c) are provided resettlement assistance, in lieu of formal compensation for the land they occupy, assets on land and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to the Cut-Off Date of the project.

49. The cut-off date of the project is 31-July 2009, the date of completion of the census of affected persons and the inventory of losses (IOL). Persons who enter the project area after the cut-off date will not be eligible to compensation.

V.5. Entitlements

50. According to the project policy, DPs will be entitled to the following types of compensation and rehabilitation measures:

a. The general mechanism for compensation of lost agricultural land will be through provision of "land for land" arrangements of equal productive capacity, satisfactory to the DP. If land compensation size is smaller or lower quality, DPs will be entitled to compensation on cash equivalent the differences.

b. However, if land is not available or the DP prefers to receive cash compensation then the following applies:

V.5.1. Compensation Policy for Productive Land

51. DPs are entitled to compensation as follows

(a) Legal and legalizable land users:

a. if the portion of the land to be lost represents less than 20% of the total landholding area, and the remaining land is still a viable economic holding, cash compensation for the lost area at full replacement cost will be provided to the DP, or

b. if 20% or more of a household's agricultural land is acquired, then in addition to cash compensation at full replacement cost for the lost area (or for the entire affected plot if the remaining area of the plot is not economically viable), the Project will provide further rehabilitation allowances (refer to Para. 60,61,62)

b. For agricultural/pond/garden land in urban areas, in addition to compensation at replacement costs, households will be supported by 30-50% of average land prices in the areas where such land is recovered (this support area does not exceed 5 times of the limit standard of local allocation).

(b) Users with temporary or leased rights to use land:

a. if the portion of the land to be lost represents 20% or less of the total area of the land currently used by the DPs, they will be compensated at the amount corresponding to the remained investment in the land or 30% of land replacement cost.

b. if more than 20% of the land area currently used by the DPs is acquired, then the priority to compensate by other land of temporary use rights, or, in request of DPs or if there is no available land to compensate 'land for land', the cash compensation will be applied at the amount corresponding to the remained investment in the land or 30% of land replacement cost.
c. If the value of remained investment is greater than 30% of its replacement cost, the Resettlement Committee will review the case by case and adjust accordingly.

(c) Land Users Without recognized Rights to Use Land

a. In lieu of compensation for land, the DPs will receive an assistance corresponding 50% of land replacement cost.
b. For poor and vulnerable, severely affected farmers, including landless, as priority, allocation of arable land equal per capita arable land in commune as regulated by Decree 64/1993/CP, OR, if there is no land available for allocation or, on the DPs' request as informed choice, in addition to above, a rehabilitation/training assistance will be provided to ensure the DPs are able at least to restore or improve their income levels and living standards, (refer to Para. 60,61,62).

52. In case when the affected persons utilizes the public land (of Right of Way or in protection areas of hydraulic works), that subjects to be recovered under the project, with conditions to return, on request, the land to the Government, they (DPs) will not be compensated for this public land, but will be compensated for crops and trees at full market prices.

V.5.2. Compensation Policy for Residential Land

53. DPs are entitled to compensation as follows:

(a) DPs losing residential land without structures built thereon: Compensation for loss of land in cash at replacement cost.

(b) DPs losing residential land with structures built thereon and the remaining land is sufficient to rebuild on (reorganizing DP), the principles of compensation are as follows:

The general mechanism for compensation of lost residential land will be through provision of "land for land" and arrangements of equal quality. If it is not available, DPs will be compensated on cash as follows:

a. Compensation for loss of land in cash at (i) replacement cost to the legal land users; (ii) the amount corresponding the remained investment on the land to the users having no legal land use rights.
b. Compensation for affected structures at full replacement cost.
c. If house/structure is partially affected, repairing cost to restore it to former or better conditions.
d. If DPs have to rebuild the main house, they will receive: (i) transportation allowance (ii) subsistence living allowances (refer to Para 60,61,62).

(c) DPs losing residential land with structures built thereon and without remaining land sufficient to rebuild on (relocating DP): They are entitled to:

(1) compensation for the land as follows:

(i) The DPs, who have legal or legalizable rights to the affected land, can opt to one of the followings:

a. The provision of replacement residential land of equivalent size, at a location acceptable to the DPs with full land title without any payment; plus an amount of cash sufficient to develop basic infrastructure, including access road, access to electricity and water supply, drainage, which at least are equal to existing conditions at the former location, OR these facilities will be provided/developed by the project.

OR, on request as the DP's fully informed choice,
b. Cash compensation for entire residential land at full replacement cost,

(ii) The DPs, who do not have legal or legalizable rights to the affected land, are entitled to compensation as follows:

a. Regarding the DPs who already have residence somewhere else in the same ward/commune where they are affected, the project will provide an assistance amount corresponding the remained investment on the land, or equal 30% of land replacement cost.

b. Regarding the poor or vulnerable DPs who have no other residential land in the same as their affected ward/commune, the project will provide (i) a residential plot of minimal size at a common RSs or an individual resettlement site, with full titled to the land; or, (ii) on request of the DPs, as their informed choice, an assistance amount corresponding 60% of the land replacement cost for them to rearrange relocation by themselves.

(2) Compensation for affected structures at full replacement cost; AND,

(3) Rehabilitation allowances, including (i) transportation allowance and (ii) subsistence living (refer to Para 60,61,62).

V.5.3. Compensation Policy for Loss of Houses/Structures

54. DPs losing houses and/or other structures will be entitled to compensation as follows:

Loss of Houses and other Structures: DPs losing houses and/or other structures will be entitled to:

(i) compensation in cash for all affected houses/structures at full replacement cost for materials and labour, regardless of whether or not they have title to the affected land or permission of construction of the affected structure. The amount must be sufficient to rebuild the new house/structure with the same technical conditions as the former one. No deductions will be made for depreciation or salvageable materials.

(ii) compensation for affected part if the house/structure affected a part, plus costs to restore the remaining part of the affected house/structure.

(iii) The calculation of rates will be based on the actual affected area and not the useable area.

Tenants, who have leased a house for residential purposes will be provided an assistance equal remaining renting contracted value, but not exceeds renting value for three months, and transportation allowance for moving assets, as well assisted in identifying alternative accommodation.

Removal of Graves: compensation for the removal of graves will be provided for all costs of excavation, relocation, reburial and other reasonably related costs. Compensation in cash will be paid to each affected family.

V.5.4 Compensation for loss of Standing Crops and Trees

55. For annual and perennial standing crops, regardless of the legal status of the land, compensation will be paid to households who cultivate on the affected land, according to the full market value of the affected crops and/or at replacement cost for affected perennial trees.
V.5.5 Compensation Policy for Loss of Income and/or Business/Productive Assets

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

(i) cash compensation for the loss of income during the transition period, equivalent average monthly net income at least for three months;

(ii) if business' or productive assets are affected, cash compensation for lost business structure/assets at full replacement cost, without depreciation;

(iii) if the business has to be relocated, then, a provision of alternative business site of equal size and accessibility to customers, satisfactory to the DP, or, in cash for business affected area at replacement cost, plus transportation allowance to remove movable attached assets.

V.5.6 Temporary Impact During Construction

57. For temporary loss of land and properties, DPs are entitled to follows:

(a) For arable land that will be temporarily affected:

(i) Compensation for one harvest of crops/trees at full market prices

(ii) Compensation for loss of net income from subsequent crops that cannot be planted for the duration of project temporary use, AND

(iii) Restoration of land to its previous or better quality by providing measures to improve land quality in cases of land being adversely affected or acidified, AND

(iv) If the duration of project's use the land exceeds more than two years, then the DPs have option to: 1) Continue using land, OR, 2) "Give it to the Project and be compensated as permanent loss

(b) For temporary loss of residential land

(i) Compensation for all affected movable properties at full replacement cost.

(ii) Restoration of land to its previous or better quality.

(c) For temporary impact on business:

(i) Compensation for temporary loss of income, equivalent an average monthly net income at least for three months.

(ii) Compensation for all affected movable properties at full replacement cost.

(iii) Restoration of land to its previous or better quality.

(d) For damages caused by contractors to private or public structures:

(i) Damaged property will be restored or compensated by contractors immediately, after happening, to its former condition.

(ii) Under their contract specifications, the contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages do occur, the contractor will be required to pay compensation immediately to affected families, groups, communities, or government agencies at the same compensation rates that shall be applied to all other assets affected by the Project. In addition, damaged property will be restored immediately to its former condition.
V.5.7 Secondary DPs

58. This applies to those affected by development of individual resettlement or group resettlement sites. Because all secondary DPs are likely to be affected in similar ways as primary ones, they will be entitled to compensation and rehabilitation assistance in accordance with the same respective provisions for all other DPs.

V.5.8 Compensation for Loss of Community Assets

59. In cases where community infrastructure such as schools, bridges, factories, water sources, roads, sewage systems is damaged, PMUs will ensure that these would be restored or repaired as the case maybe, at no cost to the community.

V.5.9 Allowances and Rehabilitation Assistance During Transition Period

60. Transportation Allowance: Reorganizing DPs, who have to rebuild main house on remaining land, and relocating DPs are entitled to: (1) transportation allowance of 500,000 VND/HH for the reorganizing DPs and from 1,000,000-3,000,000 VND/HH for relocating ones, and;

61. Subsistence allowance: the affected household will be entitled to support by cash equivalent to 30 kg of rice (at market price at the time of payment) per person per month for all affected household’s members in the following cases: (i) losing 20% to 70% of total agricultural land holding of the HH but not to be relocated, support for 6 months and for 12 months if the HH will be relocated; (ii) losing more than 70% support for 12 months if not to be relocated, and 24 months if to be relocated.

62. Vocational Training and Job Creation Allowance: The minimum support will be 2.5 times of agricultural land price for the whole acquired area (the land for annual tree only). In case, households need a vocational training, they will be admitted to a vocational center in the city and are exempted from tuition fees for such training course (including level of primary, secondary training and vocational college) for those in the working age (not applicable for those who enroll for a vocational training outside the province).
VI. LIVELIHOOD RESTORATION

63. Resettlement often imposes significant changes in DP livelihood patterns. While
compensation might in principle be enough for asset replacement, there may not be
comparable assets available for purchase in proximity to relocation sites. Households may be
relocated to areas with unfamiliar conditions. It also may be the case, however, that the new
location may present new economic opportunities, but DPs may need special skills or
attributes to benefit from them. Therefore, not only compensation at full replacement values,
but additional assistance will be provided to DPs belonging to any of the vulnerable groups,
such as affected households that are headed by women, elderly, physically handicapped,
affected households living below the poverty line.

64. The severely affected DPs, including relocating DPs, DPs losing more than 20% of the
productive land will be eligible to the economic restoration programs. Other chapters discuss
in more detail the various entitlements and forms of compensation and assistance that the
project will provide the DPs to help them resettle or at least restore, or otherwise improve
their livelihood compared to pre-project level.

65. As described in Chapter 4, the key principles of compensation and resettlement are
proposed (such as the relocation sites should be as close to the existing places as possible),
various entitlements to provide DPs will be based on the type and severity of their affected
properties. The objective of livelihood improvement (or restoration) often cannot be achieved
solely through compensation payment for lost assets and transitional allowances. Each
severely DP is eligible to a special package for restoring the economic restoration programs.
The land based and non-land based programs such as agricultural extension, vocational
training etc., will be designed by PMU and local authorities based on the consultation with
DPs and relevant stakeholders such as the provincial vocational training, agricultural
extension centers, management boards of industrial zones in Dong Hoi city and Quang Binh
province; etc. This is proposed for the project and in compliance with Decrees 197, 17 and 69
that depends on the locality conditions, the provinces could set forth a policy of further
assistance to the project affected household.

66. There are 88 DPs severely affected on agricultural land and need assistance for their
livelihood restoration. The PMU and Dong Hoi CRC are responsible for the design and
implementation of the economic restoration programs. Some selected programs should be
piloted and lessons learned should be drawn, then other programs would be continued. For
example, the poor households will be assisted for loan access with low interest or vocational
training (if required)...

67. In the period from April to July 2009, Infra Thang Long team carried out consultation
with key stakeholders in order to study about the potential of economic restoration programs
that could be developed in the project locality and implementation capacity of the local
organizations. Some relevant information was obtained as below:

1. The provincial Women Union and Dong Hoi city Women Union are implementing
some microfinance programs in the province. However, this program is under
implementation and is still too short to draw for any lessons learned.

2. Quang Binh’s DOLISA is managing 01 vocational training center, 01 center for
directing the employment and 03 others at the district level. Each year these centers
train for about 1,700 trainees and according to DOLISA, about 70% of trainees have
got the jobs and mainly in the areas of construction, domestic electricity, welding,
mechanical services and garment industry. The director board of DOLISA said that it
has a plan of vocational training from 2010 to 2015 based on the needs of labor market
in the province.
3. There are several programs in the province such as raising pig for lean meat, raising porcupine, TA for raising livestock and husbandry as well as aquaculture farming managed by the farmer association and the Provincial Board of Economic Development. The agricultural extension programs are free for farmers and some programs are linked to the loans from the Social Policy Bank as a poverty reduction project.

4. Advisory Center for Fish Farming is implementing 06 programs in Bao Ninh, Duc Ninh communes with VND 250,000,000 including off shore fishing and inland fish, shrimp farming.

5. Loans could be accessible from the local Social Policy Banks, the amount could be borrow at maximum VND 20,000,000 per household depends on the kinds of business and in the period of from 12 months to 36 months. This Bank also support loan for improving sanitation facility with the amount not more than VND 4,000,000 per household. The poor family under MOLISA poverty line could borrow an amount of maximum VND 30,000,000. This Bank also supports a loan for labor who want to work in the foreign countries through the labor export program (not more than VND 30,000,000 per person).

6. Household could get a loan from Agri-Bank, Quang Binh branch from VND 10,000,000 to VND 50,000,000 for the purposes of business and farming development and with the borrowing period from 01 year to 05 years.

68. With this information, the PMU and City Compensation and Resettlement Committee will prepare a pamphlet on the possibility of employment programs and/or loans accessible, disseminate to all severely DPs in the early time that the RP implementation and then help them to prepare the suitable programs for the project affected people based on their choices.
VII. IMPLEMENTATION ARRANGEMENT

VII.1 Institutional Arrangement

69. The responsibilities and taskforce of key parties is clearly described as in RPF as well as in the Decree 197/2004; 184/2007 and in the policy of Quang Binh Provincial People's Committee (QBPPC) on compensation and resettlement. They are summarized as follows.

VII.1.1 The Quang Binh Province and related Departments

70. The PPC has responsibility for:

- Strengthening awareness of the project development to all relevant institutions and various administrative levels under the Province.

- The PPC of Quang Binh Province will approve for this RP and endorses for the waivers as requirements in item 3 if they are authorized by the Prime Minister to meet with the requirements of the World Bank on involuntary resettlement.

- Direct their relevant departments such as Departments of finance, construction, agriculture and rural development and DONRE etc. to help for implementing of the project compensation and resettlements such as review for cadastral maps of the project affected areas, review for compensation plans, planning of resettlement sites (if any) and then approve for land recovery, compensation plans, relocation site planning, cost for plot at the relocation sites. Direct People’s Committees of Dong Hoi city on RP implementation.

- Approve for the costs which will be reviewed and submitted by the DOF to meet the replacement values.

- Settle complaints at the Provincial level and direct on the solutions for the outstanding issues.

- Key Departments such as DOF; DOC; DARD; DONRE; etc., are responsible for reviewing cadastral maps, compensation costs for each years and compensation plans for each DP, submit them to the PPC for their approvals.

VII.1.2 The Project Management Unit

71. The PMU under the PPC of Quang Binh Province will have the following key responsibilities:

- To prepare RP and submit this plan to the PPC of Quang Binh and to the World Bank for approval and clearance.

- Disclose the RP and all project information to relevant authorities, institutions and DPs in early time of the RP implementation.

- Secure the budget for implementing RP, ensure that funds for compensation, assistance and resettlement are available wherever required and in a timely manner.

- Coordinate with the PPC of Quang Binh Province to direct their relevant Departments and various levels of authorities in implementing RP.

- Assist in resolving grievances and complaints of the DPs.

- Internally monitor and evaluate of RP.
To implement the RP successfully, the PMU needs to establish a safeguard team (for environment and social) under the PMU. This team should have the experienced social-safeguard specialists. The functions of the social safeguard team are as following:

- Orientate as needed to the People's Committees of Dong Hoi city, affected Wards, Communes, and Compensation Committee of City in implementing of this resettlement plan.
- Co-ordinate with the Dong Hoi City People's Committees to establish the Compensation and resettlement Committee at the city level and support organizations within each affected ward/Commune.
- Together with the Compensation Committee of Dong Hoi city, lead field activities to prepare, update and implement this plan, such as dissemination of project information and consultation with DPs and other Project stakeholders;
- Coordinate with the District Natural Resources and Environment Offices for the expeditious allocation of replacement land to eligible DPs;
- Internally monitor the preparation, updating and implementation of this plan when approved and ensure that it is carried out according to any approved updated policies;
- Prepare quarterly progress reports on updating and implementation of this plan for submission to Directorial Board of the PMU and the World Bank.

72. The Social Safeguards Team (SST) under PMU will provide overall guidance and coordinate with the concerned departments and local authorities at different levels on social, land and property recovery, compensation, assistance and resettlement activities for the Project. The SST will be headed by a Senior Social Development Specialist. This position needs a person with the background in the social sciences other relevant fields as well as experience in preparing, reviewing, implementing, monitoring and evaluate a resettlement plan in lines with the international requirements. Team members should include of people who are experienced with compensation and relocation database management, compensation and relocation, economic restoration/improvement, supervision of site development and skills of communication and consultation.

VII.I.3 Dong Hoi City People's Committee

73. A primary task of Dong Hoi City People's Committee is to implement this plan and it will be responsible for the following:

- Organize and disseminate RP information and carry out an information campaign at the early time of the RP implementation.
- Establish City Compensation Committee and direct them on the responsibilities and functions on the review and approve for land recovery, compensation plans (if they are authorized by PPC of Quang Binh Province. Closely coordinate with the PMU to implement the RP and settle for the outstanding issues and complaints or grievances.
- Coordinate with Ward or Commune People's Committees (CPC) and relevant organizations on all land recovery, compensation, and assistance and resettlement activities under this RP; implement relocation force based on the decision of the PPC of Quang Binh Province, if required. Settle complaints at the city level; approve land recovery to each DP after the decision of the PPC of Quang Binh on land recovery for the whole project area.
- Review and then propose to PPC of Quang Binh Province for relocation sites for the DPs if required.
**VII.1.4 Compensation Committee of Dong Hoi City**

74. This committee will be headed by the Vice-Chairman of City PC, it will include at least of the heads of the Financial Department; Department of Natural Resources and Environment; Department of Agriculture and Rural Development and Chairs of affected Wards/Communes. In implementation, the Compensation Committee of Dong Hoi City should consult with to the representatives of Farmers’ Association, Women’s Union, and representatives of the DPs for their supports. The main responsibilities of the Compensation Committee of Dong Hoi City are as follows:

- Organize an information campaign at the early time of the project and the RP implementation.
- Conduct the IOL and DMS, prepare compensation plans for DPs and submit them to DOF for review. Conduct community consultation and participation activities, implement the income restoration program and co-ordination with various stakeholders in implementing the RP.
- Pay compensation and allowances, subsidies to DPs after compensation plans are approved by the PPC of Quang Binh Province. Ensure the timely delivery of payments of compensation, assistance and other entitlements to DPs; and
- Assist DPC in the resolution of grievances.

**VII.1.5 Ward/Commune People’s Committee**

75. The Ward/Commune People’s Committee will assist the Compensation Committee of Dong Hoi City in implementation of compensation, assistance and resettlement tasks. Ward/Commune People’s Committee will be responsible for the following:

- Date to date implement the RP, including economic restoration programs.
- Form the commune working teams and direct their functions, assign commune officials to assist the Compensation Committee of Dong Hoi City and the PMU in conducting DMS, preparing dossiers of land recovery for the project, updating the RP and implementing resettlement activities;
- Identify replacement land for DPs and propose income restoration programs suitable to conditions of people and locality;
- Certify legal papers or history of land use, land transfer for DPs to fulfill the requirements of preparing compensation plans for them;
- Settle the complaint and grievances at the first level as required by the laws.
- Actively participate in all land recovery, compensation payment, assistance and resettlement activities and concerns.

**VII.1.6 Project Displaced Persons (DPs)**

76. The DPs are responsible for (i) coordinating with survey teams in carefully checking and signing off their affected lands and other assets as well as their entitlements; (ii) participating in all phases of the RP preparation and implementation and give feedback for improving quality of the RP and solutions for implementing the RP smoothly; and (iii) moving to new sites in a timely manner after receiving full entitlements.

**VII.2. Staffing**

77. The Social Safeguard Team of the PMB will be formed and should have at least 5 people who will be working full time and are experienced in the fields of participation and...
consultation, gender and poverty reduction, ethnic minorities, mapping, relocation site development, public works and social services, economic rehabilitation, cost estimate, database management and team assistants. The priority of recruiting will be for people in the project locality who are experienced in international and national requirements on involuntary resettlement, livelihood restoration and development. This Social Safeguard Team would be led by a senior resettlement specialist who is experienced in involuntary resettlement as required by GOV and the World Bank in development projects for urban sector. This team will be working under the supervision of the PMU.

VII.3 Capacity Building for the Implementing Agencies

78. Dong Hoi Compensation and Resettlement Committee will play the main roles of implementing RP for the project. This committee was established in March 2006 and including nine staff, it led by the head of the committee and the committee is still without the deputy head. It was facilitated with five desk computers and three printers.

79. To implement the RP for the project effectively, the proposed training in implementing RP for staff of Dong Hoi Compensation and Resettlement Committee is described as in tables 12 below.

Table 12. Training for RP Implementation

<table>
<thead>
<tr>
<th>No.</th>
<th>Training</th>
<th>Responsible Entity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Social safeguards policies of the World Bank and this RP.</td>
<td>The ESP-PMU will prepare Operational Manual on the Social safeguards and carry out training on these staff of Social safeguard team of the PMU and DCC, staff of relevant Departments of Quang Binh Province.</td>
</tr>
<tr>
<td>2.</td>
<td>Skills in community consultation and internal monitoring on RP implementation</td>
<td>Senior Resettlement Specialists of the PMU.</td>
</tr>
<tr>
<td>3.</td>
<td>Process of RP implementation</td>
<td>Senior Resettlement Specialists of the PMU.</td>
</tr>
<tr>
<td>4.</td>
<td>Skills in writing monthly progress report and updating RP</td>
<td>Senior Resettlement Specialists of the PMU.</td>
</tr>
<tr>
<td>5.</td>
<td>Livelihood restoration/ development programs</td>
<td>Senior Resettlement Specialists of the PMU.</td>
</tr>
<tr>
<td>6.</td>
<td>Gender and other social issues</td>
<td>Senior Resettlement Specialists of the PMU.</td>
</tr>
</tbody>
</table>

80. All of the above mentioned tasks and requirements for training, working facilities will be budgeted in the cost of RP which is estimated as in Chapter of cost estimate. Cost for working facility is included in the admin and management cost of RP implementation.

VII.4. Key Taskforce and Implementation Schedule

VII.4.1 Key Taskforce

81. According to the Decree 84/2007, the process of land acquisition, compensation and resettlement is summarized from some Articles of the Decree 84/2004 are as follows:
Step 1: Determine and announce land acquisition policy

Determination and announcement of land acquisition policy are based on appraisal document of land use demand of Department of Natural Resources and Environment submitting to Quang Binh PPC for approval. Quang Binh PPC issued documents on land acquisition policy or document of investment location acceptance.

City PC is responsible for steering and widely spreading land acquisition policy, regulations on land acquisition, compensation, allowance and resettlement when the land is acquired by the State for purposes of national defense, national interests, public utilities and economic development.

Ward PCs are responsible for openly posting land acquisition policy at headquarter of ward PCs and at residential activities zone where there is acquired land, and announcing publicly on ward radio stations (if any).

Step 2: Prepare cadastral documents for acquired land

According to documents on land acquisition policy of PPC, Department of Natural Resources and Environment instruct Land use right registration offices of same level to prepare cadastral documents.

Adjust cadastral map suitably to the current status and abstract of cadastral map for places with official cadastral maps or abstract of cadastral map for places without official cadastral maps;

Correct and make copy of cadastral documents (cadastral books) to submit to DRC;

Make a list of acquire land lots with following contents: map identification mark, lot identification mark, name of land user, area of lot with the same use purpose, land use purpose.

Step 3: Prepare, appraise and approve general plan on compensation, assistance and resettlement

City board of compensation, assistance and resettlement (with the participation of Investor representatives) prepare general plan on compensation, assistance and resettlement (hereinafter called general plan) based on current data and documents supplied by Department of National Resources and Environment and submit one (01) set to Financial agency for appraisal. The general plan has the following main contents:

a. Basis for plan preparation;

b. Synthetic statistics on area of all land types, agricultural land levels, number of map pages, number of plots; estimated value of assets on land;

c. Synthetic statistics on number of households, people, labourers in acquired land area, in which clearly specify number of job-changed labourers, number of DPs;

d. Estimation of compensation, assistance rate; estimated location, area of resettlement site or resettlement house and modes of resettlement;

e. Estimation of supporting measures to resolve employment and training plan for job changes;

f. List of works, scope of governmental works, organizations of religious bases, DPs community and estimation of location to displace;

g. Number of displaced graves and estimation of location to displace;

h. Cost estimation to realize the plan;

i. Financial source to realize the plan;
RESETTLEMENT PLAN – COMPONENT 2&3

j. Plan implementation progress.

Within fifteen (15) days since receiving general plan, Department of Finance coordinates with Department of Natural Resources and Environment and concerned agencies to appraise the plan and submit it to Chairman of PPC for approval.

Within seven (07) days since receiving the letter of representation from Department of Finance, Chairman of PPC is responsible for considering and signing approval decision for the general plan.

Step 4: Make notice about land acquisition

After general plan is approved, Board of compensation is responsible to inform land users about land acquisition reasons, estimated rate of compensation; allowance and resettlement; measures on changing jobs and job settlement; displacement time and handing over acquired land stated in general plan.

Land users have right to comment, propose or request Board of compensation to give explanation for the above-mentioned contents based on regulations of law.

Step 5: Issue decision on land acquisition

Based on investment approval decision of PPC for the project and written instructions of PPC on land acquisition for project implementation, PPC issue decision on land acquisition in project affected area after twenty (20) days since the implementation date of land acquisition announcement.

Step 6: Handle complaints for land acquisition decision

In land acquisition implementation, if there is any complaints from residents, Ward’s PC will collect their opinions and letters of complaint and send them to higher competent agencies for consideration.

When there is no decision on claim settlement, land acquisition will be still in progress. In case competent agencies settling complaints conclude that the land acquisition is illegal, the implementation of land acquisition shall be obligatory to stop; governmental agencies that issued the land acquisition decision shall make decision on cancellation of that land acquisition decision and compensate for losses (if any) caused by land acquisition decision. In case competent agencies settling complaints conclude that the land acquisition is legal, the owners of acquired land have to comply with the land acquisition decision.

Step 7: Inventory and detailed statistics of affected assets

The organization in charge of compensation, assistance and resettlement is responsible for delivering leaflets, guiding inventory, collecting inventory of DPs to prepare compensation, assistance and resettlement plan.

DPs enumerate the area, grades, types and location of the acquired land, the quantity and quality of current assets on acquired land, number of persons, number of labours ..., send their resettlement desires (if any) to agencies in charge of compensation, assistance and resettlement.

In addition, information on market prices for land, crops, and other assets will be collected from respective provincial, district, and commune authorities and the local market. In case, the value of the market price is higher than unit price issued by Quang Binh PPC, the PPC will be required to update the unit price that is equivalent to the above mentioned market price.
Step 8: Prepare detailed compensation and resettlement plan

Based on the table of detailed statistics of compensation quantity of DPs, minutes of inventory quantity, copy of land origin, list of households' members, households under preferential treatment and unit price, compensation and assistance policies for DPs, the organization in charge of compensation, allowance and resettlement shall apply prices to prepare compensation and assistance plan for every DP of the project.

Detailed compensation and assistance plan shall present sufficient quantity, volume, types, unit price, ratio of remaining quality (for affected assets with depreciation) of assets attached to compensated land of DPs and other basis for calculation.

Step 9: Approve detailed compensation plan

After finalizing the compensation plan based on DPs’ contributive opinions, agencies in charge of compensation shall submit it to competent authorities for appraisal and approval.

Step 10: Publish compensation, assistance and resettlement plan

After the compensation, allowance and resettlement plan is approved by authorized agencies, agencies in charge of compensation, assistance and resettlement shall publish and openly post the compensation, assistance and resettlement plan, including schedule and time for payment of compensation and assistance payment, schedule for removal and relocation for site clearance.

Step 11: Implement payment for compensation, assistance, resettlement and income restoration programme

Within 15 days since the approval date of compensation and assistance plan, concerned agencies/organizations shall be responsible for paying compensation and assistance for DPs.

In case of resettlement, organizations in charge of compensation and site clearance shall hand over houses or land, land use right certificate, and house and land ownership certificate for DPs prior to land acquisition. In case, there is an agreement between compensation and site clearance organizations and DPs on receiving resettlement house and land after land acquisition, it is required to follow the agreement with signatures of both parties.

At that time, income restoration programme will be carried out for rehabilitating and/or help them fall in line with new living condition.

Step 12: Site clearance and land acquisition

PCs of all levels co-ordinate with mass organizations to mobilize DPs to implement the decision on land acquisition and compensation and assistance payment smoothly based on approved plan, relocating on-ground architectural objects and assets, and handing over land on schedule.

Along with steps mentioned above, PMU should employ resettlement consulting experts to support the project and independent monitoring agency to independently monitor the compensation and resettlement implementation of the project after the detailed design is approved. Resettlement consulting expert shall be responsible for supporting PMU to internally monitor the agency in charge of compensation and assistance implementation and independent monitoring agency shall periodically monitor the implementation of compensation and site clearance of the project.

VII.4.2 Implementation Schedule

82. The implementation schedule of RP is proposed as table 13 below. This table proposed for the target dates (date of completion for activities). Depend on the starting date of the construction for each component, the social safeguard team and DRCs have to develop for...
the detailed schedules to make sure that the compensation and relocation activities are well fitted to the construction requirement.

Table 13. Proposed Schedule for RP Implementation with key activities

<table>
<thead>
<tr>
<th>Activities</th>
<th>Target dates/time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Surveys and consultation for preparing RP</td>
<td>April to July - 2009</td>
</tr>
<tr>
<td>2. First Draft RP submitted for Provinces and WB’s review</td>
<td>September - 2009</td>
</tr>
<tr>
<td>3. Disclose and disseminate a draft RP</td>
<td>October - 2009</td>
</tr>
<tr>
<td>4. Submit a final RP to the WB; Viet Nam relevant authorities for their clearance and approvals.</td>
<td>April - 2010</td>
</tr>
<tr>
<td>5. Information campaign: Information disclosure and dissemination of RP at info shop of the WB in DC and VIDIC at Viet Nam office and at PC office Quang Binh Province. A summary of project background and RP disseminated to all affected communities and DPs.</td>
<td>April - 2010</td>
</tr>
<tr>
<td>6. Approval of Quang Binh PPC on land recovery for the project areas</td>
<td>May - 2010</td>
</tr>
<tr>
<td>7. Inform affected districts, communities, DP about the decision of the PPC on land recovery for a whole affected areas and plan for DMS.</td>
<td>May - 2010</td>
</tr>
<tr>
<td>8. Carry out DMS and prepare for compensation and relocation plans for affected HHs, disseminate this form, plans to affected HHs for their review and feedback.</td>
<td>May to July -2010</td>
</tr>
<tr>
<td>9. Pay compensation to and relocate for DPs</td>
<td>July – August 2010</td>
</tr>
<tr>
<td>10. Site clearance</td>
<td>November-2010</td>
</tr>
<tr>
<td>11. Monitoring and evaluation</td>
<td>December -2010 to – June -2011</td>
</tr>
</tbody>
</table>
VIII. PUBLIC CONSULTATION AND PARTICIPATION

83. Information dissemination to, consultation with and participation of the affected people and key stakeholders will (i) inform local authorities and affected people, affected community/institutions about the project development and get their feedback for the RP preparation and implementation; (ii) reduce the potential of conflicts, (iii) minimize the risk of project delays, and (iv) enable the project to design the resettlement and rehabilitation programs as a comprehensive development programs to fit the needs and priorities of the affected people, thereby maximizing the economic and social benefits of the project development.

84. The objectives of the Public Information Campaign and Consultation Program are to inform and get feedback from key stakeholders about all aspects of compensation and Resettlement. Main objectives are as follows:

- To fully share key information about the project with the affected people.
- To obtain information about the needs and proposed priorities of the effected people as well as information about their reactions/feedback to proposed resettlement policies.
- To obtain the cooperation and participation of the affected people and host communities through all phases of resettlement planning and implementation for RP.
- To ensure the transparency in all activities related to land acquisition, resettlement, rehabilitation/improvement and activities required for RP.

85. Participation provides for the occasion and the process by which stakeholders influence and become co-responsible for development initiatives and decisions that affect them. Through participation, the needs and priorities of the local population are ventilated and heard. The DPs and other stakeholders are being consulted during the preparation and implementation of resettlement plan. This exercise is a two-way process – information dissemination and gathering of feedbacks and suggestions.

86. Information dissemination, consultation and participation were done during project preparation and will be done throughout period of RP implementation with different channels and instruments, such as:

1. Meetings with provincial, district and commune leaders and their key departments to study about the compensation and relocation policies of affected provinces and principles of determining the compensation cost; replacement costs in localities, potential of land for land replacement etc. and their experience in implementing RP in the locality.

2. Meetings with local NGOs e.g., women’s unions, farmer’s association, farther front, veteran’s association etc. to learn about their possibilities involving to the different activities and programs in implementing RP, especially for the economic restoration.

3. Meetings with all affected communes and most of DPs as well as host communities and group meetings with women etc. to introduce to them about the project, details information on the project component 2 and 3

4. Questionnaire of socio-economic and affected property survey asking DPs about their choices to relocation sites, relocation modes of compensation “land for land or cash for land”; proposals for economic restoration activities as well as other concern issues of the different affected groups.
Consultation Principle and Framework

87. To make sure that RP are prepared based on the consultation, participation and will be supervised, monitored and evaluated by key stakeholders, the flowing framework should be at least follow:

(a) The PMU will be responsible for managing consultation and participation related to land acquisition impact, compensation and relocation.

(b) The PMU and its RP consultants to identify all key stakeholders related to land acquisition and relocation. These should include of policy developers, decision makers, technicians, and affected persons by land acquisition for the project, affected villages, communes, districts, provinces, NGOs etc.

(c) Consultation and participation must be done through all the project cycle.

(d) Consultation and participation must be done for different aspects of compensation and relocation such as policy, compensation costs, modes of relocation, relocation site development, relocation allowances, implementation schedule; monitoring and evaluation; and complaint and settling the complaint etc.

(e) Consultation and participation should be organized with different groups of affected people, communities, in a language understandable and through different tools to maximize the participation from different groups of affected people.

(f) Information related to the project, compensation and resettlement has to be made available at the public places, especially at the community level and in a simple way to understand.

(g) Feedback of key stakeholders needs to be taken into account of plan preparation and implementation.

(h) The PMU and its consultant have to develop a detailed schedule for consultation and participation through an entire period of the project implementation (monthly, quarterly and yearly plans), get them commented and approved by local authorities and then implement, draw lessons learn, propose solutions for the improvement of consultation and participation from time to time.

VIII.2 Consultation and Community Participation

88. To prepare and implementation the RP, there are two phases of consultation and participations were and will be done.

Phase 1- For RP Preparation: During Aril to July -2009 by Infra-Thanglong

89. This round of consultation which carried out with most affected HHs of the affected Wards/ Communes and other stakeholders such as Provincial Departments, District Department, Commune authorities, Vocational Training Center, local Banks and local NGOs (Women Union, Farmer Association etc). This round of consultation including (i) Meetings with relevant provincial departments such as Department of finance, department of construction, Department of Agriculture and Rural development etc to learn about methodologies determining the compensation unit costs for properties and the provincial policy on compensation and resettlement; (ii) meetings with the district and Communal authorities and DPs to answer questions raised by DPs and responses to comments at the first public consultation and consult with DPs and Commune authorities and many different aspects of the project in general, compensation and relocation as well as other assistance to relocation and study about the mechanism applied to the locality on the compensation payment, plot allocation and complaint mechanism; (iii) Meeting with NGOs such as women
union, farmer association etc to study about loans available and conditions to get access to the loans for DPs and feasible programs for livelihood restoration, improvement. Potential of land acquisition impacts and other socially adverse impacts, mitigation plans; (iv) introduce to DPs and communes about compensation policy and proposed schedule of relocation for DPs; (v) feasible programs for livelihood improvement; The steps of consultation include of the following:

1. Meet with several officials of all affected Ward/communes.
2. Meet with the Ward/Commune People’s committees to inform them about the purpose of consultation, get all relevant information from communes for RP preparation. Discuss for the relocation sites and livelihood restoration programs. The leaders of communes were consulted are Nam Ly, Bac Ly, Hai Dinh, Dong Phu, Dong Son, Phu Hai, Hai Thanh, Loc Ninh, Duc Ninh Dong.
3. Meetings with DPs, interview and group discussions (women; elderly, poor families etc.) for different topics related to compensation and relocation.

Feedback of stakeholders is summarized as below:

(i) Most of people and all communes support for the project.
(ii) Agree with the objectives and principles of the project compensation and resettlement frameworks.
(iii) Help DPs in restoring their livelihood
(iv) Organizing participation of DPs to RP implementation and RP must be implemented in a transparency way.
(v) Compensation and resettlement implementation need a supervision of the affected communities, that in the implementation phase some of the DPs will be representatives in the City Resettlement Committee.

Phase 2: During the RP Implementation

(a) Dissemination and Disclosure of the Report

- Send full RP to Quang Binh relevant Departments such as DOF, DONRE and to Dong Hoi city and to all affected Districts, as well as at Info-Shop and VIDIC of the World Bank.
- Deliver summary of RP to all affected Communes/Wards.
- Organize workshops in two provinces with the participation of key stakeholders on the project compensation, resettlement and assistance.

(b) Before RP implementation

90. Once the RP is approved by the GOV and cleared by the IDA, an information campaign should be immediately started and the Public Information Booklet (PIB) should be prepared by the Project Management Board and disseminated to all DP. The PIB should include at least of:

(i) Background of the project
(ii) Key principle, objective of compensation and relocation
(iii) Broad indicative time scale for the implementation of the project and the potentially social adverse impacts
(iv) Basis used for asset valuations
(v) Key principles for assisting DPs under the project
(vi) Entitlements due to the DPs, included in a summary entitlement matrix. Steps, procedures of compensation and resettlement.
(vii) Consultation processes
(viii) Procedures of complaint and redress grievances
(ix) Monitoring and evaluation; and
(x) Contact person/ Institutions for issues concerned.

91. The consultation and participation will be first carried out in the villages which in the preparation phase have not been done, continuing through entire period of the RP implementation in order to implement RP smoothly and minimize or avoid the conflicts.

92. The following information, documents need to be disseminated and disclosed.

Table 14. Information Dissemination and Disclosure

<table>
<thead>
<tr>
<th>Items</th>
<th>Place to be disclosed or persons to be disseminated</th>
<th>Time schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>PIB</td>
<td>To all DPs</td>
<td>Beginning of the RP implementation (once RP is approved)</td>
</tr>
<tr>
<td>Summary on RP</td>
<td>To all District Compensation Committees, to all DPs.</td>
<td>Beginning of the RP implementation (once is approved). Before the project approval</td>
</tr>
<tr>
<td></td>
<td>To IDA</td>
<td></td>
</tr>
<tr>
<td>Full RP</td>
<td>At the info shop of the World Bank in DC and at VIDIC of the WB in Viet Nam</td>
<td>- With an official permission of GOV and just after RP is cleared by IDA.</td>
</tr>
<tr>
<td></td>
<td>At DOF and DONRE of Quang Binh Province.</td>
<td>Once RP approved by relevant authorities of GOV.</td>
</tr>
<tr>
<td></td>
<td>At all District Compensation Committees (DCCs).</td>
<td>-do-</td>
</tr>
<tr>
<td></td>
<td>At head offices of all affected communes and at the office of the Project Management Unit.</td>
<td>-do-</td>
</tr>
<tr>
<td>DMS results</td>
<td>To DPs for their DMS</td>
<td>As soon as DCCs completed DMS for DPs</td>
</tr>
<tr>
<td>Compensation Plans for each DP</td>
<td>To DPs for their compensation plans</td>
<td>As soon as DCCs prepared compensation Plan for DPs (before submitted to DOF for its appraisal). Once compensation plans approved by the Provincial People’s Committees of Quang Binh Province.</td>
</tr>
<tr>
<td>Information of the livelihood improvement programs</td>
<td>To all severely DPs</td>
<td>At the beginning time of RP implementation.</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>-------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>Grievance mechanism</td>
<td>To all DPs</td>
<td>At the beginning time of RP implementation.</td>
</tr>
<tr>
<td>Supporting documents related to land acquisition, compensation and resettlement such as land laws, Decrees 197, 123, 84, Circular 116 etc.</td>
<td>At the head offices of all affected communes</td>
<td>At the beginning time of RP implementation.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Update with new laws, Decrees, Circulars etc.</td>
</tr>
</tbody>
</table>
IX. COMPLAINT AND GRIEVANT REDRESS

93. Complaints and grievances related to any aspect of the project will be handled through negotiation aimed at achieving consensus. According to the land law 2003 and Decree 197/2004/ND-CP, complaints should pass through three stages before they are taken to a court of law as a last resort. The DPs will be free from any fees for complaint or the PMB will pay all administrative and legal fees that might be incurred in the resolution of grievances and complaints. The mechanism of complaint and settling complaints and grievances steps are as below:

Grievance Redress Mechanism

94. A well-defined grievance redress and resolution mechanism will be established to address DP grievances and complaints regarding land acquisition, compensation and resettlement in a timely and satisfactory manner. All DPs will be made fully aware of their rights, and the detailed procedures for filing grievances and an appeal process will be publicized through an effective public information campaign. The grievance redress mechanism and appeal procedures will also be explained in the PIB that will be distributed to all DPs.

95. DPs are entitled to lodge complaints regarding any aspect of the land acquisition and resettlement requirements such as entitlements, rates and payment and procedures for resettlement and income restoration programs. DP complaints can be made verbally or in written form. In the case of verbal complaints, the committee hearing the complaint will be responsible to make a written record during the first meeting with the DP. The DPs will be exempt from or PMB will pay for all administrative and legal fees incurred in the resolution of grievances and complaints.

96. For the purposes of grievance redress and resolution, the respective of DPs at the district /provincial levels will also serve as the Grievance Redress Committees. The commune officials will make all reasonable attempts to settle DP issues at the commune level through community consultation. All meetings will be recorded by the commune and resettlement committees and copies will be provided to DPs. Copies of minutes of meetings will be provided to PMB upon request.

Four-stage procedure for redress of grievances is proposed:

Stage 1: Complaints from DPs are in the first instance lodged verbally or in written form with the Commune’s People’s Committee (CPC). The complaint will be discussed in an informal meeting with the DP and the CPC. It will be the responsibility of the CPC to resolve the issue within 15 days from the date the complaint is received. All meetings will be recorded and copies of the minutes of meetings will be provided to DPs.

Stage 2: If no understanding or amicable solution can be reached or if no response is received from CPC within 15 days of registering the complaint, the DP can appeal to DPC or Dong Hoi Compensation and Resettlement Committee. The District PC or Dong Hoi Compensation and Resettlement Committee will provide a decision within 15 days of receiving the appeal.

Stage 3: If the DP is not satisfied with the decision of Dong Hoi Compensation and Resettlement Committee or in the absence of any response, the DP can appeal to the Provincial People’s Committee within 45 days from the date of receiving the decision from DPC or Dong Hoi Compensation and Resettlement Committee. The Provincial People’s Committee will review and issue a decision on the appeal according to the timing regulated by the laws of Viet Nam.

Stage 4: If the DP is still not satisfied with the decision of Provincial People’s Committee or in the absence of any response within the stipulated time, the DP as a last resort may submit his/her case to the District Court within 45 days of receiving the decision from the PPC. The
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District Court will review and issue a decision on the appeal according to the timing regulated by the laws of Viet Nam.

97. All steps described above need the involvement of PMB and Dong Hoi Compensation and Resettlement Committee as well as one task of internal and independent monitoring system. The PMU has to proactively monitor and document all the cases and results of settlement.
X. MONITORING AND EVALUATION

98. The implementation of Resettlement Plan (RP) will be monitored regularly to help ensure that these plans are implemented smoothly and that mitigating measures designed to address adverse social impacts are adequate and effective. Towards this end, monitoring of compensation, assistance and resettlement will be done separately by an internal body and by an independent external organization.

X.1 Internal Monitoring

99. The PMU will serve as the Project’s internal monitoring body. As such, the social safeguard staff of the PMU will maintain database of project resettlement gathered in the field, including number of affected households, acquired land area, quantity of affected assets, and so on. The social safeguard staff also writes and submits monthly monitoring report to the PMU starting from the commencement of RP implementation, which coincides with the conduct of the detailed measurement survey and other RP updating activities. The PMU in turn will include updates on resettlement in its regular progress reports to Quang Binh Province People’s Committee and WB. Social safeguard monitoring reports will be made available to the affected district and communes.

100. Internal monitoring and supervision will have the following objectives and monitoring indicators:

(a) Make sure that compensation costs issued by the PPC are at the replacement cost or at market values and will be updated at least every year.

(b) Make sure that the DMS records all affected properties as well as all relevant information of the affected persons in order to determine for their entitlement as defined in Chapter III.

(c) Compensation and other entitlements are computed at rates of replacement and procedures as provided in the approved RP, with no discrimination according to gender, vulnerability, or any other factor;

(d) Affected households are paid their compensation and other entitlements at the time as per approved RP (required as in the entitlement matrix), ensuring that all entitlements are delivered as planned and agreed, including compensation in cash or in kind, allowances, replacement land, resettlement sites developed and people moved onto them;

(e) Income restoration programs designed and delivered including modifications in the programs and provision of additional cash and in-kind assistance to the participating affected households as and when necessary;

(f) Public information, public consultation and grievance redress procedures are followed as described in the approved RP;

(g) Affected public facilities and infrastructure are restored promptly; and

(h) The transition between resettlement and commencement of civil works is smooth and that sites are not handed over for civil works until affected households have been satisfactorily compensated and resettled.
X.2. External Monitoring

101. The external monitoring will be done in a frequency of every six months (twice a year) and until the implementation of RP is completed. An external monitoring report will be prepared and submitted to the WB and PMU after completion of the field monitoring.

102. The main objective of external monitoring is to provide an independent periodic review and assessment of (i) achievement of resettlement objectives; (ii) changes in living standards and livelihoods; (iii) restoration/improvement of the economic and livelihood and social base of the affected people; (iv) effectiveness and sustainability of entitlements; and (v) the need for further mitigation measures and improvement.

103. Strategic lessons for future policy formulation and planning will be also drawn from the monitoring and evaluation of resettlement implementation. This is possible through a Post-Resettlement Implementation Evaluation Study that will be carried out after 6 months since completion of all resettlement activities.

104. The external monitoring agency (EMA) will be recruited prior to RP activities. The main activities of the EMA will revolve around the following:

(a) Review existing baseline data and gather additional socio-economic information, as necessary, on sample affected households; this should be done once immediately after the contract of the external monitoring service is signed between PMU and External monitoring agency.

(b) Monitor and implementation of the RP

(c) Identify any discrepancy between RP and actual implementation of this plans (every monitoring mission of every 06 months)

(d) Monitor the resolution of complaints and grievances of affected households; and

(e) Provide recommendations for improving resettlement updating and implementation.

(f) Issue certification that each DP has received the full payment.

(g) Carry out compensation and resettlement audit

105. Specific to resettlement updating and implementation activities, the EMA will monitor and evaluate specific issues such as the following:

• Public consultation and awareness of resettlement policy and entitlements;
• Coordination of resettlement activities with construction schedule;
• Land acquisition and transfer procedures;
• Construction/rebuilding of replacement houses and structures on relocation sites. Level of satisfaction of DPs with the provisions and implementation of the RP.
• Grievance redress mechanism (documentation, process, resolution);
• Effectiveness, impact and sustainability of entitlements and income restoration programs and the need for further improvement and mitigation measures.
• Relocation site development (housing and market) from identification of sites in consultation with DPs, to resettlement site development and relocation of DPs. Land title issues and process of land title granting.
• Capacity of DPs to restore/re-establish livelihoods and living standards. Special attention will be given to severely affected DPs and vulnerable DPs;
106. The EMA is also required to be present during disbursement of compensation to DPs and to issue certification that each DP has received the full payment.

107. The methods to be employed by the EMA in its monitoring work and indicators are summarized hereunder:

(a) Review detailed measurement survey documents to be able to establish a baseline for monitoring and evaluating project benefits, then check on the field by interviewing randomly DPs about the DMS process.

(b) Review Socio-economic Survey (SES) baseline prepared by PMU during RP. A post resettlement survey will be carried out after 6 months since completion of resettlement activities. Sampling will include 100% of severely affected DPs as well as at least 10% of all other DPs.

(c) Special attention will be paid to the inclusion of women, ethnic groups, the very poor, the landless and other vulnerable groups, with set questions for women and other target groups; and the database disaggregates information by gender, vulnerability and ethnicity.

(d) Resettlement audit will be conducted during the monitoring period. The EMA will be present at the time of disbursement of payments to DPs during monitoring. The EMA report will include resettlement audit per monitoring period.

108. The Terms of Reference (ToR) for the independent monitoring will be prepared by the PMU and should include:

(a) The project background
(b) Summarize on RP and objectives of RP monitoring and evaluation.
(c) Scopes of work
(d) Qualifications of consultant
(e) Working location and time
(f) Deliverables

109. The key activities and times respectively for an external monitoring are proposed as in table 15 below.
Table 15. Key activities, indicators required for an external monitoring

<table>
<thead>
<tr>
<th>No.</th>
<th>Activity/ deliverables</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Prepare an inception report (how to organize and expect outputs of monitoring)</td>
<td>As soon as after contract awarded</td>
</tr>
<tr>
<td>2.</td>
<td>Review of Socio-economic Survey (SES) baseline prepared during RP</td>
<td>After an inception report is accepted by PMU</td>
</tr>
<tr>
<td>3.</td>
<td>Carry out survey for the replacement cost, compare to the costs enacted by the provinces. Prepare a report to PMU on this survey with the suggestions, if necessary.</td>
<td>Early time of RP implementation and at least in January of every year.</td>
</tr>
<tr>
<td>4.</td>
<td>Monitor for an information campaign</td>
<td>After RP and other plans are approved by competent authorities and WB and through entire period of RP implementation.</td>
</tr>
<tr>
<td>5.</td>
<td>Monitor for institutional and working facility arrangement as well as capacity building at PMB and commune level.</td>
<td>After an inception report is accepted by PMU</td>
</tr>
<tr>
<td>6.</td>
<td>Monitor for DMS and site planning, site design and site construction</td>
<td>Through all missions, with a mission report</td>
</tr>
<tr>
<td>7.</td>
<td>Monitor for preparing compensation plan for households and dissemination of the plan as required in the Decree 84/ND-CP -2007</td>
<td>Through all missions, with a mission report</td>
</tr>
<tr>
<td>8.</td>
<td>Monitor for participation, consultation, compensation payment, relocation arrangements as well as database management at PMB and DCC level</td>
<td>Through all missions, with a mission report</td>
</tr>
<tr>
<td>9.</td>
<td>Monitor for settling of complaints</td>
<td>Through all missions, with a mission report</td>
</tr>
<tr>
<td>10.</td>
<td>Monitor for livelihood restoration/improvement and all outstanding issues</td>
<td>Through all missions, with a mission report</td>
</tr>
<tr>
<td>11.</td>
<td>Completion report of implementation</td>
<td>06 months or one year after completion of RP implementation.</td>
</tr>
</tbody>
</table>
XI. COSTS AND BUDGET

XI.1. Principles

110. As stated in the Entitlement Policy, the DP will be compensated at full replacement costs for land and other assets. The DPs will be also assisted with relocation allowances, subsidies, bonus and incentive in order to shorten a transition period and to help the DPs too soon and at least to restore or otherwise improve their livelihood after relocation.

111. Budget for the implementation of Resettlement Plan will be part of the government’s counterpart fund. Quang Binh Province People’s Committee will provide counterpart capital for the implementation of compensation and resettlement and will be included in the total investment cost of the project.

XI.2. Replacement Cost Survey

(a) Compensation

112. The Province People’s Committees has the power and duty under the Land Law and Decree 197/2004 of GOV to establish the unit costs of land, other fixed assets as well as trees, crops on an annual basis. The unit costs of fixed assets are used as basis for calculating the amount of compensation for such assets when recovered by the State or when affected by Government Projects, and also as basis for taxation. Decree No. 188/2004/ND-CP as amended by Decree 123/2007/ND-CP provides the framework for establishing the unit costs for land as one that is based on market prices and without regard to factors such as speculation, economic or financial crises, changes in planning, forceful transfer or blood relationship.

113. The unit prices set by Decree 123/2007/ND-CP for each type of land for rural areas and for urban areas come with a minimum price and a maximum price for most areas of the country.

114. Costs of the RP are estimated based on (i) the results of the census and inventory; (ii) compensation unit cost enacted by Quang Binh Province and replacement costs survey; (iii) entitlement set forth in the project resettlement policy.

115. The replacement costs survey for land and other assets were done in April and July-2009 by Infra- Thang Long for the Project Management Unit. The replacement costs and market values were studied for land and houses. The survey targets to get the information and conclusion on (i) the applied methods to determine the cost of the PPC; and (ii) if the current compensation unit costs meet with the replacement cost/market price or not. This study including (i) review the methods of determining the compensation costs for land, houses, trees, crops etc. which applied by Quang Binh Province. This task was done with the assistance of DONRE, DOF, MARD and DOC of two provinces. The survey team of Thang Long-Infra met with representatives (leaders and specialists) of provincial departments to discuss about the applied methods and their comments on the current used costs for compensation in their province; (ii) study the constructions applied to the building under construction by some designers, contractors in Quang Binh Province; (iii) get an information from commune authorities and local people (affected and non-affected people) about the market price of land, construction cost for their popular houses in the affected communes; and (iv) check with several construction material shops in the locality on the costs for the construction materials. The feedback from most of consulted people and institutions is that the current compensation unit costs enacted by Quang Binh Province was based on the principle of market price/ or also in the community meeting, local population and DPs have
RESETTLEMENT PLAN – COMPONENT 2&3

been consulted on the replacement cost and they were all agreed with proposed price which issued by PPC.

116. As above mentioned comparison, it is noted that the unit price issued by Quang Binh PPC is nearly similar to market price, so it is suggested that the unit price will be used as replacement price in the project.

(b) Allowances

117. Allowances for the DPs are set forth as in the entitlement matrix. The main types of assistance below are based on the National Decree (Decree 197, 17 and 69) and decisions of the people’s committee of Quang Binh Province. They include of:

- Transport Allowance
- Subsistent Allowance to Transition period
- Assistance to the Vulnerable DPs
- Economic Restoration Assistance; and;
- Other Allowances/Subsidies

(c) Procedures for flow of Funds

118. The Project Management Unit will source the funds to implement this plan. Funds for compensation and assistance entitlements will be transfer to the Compensation and Resettlement Committee of Dong Hoi city. In accordance with an agreed disbursement schedule, the Compensation and Resettlement Committee of Dong Hoi city, along with Ward/Commune officials will handle the delivery of compensation and other assistance entitlements to the DPs. Payment of compensation and other assistance entitlements (except for land-for-land arrangements at the resettlement sites) will be in cash and will be handed over to DPs either at the Ward/Commune Office or at local Banks.

119. The DPs will be notified through the commune authorities and village heads two weeks in advance of the final schedule of payment of compensation and other entitlements. If the DP is unavailable to claim the compensation payment on the scheduled date, he/she will inform local authorities as soon as possible with a written authorization for a representative to claim the same on his/her behalf, or the DP may request Compensation and Resettlement Committee of Dong Hoi city to reschedule a later date for him/her to claim payment at the office of the Ward/Commune People’s Committees.

XI.3. Cost Estimates

120. Cost estimate for the RP implementation includes costs of implementation of the resettlement plan, compensation and relocation (development of relocation area); allowances, special assistance to vulnerable groups and administrative and management cost; inflation and contingencies.

121. As early at the implementation phase of the RP, the PMU will consult with the Department of Finance of Quang Binh Province and request for their review or appraisal for compensation costs which will be surveyed and proposed by the qualified independent appraiser for PMU, then submit to PPC of Quang Binh for the approval before the PMU and Resettlement Committee of Dong Hoi city can pay to the DPs. The inflation rate at interval of every six-month should be reviewed and adjusted to ensure that compensation rates reflect current market rates. In whole country, market values of land and property vary over time. Especially, at present, land market prices are clearly moving fluctuation in some special places for a number of reasons. The movements in value cannot be ignored simply because
market activity is based on speculation or the financial or economic status. The current market values of land parcels will be adjusted as required during the implementation of this plan by the independent valuation consultants that were engaged to assess the initial compensation values. The basis for adjustment will be a re-assessment, at every year interval.

XI.4. Implementation, Administration and Contingency Costs

122. Implementation costs include costs to carry out consultation and disclosure activities, prepared or revised for cadastral map of the project areas, Detail Measurement Survey (DMS), training, workshops, working facilities, allowances and per diem of concerned personnel involved in the updating and implementation of this plan, particularly officials and staff from the Provincial to commune and village levels. Implementation cost is assessed approximately at 2.0% of the total costs of compensation according to the guidance in the Decree 197/2004-ND-CP and Decree 69/2009/ND-CP, assistance and resettlement and are provided in the budget accordingly. The PMB will ensure that adequate funds are made available on a quarterly basis to the DPC as and when necessary for the efficient and timely implementation of resettlement.

XI.5. Cost estimate for RP and Budget

123. Based on the results of impacts survey which described in Part II, the costs of compensation for lost assets is shown as in table 17 below. There is a need of the power line construction to the landfill site, but with a very small scale of land acquisition: permanently acquired land for the pole foundations only (less than 0.1 m² per foundation), land within the ROW would be used by the owners for annual crops or remained with trees (lower than 4 m). Therefore, costs to compensate for the foundations and trees taller than 4 m is a small value and will be taken from the contingency amount.

124. The table below provides the total cost estimation for the resettlement plan's implementation, including cost for compensation, assistance and others for administration, income restoration and contingency.
### Table 16: Cost Estimation

<table>
<thead>
<tr>
<th>No.</th>
<th>Item</th>
<th>Unit</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Total cost (VND)</th>
<th>Total cost (USD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>COMPENSATION AND SUBSIDIES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Compensation for land and subsidize to agr. land</td>
<td></td>
<td>235,604</td>
<td></td>
<td>17,269,850,000</td>
<td>959,436</td>
</tr>
<tr>
<td>1.1</td>
<td>Compensation for Agr. Land</td>
<td>m2</td>
<td>145,200</td>
<td>25,000</td>
<td>3,630,000,000</td>
<td>201,667</td>
</tr>
<tr>
<td>1.2</td>
<td>Subsidize according to Decree 69 (2.5 times)</td>
<td>m2</td>
<td>145,200</td>
<td>62,500</td>
<td>9,075,000,000</td>
<td>504,167</td>
</tr>
<tr>
<td>1.3</td>
<td>Compensation for Agr. Land</td>
<td>m2</td>
<td>27,000</td>
<td>25,000</td>
<td>675,000,000</td>
<td>37,500</td>
</tr>
<tr>
<td>1.4</td>
<td>Subsidize according to Decree 69 (2.5 times)</td>
<td>m2</td>
<td>27,000</td>
<td>62,500</td>
<td>1,687,500,000</td>
<td>93,750</td>
</tr>
<tr>
<td>1.5</td>
<td>Compensation for Agr. Land power pole foundation</td>
<td>m2</td>
<td>28</td>
<td>25,000</td>
<td>700,000</td>
<td>97</td>
</tr>
<tr>
<td>1.6</td>
<td>Subsidize according to Decree 69 (2.5 times)</td>
<td>m2</td>
<td>28</td>
<td>62,500</td>
<td>1,750,000</td>
<td>97</td>
</tr>
<tr>
<td>1.7</td>
<td>One time compensation to limit the use of land</td>
<td>m2</td>
<td>8,190</td>
<td>20,000</td>
<td>163,800,000</td>
<td>9,100</td>
</tr>
<tr>
<td>2</td>
<td>Compensation for crops</td>
<td></td>
<td>172,200</td>
<td></td>
<td>516,600,000</td>
<td>28,700</td>
</tr>
<tr>
<td>2.1</td>
<td>Compensation for crops</td>
<td>m2</td>
<td>172,200</td>
<td>3,000</td>
<td>516,600,000</td>
<td>28,700</td>
</tr>
<tr>
<td>3</td>
<td>Allowances</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.1</td>
<td>Income Restoration Program</td>
<td>m2</td>
<td>172,200</td>
<td>5,000</td>
<td>861,000,000</td>
<td>47,833</td>
</tr>
<tr>
<td>3.2</td>
<td>Transition subsistence allowance</td>
<td>HH</td>
<td>141</td>
<td>4,500,000</td>
<td>634,500,000</td>
<td>35,250</td>
</tr>
<tr>
<td>3.3</td>
<td>Allowance for poor households</td>
<td>HH</td>
<td>8</td>
<td>3,000,000</td>
<td>24,000,000</td>
<td>1,333</td>
</tr>
<tr>
<td>B</td>
<td>RP IMPLEMENTATION COST</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Implementation cost (2%) from A</td>
<td>%</td>
<td>2</td>
<td></td>
<td>345,397,000</td>
<td>19,189</td>
</tr>
<tr>
<td>2</td>
<td>Cost for training, working facility for DCC of Dong Hoï (Roughly estimated)</td>
<td></td>
<td></td>
<td></td>
<td>10,000,000</td>
<td>556</td>
</tr>
<tr>
<td>3</td>
<td>Cost for independent monitoring</td>
<td></td>
<td></td>
<td></td>
<td>100,000,000</td>
<td>5,556</td>
</tr>
<tr>
<td>4</td>
<td>Training for RP implementation (Roughly estimated)</td>
<td></td>
<td></td>
<td></td>
<td>20,000,000</td>
<td>1,111</td>
</tr>
<tr>
<td>C</td>
<td>SUBTOTAL (A+B)</td>
<td></td>
<td></td>
<td></td>
<td>17,745,247,000</td>
<td>985,847</td>
</tr>
<tr>
<td>D</td>
<td>ESCALATION AND PHYSICAL CONTINGENCY (25% of C)</td>
<td></td>
<td></td>
<td></td>
<td>4,436,311,750</td>
<td>246,462</td>
</tr>
<tr>
<td>E</td>
<td>GRAND TOTAL (C+D)</td>
<td></td>
<td></td>
<td></td>
<td>22,181,558,750</td>
<td>1,232,309</td>
</tr>
</tbody>
</table>

125. From the total budget of RP, it is proposed that the cost for livelihood restoration and cost for the external monitoring would be financed by the World Bank and other items would be financed by the counterpart fund (GoV).
### XII. ANNEX

#### Annex 1: Entitlement Matrix

<table>
<thead>
<tr>
<th>Item</th>
<th>TYPE OF LOSS</th>
<th>APPLICATION</th>
<th>DEFINITION OF ENTITLED PERSON</th>
<th>COMPENSATION POLICY</th>
<th>IMPLEMENTATION ISSUES</th>
</tr>
</thead>
</table>
| 1    | Permanent loss of arable land | Less than 20% of HH's total land holding lost. Marginal impact on household income and living standards. | User with legal or legalizable rights to use the affected land. | DPs will be entitled to:  
(i) Cash compensation for acquired land at 100% of replacement cost, and  
(ii) Cash compensation for crops and trees at market price. | If the viability of the remaining land is less than the minimum viable economic unit, then the entire piece of land would be acquired and the DPs would fall under the next category. |
|      | Land Users With Temporary or Leased Rights to Use Land that cannot be legalized as long term land user | | (i) Cash compensation for acquired land equivalent to remained investment put on the land; AND  
(ii) Cash compensation for loss of crops and trees at market prices; | | |
|      | User without legal rights to use land | | (i) In lieu of compensation for land, a cash equivalent to 50% of land replacement cost;  
(ii) Cash compensation for crops and trees at market price | | In case the DPs casually utilize the public land for growing crops/trees, which is subjecting acquisition by the project, then she/he will not be compensated for land, but will be compensated for crops and trees at market prices/replacement cost. |
## RESETTLEMENT PLAN – COMPONENT 2&3

<table>
<thead>
<tr>
<th>More than 20% of HH's total land holding lost.</th>
<th>User with legal or legalizable rights to use the affected land.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Severe impact on household income and living standards.</td>
<td>(a) - As priority, compensation &quot;land for land&quot; equivalent productive capacity at a location acceptable to the DPs, or,</td>
</tr>
<tr>
<td></td>
<td>- If requested, or &quot;land for land&quot; is not available, cash compensation for the lost land at 100% of replacement cost, plus a rehabilitation assistance of value not less than VND 3,000,000/HH for training/retraining and intensifying of the existing occupation or shifting to new ones, combining with technical assistance such as agricultural extension, credit...</td>
</tr>
<tr>
<td></td>
<td>(b) Compensation for loss of trees and crops at full market price</td>
</tr>
</tbody>
</table>

| Land Users with Temporary or Leased Rights to Use Land that can not be legalized as long term land user | (i) As priority, compensation "leased land for leased land" at location acceptable to DPs, OR, if requested or there no reserved land to compensate "land for land", Cash compensation equal to remained investment put on the land or 30% of land replacement cost; AND, |
| | (ii) Cash compensation for loss of crops and trees at full market prices; |

| Illegal land users | (i) In lieu of compensation for land, the DPs will receive assistance corresponding 50% of land replacement cost. |
| | (ii) For poor and vulnerable, including landless, severely affected farmers, as priority, allocation of arable land equal per capita arable land in commune as regulate by Decree 64/1993/CP, OR, if there no land available for allocation or, on the DPs' request as informed choice, in addition to above, a rehabilitation assistance not less than 3,000,000 VND/HH will be provided for training/retraining and/or shifting to new occupation to ensure the DPs are able at least to restore or improve their income levels and living standards. |
| | (iii) Cash compensation for loss of crops and trees at full market prices or replacement cost respectively; |

Rehabilitation assistance will be applied in case if the option "land for land" cannot be available.

The forms of assistance should be consulted closely with the entitled DPs to ensure appropriate and effective measures assisting the DPs to restore their income generating capacity and income levels.

It would be in form of cash in combination with Extension/relevant technical assistance to help the poor and disadvantaged farmers to improve their farming productivity/production capacity.

If the viability of the remaining land is less than the minimum viable economic unit, then the entire piece of land would be acquired.

If the value of remained investment put by DPs on the affected land is undoubtedly higher than 30% of the land replacement cost, the PMU and RCs will revise and adjust adequately by case.

In case the DPs casually utilize the public land for growing crops/trees, which is subjecting acquisition by the project, then she/he will not be compensated for land, but will be compensated for crops and trees at market prices/replacement cost.

Rehabilitation assistance will be provided to poor and disadvantaged DPs if the cash compensation option will be applied.
<table>
<thead>
<tr>
<th>2</th>
<th>Loss of residential land</th>
<th>Land acquired without structures built therein. Marginal impact</th>
<th>User of the affected land.</th>
<th>Cash compensation for land at (i) 100% of replacement cost of the land acquired to the legal/legalizable users; (ii) at value corresponding the remained investment to legally non-recognized land users.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Land acquired with structures built therein and the remaining land is sufficient to rebuild on Marginal or severe impacts</td>
<td>Reorganizing DPs.</td>
<td>(i) Cash compensation for land acquired at (i) 100% of replacement cost of the land acquired to the legal/legalizable users; (ii) at value corresponding the remained investment to legally non-recognized land users; (ii) Compensation for affected structures at replacement cost; and, (ii) If HHs have to rebuild their main house, then they will receive transition allowances, including transportation allowance not less than 500,000 VND/HH; subsistence allowance of value equivalent 30kg of rice per member per month for 3 months;</td>
<td>At the time of compensation, allowances will be adjusted to account for inflation.</td>
</tr>
</tbody>
</table>
### RESETTLEMENT PLAN – COMPONENT 2&3

<table>
<thead>
<tr>
<th></th>
<th>Land acquired with structures built therein and the remaining land is not sufficient to rebuild on.</th>
<th>Relocating DPs.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Severe impact</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1) Compensation policy for land:
   (i) The DPs, who have legal or legalizable rights to the affected land, can opt to one of the followings:
      (a) The provision of replacement residential land of equivalent size, at a location acceptable to the DPs with full land title without any cost; An amount of cash sufficient to develop basic infrastructure, including access road, access to electricity, to water supply, drainage, which at least are equal to conditions existed at the former location, OR these facilities will be provided/developed by the project.
      OR, on request as the DPs fully informed choice,
      (b) Cash compensation for entire residential land at full replacement cost for DPs to arrange self relocation,
   (ii) The DPs, who do not have legal or legalizable rights to the affected land, are entitled to the followings:
      (a) Regarding the DPs who already have residence somewhere else in the same ward/commune as where they are affected, the project will provide an assistance amount corresponding the remained investment on the land, or equal 30% of land replacement cost;
      (b) Regarding the poor or vulnerable DPs who have no other residential land in the same as their affected ward/commune, the project will provide (i) a residential plot of minimal size at a common RSs or an individual resettlement site, with full titled to the land; or, (ii) on request of the DPs, as their informed choice, an assistance amount corresponding 60% of the land replacement cost for them to rearrange relocation by themselves

2) Compensation for affected structures at replacement cost; and,

3) Transition allowances, including transportation allowance of from 1,000,000 to 3,000,000 VND/HH; subsistence allowance of value equivalent 30kg of rice per member per month for 6 months.

At the time of compensation, allowances will be adjusted to account for inflation.
## RESETTLEMENT PLAN – COMPONENT 2&3

| 3 | House/structures and graves | Owners of Project affected structures. | (i) compensation at 100% of replacement cost of the affected houses/structures. No deduction will be made for depreciation or salvageable materials.  
(ii) in addition, a repairing cost, if house/structure is partially affected, to restore it to former or better conditions. | The calculation of rates will be based on the actual affected area and not the useable area. |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Houses/structures located in the project recovered area.</td>
<td>Tenants</td>
<td>Tenants, who have leased a house for residential purposes will be provided a house renting assistance equal remaining renting contracted value, but not exceeds renting value for three months, and transportation allowance for moving assets, as well assisted in identifying alternative accommodation.</td>
<td>For ownerless affected graves, compensation will be given to local PC to relocate them to new site</td>
</tr>
<tr>
<td>4</td>
<td>Graves located in the affected areas.</td>
<td>Owners of graves.</td>
<td>DPs are entitled to cash compensation for all costs of excavation, movement, and reburial.</td>
<td>DPs will be given notice several months in advance regarding evacuation. Crops grown after issuance of the deadline will not be compensated.</td>
</tr>
<tr>
<td></td>
<td>Ownerless affected graves</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Loss of standing crops and trees</td>
<td>Owners of affected crops</td>
<td>DPs are entitled to compensation for affected crops in cash at market value.</td>
<td>DPs will be given priority for business relocation along highway, communal roads and along canals near the bridges or footbridges in order to maximize their benefit from business opportunities.</td>
</tr>
<tr>
<td></td>
<td>Crops affected.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Trees affected.</td>
<td>Owners of affected trees.</td>
<td>DPs are entitled to compensation in cash at market value on the basis of type, age, and productive value.</td>
<td></td>
</tr>
</tbody>
</table>
| 5 | Loss of income and business/productive assets | Loss of income and business/other productive assets | Owner of the affected business/other productive assets. | DPs will be given priority for business relocation along highway, communal roads and along canals near the bridges or footbridges in order to maximize their benefit from business opportunities.  
At the time of compensation, allowances will be adjusted to account for inflation. |
|   | Loss of income and business/other productive assets | | (i) Compensation for loss of income during transition period, equivalent average monthly net income at least for three months.  
(ii) Compensation for structure at full replacement cost. No deduction shall be made for depreciation or salvageable materials.  
(iii) if DPs have to remove to new site, provision of alternative business site of equal size and accessibility to customers, satisfactory to the DP, or, in cash for business affected area at replacement cost, plus transportation allowance to remove movable attached assets to new site. |  

## RESETTLEMENT PLAN – COMPONENT 2&3

|   | Temporary impact during construction | Temporary loss of arable land | Users of affected land | (i) Compensation for one harvest of crops/trees at full market prices  
(ii) Compensation for loss of net income from subsequent crops that cannot be planted for the duration of project temporary use, AND  
(iii) Restoration of land to its previous or better quality by providing measures to improve land quality in cases of land being adversely affected or acidified, AND  
(iv) If the duration of project's use the land exceed more than two years, then the DPs have option to: 1) Continue to use land, OR, 2) Give it to the Project and be compensated as permanent loss  
(i) Compensation for affected assets at replacement cost  
(ii) Restoration of land to former conditions  
(i) The contractor will be required to pay compensation immediately to affected families, groups, communities or government agencies.  
(ii) Damaged property will be restored immediately to its former condition.  
(i) Restoration of affected community buildings and structures to at least previous condition, or  
(ii) Replacement in areas identified in consultation with affected communities and relevant authorities, or  
(iii) Compensation at replacement cost for affected community land and assets. | If the quality of land will be radically changed when return to DPs, requiring DPs to change in the types of land use, then DPs should be compensated for all envisaged cost of losses |}

|   | Temporary loss of residential land | Users of affected land | Compensation for loss of net income from subsequent crops that cannot be planted for the duration of project temporary use, AND  
(i) Compensation for one harvest of crops/trees at full market prices  
(ii) Compensation for affected assets at replacement cost  
(i) Restoration of land to its previous or better quality by providing measures to improve land quality in cases of land being adversely affected or acidified, AND  
(ii) Damaged property will be restored immediately to its former condition. | | |}

|   | Temporary impact on business | Owner of business | (i) Compensation for loss of income during transition period, equivalent average monthly net income at least for three months.  
(ii) Compensation for affected assets at replacement cost  
(iii) Restoration of land to former conditions | | |}

|   | Damages by contractors to private or public structures or land | Owner or person with use rights | (i) The contractor will be required to pay compensation immediately to affected families, groups, communities or government agencies.  
(ii) Damaged property will be restored immediately to its former condition. | | |}

|   | Secondary impacts | Loss of land and properties for development of RS | Land users | Because secondary DPs are affected in similar ways, the same respective provisions will apply to secondary DPs. | | |}

|   | Loss of community assets | Community buildings, structures, community forest/grazing/irrigation systems affected by temporary or permanent land acquisition or spoil disposal. | Village, Ward, Government Unit. | (i) Restoration of affected community buildings and structures to at least previous condition, or  
(ii) Replacement in areas identified in consultation with affected communities and relevant authorities, or  
(iii) Compensation at replacement cost for affected community land and assets. | | If income loss is expected (e.g. irrigation, community forest, community grazing land), the village is entitled to compensation for the total production loss this compensation should be used collectively for income restoration measures and/or new infrastructure. |
## RESettlement Plan – Component 2&3

<table>
<thead>
<tr>
<th>Allowance</th>
<th>Materials transport allowance.</th>
<th>Relocating DPs and the DPs who have to rebuild main house on their remaining land</th>
<th>All DPs, who remove to new site or on remaining land, having to transport household effects, salvaged and new building materials to relocation sites, are entitled to transportation allowance by 1,000,000-3,000,000VND/relocating HH and by 500,000 VND/HH moving on existing land remained</th>
<th>At the time of compensation, allowances will be adjusted to account for inflation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transition subsistence allowance.</td>
<td>Relocating DPs and DPs who have to rebuild main house on their remaining land</td>
<td>The land users will be entitled to (i) supported by cash equivalent to 30 kg of rice in 01 months for one person according to local average price at the time of support, including: (a) in case, 20% to 70% agricultural land acquired of total their agricultural land holding, the user are supported for their living stabilization within 6 months (VND 150,000 per person per month in six months, but will be verified and adjusted for rice cost at market price when DPs are paid); if not to be relocated and within 12 months if relocated and (b) in case more than 70% agricultural land acquired, the users will be supported within 12 months if not to be relocated and within 24 months if relocated.</td>
<td>At the time of compensation, allowances will be adjusted to reflect market price or account for inflation.</td>
<td></td>
</tr>
<tr>
<td>Rehabilitation assistance</td>
<td>Severely affected farmers who have lost more than 20% of their agricultural land and receiving compensation in cash</td>
<td>The minimum support will be 2.5 times of agricultural land price for the whole acquired area (the land for annual tree only). In case, households need a vocational training, they will be admitted to a vocational center in the province and are exempted from tuition fees for such training course (including level of primary, secondary training and vocational college) for those in the working age (not applicable for those who enroll for a vocational training outside the province.</td>
<td>Concrete form of assistance will be intensively consulted with the farmers to meet their actual needs, assisting them able to restore or improve their earning capacity and income</td>
<td></td>
</tr>
</tbody>
</table>

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Infra-Thanglong