NORTH POWER CORPORATION
Electric Network Project Management Board
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RESETTLEMENT PLAN
(RP)

PROJECT:

THE RURAL DISTRIBUTION PROJECT
110KV SUBSTATION OF CAI DAM NEW URBAN AREA AND 110KV BRANCH

Hanoi, August 2012
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Note: The Annexes has been disclosed at the offices of the project related provincial People’s Committees and at Vietnam Development and Information Center (VDIC) of the World Bank office in Hanoi

**ABBREVIATIONS**

- CPC: Commune People’s Committee
- CRC: Compensation and Resettlement Committee
- D/L: Distribution Line
- DMS: Detailed Measurement Survey
- DNRE: Department of Natural Resources and Environment
- DOC: Department of Construction
- DOF: Department of Finance and Pricing
- DOI: Department of Industry
- DPC: District People’s Committee
- DP: Displaced Persons (Pls. see definition in *Policy Framework*)
- DSS: Distribution Sub-Station
- EM: Ethnic Minority
- EMDP: Ethnic Minority Development Plan
- EVN: Electricity of Vietnam
- GOV: Government of Vietnam
- HH: Household
EXECUTIVE SUMMARY

1. Introduction
1.1 The Project

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

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

The project 110kV Cai Dam New urban area substation and 110kV branch will be located on 52 Group, Ha Khau Ward, Ha long City, Quang Ninh Province, Vietnam.

1.2 Policy Framework

This RP is based on the Policy Framework for Compensation, Resettlement and Rehabilitation of Project Affected Persons (see Annexes 2 for Policy Framework for Compensation, Resettlement and Rehabilitation of Project Affected Persons). According to the policy framework, eligibility for compensation and rehabilitation entitlementy includes all affected persons, households and institutions with or without legal status on their assets included in the RP inventory prior to the RP cut-off date. By the actual RP implementation, PMUs/Compensation and Resettlement Committees will organize the survey for the actual prevailing prices for the adjustment of compensation unit prices, if necessary and the amount of compensation will be displayed at the communes’ PC offices.

1.3 Principles and Objectives

The principles outlined in the WB PO/BP 4.12 (adopted in the Policy Framework) is based for the preparation the RP of this subproject.

Compensation costs will be based on replacement/ market costs. Compensation at replacement for land, houses and perennial trees, compensation at market price for annual crops.

Apart from direct compensation, all DPs who permanently losing more than 10% of their residential/ productive land or other incomes are entitled to trainings or other restoration measures and who required to be resettled are entitled to (i) transport allowance; (ii) relocating subsidy and (iii) trainings or other restoration measures. However, in theses sub-projects, these are no DPs losing more than 10% of fixed assets or who will require relocation.

The cut-off date has been fixed prior to the commencement of the socio-economic surveys and inventory, the 15 of April, 2009. The cut-off date has been declared officially by the competent local authorities in the very first community meetings in project.

1.4 Existing Power Supply Management in Project Areas

Currently, No1 Power Company supply to electric consume via Quang Ninh Electricity.

1.5 Overall Project Description

- Voltage: 110 kV
- Number of circuit: 02 circuit
- Starting point: Tower N°24 174 bay of 110 kV Hoanh Bo – Gieng Day transmission power line
2. Institutional and Legal Framework

2.1 Institutional Framework

The overall responsibility for enforcement of the Policy Framework and for planning and implementing this RP’s rests with PMU – NPC and its relevant Institutions (i.e. Provincial and District CRCs, provincial DOF, DOC, DOI, DNRE..)

PMU – NPC and CCDC is responsible for carrying out census, socio-economic survey and inventories and preparing RP and for the day-to-day implementation there of within their respective jurisdiction.

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

2.2 Legal Framework

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

3. Entitlement Policy

This RP has been prepared on the basis of the PO/BP 4.12 of the WB on involuntary resettlement adopted in the Policy Framework. The principle objective of the Policy Framework is to ensure that all DPs will be compensated for their losses at replacement cost and provide with rehabilitation measures to assist them to improve, or at least maintain, their pre-project living standards and income earning capacity.

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

Apart from direct compensation, all DPs who permanently losing more than 10% of their residential/productive land or other incomes are entitled to (i) transport allowance, (ii) relocating subsidy; (iii) trainings or other restoration measures (GOV Decree 197/2004/ND-CP).

4. Resettlement Site

Thanks to mitigation measures through public consultations from the initial stage and design stage of the project, the socio-economic surveys, inventory and census show that there is one DP whose fixed assets being acquired more than 10% of their total holding and required to be relocated, therefore, development of resettlement site is required.

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

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

6. Baseline Information

6.1 Data Gathering Activities

CCDC staff have carried out the census and inventory by means of direct interviews and ‘Questionnaires’ in April 2009 covering 100% of DPs in the project affected areas in Ha Khau ward, Ha Long city, Quang Ninh province.

6.2 Socio-economic Surveys

The socio-economic surveys have been carried out aiming at providing baseline data on the localities traversed by the D/Ls in Ha Khau ward, Ha Long city, Quang Ninh province. Survey data cover the information on the characteristics of the ward, their sources of income, revenue, socio-economic situation. The survey also aims at identifying characteristics of effected areas, assessing the development of population, house, socio-economic etc. The survey data are used for establishing resettlement policy and basses for evaluating restoration of living standards.

6.3 Censuses and Inventory

The census and inventory show that:

- Number of HHs impact  
  - 06 HHs with 12 persons
- Number of HHs required to be resettled  
  - 01 HHs with 05 persons
- Number and area of house/structures lost  
  - 2 houses level 4 - 121 m²
- Residential land area damaged  
  - 2497.33 m²
- Forest land area lost  
  - 511.99 m²
- The area of forest land lost / Total area of forest land  
  - 1.6%
- Number of estate affected (all kinds)  
  - 2 house level 4
- Business lost including structures, land and other fixed assets  
  - Nil
- Impact on tenants who leased the house for residential purpose  
  - Nil
• Impact on sensitive areas                  Nil
• Impact on public utilities                Nil
• Impact on land temporarily               4500 m²

The census and inventory also show the household characteristics:

- Average family size: 3.67 persons
  - Man: 45.45%
  - Women: 54.55%

- Age Group
  - Children (≤ 17 years old): 18.18%
  - 18-60 age: 68.18%
  - > 60 age: 13.64%

- Head of Household
  - Male: 83.33%
  - Female: 16.67%

- Education
  - High school: 13.64%
  - Secondary: 27.27%
  - Primary: 40.91%
  - Elementary: 4.55%
  - Read/write: 0%
  - Illiterate: 0%

- Occupation: DPs are mainly earning their living by farming and small scale aquaculture/live-stock breeding.

- Income (annual average income): 13,281 million VND/person/year

7. Project Impacts
7.1. Types of Impact

Row is defined on the Electricity standard Vietnam (TCVN) on security protection for high voltage power network:

- All house and public structures in ROW are required to remove or could be existed with the restricted conditions.
- All high trees in tower foundation areas and in ROW of D/L that from the tops of trees to the lowest conductor less than 3 m will be cut. All trees out of ROW but it is supposed to touch to the conductors in the case of fallen trees (should be at lest under 1m from the top of fallen trees to the conductors) will be cut.
- All structures out of ROW but it is supposed to impact to the project such as bomb and mine storage, gas station, stone mine, communication centers etc will be removed.
- Permanently land acquisition for the project consists of:
  - Land acquired for tower foundations
  - Land acquired for permanent access roads
- Temporary impacted land for the project consists of:
  - Land area surrounding the foundation during the period of foundation digging and tower erection.
  - Land area for the service roads for transportation of material into the tower position. The impacted land area will be proposed temporary from 1 to 2 months.
  - Temporary impacted land area in conductor tension consists of a line along the route, 7 m wide (the line is only calculated for category of annual cultivation land). The land area would be impacted from 1 to months.
- Impacted bridges and roads and road are built by local during materials transportation.

Inventory survey work for impacts is carried out in April 2009, results are as the below table.

7.2 Project impacted People

The following persons to be identified by the baseline information collected for this RP are Displaced Persons:

(a) Persons whose house are in part or in total affected (temporarily or permanently) by the project;
(b) Persons whose businesses are affected in part or in total (temporarily or permanently) by the project
(c) Persons whose crops (annual and perennial) and trees are affected in part or in total by the project, and
(d) Persons whose rented for residential purpose are affected by the project.

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

Total number of DPs is 06 HHs (22 persons), of these

- Number of households affected over 10% of productive land: Nil
Number of households affected is less than 10% of productive land (forestry)
- Number of households affected residential land part - does not affect the housing
- Number of households affected residential land part - affect the housing and rest of qualified rebuild
- Number of households affected residential land part - to the entire affected area and rest of unqualified rebuild
- DPs with business partly or totally affected

01 HHs/02 persons
03 HHs/11 persons
01 HHs/04 persons
01 HHs/05 persons
Nil

7.3 Project Impacted Assets
The project will impact on:
(a) Permanent land acquisition for tower foundations, and some access roads for the project contraction.
(b) Permanent impact on houses, structures, trees, crops and other assets in the proposed tower foundation areas and in ROWs.
(c) Assets on the service roads.
(d) All trees and crops or other assets surrounding the tower foundation and ROWs.
(e) Temporarily acquired land required during contraction of the project

Results of the socio-economic surveys show that:
- Permanent land acquisition
  Residential land: 5342.87 m²
  : 2497.33 m²
- Permanent affected structures: 121.32 m²
- Temporary affected structures: Nil
- Permanent affected crops: 403 trees
- Temporary affected with vegetable garden: 3,826 m²

7.4 Mitigation Measures
Thank to mitigation measures undertaken right from the initial design stage though public consultation, close cooperation with various local authorities and related off-ices, the project impacts are almost marginal.

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

The proposed RP implementation schedule is as follows:
Schedule for PMU:

<table>
<thead>
<tr>
<th>Schedule for PMU</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Establishment of Project CRC</td>
<td>(Already exist)</td>
</tr>
<tr>
<td>2. Review and approval/clear for RP by PPC/WB</td>
<td>July 2012</td>
</tr>
<tr>
<td>3. Commencement of public information</td>
<td>August 2012</td>
</tr>
<tr>
<td>4. Commencement of Field works (DMS)</td>
<td>September 2012</td>
</tr>
<tr>
<td>5. Commencement of payment of compensation</td>
<td>September 2012</td>
</tr>
</tbody>
</table>

Schedule for DPs:

<table>
<thead>
<tr>
<th>Schedule for DPs</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Commencement for declaration of quantity and status of properties</td>
<td>August 2012</td>
</tr>
<tr>
<td>2. Commencement for receiving compensation and ground clearance</td>
<td>September 2012</td>
</tr>
</tbody>
</table>

**Civil works**

<table>
<thead>
<tr>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 2012</td>
</tr>
</tbody>
</table>

**Monitoring**

<table>
<thead>
<tr>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 2012</td>
</tr>
</tbody>
</table>

Discussion among Consultant, CCDC and PMU – NPC for the above proposed RP implementation schedule has been held, taking into consideration the number of project, the marginal impacts, without resettlement and possibility of parallel activities.

**8.2 Institutional Arrangements**

NPC, assigned by EVN, is responsible for all operations on investment guidelines, investigation and design, project construction as well as supervision of compensation and resettlement of the project including RP implementation. It will be assisted by provincial, district and ward authorities and all relevant institutions.

**8.3 Complaint and Grievances**

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

**8.4 Supervision, Monitoring and Evaluation**

The implementation of RP shall be constantly supervised and monitored by PMU – NPC. Moreover, an independent external monitoring agency will be entrusted with independent monitoring tasks. Such independent external monitoring agency will be selected and contracted by PMU - NPC right after RP approval and will commence their supervision and monitoring activities from the beginning of the RP implementation.
The result of selection of independent monitoring agency will be submitted to the WB for its concurrence.

9. Costs and Budget

Cost Estimate

**Unit:** VND

<table>
<thead>
<tr>
<th>Components</th>
<th>Amount of Budget allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Preparation of RP and DMS</td>
<td></td>
</tr>
<tr>
<td>Initial stage (Preparation of RP)</td>
<td>13.028.644</td>
</tr>
<tr>
<td>Implementation stage (DMS)</td>
<td>7.812.545</td>
</tr>
<tr>
<td><strong>Sub – total 1</strong></td>
<td>20.841.209</td>
</tr>
<tr>
<td>2. Compensation and Rehabilitation</td>
<td></td>
</tr>
<tr>
<td><strong>Sub – total 2</strong></td>
<td>6.868.485.560</td>
</tr>
<tr>
<td>3. Management</td>
<td></td>
</tr>
<tr>
<td>Management</td>
<td>344.466.338</td>
</tr>
<tr>
<td>Trainings, workshop, information campaign...</td>
<td>720.000</td>
</tr>
<tr>
<td><strong>Sub – total 3</strong></td>
<td>345.186.338</td>
</tr>
<tr>
<td>4. External monitoring = 2% of (1+2)</td>
<td>137.786.535</td>
</tr>
<tr>
<td><strong>Sub – total 3</strong></td>
<td>137.786.535</td>
</tr>
<tr>
<td>5. Contingency = 20% of (1+2)</td>
<td>1.377.865.535</td>
</tr>
<tr>
<td><strong>Sub – total 4</strong></td>
<td>1.377.865.535</td>
</tr>
<tr>
<td><strong>Grand total</strong> (1+2+3+4+5)</td>
<td><strong>8.750.164.997</strong></td>
</tr>
</tbody>
</table>

10. Disclosure

Drafts of Policy Framework and Entitlement Matrix have been disclosed at the People’s Committees of Ha Khau Ward and Ha long city.

Drafts of RP have been disclosed at the offices of the project related provincial People’s Committees and at Vietnam Development and Information Center (VDIC) of the World Bank office in Hanoi.

The final RP will be cleared by the WB and approved by EVN.
1. INTRODUCTION

1.1 Project objectives

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

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

The project 110kV Cai Dam New urban area substation and 110kV branch will be located on 52 Group, Ha Khau Ward, Ha long City, Quang Ninh Province, Vietnam.

1.2 Policy Framework

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

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

1.3 Method of construction and operation of project:

After finishing construction at work, PMU shall be transfer the project to operation and management departement.

1.4 Overall project Description

1.4.1 Scope of project

110kV Branch:

- Voltage: 110 kV
- Number of circuit: 02 circuit
- Starting point: Tower N°24 174 bay of 110 kV Hoanh Bo – Gieng Day transmission power line
- Ending point: Portice of 110kV Cai Dam New urban area substation
- Length of T/L: 120m
- Condoctor: ACSR - 240/32, TK-50
- Insulator: glass-ceramic, porcelain
- Tower: steel
- Foundation: Ferro-concrete

110kV Cai Dam New urban area Substation

- Voltage: 110 kV/22kV
1.4.2 Project Efficiency

Currently, the power supply from Gieng Day, Hoanh Bo Substation supply electricity for whole Halong city. But it is not good power supply. By the completion of the project, the power network will be stable and power. Improve effectiveness and quality of electricity supplying for living activities; improve the spiritual and material life of the people living in the project areas, speeding up development of industry and services; contributing part to the prosperity and stability of the socio-economic in the provinces.
2. INSTITUTIONAL AND LEGAL FRAMEWORK

2.1 Institutional framework

2.1.1 Overall responsibility

The overall responsibility for enforcement of the policy framework and for planning and implementing RP’s rests with PMU - NPC and their relevant department/ Institutions. The NPC is responsible for carrying out census, socio-economic survey and inventories and preparing RPs and for the day-to-day implementation there of within their respective jurisdiction. The people’s committees at the district and commune levels will participate in the RP preparation and implementation. These administrative units will also ensure the active and effective of RP preparation and implementation. In order to have RPs acceptable to the World Bank and to implement RP smoothly, NPC is responsibility for i) hiring qualified consultants to prepare RPs; ii) appointing qualified social safeguard staff in PMU and Compensation and Resettlement committees.

The following institutional will be involved in preparing and implementing the RP:
- Electricity of Viet Nam (EVN)
- Power Network Project Management Board (PMU) - Power Company 1 (NPC)
- District Resettlement Committees (DRCs)
- Consultant Companies (Consultant)
- Land offices and industrial offices of the above project districts.
- People's Committees of communes.
- Consultant Companies (Consultant)
- Land offices and industrial offices of the above project districts.
- DPs and their representatives, including EM elders.

2.1.2 The functions, tasks forces and responsibility of

i) Electricity of Viet Nam (EVN)

Electricity of Viet Nam is the executing agency of the project. A Central Steering Committee (CSC) will be established at the national level, at EVN, and will convene if requested, by any its members to discuss common problems affecting project implementation. It will consist of senior official from the Ministry of Industry (MOI) or EVN as chairperson, project's Region Power Companies and Project provinces as its members. Specific tasks pertaining to resettlement include: Speedy resolution of resettlement issues amongst subproject provinces

ii) PMU-NPC

A Project Management Unit (PMU) will be established at the NPC the MV developer implementing investment of the project.

PMU is also responsible for overall implementation of resettlement activities and acquisition for the project of the RP. Key resettlement responsibilities of the PMU are follows:
- Establish master plan, management and supervision of RP implemetation.
- Responsible for organizing information dissemination/disclosure, public meetings; disclose RP to all relevant local authorities, Resettlement Comittees, disseminate DMS and Entitlement forms to all DPs.

- Organizing/training for survey team to carry out the Detail Measurement Survey (DMS) and RP implementation for all levels of People’s Committees and relevant agencies.

- Report the RP implementation progress and land clearance work to WB and EVN.

iii) Provincial People's Committee (PPC):

- The project province is responsible for adopting the Resettlement Policy Framework and endorsing the RP and clearly direct/demarcate the responsibilities for their relevant institutions in implementing RP.

- Approve the compensation unit costs, allowances and establishing appraising committees, compensation committees at all different administrative levels and approve lands for compensation.

- Redress complaints and grievances.

iv) Department of Finance, Construction Department and Department of Natural resource and Environment

The Department of Finance is responsible for researching and issuing prices of compensation and then proposes to PPCs for approval. At the beginning of the implementation the Department of Finance will closely co-ordinate with Construction Departments, Land Offices, Agricultural and Development Departments, People's Committee districts and independent monitoring agency in order to evaluate the applied unit prices and propose to PPCs for adjustment, if necessary for ensuring that the compensation unit price are at the replacement value at the time of compensation payment.

v) Districts People's Committees

The district People Committees are responsible for identification of land and structures appointing members of the DRCs and assigning functional tasks for the DRCs.

vi) District Resettlement Committees (DRC)

The District DRCs are principal institution responsible for the implementation of RP in their respective district areas. The District DRCs recruit experienced personnel for gathering of base-line information and inventory. The District DRCs is responsible for:

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

- Checking the units price of compensation as applied in RP, suggest for adjusting the unit price in comformation with market prices/replacement costs (is required)

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

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

- Setting the complaints and grievances of DPs, solving any difficulties during the implementation period, and suggest the solutions for the outstanding issues to Province DRC.
The District DRCs will be headed by the Vice Chairmen of the District People’s Committee. The District DRCs will consist of the following representatives:

- Department of Finance and Pricing
- Department of Natural Resources & Environment (Housing and Cadastral Bureau)
- Department of Industry
- Affected Communes
- DPs

**vii) Commune People's Committees**

People's Committees of communes will be responsible for

- Contribute to census and inventory surveys.
- In co-ordination with Resettlement Committees of districts for public meetings, information; dissemination, compensation/ allowance payment to DPs.
- Transfer all feedback by DPs to District Compensation Committees and settle the complication at the communal level. Suggest the solution for the outstanding issues (if any).
- Assisting local people in overcoming the difficulties during the construction period. Arrange land for land in the case DPs request compensation by land for land.

**ix) Project Displaced Persons (DPs)**

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

The RP implementation institutional organization Chart

**2.2 Legal framework**

**2.2.1. Vietnamese Laws**

The legal framework of the Government of Vietnam: The key national laws, decrees governing land acquisition, compensation and resettlement in Vietnam consists of the following:

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


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

**Item 4 – Land Acquisition**

Art. 39 Regulates the land acquisition for the purposes of national defense, security, national interests and public interests. Clause 2 of this Article clearly defined the public info (at least 3 months prior to agricultural land acquisition and 6 months prior to non agricultural land acquisition) on the reasons of land acqui­sition, time schedule, resettlement plan, and compensation/ground clearance mater plan for land acquisition.

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

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

Clause 2 ‘… the acquired land shall be compensated with new land of similar using purpose; in case of lack of resettlement land, the compensation shall be equal to the value of land use right at the time of land acquisition…’

Clause 3 ‘… provincial People’s Committees and Cities directly under the central government prepare and implement the resettlement plans prior to the land acquisition … The resettlement sites planed for
various projects in the same area and should have similar to or better development conditions than the old dwelling sites.’

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

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

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

Clauses 56 define the State controlled Land Price: (i) the land price verification by the State should ensure the principles i.e. ‘close to the actual value of the transfer of land use rights on the market and when there is large difference between the verified land price and the actual value of the transfer of land use rights on the market, adjustment should be carried out, (ii) ‘Government regulates the method of land price verification for each region at each period and land price adjustment and dealing with differences of land prices at the borders of the provinces and cities directly under the central government’, and (iii) ‘Land price defined by the People’s Committee of the provinces and cities directly under the central government is publicly announce on January 1st every year…’

- GOV Decree No.181/2004 ND-CP dt. 29 October, 2004 defined the Implementantion of The 2003 Land Law as defined the methodology for defining prices framework of various types and categories of land, compensation, assistance and resettlement in case of land acquisition by the State etc

- GOV Decree No.188/2004 ND-CP dt. 16November, 2004 on methodology for defining prices and prices framework of various types and categories of land.
This Decree setforth the minimum and maximum prices of different types and
categories of land covering the whole country. These have been established for the
purpose of land acquisition by Government, tax value for transfer of land use rights,
leasing government land national and public purpose.

The methodologies for the land price verification elaborated in this Decree are to
ensure the substitution cost of the land.

- Circular No.114/2004/TT-BTC dt. 26 November 2004 of the Ministry of Finance
guiding the implementation of the above stated Decree.

This Circular elaborates in details the methodologies (i.e. direct comparison method
and income method) for the land price verification of different types and categories of
land in different regions/areas to ensure the replacement cost.

- GOV Decree No.197/2004/ND-CP dt. 03 December 2004 on the compensation,
assistance and resettlement in case of land acquisition by the State.

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

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

- Circular No.116/2004/TT-BTC dt. 07 December 2004 of the Ministry of Finance
guiding the implementation of Decree No.197/2004/ND-CP.

- Decisions of Ha Khau Ward People’s Committees on the applicable unit prices for
compensation.

2.2.2. World Bank policies

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

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

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

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

- Enabling their participation in planning and selecting these options

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

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

- Identifying vulnerable groups and providing special assistance to these groups; and
- Establishing an institutional and organizational structure that supports this process to a successful end.

(iii) Eligibility Criteria and Compensation

- The displaced or project-affected people eligible for compensation will include: (a) those who have formal legal right 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 permission of local authorities to occupy or use the project affected plots; and (c) those who have no recognizable legal right or claim to the land they are occupying.

- Persons covered under (a) and (b) are provided compensation for the land they lose and other assistance. Persons covered under (c) are provided resettlement assistance, in lieu of compensation for the land they occupy and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off dates defined in RPs. Persons who encroach on the areas after the cut-off data defined in the RPs are not entitled to compensation or any form of resettlement assistance.

(iv) Valuation of Compensation for losses

The methodology to be used in the valuation of losses for Bank-associated Project is based on their replacement cost. In this project, losses comprise land, structures and other assets. Replacement cost for land includes the value of land at market price plus the cost taxes and fees to get Land Use Right Certificate (LURC). For houses and other structures, the market cost of the materials should be used to calculate the replacement cost to build a replacement structures with an area and the quality should be at least as good as those affected. For both totally and partially affected structures, compensation includes market cost of material, plus the costs of material transport, labor and constructor fees, registration and transfer taxes.

Depreciation of the asset and amount saved in materials will not form apart of replacement cost.

2.2.3. Comparison between GOV and World Bank approaches

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

- Vietnam applies a procedure in which most of persons having no legal land use rights can also obtain the legalization and compensation for damages.
- Fixed residents are provided with solutions including removing to the improved resettlement area, compensating in cash or both.
- Resettlement areas not only have better infrastructure and service but also prove a higher living standard.
- Allowances facilitate DPs during their transition period and release a legislative mechanism, through that, the local people are informed and entitled to negotiate about compensation and make claims.
- Within the framework of this program, differences in approaches and measures must be specified. However, under this perspective, procedures of the central and local authorities enable to reject some articles in the country for some certain projects, which may conflict to the similar regulations of sponsors.
Regarding land ownership and legal rights to be compensated, approaches of the Government and WB are compatible. The Government applies procedures in which land occupation without legal papers can be legalized. However, this land is still compensated with 100% of land price deducting taxes/fees to legalize land use rights since 15th October 1993 (Sections 49 and 50 of Article 42 Law on Land in 2003).

 Compensation at the replacement price is specified in Article 6 of Decree No. 197/2004/ND-CP dated 3rd December 2004, concretely: ‘…Person whose using land is reclaimed for any purpose shall be compensated by assigning new land with the same land use purpose; if no land is available for compensation, land use rights shall be compensated at the approval date of land recovery decision; in case of compensation by assigning new land or house, if difference is available, such difference shall be paid in cash; Article 19 of this Decree also specifies ‘….regarding houses and domestic works of households and individuals, it is compensated by new construction value of house and buildings with similar technical specifications ….’

2.2.4 Required waivers

Differences between the approaches and measures that need to be addressed within the program also exist. However, in this context, procedures exist within national and provincial governments that allow the granting of waivers of domestic law on specific projects that may be in conflict with that of the funding agency.

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

Eligibility to Compensation and/or Assistance

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

Article 7

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

Article 18,19 and 20:

- Houses and structures on non-eligible-for-compensation land, which have not violated announced land use plans or the right of way will not be assisted at 80% of replacement cost.
- Houses and structures on non-eligible-for-compensation land, which have not violated announced land use plans or the right of way will not be assisted. If necessary, the PPC will consider on the case basis.

Article 28 and 29:

DPS losing more than 10% of productive land will be entitled to living stabilization and training/job creation assistance
To ensure that the objectives of this resettlement policy are met, a special decision of the Government waiving Article 7, 18, 19, 20, 28, 29 of Decree 197 is needed to permit assistance and rehabilitation measures for illegal users of land as proposed in the policy.

**Land price for Compensation Calculation**

According to the Vietnamese regulation the unit price for land compensation will be based on GOV Decrees 197/2004/ND-CP and 188/2004/ND/Cp along with their Guidance (Circular No.114/2004/TT-BTC and No.116/2004/TT-BTC respectively).

*Decree 197/2004/ND-CP dt.Dec. 03, 2004*

**Article 7**

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

**Article 9**

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

*Decree 188/2004/ND-CP dt. Nov. 16, 2004*

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

**Article 2**

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

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

**Assistance policy for DPs who rent houses from the government**

*Decree 197/2004/ND-CP dt.Dec.03, 2004*

**Article 21**

This article states that DPs who rent government house and has to be relocated by self-relocation shall be assisted in cash at a rate equal to 60% of the cost of the currently rented house and 60% of the cost of the land value, in cases of no resettlement house to be arranged for them.
This article states that DPs who directly do the agricultural production having agricultural land being acquired more than 10% shall receive rehabilitation assistance (cash value of 30kg of average rice in the location per head) for 3 months (if relocation is not required), 6 months (if relocation is required) and 12 months (if moving to the areas of specially difficult socio–economic conditions).

GOV Commitments

To ensure that the objectives of the policy are met, the Prime Minister of Vietnam and Chairpersons of the project provinces in approving/adopting (prior to the project appraisal) the policies and objectives set forth in this Policy Framework will grant the waivers to the above mentioned Articles 7, 9, 18, 20, 21, 28 and 20 of Decrees 197/2004/ND-Cp and Article 2 of Decree 188/2004/ND-CP, and any other laws or regulations which contradict this Project Resettlement Policy.

The waivers will be approved by GOV in the decision of project investment before negotiation. The Project Provincial People Committees will issue the official letter for their agreement in implementing the policies set forth in RP.

2.3. Definition of Eligibility and Limitation to Eligibility

- All DPs, who are all individuals, firms or institution with or without land registration papers who owned, rented, or used land, properties and business, which are affected by project.

- All DPs will be entitled to full compensation for their respective losses as long as they are included in the RP inventory list or can prove that they owned the affected items before the cut-off date. The same applies to DPs whose incomes are affected by the project.

The cut-off date has been fixed prior to the commencement of the socio-economic surveys and inventory, the 31 of July 2007. The cut-off date has been declared officially by the competent local authorities in the very first community meetings (during May and June 2007) in each project related commune.

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

2.4 Resettlement and Compensation principles

Principles and objectives of this RP are defined in accordance with Vietnamese laws and OP/BP 4.12 of WB. Vietnamese legislation and WB Policies have been adapted to fit the specific conditions of the project as defined below:

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

(ii) All DP’s residing, working, doing business or cultivating land in right of way (ROW) of distribution line (D/L), surrounding areas of tower foundation, the Substation areas, in the service roads under the project as of the date of the baseline surveys are entitled to be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income earning capacity and production levels. Lack of legal rights to the assets lost should not bar the DP from entitlement to such rehabilitation measures.
The rehabilitation measures to be provided are:
- Compensation at replacement cost, without deduction for depreciation or salvage materials for houses and other structures
- Agricultural land for land of equal productive capacity acceptable to the DPs or in cash at replacement cost according to DP’s choice;
- replacement of residential/premise land of equal size acceptable to the DP or in cash at replacement cost according to DP’s choice; and
- Transfer and subsistence allowances

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

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

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

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

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

Institutional arrangements will ensure effective and timely design, planning, consultation and implementation of RPs

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

2.5. Eligibility to compensation Entitlement
The DPs’ (or project-affected people) eligible for compensation will include:

(i) Those who have formal legal rights to land or other assets;
(ii) Those who initially do not have formal legal rights to land or other assets but have a claim to legal rights base upon the laws; upon the possession of documents such as land tax receipts and residence certificates; or upon the permission of local authorities to occupy or use the project affected plots; and
(iii) Those who have no recognizable legal right or claim to the land they are occupying – if they occupy the project area prior to the cut-off date defined in the RP.

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

(i) Persons whose houses are in part or total affected (temporary or permanently) by the project;
(ii) Persons whose residential and premise and /or agricultural land is in part or total affected (temporary or permanently) by the project;
(iii) Persons whose crops (annual and perennial) and trees are affected in part or total by the project;
(iv) Persons whose business are affected in part or total (temporary or permanently) by the project;

2.6 Compensation policy

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

Compensation for land losses:

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

- Compensation for productive land losses over 10% of total DPs’ land holdings will be provided in terms of land for land at the equivalent cost according to DPs’ options.

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

Compensation for crops will be given in cash at the current market rates calculated on the productive average of the last three years.

Compensation prices have been defined in this RP are tariffs established by the provinces based on the Decrees 197/2004/ND-CP and 188/2004/ND-CP.

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

3.1 Impact Categories

3.1.1 Temporary impact within ROWs

All the DPs has productive land, crops, trees or structures in Right of Way (ROW) of transmission line (T/L), surrounding areas of tower foundations, in the temporary service roads, which are temporarily affected only during the construction period.

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

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

3.1.2 Permanent impact

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

Category 3: DP who has houses/structure, which are partially damaged or cut, and the dismantled areas are ≤ 10% of total areas, and the lost house/structure portion could be rebuilt in adjacent areas already owned by the DP. Impact on cleared residential land in ROW would be temporary as it could be reused for restricted purposes.

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

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

Category 6: DP who has residential land, productive land which will be acquired permanently for the project, including for permanent roads construction and maintenance of the project

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

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

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

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

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

Category 8: Impacts on public works i.e. schools, water supply resources, sewage systems,
3.2 Entitlement

3.2.1 Eligibility and Limitation to Eligibility

DPs are all individuals, firms or institution with or without land registration papers who owned, rented, or used land, properties and business, which are affected by project.

All DPs will be entitled to full compensation for their respective losses as long as they are included in the RP inventory list or can prove that they owned the affected items before the cut-off date. The same applies to DPs whose incomes are affected by the project.

The cut-off date has been fixed prior to the commencement of the socio-economic surveys and inventory, the 31 of July 2007. The cut-off date has been declared officially by the competent local authorities in the very first community meetings (during May and June, 2007) in each project related commune.

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

3.2.2 Compensation Entitlement by categories

<table>
<thead>
<tr>
<th>Category</th>
<th>Entitlement</th>
</tr>
</thead>
</table>
| 1        | - Cash compensation for affected trees, crops at replacement cost plus cost for cutting trees, crops at market price  
|          | - No compensation for land.  
|          | - Reinstate land after the project construction. |
| 2        | - Cash compensation for affected trees, crops at replacement cost plus cost for cutting trees, crops at market price.  
|          | - No compensation for land.  
|          | - Reinstate land after the project construction. |
| 3        | - The damaged house/ structure will be compensation in cash at full at full replacement  
|          | - No compensation for land.  
|          | - No deduction for depreciation and salvage materials. |
| 4        | - Cash compensation reflecting full replacement cost of the house/ structure.  
|          | - Cash compensation reflecting full replacement cost of lost land area.  
|          | - No deduction for depreciation and salvage materials. |
| 5        | - DP can opt for:  
|          | (i) ‘land for land’; the provision of replacement residential land (house site and garden) of equivalent size, satisfactory to the DP or cash |
### Compensation for the Property Owners

<table>
<thead>
<tr>
<th>Compensation Options</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>Compensation reflecting full replacement cost according to DP’s choice and no deduction for depreciation and salvage materials.</td>
</tr>
<tr>
<td>(ii)</td>
<td>Cash compensation reflecting full replacement cost of the house/structures and no deduction for depreciation and salvage materials.</td>
</tr>
<tr>
<td>•</td>
<td>No deduction for depreciation and salvage materials.</td>
</tr>
</tbody>
</table>

#### 6 DP Losing Productive Land

**Land loss < 10% of their total landholdings**

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

**Land loss ≥ 10% of their total landholdings**

DP can opt for the followings:

(i) “Land for land” with the same area and productive of impacted area if the remaining plots are still economically viable and for the whole impacted plots if the remaining plots are not economically viable.

(ii) Cash for land at the replacement cost.

- Compensation for trees and affected fruit trees at the replacement cost.
- Rehabilitation assistance.

#### 7 DP Losing Residential and Garden Land

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

DP can opt for:

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

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

#### Temporary Impact

- Compensation for income lost during the affected period

#### Permanent Impact

- Provision of alternative business site of equal size and accessibility to customers and satisfactory to DP.
- Cash compensation for lost business structure reflecting full replacement cost of the structures without depreciation.
### 3.2.3 Allowances

Apart from the direct compensation for the losses, DPs are entitled to additional assistance (subsidies/allowances) as stipulated in the GOV Decree N0.197/2004/ND-CP.

**Transport allowance**

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

- DPs relocating within the province/city  
  max 3,000,000 VND (per household)

- DPs relocating out of the province  
  max 5,000,000 VND (per household)

- Relocated DPs (while waiting for the establishment of the new resettlement residences at resettlement site)  
  - to be provided with temporary residence or
  - to be provided with temporary rent cost

**Relocation subsidy**

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

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

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

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

**Relocation subsidy**

Art.28 of Decree 197/2004/ND-CP

DPs who have more than 10% of productive land or incomes permanently affected are entitled to trainings

and

Other restoration allowance  
To be decided by the provincial People’s Committees with financial resource from the person who is going to use the acquired land.
4. MEASURES TO MINIMIZE LAND ACQUISITION AND LOSSES

4.1 Consultation and Participation

Project team direct discussion with the participants and relevant agencies and organizations on the project issues; exchange of information on local land use issues as well as other assets

Project team gave presentation on project scope; discussion with the participants on the project impact and proposed mitigation measures; distributing questionnaires to the participants to collect their inputs.

In the period of project preparation, the consultation with local authorities and participation of local people for selecting sites of substations, alignment of routes were carried out by CCDC. The valuable feedback of local authorities and DPs were taken into account for design.

All DPs are encouraged to have the power supply networks extended by the project, they would like to have the power supply lines nearest possible to our houses; they would like to have compensation for impacted land or other assets in accordance with the government defined entitlements.

4.2 Impact limitation measures in Design stage

Route Selection

The investigation and design of route have tried to completely avoid passing the market, densely populated areas, villages, pagoda, protection forests, natural preserved areas, historic and cultural assets...etc. The T/L will not run near or parallel with communication system, gasoline and weapon storages.

To avoid or mitigate impacts, the direction of the routes has been selected so thus they only either run within the ROW along existing roads, or pass agricultural land or homestead garden land. There are applied the turning angles of the routes, in some cases the turning direction angles are up to 35°-85°. In the case necessary, the angles may be about 90°. With this solution, the routes will pass through the road in several times to avoid impacts to the houses/structures.

The selected T/L will be no exceeding 1 km far from the axis of existing national roads. Therefore, limiting to build new roads for construction but using the axis of existing national roads.

For each sub-project, at least 02-03 alternatives of route locations are studied and the optimum alternative is selected.

To mitigate impacts, temporary service roads would be built mainly in the area of ROW (along the route).

The predominantly applied technical option of the out-door, hanging on pole-mounted substation type, besides of others, also contribute to reducing extent of project land acquisition.

4.1.3 Impact Limitation Measures in Construction stage

Suitable measures and optimum arrangements for the project construction have been considered, such as construction would be started after the harvest of crops and terminated before the next sowings. In order to meet this target, some working shifts in days will be scheduled for shortening the temporarily affected time.
The construction camps for workers in the construction period will be located on the bare or public lands near by headquarters of communes. The camps will not to be built in populated areas.
5. PEOPLE'S PARTICIPATION

5.1. Community Meetings

During the project preparation (along with RP preparation), CCDC, NPC’s PMU have held meetings in April, 2009 with the participation of DPs and representatives of Commune People’s Committees, other government offices and commune NGOs (Women Unions, Youth Unions, Farmers Associations, Fatherland Front, War Veteran etc.) where the project related issues i.e. the investment financial resources, project objectives, project components etc. are explained by PMUs representatives.

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

In the meetings, DPs queries on RP related issues i.e. entitlement, compensation etc. are explained by PMUs representatives and DPs’ opinions, including voluntary donation of their marginal impacts on trees, bamboo fences etc. of insignificant values were recorded.

The prevailing opinion of DPs in the project areas:

- The extension of the power supply networks are welcomed by all DPs, particularly people who have not yet enjoy the power supply and who are having the power supply but with too low service quality.
- DPs would like to be compensated at replacement cost for their assets losses and market price for their temporarily affected crops.
- DPs would like to be informed of actual project implementation time schedule well in advance so as to prepare themselves for the ground clearance.

Such Minutes of Community Meetings bear the signatures of the representatives of district CRC, commune People’s Committee, PMUs and DPs.

5.2. Socio-economic Surveys

The survey teams have carried out the socio-economic surveys by direct interviews and fill-in the ‘Questionnaires’ covering 100% of DPs in the project areas.

Drafts of RP Entitlement matrix have been copied and communicated by the survey teams to the relevant bodies i.e. Ha Khau PPCs, related district CRCs, related communes People’s Committees (also for display at the offices of the communes People’s Committees), Chiefs of district and commune NGOs (Women Unions, Youth Unions, Farmers’ Associations, Fatherland Fronts, War Veterans etc.), Chief of related Hamlets and DPs’ representatives.

5.3. Information Campaign and consultation program

Information dissemination to, consultation with and participation of the affected people involved agencies (i) reduce the potential for conflicts, (ii) minimize the risk of project de and (iii) enable the project to design the resettlement and rehabilitation program comprehensive development program to fit the needs and priorities of the affected people there by maximizing the economic and social benefits of the project investment.

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

- To share fully information about the proposed project, its components and its activities the affected people.
 RD Project – Vietnam
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- To obtain information about the needs and priorities of the effected people as well as information about their reactions/feedback to proposed policies and activities.
- To obtain the cooperation and participation of the affected people and communities requires be undertaken for resettlement planning and implementation.
- To ensure transparency in all activities related to land acquisition, resettlement rehabilitation.

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

5.3.1. Phase 1 – Information Campaign, DPs and Agency Consultation During Resettlement Planning and RP Preparation

This phase – RP planning and preparation – consisted of line route selection, census and inventory of affected people, affected assets, and identification of strategies for compensating, rehabilitating and relocating. During census and inventory of DPs, their lost land, assets, survey teams had conducted consultation with local authorities of all project affected communes and districts and took focus groups discussions with DPs in the number of impacted communes to attain their comments on the line routes alignments, potential of adverse impact, their comment on unit cost of land, local agricultural productivity, land transfer rate... Commune local authorities had also been consulted availability of public land that can be used for compensation option "land for land"

Draft RP will be sent to PPC, relevant agencies and other authorities for review and comment. NPC and CCDC will request PPC and other local authorities to carefully review for requirements on waivers, eligibility to compensation, proposed entitlement policy, RP taskforces, and mechanism for complaint and applied unit costs in draft RP. PPC will review and their comments will be sent to NPC within July 2009.

The draft RP will also be disclosed at the office of PPC, at VDIC of the World Bank office in Viet Nam in July 2009.

All feedback from local authorities and relevant agencies are integrated in RP.

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

Activity 1
Information & discussion with local authorities on the line routes.

After studying maps and visiting the site, CCDC had envisaged a preliminary route on 1/25.000 scale map. This map was sent to all local authorities where the line passed. The local authorities have agreed on the project line routes. These activities finished in June 2009.

Activity 2
Inventory of losses and statistics

Based on the agreed line routes, survey teams had realized the routes at sites and coordinated with the commune officials to make a list of DPs affected on land and assets. The socio-economic survey forms were delivered to 20 % of affected households. These activities finished in April and May 2009.

Activity 3
Meetings with DPs' representatives
When the survey finished, CCDC in coordination with the commune officials held meetings with DPs having land and other assets impacted and with village representatives. These consultations were made and finished in January and February 2007, in all the project communes. In these meetings, CCDC informed the participants about the project, purposes; presented the project activities, components and possible impacts on land and crops and other properties; explained objective of RP, policies for compensation and informed people not to build new structures, plant trees in the affected areas. DPs were also asked for their priority for compensation model. The result was that the most of them would prefer cash for land and for other assets.

Activity 4
Sending draft RP and entitlement policy to PPC and districts review and disclosure.

Draft RP will be sent by NPC to the PPC in May 2009 for review and comments. NPC and CCDC will request PPC and other local authorities to carefully review for the required waivers, eligibility to compensation, proposed entitlement policy, RP cost, task forced mechanism for complaint and applied unit costs in draft RP. PPC will review and their comment will be sent to NPC and EVN by the end of August 2009.

The draft RP will also be disclosed at the office of PPC, at VDIC of the World Bank office in VietNam.

5.3.2. Phase 2 – Information Campaign, During Resettlement Implementation

During this phase – RP implementation – meetings will be organized in each commune. The implementation resettlement and rehabilitation activities include: implementing resettlement policies entitlement calculation and payment of compensation to DPs; finalize DPs' options compensation mode, training etc.

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

Activity 1
Establishment of RCs, Information dissemination and training for RC

After the signing of the loan agreement, the first resettlement activity is to establish PSC and PMU by NPC. Then NPC will provide local RCs at all level final RP, training their staff on RP contents and steps of RP implementation. Disseminating RBI to all DPs. This activity will take place in September 2009.

Activity 2
Distribution DMS and entitlement forms to DPs

DRCs will carry out DMS and disseminate DMS's and entitlement forms to all DPs. The list of DPs, their affected assets and entitlements will be posted at commune office. This activity proposed to be done in November or December 2009.

DRCs will calculate entitlements and disseminate entitlement compensation forms to all DPs. Entitlements compensation forms will be posted at commune office. This activity is proposed be done by about November 2009.

Each time after distribution of RIB and compensation, entitlement forms to DPs, DRCs and commune local authorities will organize meetings in each commune once again to clean explain the policy of RP to DPs. In these meetings, DPs can raise their questions on resettlement issues.

Activity 3
Meeting with DPs on compensation payment.

After getting data on lost assets by the project, RCs and communes will organize meetings with DPs to introduce the compensation rates for different impacted assets. Table of compensation rates will be posted in the offices of commune people's committees.

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

DPs who agree with compensation price for their assets will sign on the compensation table. Disagreement comments will be recorded and reported to the competent authorities.

At a later meeting, DPs will be informed of times, locations and procedures of compensation payment for the lost assets. The meetings are scheduled by the end of October 2009.

Activity 4:

Information to local authorities on implementation schedule

NPC will inform commune authorities and DPs about construction schedule and procedure as well as schedule of RP implementation.

Commune local authorities and district RCs must closely coordinate together for ensuring the DPs are fully informed about compensation and project/RP implementation schedules.

5.3.3 Resettlement Information Booklet

To ensure that DPs, their representatives and local governments of the affected areas fully understand on the details of RP, RIB will be prepared by PMB and will be distributed to all DPs, EM in the project area in the initial duration of the implementation stage.

The RIB will contain information on the followings:

Basic Features

- Project description
- Project design objectives
- Implementation schedule
- Project impacts
- Eligibility to compensation and rehabilitation and entitlements policy for the project affected people
- Institutions are responsible for resettlement
- Information dissemination to and consultation with the affected people
- Grievances and appeals
- Monitoring and Evaluation of RP implementation.

Specific Entitlements of DP

- Description of the detailed impact of the project on the specific households
- Compensation rates for each types of impact
- Date of delivery of entitlements
6. PROJECT IMPACTS

6.1. Types of Impact

Row is defined on the Electricity standard Vietnam (TCVN) on security protection for high voltage power network:

- All house and public structures in ROW are required to remove or could be existed with the restricted conditions.
- All high trees in tower foundation areas and in ROW of D/L that from the tops of trees to the lowest conductor less than 3 m will be cut. All trees out of ROW but it is supposed to touch to the conductors in the case of fallen trees (should be at lest under 1m from the top of fallen trees to the conductors) will be cut.
- All structures out of ROW but it is supposed to impact to the project such as bomb and mine storage, gas station, stone mine, communication centers etc will be removed.
- Permanently land acquisition for the project consists of:
  - Land acquired for tower foundations
  - Land acquired for permanent access roads
  - Land acquired for substation
- Temporary impacted land for the project consists of:
  - Land area surrounding the foundation during the period of foundation digging and tower erection.
  - Land area for the service roads for transportation of material into the tower position. The impacted land area will be proposed temporary from 1 to 2 months.
  - Temporary impacted land area in conductor tension consists of a line along the route, 7 m wide (the line is only calculated for category of annual cultivation land). The land area would be impacted from 1 to mouths.
- Impacted bridges and roads and road are built by local during materials transportation. Inventory survey work for impacts is carried out in April 2009 results are as the below table.

6.2. Project Impacted People

The following persons to be identified by the baseline information collected for this RP are Displaced Persons:

(a) Persons whose houses are in part or in total affected (temporarily or permanently) by the project;
(b) Persons whose residential and premise and/or agricultural and is in part or in total affected (permanently or temporarily) by the project;
(c) Persons whose businesses are affected in part or in total (temporarily or permanently) by the project;
(d) Persons whose crops (annual and perennial) and trees are affected in part or in total by the project;
(e) Persons whose rented houses for residential purpose are affected by the project. Result from the Socio-economic surveys shows that.

**Table 6.1 – Total Number of DPs**

<table>
<thead>
<tr>
<th>Total number of DPs</th>
<th>HHs</th>
<th>Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of households affected over 10% of productive land</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of households affected is less than 10% of productive land (forestry)</td>
<td>01</td>
<td>02</td>
</tr>
<tr>
<td>Number of households affected residential land part - does not affect the housing</td>
<td>03</td>
<td>12</td>
</tr>
<tr>
<td>Number of households affected residential land part - affect the housing and rest of qualified rebuild</td>
<td>01</td>
<td>03</td>
</tr>
<tr>
<td>Number of households affected residential land part - to the entire affected area and rest of unqualified rebuild</td>
<td>01</td>
<td>05</td>
</tr>
<tr>
<td>DPs with business partly or totally affected</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Table 6.2 – Describe the specific impact and compensate for the DPS**

<table>
<thead>
<tr>
<th>No</th>
<th>Type of impact (reference section 3.1.2)</th>
<th>Name of household</th>
<th>Residential land affected</th>
<th>Productive land affected</th>
<th>Compensation measures (reference section 3.2.2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The impact is less than 10% of productive land</td>
<td>Hoàng Văn Lương</td>
<td>0%</td>
<td>1.6%</td>
<td>+ Compensation in cash for the land produce + Compensation in cash for plants / crops.</td>
</tr>
<tr>
<td>2</td>
<td>Part Impact residential land - does not affect housing</td>
<td>Đặng Thị Bảnh</td>
<td>27.4%</td>
<td>0%</td>
<td>+ Compensation in cash for residential land + Compensation in cash for plants / crops.</td>
</tr>
<tr>
<td>3</td>
<td></td>
<td>Lê Thị My</td>
<td>13.8%</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td>Đỗng</td>
<td>3.0%</td>
<td>0%</td>
<td></td>
</tr>
</tbody>
</table>
### 110kV Cai Dam New Urban Area Substation and 110kV Branch Resettlement Plan

<table>
<thead>
<tr>
<th></th>
<th>Impact residential land - affecting the entire house but the land remains qualify for rebuild</th>
<th>Xuân Giáp</th>
<th>Trần Văn Hoàn(^5)</th>
<th>62.4%</th>
<th>0%</th>
<th>+ Compensation in cash for residential land + Compensation in cash for houses</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Part Impact residential land - affecting the entire house but the land remains qualify for rebuild</td>
<td>Trần Văn Hoàn(^5)</td>
<td>62.4%</td>
<td>0%</td>
<td>+ Compensation in cash for residential land + Compensation in cash for houses</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Impact residential land - affecting the entire house but the land remains unqualify for rebuild</th>
<th>Hoàng Trung Kiên(^6)</th>
<th>51.1%</th>
<th>0%</th>
<th>+ Cash compensation for residential land + Support for removal + Support for job training</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Part impact residential land - affecting the entire house but the land remains unqualify for rebuild</td>
<td>Hoàng Trung Kiên(^6)</td>
<td>51.1%</td>
<td>0%</td>
<td>+ Cash compensation for residential land + Support for removal + Support for job training</td>
</tr>
</tbody>
</table>

- \(^4\) For details see Annex 5: Land recovered for project implementation (permanent effect)
- \(^5\) Household Tran Van Hoan remaining land area 218 m², enough area to build new housing.
- \(^6\) Household of Mr Hoàng Trung Kiên remaining land area of 1410 m², but the rest are located in the land clearance of railway projects Pha Lai - Ha Long and land traffic security corridor of railway, should not build a house on remaining land area (see related compensation plan). Consultation result minutes of community meetings show that Mr. Hoang Trung agreed to receive money, and move by themselves to new housing according to approved plan of administration of HaLong city (reference appendix 2).
7. IMPLEMENTATION ARRANGEMENT

7.1. Implementation Arrangement

7.1.1 Announcement to DPs

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

Public announcement tasks shall be implemented immediately after GOV and WB approval of project is obtained. The features of RIB is described in Art 5.6.

7.1.2 Compensation Deadline

Compensation payment for agricultural land, trees and crops and all allowances will be paid at least 01 month before land acquisition date.

Compensation payment for residential land, houses and other structures will be paid at least 03 months before the date of land acquisition by the project.

Affected public infrastructure will be restored by contractor to prior-project condition before commencement of civil work.

7.1.3 Resettlement and Clearance Deadline

DPs who have impact houses and land and have received full compensation and subsidies, are requested to move out of the affected portion of the house or to clear land at least 15 days before the commencement to be relocated.

7.2. RP Implementation Process

RP implementation will be included in 3 kinds of actions as bellows:

- General action: Just at once when beginning the project implementation work.
- Separate action: at several times, once for each component of the project.
- Continuous action: Continuous action for the stages of RP implementation.

7.3. Essential Action

7.3.1 Action 1

Just after the award of capital borrows convention of WB, the project will establish management units - PMU at NPC, under EVN. The PMU will have a resettlement division to carry daily resettlement responsibilities for their respective project

7.3.2 Action 2

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

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

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

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

7.3.5 Action 5
Compensation payment for houses/structures and deliver assistance to DPs affected on houses/structures, and compensation payment for DPs affected on other properties.

DPs that permanently impacted more than 10% of total productive land or incomes will be entitled to rehabilitation assistance. They will be assisted for the training or TA for agriculture/husbandry or non-land based program. The amount or 700,000 (VND)/person/main labor and is directly to training or TA institutions/consultants and 800,000 VND for trainee as a subsidy allowance in the training time (total is 1,500,000 VND per trainee).

The proposals for trainings or TA programs will be prepared by PMU - NPC in the period of RP implementation. The proposals will be developed based on the consultation with local authorities and the participation of DPs. The proposal also includes the possibility of employment after training. The proposal will be furnished to IDA for its concurrence.

(However, there are no DPs with more than 10% of their total productive land or incomes permanently affected in this project).

7.3.6 Action 6: Payment of compensation and delivery of assistance measures
During the project implementation, PMUs and Independent External Monitoring Agency will supervise/monitor all activities of RP implementation and rehabilitation programs.

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

Project implementation schedule:

<table>
<thead>
<tr>
<th>Schedule for PMU and project CRCs</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Establishment of Project CRC</td>
<td>(Already exist)</td>
</tr>
<tr>
<td>2. Review and approval/clear for RP by PPC/WB</td>
<td>July 2012</td>
</tr>
<tr>
<td>3. Commencement of public information</td>
<td>August 2012</td>
</tr>
</tbody>
</table>
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4. Commencement of Field works (DMS)  
September 2012

5. Commencement of payment of compensation  
September 2012

Schedule for DPs

1. Commencement for declaration of quantity and status of properties  
August 2012

2. Commencement for receiving compensation and ground clearance  
September 2012

Civil works  
October 2012

Monitoring  
October 2012

All RP activities must be satisfactorily completed before the WB issues a no objection for award of contract for the sub-projects. Any changes to the RP after WB clearance will require review by the WB office in Hanoi before commencement of construction.

7.5. Staffing for RP Implementation

7.5.1 Proposed Staffing

Staffing for the RP implementation is proposed in the following table:

- NPC PMU: Number of staffs for the RP implementation is 2 people (1 person for 1 project province)

- Consultants: Number of staffs for the RP implementation is 10 people (average 5 people/project Province)

- Independent External Monitoring: Number of staffs for the RP implementation is 6 people (average 3 people/project province)

<table>
<thead>
<tr>
<th>Sr No</th>
<th>Institutions</th>
<th>Number of staff</th>
<th>Total working time</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>NPC PMU</td>
<td>2</td>
<td>2 months</td>
</tr>
<tr>
<td>2</td>
<td>Consultants</td>
<td>10</td>
<td>3 months</td>
</tr>
<tr>
<td>3</td>
<td>Independent External Monitoring</td>
<td>6</td>
<td>6 months</td>
</tr>
</tbody>
</table>

The independent external monitoring agency shall dedicate their apt workforce to satisfy the external monitoring requirement of the WB with defined schedule. They shall commence their monitoring work right from the beginning of the RP implementation through its completion. The external monitoring is required to carry out the monitoring 6 months after the completion of the RP implementation for the surveying of the satisfaction level of DPs.

7.5.2 Training and workshop

In order to carry out RP implementation smoothly and effectively, prior to RP implementation, organizing trainings, workshop for social safeguard staff of EVN, NPC, and its Consultants and officials of local authorities are necessary. The trainings, workshops will be held by PMU with TA of the WB resettlement Officers. The objectives of training,
requirement for carrying out DMS survey and steps of RP implementation as well as monitoring and evaluation, report preparation, base line data management.

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

One workshop for all RP implementation related personnel is proposed to be held by the initial stage of actual payment of compensation.

The training courses and workshops are to be organized in all project provinces within a short course of time (1day)

**Table 7.5.2 – Number of Proposed trainees**

<table>
<thead>
<tr>
<th>Sr No</th>
<th>Resettlement organization</th>
<th>Number of staff</th>
<th>Content</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Intermediate training</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1</td>
<td>NPC PMU</td>
<td>10</td>
<td>DMS and Entitlement Determination</td>
</tr>
<tr>
<td>1.2</td>
<td>Consultants</td>
<td>20</td>
<td>Internal Monitoring and evaluation of RP implementation</td>
</tr>
<tr>
<td>2</td>
<td>Primary training</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1</td>
<td>Consultants co-ordinate with Officers of communes</td>
<td>20</td>
<td>DMS, inventory, survey.</td>
</tr>
<tr>
<td>2.2</td>
<td>Internal monitoring staff</td>
<td>8</td>
<td>Key RP policies</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Monitoring and evaluation of RP implementation</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Community participation and consultation</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Complaints and grievances</td>
</tr>
</tbody>
</table>

**7.6. Complaints and Grievances**

To ensure that the DPs have avenues for redressing their grievances related to any aspect of compensation and resettlement, detailed procedures of redresses of grievances have established for the project. The objective is to respond to the complaints of the DPs speedily and clean in a transparent manner. By resolving grievances at the project level, the progress of the project would be more effectively ascertained.

The procedures are as follows:

**First step:**

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

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

Third step:

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

Fourth step:

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

**NPC7.7. Monitoring and supervision**

The implementation of RP shall be constantly supervised and monitored by PMU – NPC in coordination with EVN.

The independent consulting agencies (IMA) will be entrusted with external monitoring. The selection of such agencies will be submitted to the approval of NPC and WB.

The selected external monitoring institution shall be contracted by the PMU immediately after RP approval and shall begin supervision and monitoring activities form the beginning of the implementation phase. This institution(s) is also responsible for monitoring EMDP implementation.

**7.7.1 Internal Monitoring**

Project Management Board is responsible for implementing internal monitoring of the Resettlement Plan implementation. Internal monitoring and supervision will:

- Verify that the baseline information of all DP’s has been carried out and that the valuation of assets lost or damaged, and the provision of compensation, resettlement and other rehabilitation entitlements has been carried out in accordance with the provisions of this Policy Framework and the respective.
- Oversee that the RPs are implemented as designed and approved.
- Verify that funds for implementing the RPs are provided to the respective PMUs in a timely manner and in amounts sufficient for their purposes, and that such funds are used by the respective PMU’s in accordance with the provisions of.
- Record all grievances and their resolution and ensure that complaints are dealt with in a timely manner.

Staff who is responsible for resettlement, compensation and clearance of implementing agency will update information based on several main activities as follow:

**Table 7.7.1 - Some main activities for monitoring and internal evaluation**
<table>
<thead>
<tr>
<th>No</th>
<th>The activities of the resettlement plan</th>
<th>Implementation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Informing for people and local authorities about the project</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Inventorying damage totally</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Investigating replacement cost</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Preparing resettlement plan</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Approving resettlement plan</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Disclosing Resettlement Plan</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Counting and measuring the field</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Applying compensation price (from the resettlement plan)</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Preparing specific compensation plan</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Approving the compensation measures</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Disclosing the compensation measures</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Adjusting and approving (if any)</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Paying compensation money (including updates of the resettlement plan - for example: the number of affected people, the expense, the affected level, etc)</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td>Internal monitoring</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>Independent monitoring</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td>Report of implementation plan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>Collecting and solving complaint</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>Consultation and participation of people</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Community meeting</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Leaflet provision</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19.</td>
<td>Coordinating with other agencies (especially Compensation Council)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20.</td>
<td>Mid-term and end-term review (with project)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 7.7.2 External Monitoring

Beside evaluation the quarterly reports produced by internal monitors and conduct the same thing of investigation assigned to internal monitoring, the external (independent) monitoring agency will be responsible for monitoring and evaluating following indicators:

(i) At the beginning of RP implementation, review unit costs of compensation applied in RP, check at the site for ensuring that, the compensation costs are at replacement value or otherwise, recommend to NPC, its PMU for adjusting.

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

(iii) Evaluation of socio-economic project impact on the RAP.

(iv) Supervision of Coordination of resettlement activities with construction schedule: the completion of land acquisition and resettlement activities for any component should be completed prior to award of the civil works contract for that component.

(v) Putting forward the amendments for the implementation of RP so as to achieve the objectives of this RP.

(vi) Offering suggestions on how improve RP and EMDP programs

(vii) Closely monitoring compensation activities and be prepared to give informed evaluation of Complaint and grievances cases.

(viii) After completing compensation payment, a completion report must be prepared. This document shall provide detail evaluation of the RP and its implementation, documenting both by the interviews with the RP the situation and the opinions of them after they have resettled an/or compensated.

(ix) Finally, on the base of the RP implementation experience this document shall provide suggestions both to help reinforce local RP expertise and to improve future resettlement plans.
Terms of Reference (TOR) for independent monitoring will be prepare by PMU under NPC, TOR will clearly figure out the tasks for RP and EMDP and be sent to WB for its concurrence prior invitation of independent monitoring.
8. COSTS AND BUDGET

8.1. Budget
Budget for RP implementation will be the counterpart funds from EVN.

8.2. Compensation Cost Estimate
Compensation cost estimate for temporarily and permanently impacted house, structures, productive land, trees and crops is based on:

- Decree No.197/2004/ND-CP dt.03.Dec.2004
- Decision for unit costs of compensation of Ha Khau Ward People’s Committees.
- Survey for replacement costs and market price for structures, land, trees, crops by CCDC in the period of carrying out impact survey.

8.3. Compensation Unit Prices
Decisions for unit cost of compensation of Ha Khau Ward People’s Committees are applicable for these subprojects.

8.3.1 Compensation unit prices for Houses and Structures
The compensation unit prices for structures are not applicable since there is not any house or other structures totally or partly impacted in this project. Therefore, such rates are not applicable in this project.

8.3.2 Compensation unit prices for land
Compensation for land shall be at replacement cost.

Land unit price is established separately conforming to the regulated price frame of the Decree No.188/2004/ND-CP and Circular No.114/2004/TT-BTC.

Chapter II of Decree No.188/2004 ND-CP- “Methods of Defining Land Price”, which is elaborated in Chapter I of Circular No.114/2004/TT-BTC (i.e.Art.1: ‘the direct comparison method’ and Art.2: ‘the income method’) ensure the unit cost to meet the replacement value at the time of issuance of unit cost. These unit prices are based on the replacement costs for land, house, trees and market prices for crops.

The newly promulgated unit prices for land reflect the prevailing land prices in the project areas.

Table 8.3.2 – Compensation Unit Prices for Land
Ha Khau Ward, Ha Long City, Quang Ninh Province

<table>
<thead>
<tr>
<th>STT</th>
<th>Category of Land</th>
<th>Unit Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Residential Land</td>
<td>2,500,000</td>
</tr>
</tbody>
</table>
8.3.3 Compensation Unit Prices for Trees and Crops

Table 9.3.3 (a) – Compensation Unit Prices for Long Term Tree

Unit: VND/Tree (đ/cây)

<table>
<thead>
<tr>
<th>No</th>
<th>Category of Tree</th>
<th>Unit price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Longan (2cm &lt; diameter of tree-trunk ≤10cm)</td>
<td>100.000</td>
</tr>
<tr>
<td>2</td>
<td>Longan (5cm &lt; diameter of tree-trunk ≤10cm)</td>
<td>200.000</td>
</tr>
<tr>
<td>3</td>
<td>Longan (35cm &lt; diameter of tree-trunk ≤40cm)</td>
<td>1.400.000</td>
</tr>
<tr>
<td>4</td>
<td>Longan (diameter of tree-trunk &gt; 40cm)</td>
<td>1.600.000</td>
</tr>
<tr>
<td>5</td>
<td>Litchi (5cm &lt; diameter of tree-trunk ≤10cm)</td>
<td>200.000</td>
</tr>
<tr>
<td>6</td>
<td>Coconut</td>
<td>200.000</td>
</tr>
<tr>
<td>7</td>
<td>Breadfruit (5cm &lt; diameter of tree-trunk ≤10cm)</td>
<td>100.000</td>
</tr>
<tr>
<td>8</td>
<td>Breadfruit (diameter of tree-trunk &gt;30cm)</td>
<td>1.200.000</td>
</tr>
<tr>
<td>9</td>
<td>Bead-tree (20≤ diameter of tree-trunk ≥30)</td>
<td>40.000</td>
</tr>
<tr>
<td>10</td>
<td>Mango (diameter of tree-trunk &gt;30cm)</td>
<td>1.200.000</td>
</tr>
<tr>
<td>11</td>
<td>Banana (having bananas)</td>
<td>18.000</td>
</tr>
<tr>
<td>12</td>
<td>Bamboo (can cut for using)</td>
<td>3.000</td>
</tr>
<tr>
<td>13</td>
<td>Bamboo (can not cut for using)</td>
<td>10.000</td>
</tr>
<tr>
<td>7</td>
<td>Glue, greasy, eucalyptus (tree(15&lt; diameter of tree-trunk ≤40cm)</td>
<td>8.000</td>
</tr>
<tr>
<td>8</td>
<td>Glue, greasy, eucalyptus (tree(8&lt; diameter of tree-trunk ≤15cm)</td>
<td>6.000</td>
</tr>
</tbody>
</table>

Table 8.3.3 – Houses and structures

Unit: VND/m²

<table>
<thead>
<tr>
<th>Sr.No</th>
<th>Kind of Houses and structures</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Huose 1 floor</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>House of 4th level</td>
<td>750.000</td>
</tr>
<tr>
<td>3</td>
<td>Buffalo coop</td>
<td></td>
</tr>
</tbody>
</table>

8.3.4 Flow of Fund

Fund of the implementation of RP will be from the GOV contribution: EVN
8.3.5 Inflation Adjustment

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

8.4. Cost Estimation

Expenditures for RP comprising of:

Preparation

- All office works such as design study, preparation of statistic survey form
- Survey work: census and inventory, socio-economic survey.

Survey works are carried out in two stages: Preliminary stage (for RP preparation) and Implementation stage (DMS – at the early time of project and RP implementation).

Compensation and Rehabilitation

Based on the impacted categories and extend of impacts with described in the above part, compensation and rehabilitation costs are includes:

- Compensation for permanently land acquisition
- Compensation for temporary and permanently trees and crops (including the cost of cutting the trees)
- Compensation for houses and structures required to be removed from the proposed ROWs (including demolition cost and repair cost)
- Subsidy, allowance for rehabilitation, consists of: relocating subsidy, transport allowance, training subsidy...
- Incentive for timely movement.

Management

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

Monitoring

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

Contingency

From the implemented and on-going implementing projects of similar nature, the rate for contingency is estimated about 20% of total cost of compensation and RP preparation.
8.5. Total cost Estimated for RP implementation

8.5.1 Preparation of RP and DMS

Initial stage – Preparation of RP

At the initial stage of the preparation for the establishment of the RP, a socio-economic survey workforce has to be established. This workforce will carry out (a) studying the designs and field visits, (b) establishing the socio-economic survey forms (interview) and inventory forms (with preliminary measurements of fixed assets and counting of properties), (c) organizing community meetings and public consultation and distribution of project related pamphlets/Q&A,..., (d) socio-economic surveys by means of fill in the ‘Questionnaires’ and direct interview, (e) data processing and (f) establishment of the RP for approval.

It is a common practice in Vietnam that PC’PMU sign a contract with certain Consultant to carry out all works of this stage

Implementation stage – DMS

Preparing for the RP implementation, the district CRC’s Support Working Teams are mobilized to carry out (a) the preparation of DMS and inventory forms, RIB; (b) organizing community meetings; (c) DMS and inventory work; (d) negotiations with DPs and (e) finalizing the DP’s compensation and rehabilitation forms and submit to district CRCs for approval.

Support working teams:

3 teams (6 persons/team) will work about 2 months

Total Implementation stage

(the estimates also include expenses on basic salary, per diem, accommodation, traveling of staff, printing of forms, Q&A/pamphlets, community meetings)

Total RP preparation

- Initial stage (preparation of RP) 13,028,644
- Implementation stage (DMS) 7,812,545

Total 20,841,209

8.5.2 Compensation and Rehabilitation

The tables in Annex 9 are recommended to be established for each commune.

8.5.3 Management

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

Total cost of Management (including basic salary, allowances, traveling and meetings) 345,186,338 VND
8.5.4 Trainings, workshop, information campaign

One intermediate training course and one primary training course are proposed to be organized right at the beginning of the RP implementation and one workshop is proposed to be held at the commencement of the actual payment of compensation. Considering the convenient for the local management of the project related provinces, the training courses and workshop are proposed to be organized within a short course of time i.e. 1-2 days in Quang Ninh provinces.

Cost of trainings, workshop, information campaign include: TAs, documentations, admin... and it was estimated : $720,000 VND

8.5.5 Monitoring

The independent external monitoring of RP implementation is estimated at about 2% of total cost of compensation and RP preparation. The interested independent external monitoring agency will prepare the technical and financial proposals for bidding and actual cost will be decided through procurement for external monitoring agency.

8.5.6 Contingency

The rate for contingency is estimated about 20% of total cost of compensation and RP preparation and implementation

8.5.7 Total cost of RP Implementation

The following tables are recommended to be established

<table>
<thead>
<tr>
<th>Table 8.5.7 – Total cost of RP implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Components</td>
</tr>
<tr>
<td>1. Preparation of RP and DMS</td>
</tr>
<tr>
<td>Initial stage (Preparation of RP)</td>
</tr>
<tr>
<td>Implementation stage (DMS)</td>
</tr>
<tr>
<td>Sub – total 1</td>
</tr>
<tr>
<td>2. Compensation and Rehabilitation</td>
</tr>
<tr>
<td>Permanent land acquisition</td>
</tr>
<tr>
<td>Civil construction</td>
</tr>
<tr>
<td>Impacted trees</td>
</tr>
<tr>
<td>Temporary land acquisition</td>
</tr>
<tr>
<td>Other compensation</td>
</tr>
<tr>
<td>Sub – total 2</td>
</tr>
<tr>
<td>3. Management</td>
</tr>
<tr>
<td>Description</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Management</td>
</tr>
<tr>
<td>Trainings, workshop, information campaign...</td>
</tr>
<tr>
<td>Sub – total 3</td>
</tr>
<tr>
<td>4. External monitoring = 2% of (1+2)</td>
</tr>
<tr>
<td>Sub – total 3</td>
</tr>
<tr>
<td>5. Contingency = 20% of (1+2)</td>
</tr>
<tr>
<td>Sub – total 4</td>
</tr>
<tr>
<td>Grand total (1+2+3+4+5)</td>
</tr>
</tbody>
</table>
9. DISCLOSURE

Resettlement Policy Framework and Entitlement Matrix of the Rural Distribution Project have been disclosed at the People’s Committees of Ha Khau Ward, Halong City. All feedback from local authorities and DPs are integrated in this RP. Draft of RP will be disclosed at the office of Provincial People’s committee and at Vietnam Development and Information Center (VDIC) of the World Bank office in Hanoi.

The final RP will be cleared by the WB and EVN.
1. Map of Project Areas
2. Minutes of community meetings
3. Housing catalogies (Vietnam Construction standards)
4. Socio-economic household data sheet of affected project people
5. Permanent land acquisition
6. Loss of trees and crops
7. Total of compensation
APPENDIX 1

MAP OF PROJECT AREAS
APPENDIX 2
MINUTES OF COMMUNITY MEETINGS
DUÁN LUÔN ĐIỆN PHÂN PHỐI NÔNG THÔN (RD)

CÔNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập – Tự do – Hạnh phúc

BIỂN BẢN THAM VÀN CỘNG ĐỒNG
VỀ KẾ HOẠCH Đên BỬ VÀ TÂI ĐỊNH CỤ.

I. Thành phần tham dự:
1. Đại diện chủ đầu tư:
   Ông (Ba) ………………………………………………………………………………………………………
   Chức vụ: ………………………………………………………………………………………………………

2. Đại diện đơn vị tư vấn:
   Ông (Ba) ………………………………………………………………………………………………………
   Chức vụ: ………………………………………………………………………………………………………

3. Đại diện UBND xã:
   Ông (Ba) ………………………………………………………………………………………………………
   Chức vụ: ………………………………………………………………………………………………………

4. Đại diện/người đứng đầu các nhóm dân tộc thiểu số (nếu có)
   Ông (Ba) ………………………………………………………………………………………………………
   Chức vụ: ………………………………………………………………………………………………………

5. Đại diện các hội đoàn thể địa phương:
   Ông (Ba) ………………………………………………………………………………………………………
   Chức vụ: ………………………………………………………………………………………………………

6. Đại diện các hộ gia đình: …………………………………………………………………………………
   Người, trong độ số dân tộc thiểu số: ………………………………………………………………………

II. Nội dung tham vấn:
1. Đơn vị tư vấn tổ chức báo cáo:
   - Nội dung dự án (ly do đầu tư, quy mô công trình, vị trí hướng tuyến…)
   - Chính sách đến bù, tái định cư, chính sách môi trường, chính sách đối với người dân tộc thiểu số của WB và của Chính phủ Việt Nam.
   - Mục tiêu của kế hoạch hành động tái định cư (RP) là với ý kiến tư vấn của người dân và cộng đồng, đề xuất các giải pháp giảm thiểu các tác động tiêu cực đối với những người bị ảnh hưởng bởi dự án và hỗ trợ họ khắc phục đối với sóng fit nhất là bằng hoặc hỗ trợ khi bị ảnh hưởng bởi dự án (như các biện pháp đến bù, hỗ trợ khôi phục…)

2. Ý kiến tham vấn của cộng đồng:
2.1 Người dân trong vùng có đồng ý tham gia thực hiện dự án không? Có: ………………………………………………………………………………………………………
   Không: ………………………………………………………………………………………………………

2.2 Tham vấn cộng đồng về những tác động tiêu cực của dự án đối với bộ sống sinh hoạt, các hoạt động kinh tế, văn hóa – xã hội và môi trường:
   + Trước khi xây dựng:
   + Trong khi xây dựng:
   + Sau khi thi công: ………………………………………………………………………………………………

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2.3 Tham vấn của công động về những tác động tiêu cực tiên tiến (có thể xảy ra) gây ra bởi dự án do việc chiêm dung đất đai, nhà ở, công trình, cây cối hoa màu, phát di động hoặc di chuyển tài sản cụ và các giải pháp giảm thiểu:
+ Trước khi xây dựng:
  - Đất đai: 
  - Nhà ở / Công trình: 
  - Cây cối / hoa màu: 
  - Khác: 
+ Trong khi xây dựng:
  - Đất đai: 
  - Nhà ở / Công trình: 
  - Cây cối / hoa màu: 
  - Khác: 
+ Sau khi xây dựng:
  - Đất đai: 
  - Nhà ở / Công trình: 
  - Cây cối / hoa màu: 
  - Khác: 

2.4 Các hoạt động kinh tế khác được trị để bù vào sau đây:
- Điều chỉnh tiền mặt hoặc vật tư: ...
- Hình thức đặt đổi đất (Đối với trường hợp chiêm dung đất hình viên):
- Hình thức đến bù bằng đất và bù tiền hoặc vật tư: ...

2.5 Đối với các hộ có nhà ở, công trình trong hành lang an toàn di chuyển, nếu kỹ thuật cho phép, có sử dụng các biện pháp hỗ trợ phòng chống cháy nổ then chốt cho các giải pháp di dời, di chuyển không? C-enter: Vui; Không: ....... ; Nếu không thì vi sao?

2.6 Người dân và công động trong vùng dự án có động ý tham gia các công tác giám thị các tác động tiêu cực gây ra bởi dự án (Do việc chiêm dung đất đai, tài sản phải di dời ...) như:
  i. Thực hiện đúng quy trình kiểm kê, đền bù, giải phóng mặt bằng và tài định cư;
  ii. Thực hiện đúng quy trình kiểm kê;
  iii. Cam kết thực hiện đúng các quy trình về hành lang an toàn di chuyển (như không được trồng cây lâu năm hay xây dựng công trình ...);
  iv. Tham gia thực hiện đúng các quy định về phòng chống cháy nổ, để phòng các tai nạn do di chuyển gây ra?
C-enter: Vui; Không: ........ ; Nếu không thì vi sao?

2.7 Người dân và công động trong dự án có động ý tham gia:
  i. Thực hiện dự án;
  ii. Thực hiện công tác giám sát quá trình đền bù, tài định cư;
  iii. Giám sát quá trình thi công công trình đối với nhà thế;
  iv. Giám sát môi trường trong toàn bộ quá trình thực thi xây dựng, trong khi xây dựng, sau khi xong được kết thúc không?
C-enter: Vui; Không: ........ ; Nếu không thì vi sao?
DU án LUỘI DIỆN PHÂN PHỐI NƯỚC THỚN (RD)

2.8 Các ý kiến tham vấn khác của người dân và cộng đồng:


III. Ý kiến bình luận (nhận xét danh giá) và đề xuất của Tu vấn (về các kết quả tham vấn nêu trên, đặc biệt là giải pháp giảm thiểu tác động tiêu cực tiềm tàng đối với các hộ bị ảnh hưởng bởi dự án, đặc biệt là đối với các hộ là dân tộc thiểu số sao cho phù hợp với mục văn hóa...)


ĐẠI DIỆN CHỦ ĐẦU TƯ

ĐẠI DIỆN ĐƠN VI TUẤN

ĐẠI DIỆN CHÍNH QUYỀN ĐỊA PHƯƠNG

ĐẠI DIỆN NGƯỜI DÙNG ĐẦU CÁC NHÓM DTTS

Hà Nhât, Ngày ... Tháng ... Năm 20...
CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập – Tự do – Hạnh phúc

BIỆN BAN THAM VĂN CÔNG ĐỘNG
VỀ KẾ HOẠCH ĐẾN BỤNG VÀ TÁI DỊNH CỤ

DỰ ÁN: TRẠM BIÊN ÁP 110KV KHI ĐÔ THỊ CẢI ĐÀM VÀ NHÂNH RỄ DƯỠNG DÂY 110KV

I. Thành phần tham dự:
1. Đại diện chủ đầu tư:
   Ông (Bà) .......................................................... Chủ nhiệm.................................
   Ông (Bà) .......................................................... Chủ nhiệm.................................

2. Đại diện đơn vị tư vấn:
   Ông (Bà) .......................................................... Chủ nhiệm.................................
   Ông (Bà) .......................................................... Chủ nhiệm.................................

3. Đại diện UBND xã:
   Ông (Bà) .......................................................... Chủ nhiệm.................................

4. Đại diện/người đứng đầu các nhóm dân tộc thiểu số (nếu có):
   Ông (Bà) .......................................................... Chủ nhiệm.................................

5. Đại diện các hội đoàn thể địa phương
   Ông (Bà) .......................................................... Chủ nhiệm.................................
   Ông (Bà) .......................................................... Chủ nhiệm.................................
   Ông (Bà) .......................................................... Chủ nhiệm.................................
   Ông (Bà) .......................................................... Chủ nhiệm.................................
   Ông (Bà) .......................................................... Chủ nhiệm.................................
   Ông (Bà) .......................................................... Chủ nhiệm.................................
   Ông (Bà) .......................................................... Chủ nhiệm.................................
   Ông (Bà) .......................................................... Chủ nhiệm.................................

6. Đại diện các hộ gia đình... người, trong đó số dân tộc thiểu số: .........
   Họ Ông (Bà) ..........................................................
   Họ Ông (Bà) ..........................................................
   Họ Ông (Bà) ..........................................................
   Họ Ông (Bà) ..........................................................
   Họ Ông (Bà) ..........................................................
   Họ Ông (Bà) ..........................................................
   Họ Ông (Bà) ..........................................................
   Họ Ông (Bà) ..........................................................

II. Nội dung tham vấn:
1. Đơn vị tư vấn thông báo về:
   - Nội dung dự án (lý do đầu tư, quy mô công trình, vị trí hướng tuyến…).
   - Chính sách dành bù, tái định cư, chính sách môi trường, chính sách đối với người dân tộc thiểu số của WB và của Chính phủ Việt Nam.
   - Mục tiêu của kế hoạch dành bù và tái định cư với việc tư vấn của người dân và công trình, để xuất các giải pháp giảm thiểu các tác động tiêu cực đối với những người bị ảnh hưởng bởi dự án và hỗ trợ họ khởi phục đối với số ít nhất là bằng hoặc hơn trước khi bị ảnh hưởng bởi dự án (như các biện pháp để bù, hỗ trợ khởi phục…)

Ghi chú: Vinaincon E&C
61 -
2. Ý kiến tham vấn của công đồng:

Người dân trong vùng có đồng ý tham gia thực hiện dự án không? Có: \(\checkmark\) Không: \(\ldots\); Nếu không, vi sao?

Tham vấn công đồng về những tác động tiêu cực của dự án đối với đời sống sinh hoạt, các hoạt động kinh tế, văn hóa - xã hội và môi trường:
+ Trước khi xây dựng:

+ Trong khi xây dựng:

+ Sau khi xây dựng xong:

Tham vấn của công đồng về những tác động tiêu cực tiềm tàng (co thể xảy ra) gây ra bởi dự án do việc chiếm dụng đất đai, nhà ở, công trình, cây cối, hoa màu, phát di di di di chuyển tài sản cụ và các giải pháp giảm thiểu:
+ Trước khi xây dựng:
  - Đất đai:
  - Nhà ở / Công trình:
  - Cây cối / Hoa màu:
  - Khác:
+ Trong khi xây dựng:
  - Đất đai:
  - Nhà ở / Công trình:
  - Cây cối / Hoa màu:
  - Khác:
+ Sau khi xây dựng xong:
  - Đất đai:
  - Nhà ở / Công trình:
  - Cây cối / Hoa màu:
  - Khác:

Các hổ nhận hưởng động y các hình thức chi trả đến bao nào sau đây:
- Đền bù bằng tiền mặt hoặc vật tư;
- Hính thức đổi đất đổi đất (Đổi với trường hợp chiếm dụng đất viễn viên);
- Hính thức đền bù bằng đất và bồi thường khác.

Đối với các hổ nhận có nhà ở, công trình trong hành lang an toàn di dân, nếu kỹ thuật cho phép, có sử dụng các biện pháp hỗ trợ phòng chống cháy nổ thì thế cho các giải pháp di di, di chuyển không? Có: \(\checkmark\); Không: \(\ldots\); Nếu không thì vi sao?

Người dân và công đồng trong vùng dự án có đồng ý tham gia các công tác giải thiểu các tác động tiêu cực gây ra bởi dự án (Do việc chiếm dụng đất đai, tài sản phát di di di di di di...) như:
- Thực hiện dứt quyết trình kiểm kê, đền bù, giao thông mất bằng và tài dịnh cụ;
- Thực hiện dứt quyết trình khác;
- Cam kết thực hiện đúng các quy trình đất, đất, tâ an toàn di dân (nếu không được tỉnh cây lâu năm hay xây dựng công trình...);
- Tham gia thực hiện đúng các quy định về phòng chống cháy nổ, để phòng các tai nạn do di di di di di di di di di di di di di di di di di...\
Có: \(\checkmark\); Không: \(\ldots\); Nếu không thì vi sao?
Người dân và công đồng trong dự án có đồng ý tham gia:
- Thье biếu công tác giám sát quá trình đến nhà, tai định cư;
- Giám sát quá trình thi công công trình đối với nhà thu đấu;
- Giám sát môi trường trong toàn bộ quá trình trước khi xây dựng, trong khi xây dựng, sau khi xây dựng kết thực không?
Có: ... Không: ... Nếu không thì vì sao?

Các yếu tố tham vấn khác của người dân và công đồng:

III. Ý kiến bình luận (nhận xét đánh giá) và đề xuất của Tư vấn (về các kết quả tham vấn nêu trên, đặc biệt là giải pháp giảm thiểu tác động tiêu cực liên quan đối với các hộ bị ảnh hưởng bởi dự án, đặc biệt là đối với các hộ là dân tộc thiểu số sao cho phù hợp với mục văn hóa ...)

Quảng Ninh, Ngày ......... tháng ........ năm ...
APPENDIX 3

HOUSING CATEGORIES (VIETNAMESE CONSTRUCTION STANDARD)
### Appendix 3 - Housing categories (Vietnamese Construction Standards)

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

**Temporary**

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

Source: Vietnamese Construction Standards – Chapter 8 “Regulations for construction project and civil work”
APPENDIX 4

ECONOMIC HOUSEHOLD DATA SHEET OF PROJECT AFFECTED PEOPLE
## Appendix 4: economic household data sheet of project affected people

<table>
<thead>
<tr>
<th>Address of HHs</th>
<th>malee of HHs member</th>
<th>Sex</th>
<th>Age</th>
<th>Ethnic group</th>
<th>Education</th>
<th>Employment</th>
<th>Occupation ad source of income</th>
<th>Estimated total income per year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hà Khẩu ward</td>
<td>Hoàng Văn Lương</td>
<td>male</td>
<td>64</td>
<td>Kinh</td>
<td>3/10</td>
<td>Retirement age</td>
<td></td>
<td>28,000,000</td>
</tr>
<tr>
<td>Name</td>
<td>Gender</td>
<td>Age</td>
<td>Ethnicity</td>
<td>Education</td>
<td>Occupation</td>
<td>Income</td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------</td>
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<td>-----</td>
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<td>----------------------------------</td>
<td>---------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nguyễn Thị Lớn</td>
<td>female</td>
<td>65</td>
<td>Kinh</td>
<td>3/10</td>
<td>Retirement age</td>
<td>9,000,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoàng Trung Kiên</td>
<td>male</td>
<td>34</td>
<td>Kinh</td>
<td>12/12</td>
<td>Security Guard</td>
<td>24,000,000</td>
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<td></td>
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<tr>
<td>Nguyễn Thị Xuân</td>
<td>female</td>
<td>32</td>
<td>Kinh</td>
<td>9/12</td>
<td>Homemaker and Breeding</td>
<td>14,000,000</td>
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<tr>
<td>Hoàng Mai Hương</td>
<td>female</td>
<td>7</td>
<td>Kinh</td>
<td></td>
<td>primary education</td>
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<tr>
<td>Hoàng Kiên Trung</td>
<td>male</td>
<td>2</td>
<td>Kinh</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Nguyễn Thị Tình</td>
<td>female</td>
<td>54</td>
<td>Kinh</td>
<td></td>
<td>Retirement age</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group 58, Block 6, Ha Khau ward, Ha Long City, Quang Ninh Province Tel: +84974691432</td>
<td>Trần Văn Hoàn</td>
<td>male</td>
<td>34</td>
<td>Kinh</td>
<td>5/10</td>
<td>Homemaker</td>
<td>24,000,000</td>
<td></td>
</tr>
<tr>
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<td></td>
</tr>
<tr>
<td></td>
<td>Nguyễn Thị Nga</td>
<td>female</td>
<td>33</td>
<td>Kinh</td>
<td>5/10</td>
<td>Homemaker and Breeding</td>
<td>15,000,000</td>
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</tr>
<tr>
<td></td>
<td>Trần Mạnh Hùng</td>
<td>male</td>
<td>4</td>
<td>Kinh</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Group 58, Block 6, Ha Khau ward, Ha Long City, Quang Ninh Province Tel: +84333843231</td>
<td>Nguyễn Thị Thuận</td>
<td>female</td>
<td>58</td>
<td>Kinh</td>
<td>10/10</td>
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<tr>
<td></td>
<td>Đặng Xuân Giáp</td>
<td>male</td>
<td>58</td>
<td>Kinh</td>
<td>7/10</td>
<td>Retirement age</td>
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<td></td>
</tr>
<tr>
<td>Name</td>
<td>Gender</td>
<td>Age</td>
<td>Ethnicity</td>
<td>Date of Birth</td>
<td>Occupation</td>
<td>Compensation</td>
<td></td>
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<td>------------------</td>
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<tr>
<td>Đồng Văn Chung</td>
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<td>Kinh</td>
<td>12/12</td>
<td>Business</td>
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<td>Đỗ Thị Khánh</td>
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<td>Kinh</td>
<td>12/12</td>
<td>Business</td>
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<tr>
<td>Đặng Thị Bành</td>
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<td>62</td>
<td>Kinh</td>
<td>7/10</td>
<td>/Retirement age</td>
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</tr>
<tr>
<td>Nguyễn Thọ Ngân</td>
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<td>66</td>
<td>Kinh</td>
<td>7/10</td>
<td>Retirement age</td>
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<td></td>
</tr>
<tr>
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<td>Kinh</td>
<td>6/12</td>
<td>Homemaker and Breeding</td>
<td>20,000,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Gender</td>
<td>Age</td>
<td>Ethnicity</td>
<td>House Number</td>
<td>Occupation</td>
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<td></td>
<td></td>
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<tr>
<td>Nguyễn Thọ Thành</td>
<td>female</td>
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<td>Kinh</td>
<td>4/12</td>
<td>Homemaker</td>
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<td>Lê Thị My</td>
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<td>Kinh</td>
<td>Homemaker</td>
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<td>Kinh</td>
<td>7/10</td>
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<tr>
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<td>Trung cấp</td>
<td>Homemaker</td>
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</tr>
<tr>
<td>Name</td>
<td>Gender</td>
<td>Age</td>
<td>Ethnicity</td>
<td>Education</td>
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</tr>
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<td>Kinh</td>
<td>Đại học</td>
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<tr>
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<td></td>
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<td></td>
<td>student</td>
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APPENDIX 5
PERMANENT ACQUISITATION LAND
**APPENDIX 5: PERMANENT ACQUISITATION LAND**

<table>
<thead>
<tr>
<th>Survey No</th>
<th>NAME OF HEAD HOUSEHOLD</th>
<th>No. of persons in HH</th>
<th>LAND KIND (m2)</th>
<th>TOTAL (m2)</th>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Residential land</td>
<td>Forest land</td>
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<tr>
<td>Ha khau WARD</td>
<td>22</td>
<td>3,073.77</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>1</td>
<td>Hoàng Văn Lương</td>
<td>2</td>
<td>336.29</td>
<td>-</td>
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<tr>
<td>2</td>
<td>Hoàng Trung Kiên</td>
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<td>1,467.61</td>
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<tr>
<td>3</td>
<td>Đặng Thị Bảnh</td>
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<td>694.93</td>
<td>-</td>
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<td>4</td>
<td>Trần Văn Hoàn</td>
<td>3</td>
<td>362.25</td>
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<td>5</td>
<td>Lê Thị Mỹ</td>
<td>4</td>
<td>168.31</td>
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<td>Đồng Xuân Giáp</td>
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<td>44.38</td>
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APPENDIX 6

LOSS OF TREES AND CROPS
## APPENDIX 6: LOSS OF TREES AND CROPS

<table>
<thead>
<tr>
<th>Survey No</th>
<th>NAME OF HEAD HOUSEHOLD</th>
<th>THIEU LITCHI (tree)</th>
<th>LONGAN (tree)</th>
<th>PERSIMMON (tree)</th>
<th>JACKFRUIT (tree)</th>
<th>MANGO (tree)</th>
<th>COCONUT (tree)</th>
<th>ARECA NUT (tree)</th>
<th>BANANA (tree)</th>
<th>BEAD TREE (tree)</th>
<th>VEGETABLE GARDEN (m²)</th>
<th>BAMBOO (tree)</th>
<th>EUCA LIPTUS (tree)</th>
<th>FOREST (m²)</th>
<th>OTHERS (m²)</th>
<th>TOTAL (m²)</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>HAKHAU WARD</td>
<td>114</td>
<td>94</td>
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<td>51</td>
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<td>-</td>
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<td>-</td>
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<td>391</td>
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</tr>
<tr>
<td>3 Dặng Thị Bảnh</td>
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Vinaincon E&C

- 1 -
APPENDIX 7
TOTAL OF COMPENSATION
APPENDIX 7: TOTAL OF COMPENSATION

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### RD Project – Vietnam
110kV Cai Dam New Urban Area Substation and 110kV Branch Resettlement Plan

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