LAO CAI PROVINCIAL PEOPLE’S COMMITTEE
LAO CAI CITY SUSTAINABLE DEVELOPMENT INFRASTRUCTURE
INVESTMENT PMU

MEDIUM - SIZED CITIES DEVELOPMENT PROJECT -
LAO CAI CITY SUB-PROJECT, LAO CAI PROVINCE

ETHNIC MINORITIES DEVELOPMENT PLAN

LAO CAI, 10/2011
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<tbody>
<tr>
<td>Aps</td>
<td>Affected Persons</td>
</tr>
<tr>
<td>DOC</td>
<td>Department of Construction</td>
</tr>
<tr>
<td>DOF</td>
<td>Department of Finance</td>
</tr>
<tr>
<td>DPs</td>
<td>Displaced Persons</td>
</tr>
<tr>
<td>EM</td>
<td>Ethnic Minority</td>
</tr>
<tr>
<td>EMDP</td>
<td>Ethnic Minority Development Plan</td>
</tr>
<tr>
<td>FS</td>
<td>Feasibility Study</td>
</tr>
<tr>
<td>HHs</td>
<td>Households</td>
</tr>
<tr>
<td>IDA</td>
<td>International Development Association</td>
</tr>
<tr>
<td>ODA</td>
<td>Official Development Assistance</td>
</tr>
<tr>
<td>PAHs</td>
<td>Project-affected Households</td>
</tr>
<tr>
<td>PC</td>
<td>People Committee</td>
</tr>
<tr>
<td>PMU</td>
<td>Project Management Unit</td>
</tr>
<tr>
<td>RP</td>
<td>Resettlement Plan</td>
</tr>
<tr>
<td>RPF</td>
<td>Resettlement Policy framework</td>
</tr>
<tr>
<td>WB</td>
<td>World Bank</td>
</tr>
<tr>
<td>LURC</td>
<td>Land Use Rights Certificate</td>
</tr>
<tr>
<td>DMS</td>
<td>Detailed Measurement Survey</td>
</tr>
<tr>
<td>MOLISA</td>
<td>Ministry of Labour, Invalids and Social Assistance</td>
</tr>
</tbody>
</table>
Summary

The Medium Cities Development Project (MCDP) will support the Lao Cai city sub-project with the improvement of infrastructure, including selected poor areas. The project aims at contributing with poverty reduction and sustainable development of the city. The project Lao Cai City’s sub-project, would support: (i) Infrastructure Upgrading and Service Improvements; (ii) Water Supply and Environmental Sanitation Improvements; (iii) Urban Roads and Bridges; and (iv) Technical Assistance and Capacity Building.

Indigenous peoples (or here refer as Ethnic Minorities ) defined by the WB’s OP/4.10 settled in the project area, are likely to benefit from the project’s basic infrastructure upgrading, integrated planning, and capacity building, yet they might be adversely affected by the project’s land acquisition. Specific project’s policy and action plan to mitigate the potential impacts due to land acquisition and relocation are detailed in the Lao Cai Resettlement Plan (RP).

Objectives of the Ethnic Minorities Development Plan. The overall objectives of this Ethnic Minorities Development Plan (EMDP)\(^1\) are as follows; (i) to minimize and mitigate project’s impact on ethnic minority peoples’ livelihoods as a result of project activities; (ii) to ensure subproject implementation process fosters full respect for the dignity, human rights and cultural uniqueness of ethnic minorities in the project affected area, taking into account their development needs and aspirations (iii) to ensure ethnic minorities (EMs) will participate and benefit from the project’s investments.

Legal framework. The legal framework and policies for the design and implementation of the EMDP take into account all related laws, decrees and ordinances by the Government of Vietnam (GOV) and the social policy OP 4.10 of the World Bank.

Scope of EM household’s land acquisition. A total of 21 EM households with 99 people are directly affected by the project’s involuntary resettlement. The EM households land permanently acquired for the project account for a total of 54,063 m\(^2\), including 19 households whom will lose more than 10% of their productive land, and 12 households requiring to be relocated.

Positive and adverse impacts. The project carried out a social impact assessment and consultations with the potentially affected EM settled in the project area. The results of these show that EMs are provided with downgraded and low quality public services such as roads, potable water, and environmental sanitation. During the project design EMs were informed and are currently aware of potential benefits and impacts of the project. The project has established mechanisms to ensure EMs participation and full

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\(^1\) In this document Indigenous Peoples are referred as Ethnic Minorities interchangeably. Thus the EMDP refers to Indigenous Peoples Development Plan (IPDP) as prescribed in the WB’s policy OP 4.10

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access to the project benefits, as the rest of the population in the project area. Potential adverse impacts identified during consultations include on the one hand those resulting from land acquisition which could be impacting local people's livelihoods such as: (i) increased vehicles speed; (ii) misuse of the compensation money paid for involuntary resettlement; (iii) changes on the job skills demands, which might be affecting livelihoods income. On the other hand, additional social impacts as a result of the project intervention, affecting the EMs traditional social capital at community, HHs and individual levels and threats posed to traditions and customary practices.

**Gender.** The results of the social impact assessment, which carried out gender-sensitive discussions and interviews showed that, among EMs men headed HH’s income is higher than those of female headed HHs. As prescribed by the Land Law (November, 26th, 2003), both husband and wife are entitled to land use right certificates (LURC). There is no evidence of gender discrimination on land titling or assets ownership, neither on accessing credit, education and health services.

**Consultation and project’s information disclosure.** Project information has been provided for the project’s affected people through the socio-economic surveys (SES) and during the inventory of losses survey (IOL). Booklets in Vietnamese with the project information were issued and distributed among the affected wards and communes.

In addition, during the project’s consultations, the affected EMs were consulted to jointly assess livelihood impacts and define the mitigation and compensation activities/ measure that respond to their demands. Consultations were conducted during November 2010 and March and April 2011. The assessment findings are incorporated in the EMDP and the project design. Consultations and information disclosure processes will continue during the project implementation.

**Implementation arrangements.** The project implementing units for the Lao Cai subproject are the Provincial People’s Committee through the Provincial Project Management Unit (PPMU); Lao Cai City People’s Committee, Commune People’s Committees, Ward People’s Committees. Implementing agencies and associations also include the Provincial and city Ethnic minority Department, the City’s fatherland front, Farmers’ Union, Women’s Union, that will be in charge of internal monitoring the EMDP. The detailed institutional arrangements are provided further in this document.

**Grievance Redress Procedure.** The project will establish a Grievance Redress Panel as an independent body that will support monitoring the processes concerning grievances, complaints and queries as a result of the project intervention. The system established by the project is thought to allow aggrieved affected persons (APs) to lodge their complaints and receive resolutions, according to the project’s policy framework (RPF) and the project’s operational manual. The aggrieved APs will be
exempted from any administrative and legal fees that might be incurred in the resolution of grievances and complaints.

**Monitoring and Evaluation.** The implementation of the EMDP will be regularly supervised and guided by the PPMU, and above mentioned institutions. An external monitoring agency will conduct independent monitoring and evaluation of the implementation of the resettlement plan. This agency will also be monitoring the ongoing implementation and the EMDP’s results. Independent reports issued by the agency, will be directly submitted to the WB and the PPMU.

**Budget.** The estimated EMDP budget accounts VND 176,000,000 or USD$ 8,461 (VND 20800 = 1 USD). Costs of compensation and support for land acquisition, capacity building, community consultation, are included in the project costs.
I. Introduction

1.1. Project general information

Lao Cai is a northern border mountainous province, where 28 ethnic groups are settled (including: Kinh, Tay, Thai, Muong, Kho Me, Hoa, Nung, Hmong, Dao, San Chay, Xo Dang, San Diu, Hre, Mnon, Tho, Kho Mu, Co Tu, Giay, Phu La, Ca Dong, Gie Trieng, Cho Ro, Ha Nhi, Lao, La Chi, Khuang, Lu and, Bo Y). The percentage of EM people in Lao Cai City accounts for 22.9% (Statistics Lao Cai City, January 19th, 2011). Lao Cai city with an area of 229.67 km², and accounting for 3.6% of the whole province, established on 2000.

In 2008, the Lao Cai population 95956 peoples accounted for 16.7% of the total population in the province including 74,500 urban and 21,456 rural. The population density is about 418 people/ km², or 4.5 times higher than the rest of the province and 1.6 times higher than the country’s. The rate of poor households and those classified as “nearly poor” households is 12%. (Statistic Lao Cai city, November 10th, 2010)

Infrastructure investment is a priority assignment for the sustainable development of the Lao Cai city. The province has been making infrastructure investment such as those on roads upgrading and potable water provision. Despite such investments, the urban services provision and improvement is still insufficient, and lack a strategic approach. The urban roads and bridges system, collecting rainwater and wastewater drainage are only deployed in certain areas in city. Industrial wastewater, hospital wastewater and running waster are not treated appropriately. They are discharged directly into the city sewerage then into the Red River and the Nam Thi river streams. During rainy seasons, local flooding occurs in some prone areas thus affecting residential areas, causing environmental pollution, and affecting the quality of public works.

The MCDP project

The Medium Cities Development Project’s total budget is 73.4Ms, of which 57.5 M will be from the World Bank and 15.9 M from the province counterpart funds. Based on the current situation and development demands of Lao Cai city. The project components are as follows

**Component 1**: Basic infrastructure upgrading and service improvement.

**Component 2**: Water supply and environmental sanitation improvement.

**Component 3**: Urban Roads and bridges

**Component 4**: Capacity Building and Technical support.

1.2. Project objectives

General objectives
• To invest in construction to create a technical infrastructure frame for supporting the sustainable development of Lao Cai city: To make great efforts to turn Lao Cai city into a big economic center, a modern city and an important area in international cooperation, economic exchange of the region and the whole country with China and the world by 2020;

• To reduce urban poverty by upgrading technical infrastructure, environmental conditions and improving living conditions of urban population as basis for striving to reduce poverty rate to under 5% and 0 % by 2015 and 2020 respectively;

• To promote economic development by improving basic infrastructure and environmental conditions.

Project objectives

• To build technical infrastructure systems for resettlement sites for compensation and site clearance in this project.

• To improve living conditions of newly developed urban residential areas as well as the old city area, creating favorable conditions for the formation of the border gate economic zone.

• To strengthen drainage capacity of flood mitigation, wastewater collection and treatment, improve environmental sanitation and treated water supply in order to guarantee people’s health and contribute to completion and development of infrastructure which is aimed at meeting the city’s demand on development.

• To improve sanitary and environmental conditions in schools within the city to guarantee sanitation and health for teachers and students.

• To repair the existing degraded roads together with improve drainage systems along roads in order to guarantee traffic, strengthen drainage capacity and flood mitigation.

• To improve and upgrade urban routes to encourage the socio-economic development of the city in accordance with the planning orientations up to 2020 as well as directions, tasks and objectives of economic development up to 2010. The invested road system will contribute to improvement of life quality, gradually completing the city’s traffic network, taking part in socio-economic development and attracting investment capital to the area.

• To provide institutional assistance and capacity building of urban management to the Project Management Unit in such manner that the project is prepared and implemented effectively, satisfying the project objectives in compliance with requirements of the GoV and the WB.

• To gradually meet the urban development planning
1.3. Project

1.3.1. Basic infrastructure upgrading and service improvement

Construction of Two Resettlement Sites

This project, will investment on two resettlement sites, namely Dong Ha and Soi Lan in Binh Minh ward. These two proposed resettlement sites are both located along the D1 road, and in the urban sub-areas No. 7 and 8 belonging to the Lao Cai – Cam Duong New Urban Zone.

The two resettlement areas Soi Lan and Dong Ha are designed for relocation of 800 affected households, who will be moved and relocated by project. The resettlement areas are located in sub urban areas No.7 and No.8 in the Binh Minh ward, (Lao Cai-Cam Duong new urban area). Dong Ha resettlement area has planned an area of 13.15ha for the relocation of 378 households. Soi Lan resettlement area has planned an area of 14.13ha for 422 households. The project will support the completion of related infrastructure of the resettlement areas, including: transportation road construction, water supply and drainage system, public and households’ electrical system, green spaces on two sides of the roads, social infrastructure works such as kindergarten, primary school, and secondary school. All these thought to meet basic demands and facilitate adequate living conditions for the affected households, moving into newly resettled areas.

School and Public Sanitary Investment

The project proposes upgrading sanitary facilities for 8 schools, including: Cam Duong high school, Pom Han high school, Lao Cai secondary and high schools, Bac Lenh secondary school, Cam Duong secondary school, Nam Cuong secondary school, Thong Nhat secondary school, and Duyen Hai base school.

The project also will invest in the construction of new sanitary facilities for other 10 schools, including: Dong Tuyen high school, Ta Phoi high school, Duyen Hai high school, Le Ngoc Han high school, Kim Tan secondary school, Hop Thanh secondary school, Van Hoa secondary school, Ngo Van So secondary school, Bac Cuong base school, and Hoa Sen base school.

Investment in upgrading and new construction of 4 public toilets (in Coc Leu ward and Kim Tan ward), include:

- In Coc Leu ward: New construction of public toilet on Hong Ha street and new construction of public toilet on the Red river’s bank, at the area near the head of Coc Leu bridge.

- In Kim Tan ward: new construction of public toilet near the head of Kim Tan Bridge (bridge No. 4) and new construction of public toilet in Nhac Son park.
1.3.2. Component 2: Water Supply & Environmental Sanitation Improvement

Water supply

Given the existing situation of the city’s water supply system, the project proposes to construct a raw water pipeline DN500 from upstream of Ngoi Dum stream, at the location of 700 m far from the dam of lower Coc San hydroelectric plant. The raw water-collection work and raw-water pipelines are calculated with the reliability of water supply system level 1 (see table 1, TCXD 33-2006); the construction work is classified as fourth level (according to annex 1- Classification of construction work-decree 209/2004/ ND-CP).

At the present, Coc San water plant has a capacity of 6,000 m3/day using the raw water on Ngoi Dum stream at Kim Tan ward. Pumping station pumps water from stream (with the lowest water level altitude of + 74,60m) to water treatment plant which is constructed on hill with the altitude of + 147,15m. When water is clean, they will move to distribution pipelines in the city. The capacity of Coc San water plant will be increased to 12,000 m3/day, and 24,000 m3/day in the next phase; with the raw water of Ngoi Dum stream. The position for taking raw water is located on upstream of Ngoi Dum. The water will be lead to Coc San water plant by gravity pipelines which has length of 6,871 km. In addition, the project will extend the distribution pipelines of clean water, extend the water supply scale for Lao Cai- Cam Duong new urban area.

The raw water-collection work includes a water-collection hole and a retaining weir. The water-collection hole is built by reinforced concrete with valve chambers for management and operation. The retaining weir is also proposed to raise water level to enough elevation for leading water to collection hole in the dry season. In the rainy season, water will overflow, releasing the retaining weir to run directly to downstream. The raw water-collection work is then connected to steel pipelines with diameter of D500; the latter sections will be located along natural terrain, along national road 4D to Coc San water plant. In this project, clean water distribution pipelines will be constructed. The pipes D300, uPVC D200 and D160, uPVC D110 are installed to transfer clean water along pavements of road D1 and the final section (near to Binh Minh roundabout) of Tran Hung Dao road.

Environmental sanitation improvement

Purposing to minimize flooding; rehabilitation and upgrading the drainage system in Lao Cai old urban area

Complementary construction of box sewers BxH = 2000x2000 with length L = 923m in Kim Tan ward, L = 442m in Coc Leu ward, and L = 527m in Duyen Hai ward. These sewers with reasonable discharge gates will minimize flooding situation during heavy rain.
Reparation and rehabilitation of some drainage channels/box sewers along streets with
a length of about 8.0 km, and also upgrading inner urban street/road surface with
total length about 22.65 km and a total road surface area of about 152,058 m² for 88
road sections in wards, namely Lao Cai, Pho Moi, Coc Leu, Kim Tan and Duyen Hai.

Wastewater collection and treatment system
A wastewater treatment plant (WWTP) is proposed to construct near Bac Cuong
Bridge to collect and treat wastewater in the basin part of Ngoi Dum stream belonging
to Kim Tan ward (this is the area of high population density) and Bac Cuong ward.
Treatment capacity of the WWTP is 4,300 m³/day. Constructed area of the WWTP is
2.1 ha. Location of the WWTP is narrow (about 60 m wide) and has no safety
buffering zone to the surrounding residential areas. Therefore, the WWTP is designed
and equipped with odor treatment system. Treated wastewater, meeting the
environmental standard QCVN 24:2009/BTNMT, column B, will be discharged into
Ngoi Dum stream, at downstream of Kim Tan bridge.

Improvement of the road system in the Old Urban Town Area
Improvement of the road system in Lao Cai Old Urban Town Area is proposed to
invest on upgrading and improvement of road surface, pavement and rainwater
drainage systems.

The roads proposed for upgrading: Road surface upgrading of roads in Lao Cai ward
(3200m include asphalt and concrete-cement road surface), Road surface upgrading of
roads in Pho Moi ward (3047m include asphalt and concrete-cement road surface),
Road surface upgrading of roads in Duyen Hai ward (1755 m include asphalt and
concrete-cement road surface), Road surface upgrading of roads in Coc Leu ward
(5145 m include asphalt and concrete-cement road surface), Road surface upgrading
of roads in Kim Tan ward (8340m include asphalt and concrete-cement road surface).

Table 1: Proposal for addition and improvement of the road system in the
Lao Cai Old Urban Town Area:

<table>
<thead>
<tr>
<th>No.</th>
<th>Category</th>
<th>Unit</th>
<th>Volume of work</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ham Nhi</td>
</tr>
<tr>
<td>1</td>
<td>Total road length</td>
<td>M</td>
<td>678</td>
</tr>
<tr>
<td>2</td>
<td>Road surface width</td>
<td>M</td>
<td>9</td>
</tr>
<tr>
<td>3</td>
<td>Road base width</td>
<td>M</td>
<td>18</td>
</tr>
</tbody>
</table>

Source: FS report of the project.
1.3.3. Component 3: Urban Roads and Bridges

Road D1

Road D1 has the beginning point at the intersection with Tran Hung Dao road (at km zero); and the ending point at Binh Minh intersection with Tran Hung Dao road at km 8+400. Designed length is 7.533km; (after subtraction of the road section already invested with the provincial budget).

Cross section of the road D1 according to the approved plan is $B_n = 29m$ (7m+15m+7m).

Cross section leveled II: $B_n = 3+15+3 = 21m$

In this project, land marks will be set up for site clearance according to the approved planning boundary $B = 29m$. Road surface to be asphalted, fenced and placed with safety boards in dangerous positions. Drainage system along the road will also be invested.

Lang Chieng Bridge

Lang Chieng Bridge locates in the D1 road in south of Lao Cai City. The bridge will be constructed of steel prestressed reinforced concrete, length $L = 3 \times 33m$, width $B_c = 2.5m + 15m + 2.5m = 20m$, designing load HL93.

1.3.4. Component 4: Technical Assistance and Capacity Building.

Technical assistance for project implementation to ensure the project is efficiently prepared and implemented and meets the targets of the project, in accordance with the requirements of the Government of Vietnam also as well as the World Bank. In addition, PMU should be trained in project management and contract management to be efficiently manage the procurement and bidding packages of many different fields during the project implementation.

Effective Technical Assistance and Capacity Building for relevant agencies will promote the progress and effectiveness of project implementation.

II. Policy Framework

The EM development plan was set up based on the requirements of OP 4.10 of the WB and EM policies of the GoV.

2.1. Vietnamese Government’s Policies on Ethnic Minorities

According to the Article 5 in the 1992 Constitution of the Socialist Republic Of Vietnam, “The Socialist Republic of Vietnam is the unified State of all nationalities living on the territory of Vietnam; The State carries out a policy of equality, solidarity and mutual assistance among all nationalities, and forbids all acts of national discrimination and division; Every nationality has the right to use its own language and system of writing, to preserve its national identity, and to promote its fine
customs, habits, traditions and culture; The State carries out a policy of comprehensive development and gradually raises the material and spiritual living conditions of the national minorities.”.

The adaptation of economic and social policies to each region and group, taking the needs of ethnic minorities into account, is a requirement of the Socio-Economic Development Plan and Socio-Economic Development Strategy of Vietnam specifically call for attention to ethnic minorities. Major programs targeting EM people include Program 135 (infrastructure in poor and remote areas) and Program 134 (eradication of poor quality houses). A policy on education and health care for ethnic minorities is in place. The legal framework has been updated with several documents relating to regional planning, the Program 135, Phase 2 and land administration and compensation. Some legal document references are:


- Resolution no. 30a/2008/NQ-CP of government, dated 27 Dec. 2008 on support program for rapid and sustainable poverty reduction for 61 poorest districts

- Decision no. 01/2007/QD-UBDT dated 31-May-2007 of the Ethnic Minorities Committee on the recognition of communes, districts in the mountainous areas.

- Decision no. 05/2007/QD-UBDT dated 06-September-2007 of the Ethnic Minorities Committee on its acceptance for three regions of ethnic minorities and mountainous areas based on development status.

- Circular no. 06 dated 20-September-2007 of the Ethnic Minorities Committee guidance on the assistance for services, improved livelihood of people, technical assistance for improving the knowledge on the laws according the decision 112/2007/QD-TTg.


- Decree 84/2007/ND-CP of the Government of Vietnam on revision of issuing LURC, land acquisition, implementation of land use right, procedure for compensation, resettlement when land acquired by State and grievance redress.
- Decree No.70/2001/ND-CP: all documents registering family assets and land use rights must be in the names of both husband and wife.


2.2. World Bank’s Operational Policy Indigenous Peoples (OP 4.10)

The OP 4.10 aims at avoid potentially adverse effects on indigenous people and increase activities to bring about projects benefits taking into account their cultural demands and needs. The Bank requires indigenous peoples, (here refer as Ethnic Minorities), to be fully informed and able to freely participate in projects. The projects have to be widely supported by the affected EMs. Besides, the project design has to ensure that the EMs are not affected by adverse impacts of the development process, mitigation measure to be defined if required and that the EMS will enjoy socio-economic benefits and that the benefits should be culturally appropriate to them.

The Policy defines that EM can be identified in particular geographical areas by the presence in varying degrees of the following characteristics:

a) Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;

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

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

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

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

- to ensure that such groups are afforded meaningful opportunities to participate in planning project activities that affects them;
- to ensure that opportunities to provide such groups with culturally appropriate benefits are considered; and
- to ensure that any project impacts that adversely affect them are avoided or otherwise minimized and mitigated.
In the context of the Project, the EM groups (equivalent to indigenous peoples) in the Project area are likely to receive long term benefits through the basic infrastructure upgrading, integrated planning, and capacity building, but they may be negatively affected by land acquisition and/or relocation. Specific policy and action plan to mitigate the potential impacts due to land acquisition and relocation will be addressed through the preparation of the Resettlement Plan (RP).

III. Socio-Economic characteristics of EM people in project area.

3.1. The general of EM in project area

Lao Cai is a border, mountainous province bordering with China. In Lao Cai city, there are 28 ethnic groups settled. The percentage of EM people in Lao Cai city accounts for 22.9% out of the total. The details are as follows:

**Table 2: Quantity and population of ethnic groups in Lao Cai city**

<table>
<thead>
<tr>
<th>No</th>
<th>Ethnic groups</th>
<th>Population</th>
<th>Rate of population in Lao Cai city</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Kinh</td>
<td>78,262</td>
<td>77.1</td>
</tr>
<tr>
<td>2.</td>
<td>Tay</td>
<td>9,391</td>
<td>9.3</td>
</tr>
<tr>
<td>3.</td>
<td>Thai</td>
<td>220</td>
<td>0.22</td>
</tr>
<tr>
<td>4.</td>
<td>Muong</td>
<td>232</td>
<td>0.23</td>
</tr>
<tr>
<td>5.</td>
<td>Kho Me</td>
<td>8</td>
<td>0.01</td>
</tr>
<tr>
<td>6.</td>
<td>Hoa</td>
<td>469</td>
<td>0.5</td>
</tr>
<tr>
<td>7.</td>
<td>Nung</td>
<td>649</td>
<td>0.6</td>
</tr>
<tr>
<td>8.</td>
<td>Hmong</td>
<td>878</td>
<td>0.8</td>
</tr>
<tr>
<td>9.</td>
<td>Dao</td>
<td>2,870</td>
<td>2.8</td>
</tr>
<tr>
<td>10.</td>
<td>San Chay</td>
<td>105</td>
<td>0.1</td>
</tr>
<tr>
<td>11.</td>
<td>Xo Dang</td>
<td>2</td>
<td>0.002</td>
</tr>
<tr>
<td>12.</td>
<td>San Diu</td>
<td>13</td>
<td>0.01</td>
</tr>
<tr>
<td>13.</td>
<td>Hre</td>
<td>3</td>
<td>0.003</td>
</tr>
<tr>
<td>14.</td>
<td>Mnong</td>
<td>7</td>
<td>0.007</td>
</tr>
<tr>
<td>15.</td>
<td>Tho</td>
<td>3</td>
<td>0.003</td>
</tr>
<tr>
<td>16.</td>
<td>Kho Mu</td>
<td>12</td>
<td>0.01</td>
</tr>
<tr>
<td>17.</td>
<td>Co Tu</td>
<td>3</td>
<td>0.003</td>
</tr>
<tr>
<td>18.</td>
<td>Giay</td>
<td>6,276</td>
<td>6.2</td>
</tr>
<tr>
<td>19.</td>
<td>Phin La</td>
<td>2,009</td>
<td>1.98</td>
</tr>
<tr>
<td>20.</td>
<td>Ca Dong</td>
<td>2</td>
<td>0.002</td>
</tr>
<tr>
<td>21.</td>
<td>Gie Trieng</td>
<td>5</td>
<td>0.005</td>
</tr>
<tr>
<td>22.</td>
<td>Cho Ro</td>
<td>1</td>
<td>0.001</td>
</tr>
<tr>
<td>23.</td>
<td>Ha Nhu</td>
<td>13</td>
<td>0.01</td>
</tr>
<tr>
<td>24.</td>
<td>Lao</td>
<td>7</td>
<td>0.001</td>
</tr>
<tr>
<td>25.</td>
<td>La Chi</td>
<td>29</td>
<td>0.03</td>
</tr>
<tr>
<td>No</td>
<td>Ethnic groups</td>
<td>Population</td>
<td>Rate of population in Lao Cai city</td>
</tr>
<tr>
<td>----</td>
<td>---------------</td>
<td>------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>26.</td>
<td>Kha</td>
<td>3</td>
<td>0.003</td>
</tr>
<tr>
<td>27.</td>
<td>Lu</td>
<td>1</td>
<td>0.001</td>
</tr>
<tr>
<td>28.</td>
<td>Bo Y</td>
<td>27</td>
<td>0.03</td>
</tr>
<tr>
<td>Total</td>
<td>101,560</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

(*) Source: Report on statistics of population by ethnic groups in Lao Cai City dated January 19th 2011

The OP 4.10. criteria for considering EM varies among EM and could be said that it applies as follows: EMs self-identify themselves as members of a distinct cultural group which is recognized by others; have their own customary cultural, social traditions which are different from the dominant society and culture, (although it varies among EMs); and EMs speak an indigenous language, different from Vietnamese language, varying it proficiency and daily use, according to generations (details provided below).

The Medium Cities Development Project- Lao Cai City Subproject will have direct impacts on 8 wards, namely Duyen Hai, Lao Cai, Pho Moi, Coc Leu, Kim Tan, Nam Cuong, Bac Cuong and Binh Minh. The total population of the 8 wards in the project area is 101,560 peoples with about 14 different ethnic groups living together. The main ethnic groups living in the project area are the King group (92.34%), the Tay group (2.54%), the Hoa group (1.25%), the Giay group (0.82) and the Nung group (0.49%) being categorized into different ethnic groups. The distribution of EM population in these 8 wards is as follows:
Table 3: Population by ethnic groups of the wards in the Project area

<table>
<thead>
<tr>
<th>EM</th>
<th>Duyen Hai</th>
<th>Lao Cai</th>
<th>Pho Moi</th>
<th>Coc Leu</th>
<th>Kim Tan</th>
<th>Binh Minh</th>
<th>Bac Cuong</th>
<th>Nam Cuong</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Population</td>
<td>Rate</td>
<td>Population</td>
<td>Rate</td>
<td>Population</td>
<td>Rate</td>
<td>Population</td>
<td>Rate</td>
</tr>
<tr>
<td>Kinh</td>
<td>9416</td>
<td>92.34</td>
<td>9614</td>
<td>93.80</td>
<td>9327</td>
<td>92.97</td>
<td>14455</td>
<td>90.21</td>
</tr>
<tr>
<td>Tay</td>
<td>259</td>
<td>2.54</td>
<td>23</td>
<td>1.11</td>
<td>170</td>
<td>1.66</td>
<td>275</td>
<td>2.74</td>
</tr>
<tr>
<td>Thai</td>
<td>35</td>
<td>0.34</td>
<td>5</td>
<td>0.24</td>
<td>11</td>
<td>0.11</td>
<td>39</td>
<td>0.39</td>
</tr>
<tr>
<td>Muong</td>
<td>28</td>
<td>0.27</td>
<td>5</td>
<td>0.24</td>
<td>20</td>
<td>0.20</td>
<td>20</td>
<td>0.20</td>
</tr>
<tr>
<td>Hoa</td>
<td>127</td>
<td>1.25</td>
<td>33</td>
<td>1.58</td>
<td>86</td>
<td>0.83</td>
<td>51</td>
<td>0.51</td>
</tr>
<tr>
<td>Nung</td>
<td>50</td>
<td>0.49</td>
<td>27</td>
<td>1.30</td>
<td>77</td>
<td>0.74</td>
<td>65</td>
<td>0.65</td>
</tr>
<tr>
<td>Hmong</td>
<td>41</td>
<td>0.40</td>
<td>16</td>
<td>0.77</td>
<td>20</td>
<td>0.20</td>
<td>66</td>
<td>0.66</td>
</tr>
<tr>
<td>Dao</td>
<td>64</td>
<td>0.63</td>
<td>2</td>
<td>0.10</td>
<td>9</td>
<td>0.09</td>
<td>43</td>
<td>0.43</td>
</tr>
<tr>
<td>San Chay</td>
<td>18</td>
<td>0.18</td>
<td>2</td>
<td>0.10</td>
<td>16</td>
<td>0.15</td>
<td>31</td>
<td>0.31</td>
</tr>
<tr>
<td>Giay</td>
<td>84</td>
<td>0.82</td>
<td>15</td>
<td>0.72</td>
<td>225</td>
<td>2.20</td>
<td>76</td>
<td>0.75</td>
</tr>
<tr>
<td>Phu La</td>
<td>40</td>
<td>0.39</td>
<td>0.00</td>
<td></td>
<td>22</td>
<td>0.22</td>
<td>33</td>
<td>0.22</td>
</tr>
<tr>
<td>La Chi</td>
<td>20</td>
<td>0.20</td>
<td>3</td>
<td>0.14</td>
<td>1</td>
<td>0.01</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td>Bo Y</td>
<td>0.00</td>
<td></td>
<td>9</td>
<td>0.09</td>
<td>12</td>
<td>0.07</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td>Another</td>
<td>15</td>
<td>0.15</td>
<td>0</td>
<td></td>
<td>1</td>
<td>0.01</td>
<td>8</td>
<td>0.08</td>
</tr>
<tr>
<td>Total</td>
<td>10197</td>
<td>100</td>
<td>2080</td>
<td>100.0</td>
<td>10250</td>
<td>100.0</td>
<td>10032</td>
<td>100.0</td>
</tr>
</tbody>
</table>

(*) Source: Report on statistics of population by ethnic groups in Lao Cai City dated January 19th 2011
The figures in the table 3 show that the proportion of ethnic minorities in Duyen Hai, Lao Cai, Pho Moi, Coc Leu and Kim Tan wards is below 10% of its total population. In Binh Minh, Nam Cuong and Bac Cuong wards, such percentage is more than 25%.

In 2002 Lao Cai City, the 3 wards Binh Minh, Nam Cuong and Bac Cuong were merged and currently are rural areas adjacent to the city. In Binh Minh, Nam Cuong and Bac Cuong wards, according to the SA, the EMs are considered as migrants who came to settle in the area (Mixed residence between EMs and Kinh people is quite common in the area.

Table 4: The distribution of EM households in the Project area

<table>
<thead>
<tr>
<th>No.</th>
<th>Ward</th>
<th>Number of households</th>
<th>Proportion of EM households in the wards (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Nam Cuong</td>
<td>722</td>
<td>22</td>
</tr>
<tr>
<td>2</td>
<td>Bac Cuong</td>
<td>1,036</td>
<td>28</td>
</tr>
<tr>
<td>3</td>
<td>Binh Minh</td>
<td>1,859</td>
<td>26</td>
</tr>
</tbody>
</table>

According to the figures in the table 4, the EM households account for 22% to 28% of the households in the entire wards.

The wards mixed residence, or constituted by different EMs and others, have brought about gradual changes on the economic, cultural and social features of the ethnic minorities living in the area. Their traditional social structure is currently in an ongoing change. Yet, the EMs in the project area, are beneficiaries of government social programs covering EMs.

According to the information reviewed, there are a number of EMs living together or that share the same settlements in the three above-mentioned wards. In total there are 69 EM “groups” settled in the three wards and the percentage of EM population varies within each ward; only in Nam Cuong ward, one EM group accounts for 100% of the population (in Giay). There are 12 others that register between 50% to 88% of EMs population out of the total; and others below 20% of the total population (details section 3.2.2 below).

3.1.1. Sources of income

The average income of household in the project area is VND 3,769,940 /month, with a difference between the average income of the households headed by men (2,071,731 VND) and those households headed by women (1,727,890 VND). According to the poverty survey 41 households in the project area are classified as poor. The project’s consultation results showed that poverty results from the lack of jobs, especially among young families who lack productive land. It also showed that 4 out of 21 affected EM households are under the poverty line MOLISA (2005). (Ministry of Labor, Invalids and Social Affairs date 8th July 2005)
More than half of all affected households (63%) are rural farmers (also confirmed by the RAP prepared by the project, and the extent of required agricultural land that belongs to EMs). Approximately 30% of other affected households with other income generating activities include: governmental staff (5.0%), workers (2%), business persons/traders (5%), non-governmental employees/self-employed (14%) and retired persons (4%).

3.1.2. Education

The education levels of households members in the project area is relatively high, 71% households members are attending or had primary and high school education. The individuals qualified with high school level education account for 19%, and college and university education levels account for 9%, with and illiteracy rate of 2%. All wards in the project area are provided with primary schools and kindergartens. The survey results carried out for project design showed that the rate of EM children at the primary education age attending school reach 100%. Among the interviewed families, male and female children are benefiting from school “universalisation” policy which stands equal opportunity to attend.

3.1.3. Health

In the project area medical services and health programs are provided, including those national targeted community health programs, such as, HIV/AIDS, provision of Vitamin A for children, and children & mother health care programs. All eligible EM children and women in the area, benefit from the national health programs. In the project area an hospital with 500 patient beds capacity is being constructed, as part of the plan for the health services improvement.

3.1.4. Infrastructure

All the project affected EMs have access to electricity, with a quality that differs. In many residential areas of Binh Minh ward, have insufficient electricity provision to run basic electrical HH appliances, as for example lights, fans and TVs. Water supply sources among most households are still from dug wells and drilled wells (96.5%), so its potable quality varies (see the following table)

<table>
<thead>
<tr>
<th>Electricity</th>
<th>Quantity</th>
<th>Rate (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Directly connected from community’s power system</td>
<td>508</td>
<td>97.3</td>
</tr>
<tr>
<td>Intermediately connected through another household</td>
<td>15</td>
<td>2.7</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Water</th>
<th>Quantity</th>
<th>Rate (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tap water</td>
<td>18</td>
<td>3.5</td>
</tr>
<tr>
<td>Dug wells and drilled wells</td>
<td>500</td>
<td>95.6</td>
</tr>
<tr>
<td>Purchased water</td>
<td>5</td>
<td>0.9</td>
</tr>
</tbody>
</table>

Table 5: Electricity and water resources per households
Regarding the roads connecting wards, these are mainly earth routes and with some sections which are just being built. Therefore, traffic is difficult especially in the rainy seasons, affecting people’s fluent connectivity.

3.2. Impact assessment of affected households

3.2.1. Features of affected EM households by land acquisition

In the project area, there are 21 EM households who will be affected as a result of land acquisition. The total number of affected EM people is 99 people. The HH average size among the EMs is 4.71 people per HH.

Table 6: Number of EM people affected by the project

<table>
<thead>
<tr>
<th>Ward</th>
<th>Number of DPs</th>
<th>Number of people</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bac Cuong</td>
<td>12</td>
<td>54</td>
</tr>
<tr>
<td>Nam Cuong</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Binh Minh</td>
<td>8</td>
<td>41</td>
</tr>
<tr>
<td>Total</td>
<td>21</td>
<td>99</td>
</tr>
</tbody>
</table>

Of the 21 EM HHs mentioned above, the EMs are as follows: 4 Nung HHs, 8 Giay HHs, 7 Dao HHs, 1 Nung HH and 1 Muong HH.

In terms of jobs/occupations, according to the surveys and information gathered, farmers account for 59%, followed by the seasonal employees. Results from in-depth consultation show that EM affected persons requests in terms of income generation compensation or activities considered to ensure their livelihood restoration, differ according to generations; for those on the working age, income recovery programs requested included training on manual abilities while for the more younger, to improve their formal educational levels is commonly requested.

Table 7: Occupation of EM DPs’ members

<table>
<thead>
<tr>
<th>No.</th>
<th>Occupation</th>
<th>Number</th>
<th>Rate (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Soldier/Police</td>
<td>1</td>
<td>1.6</td>
</tr>
<tr>
<td>2</td>
<td>Business/Trader</td>
<td>4</td>
<td>6.6</td>
</tr>
<tr>
<td>3</td>
<td>Farmers</td>
<td>36</td>
<td>59.0</td>
</tr>
<tr>
<td>4</td>
<td>Housewife</td>
<td>2</td>
<td>3.3</td>
</tr>
<tr>
<td>5</td>
<td>Employee</td>
<td>11</td>
<td>18.0</td>
</tr>
<tr>
<td>6</td>
<td>Retirement</td>
<td>2</td>
<td>3.3</td>
</tr>
<tr>
<td>7</td>
<td>Others</td>
<td>5</td>
<td>8.2</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>61</td>
<td>100</td>
</tr>
</tbody>
</table>

As shown in the Table 8 below, 87.6% of the people have primary to college and university education, including 32.9% of secondary graduates and 9.6% of illiterates.
### Table 8: Education level of EM DPs’ members

<table>
<thead>
<tr>
<th>No</th>
<th>Educational level</th>
<th>Number of people</th>
<th>Rate %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Illiteracy</td>
<td>7</td>
<td>9.6</td>
</tr>
<tr>
<td>2</td>
<td>Under primary school</td>
<td>18</td>
<td>24.6</td>
</tr>
<tr>
<td>3</td>
<td>Primary school</td>
<td>16</td>
<td>23.3</td>
</tr>
<tr>
<td>4</td>
<td>Secondary school</td>
<td>24</td>
<td>32.9</td>
</tr>
<tr>
<td>5</td>
<td>High school</td>
<td>4</td>
<td>6.8</td>
</tr>
<tr>
<td>6</td>
<td>Intermediate, College, University</td>
<td>2</td>
<td>2.8</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>73</strong></td>
<td></td>
</tr>
</tbody>
</table>

#### 3.2.2. Characteristics of the affected EM people

Data shows that the EM households in the project belonging to Tay group account for the highest proportion (464 households) followed by Giay group (399 households), Dao (36 households) and Nung (17 households). As mentioned above, so far, the characteristics of traditional culture of the ethnic groups such as Tay, Giay, Dao and Nung have significantly changed.

In 1979, the China-Vietnam war caused displacement and EMs settled in Lao Cai were part of that displaced population. Among these 4 ethnic groups, the traditional culture of Nung group has been the most affected and it is gradually fading. Among the remaining three groups, cultural features are still maintained in the community and specially in their HH’s life.

(a) Community cohesion:

According to the information gathered, in the past the community cohesion of the Tay, Giay and Dao groups was regulated by the community customary law. At present, although such cohesion is gradually fading, cultural social capital is still maintained among kin members and friends, while mutual help among extended members of the community is less evident. Increasingly traditional forms of mutual help and solidary work exchanges is being gradually been replaced with cash (as among Kinh people).

Mix marriages between different ethnic groups are becoming common in the area, and forest worship is not longer practiced as the Long Tong Festival not longer practiced

(b) Traditional Culture:

The culture of Tay, Giay and Dao ethnic groups changes include:

Houses: the traditional houses’ architecture of Tay, Giay and Dao is considerably lost. At present, in the Group No. 14 of Binh Minh Ward and Group No. 11 of Nam Cuong Ward, only some houses still keep the traditional architecture belonging to each of their ethnic groups. Ethnic groups houses are increasingly common wooden and fourth-grade-houses.
Small number of EM women wear today their traditional costumes, as in the case of Giay women in the Nam Cuong Commune. Meanwhile, Tay and Dao peoples wear their traditional clothes in special occasions such as weddings and funerals. Particularly, EM men, from children to the elderly, do not wear their traditional costumes anymore, and their clothes are mainly tailor-made or bought at the markets. The youth likes wearing jeans while middle-aged and older people like wearing suits. There are significant changes, especially in wedding festivities which used to be a generalized tradition.

Traditional festivals: at present, there is no community festival of these ethnic groups organized in the area. Every year, people participate in the performances to celebrate the festival “Party and the Spring (New Year)” or sports which are held by the City. In Binh Minh Ward, on the September 13th Lunar Year, the temple festival “Co Doi Cam Duong” is held every year.

Traditional songs and dance: these EM groups have had an unique tradition of songs and dances, which today are faded. Among Tay people, only some men and women (nearly 50) sing and perform on certain occasions such as the Then Quat festival and the Doi Co’s temple festival. Giay people have Then Giay, Then Quat but only the elderly keeps it. The younger generations of the 3 ethnic groups are less interested in learning.

(c) Language:

Tay, Giay and Dao languages are being gradually lost and the EM families in this area use Vietnamese in their daily life. In project area, 100% of the EM people speak Vietnamese fluently and is used in daily communication.

It can be said that the reasons for the native language attrition are: (a) closeness to Kinh and urban settlements compelling the use of Vietnamese to communicate; (b) gradual urbanization on EM communities; and (c) change in their trading partners exchange with Tay and Kinh peoples, requiring to use Vietnamese; (d) language learnt and used in education at different levels is Vietnamese.

In Binh Minh Ward, Tay the commonly used language is also Vietnamese. According to the survey, at present, only the elderly (from 65 years old and above) use their native language to communicate among each other, while among the 36 to 60 age group, native language use is not generalized. The younger, under 35 years old, mostly use Vietnamese. Particularly, the children in the school-age use Vietnamese to communicate both at school and at home.

In the Nam Cuong Ward, the concentration of Giay people is higher. In the past Giay match-makers, were able to sing Giay traditional songs and use their native language to communicate with the bride’s family, today, they all use Vietnamese. In Bac Cuong Ward, Dao people have their own language script (Nom Dao handwriting). However,
preservation of their language and script is facing difficulties. The young Dao today are not longer interested in learning Nom Dao.

In sum, native languages are still spoken, but its practice among young generations, men and women, is increasingly rare and uncommon. Being Vietnamese the current teaching language, socialization is primarily in the national language, paying a toll on the native languages conservation and generational transmission.

3.2.3. Land use rights

According to the Land Law issued in 2003 by the Government of Vietnam, the EM people have rights to land use equal like Kinh peoples. They are provided land use certificate for the land belonging to their own use by city’s People Committee.

In project area, 100% of households which had been provided land before 2001 had land use certificate already. While, the households were provided land after 2001 do not hold a land use certificate yet, an some areas belong to the Master Plan of city.

3.2.4. Agricultural production

Among the income sources of the affected EM households agriculture and livestock husbandry are the most relevant ones. The income from agricultural and breeding activities of households in each ward of project varied. At the Binh Minh, Bac Cuong, Nam Cuong, agriculture is the main source of households’ income. This accounts for between 40 to 80% of total households’ income. While at the remained wards it accounts for between 1% to 7%. (Source: Social-economic report of project).

Their main agricultural products are as follows:

- Wet rice is main crop of the EMs households in the project area, while maize and potatoes are also commonly cultivated. Vegetables are generally grown together with the main crops. In Binh Minh Ward, vegetables are the largest cropping activity. Others cropping activities include flowers, spice vegetables and medicinal plants.
- Fruit-tree: various kinds of fruit bearing trees are grown by the people in their gardens, primarily litchi, longan, grapefruit, kumquat, orange and jackfruit.
- Timber tree: vernicia montana (trau), cinnamon tree, acacia, and bamboo, are the most common.

IV. Impacts caused by the Project on EM people

4.1. Land acquisition from EM people

This project will acquire an estimated 749,785m² area of land permanently, of which the agricultural land account for 567,731 m² and residential land 58,868 m². Land acquisition of EM peoples accounts for 54,063 m2, with 51,261 m2 accounting for agricultural land and 2.802m2 of residential land. Impacts on land belonging to the ethnic minorities as defined in the RP are as follows:
- Impacts on productive land. As the main income source of the affected EM households is from agriculture, therefore households' income will be affected. The adverse impacts on each household differ. Among the affected households, the largest acquired productive land area is 3.121m² while the smallest is 119m². From a total of 21 EM affected households, 19 households lose more than 10% of their existing productive land area. Land acquisition data of EM households in 3 wards are shown in the Table 9.

**Table 9: Level of impacts on productive land of the EM households**

<table>
<thead>
<tr>
<th>Ward</th>
<th>Total no. of EM households</th>
<th>No. of HHs losing more than 10% of productive land</th>
<th>Affected area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bac Cuong</td>
<td>12</td>
<td>10</td>
<td>40,286</td>
</tr>
<tr>
<td>Nam Cuong</td>
<td>1</td>
<td>1</td>
<td>600</td>
</tr>
<tr>
<td>Binh Minh</td>
<td>8</td>
<td>8</td>
<td>10,375</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>21</strong></td>
<td><strong>19</strong></td>
<td><strong>51,261</strong></td>
</tr>
</tbody>
</table>

- Impacts on trees and crops. On the productive land acquired, the quantity of affected trees and crops of the households is as follows:

**Table 10: Amount of affected trees and crops**

<table>
<thead>
<tr>
<th>Types</th>
<th>Unit</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crops</td>
<td>M2</td>
<td>8,641</td>
</tr>
<tr>
<td>Fruit bearing trees</td>
<td>Tree</td>
<td>3,812</td>
</tr>
<tr>
<td>Timber trees</td>
<td>Tree</td>
<td>13,215</td>
</tr>
</tbody>
</table>

Income restoration programs will be implemented by PMU to ensure that affected households can restore and/or improve their living standards. These programs are defined in RP of project (Chapter 7, Resettlement Plan).

- Impacts on residential land and resettlement. Out of a total of 21 affected EM households, 12 households whose residential land is acquired will be resettled. The affected residential land area is between a range of 350m² and 93m². Residential land area and the number of relocating EM households are presented in the Table 11 below.

**Table 11: Level of impacts on residential land and resettlement**

<table>
<thead>
<tr>
<th>Ward</th>
<th>No. of PAHs</th>
<th>Affected Area</th>
<th>No. of relocating HHs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bac Cuong</td>
<td>8</td>
<td>17,792</td>
<td>12 (*)</td>
</tr>
<tr>
<td>Nam Cuong</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Binh Minh</td>
<td>4</td>
<td>1,110</td>
<td>4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>12</strong></td>
<td><strong>2,802</strong></td>
<td><strong>16</strong></td>
</tr>
</tbody>
</table>

*There are some HHs with many generation living together, who will have to be relocated too.*
Except for 12 relocating households due to impacts on houses and residential land in Bac Cuong Ward, it is likely than 4 EM households would need to be relocated due to potential landslides risks with D1 road construction, to be confirmed with at final design completion. Impacts are estimated on the basis of a preliminary engineering design. As the social assessment and survey had not been based on the final landmark laying and detailed engineering design, a further impact assessment on each of the HHs will be carried out during project implementation.

4.2. Other potential impacts during the project implementation process

4.2.1. Benefits of the project

As mentioned before, the project is carried out in 8 wards of Lao Cai City. Four wards will be directly affected by land acquisition, namely Nam Cuong, Bac Cuong, Binh Minh and Kim Tan. According to the proposed project three (3) out of four (4) components of the project will cause land acquisition and resettlement, which are: (i) Infrastructure Upgrading and Service Improvements; (ii) Water Supply and Environmental Sanitation; and (iii) Urban Roads and Bridges. According to the community and ward authorities, the project will contribute to promoting the socio-economic development in the project area. Several public works built and upgraded will improve and enhance the living standards of people in the area.

- Cleaner living environment:

At present, the drainage sewer system of Lao Cai City is in poor conditions, causing flooding in the rainy seasons. Meanwhile, domestic wastewater is not treated as required; fermentation and treatment of residue excreta are not carried out, so the dirty level is very high, polluting the local living environment. The rearrangement of the drainage system, and collection and treatment of wastewater to meet the environmental standards will improve environmental sanitation to the environment, helping to among others mitigate the risks of transmittable diseases, especially in the downstream area.

- The upgraded water supply system will contribute to enhance the living conditions of people. At present, the water supply piping system of Lao Cai covers about 90% of the area in Lao Cai City expanding to the new areas. The water supplied from the water plants in Lao Cai does not meet the demands and standards of clean water in the new urban areas. According to the IOL results in Bac Cuong, Nam Cuong and Binh Minh wards where many EM communities are living, the proportion of households using water from dug wells and drilled wells is as much as 95.6%. The upgraded and expanded otable water provision will provide EMs with cleaner water for the domestic use.

- EMs would benefit from the project’s public services provision, improving their living conditions such as facilitating their access to schools and parks. According to the in-depth interviews with the EMs, in building the kindergartens and primary
schools in the project’s resettlement sites, this will facilitate their children school attendance. In the same manner access to parks will contribute to accessing leisure and entertainment places for their children and youth.

- Some roads in the area where EM communities are settled currently are in bad shape (e. i. the WB4 road) and travel journeys are inconvenient especially during the rainy seasons. The upgrading and expansion of urban road and bridges system will help promoting the transportation of the goods and expansion of their agricultural production and enhancing their market exchange network.

4.2.2. Other project’s adverse impacts

In addition to benefits the project cannot avoid negative impacts on local people including EM people due to involuntary resettlement. According to the IOL results 21 EM households are affected directly by land acquisition as a result of the project intervention. In the consultation process, although all participants expressed their consent and approval for the project, they expressed their concerned about compensation payments and resettlement issues.

Negative impacts on EM peoples include:

   a) The land acquisition impacts on the local people's livelihoods:
   
   b) The house relocation and the occupation change will cause impacts on the household income sources and disturb the household life.
   
   c) Project implementation process such as building has a temporary impact on the lives and production of the affected households: There will be an agricultural land area which cannot be used in a period of time due to the landslides caused by adjacent construction works.
   
   d) Risks of social evils in community

   ➢ During the term of project implementation, many employees, mostly men, will be incoming from other areas to work and reside in the EMs community. These could involve risks such as disruption on the HH’s every-days life, or possible negative effects, if norms to deal with local communities are not observed and monitored.
   
   ➢ Experiences in other sites show that arguments/fights between local people and with/or/among others incoming, especially conflicts with local youngsters could emerge. Lesson learned also show that prostitution, drug related problems, and could also come out as a result of influx of people or this is to say workers and others that provide them with services.
   
   e) Traffic accidents: During the project implementation process, mechanics and materials can block the traffic and cause accidents. Workers and untrained
local employees lacking experience in occupational safety could be causing accidents.

f) Population growth: improved infrastructures will attract population emigration to the project area. The rapidly growing population will put pressure on the use of resources and land.

g) The misuse of the compensation money could cause social impacts on the long-term of the EMs livelihoods. Compensation money is thought to help households while changing jobs and income generation sources. Previously implemented projects show that households receiving cash compensation either wasted it/or invested on constructing houses, purchasing luxurious facilities, without averting the consequences of lacking plans to settle in and deal with new HH’s adjustments required. This is concerning the local authorities.

h) The income of agricultural and business activities which will be temporarily or permanently affected, bring about difficult until HHs develop new income sources.

4.3. Gender issues:

The social assessment showed that there is no sign of inequality between men and women regarding land ownership and property registry, or access ability to social services such as credit and education. In the region, accessibility to natural resources in agricultural and forestry production of men and women is the same. However, the income of households with single women householder is less than other households.

According to the Land Law, husband and wife are entitled to have land use right certificate (LURC). For the widow or single women householder, they are provided land use certificate with their own name. Men and women have equal opportunity to access social resources and services such as school, hospital and health services.

The survey results showed that the rate of male householders in EM families is 61.9%, and the rate of female householders is 38.1%. The cases of female householders include single woman households. In addition, in many households of the survey area, women agree to be the householders defined in family registers instead of their husbands. The consultation results show that commonly all important family issues are decided by the consensus of both husbands and wives.

During the consultation process, the affected EM women contributed a lot with important and practical opinions for programs. They were aware of the benefits to be brought about by the project for their families and the surrounding community, especially the benefits for young generations such as education and job opportunities. However, they also have concerns about the changes in their living and livelihood conditions in the future such as clean water and environmental sanitation fees. They
also pointed out that agricultural land losses will affect their life and income, and new living places at the resettlement sites they might confront difficulties.

Their opinion and proposals to project include:

- Support finding jobs which could be suitable for their age and working capacity such as: environmental sanitation services, planting trees, working at offices or social organizations.
- Provide basic information and training to deal with new urban subsistence demands such as potable water and electricity savings, tariffs and waste and trash disposal.

V. Mitigation measures for project impacts

According to the OP4.12 WB’s policy the project should avoid the involuntary resettlement or/and minimize it and guarantee that the project affected people, especially the EM are supported to ensure their lives quality and standards at least are equally than those before the project implementation.

Mitigation of land acquisition

Engineering design of the project has been reviewed in order minimize the land acquisition and avoid affecting assets and crops. For areas where the land acquisition cannot be avoided, mitigation impact measures of the land acquisition considered are defined in the Lao Cai RAP, including land for land, cash compensation at replacement costs and training and capacity building for affected HHs.

Temporary impacts on the people's life and production

As defined on the environmental instruments prepared for the project the details for the management of varied potential environmental and its consequent social impacts is been defined in the EIA. For the case of EM the project will ensure EMs are fully informed and know the process to pose claims and complaints. Measures defined include how to avoid impacts scattering soil and stone on the transportation road upon the implementation process. The timely provision of information during the construction regarding works progress and schedules at the construction sites and means for cooperating with the local authorities, to avoid impacts and inconveniences caused by the construction process.

Risks of occurrence of social evils in the community

- As part of the bidding, PMU needs to require the contractors commitment to ensure facilities for the workers, ban workers living in houses of local people during the construction period; additionally training should be provided in the to workers to ensure respectfulness and clear procedures to follow with local EMs and define the mechanisms to closely monitor the workers during the construction period.
For the contractor: Fulfill the contract requirements for ensuring social order at the construction area of project. Co-ordinate closely with local authorities and relevant agencies to provide education and information awareness for workers that instructing them about EMs local customs avoiding misunderstanding between workers and local people; keep a register of temporary residence for workers; observe and sanction, if needed, workers when defined rules regarding relationship with EMs are not met. Inform and report to competent authorities of any law or norms disruptions.

For local authorities: need to grant a permit of temporary residence for workers in the area, coordinate with contractor for relevant activities of project and monitor on ongoing basis.

**Occupational accidents and traffic accidents**

- Labor safety measures should be applied in the preparation of the construction progress such as the construction time and order to compulsorily ensure the stability of work items; the construction order of underground works; a suitable arrangement of construction routes for little movement; a suitable arrangement of the construction site plan not to cause mutual obstruction.

- Measures of labor safety protection for construction workers are indispensable. Therefore the contractors will equipped the workers with required costumes for labor safety and limitation of bad impacts on the workers. Fences will be set up around the construction site; First-aid facilities should be available at the construction site.

- Workers will be trained in labor, fire & explosion safety and adequate equipment of labor protective facilities. Signal lights will be available at night. The traffic directional distribution will be organized and managed with directional distribution signals, speed limitation signals and danger indicators.

**The misuse of the compensation money can cause social evils or impacts on the long-term livelihoods.**

- The project will raise people’s awareness about the purposes of cash compensation. It will conduct training as to how use the compensation money appropriately, addressing the specific situation of each family. The training course will be implemented before the project’s payment for local people and then random monitored among HHs at risk will be implemented. The PMU will co-operate with programs supporting credit to ensure access to EM affected households.
PMU will prepare training courses to support instructing on the shifting to new occupations and potential livelihood sources, with special consideration to the needs of EMs. The training programs for job conversion or new livelihoods for EMs will be implemented in parallel with the activities defined in RAP.

**Other mitigation measures:** There are 28 graves of the EMs to be affected due to land acquisition. The households whose graves are affected have been consulted during the preparation of the RP and the EMDP. The relocation options for graves are considering culturally appropriate procedures and will be confirmed as acceptable by each EM households affected. The grave relocation will be carried out before the sites clearance, at the costs rates defined in the RP. The city will allocate a land plot in the city’s cemetery free of charge to the households whose grave is affected and relocated.

The compensation for EMs follows the general compensation procedures of project which was presented in the RP (chapter 5, section 5.3 of RP); and compensation will be issued after consultation and agreement with the affected EM communities.

**VI. Community consultation**

“Free, prior, and informed consultation with the affected Indigenous Peoples’ communities” refers to a culturally appropriate and collective decision-making process subsequent to meaningful and good faith consultation and informed participation regarding the preparation and implementation of the project.

**6.1. The objectives of community consultation**

Consultation with affected EM people, ethnic minorities in the project area, and other stakeholders was carried out to avoid possible conflicts and minimize adverse impacts caused by the project. It also aimed at find out about the needs and demands to bring about socio-economic benefits most appropriate to EM peoples. The consultant organized community consultations to disclose the project information to the affected people in the wards. The affected people were informed in advance about the project activities of the RP, including: (i) project components and scope; (ii) list of eligible affected households; (iii) compensation, assistance and livelihood restoration activities; (iv) types and degree of compensation; (v) other issues such as grievance redress mechanism. The project information booklets have been distributed to the affected people attended the community consultations.

**6.2. Community consultation in the EMDP preparation process**

The consultation with the affected EMs was conducted in November 2010 and March and April 2011 to assess the livelihoods restoration demands of the EM community and ensure feedback from the EM community. Gender-sensitive meeting were carried out so as to ensure EM women and youth participation.
Project information disclosure and community consultation methods included the participatory rapid appraisal and consultation with stakeholders (ward officials, residential group officials and EM households); meeting with the affected households and visiting affected area; conducting in-depth interviews, community meetings, group meetings, socio-economic survey, collecting secondary data, etc. These were the primarily methods to collect data and inform the preparation of the EMDP.

During the consultation, six interviews with local authorities, two consultations with affected EM households, four consultations with EM communities in the project area and some in-depth interviews, were conducted.

All of the EM groups were equally consulted at all wards at the EMs communities. Consultations invited the representatives of EM communities groups were invited. Ems communicate fluently in Vietnamese; therefore the language used in the public meetings has been Vietnamese.

The consultation results show that:

- Project EMs affected people due land acquisition confirmed that they were fully informed and aware about project. The EM households all supported and consent the project implementation.

- Compensation and resettlement: the affected EMs manifested that are concerned because provincial compensation to be paid was according to their understanding lower than the market price. They requested that the compensation should be implemented according to replacement price for all properties in the affected areas. On the options presented the “land for land” option was not selected by some EMs people, because resettlement site is perceived as distant from where they currently live. Therefore, the EM households mainly those of old communities, would opt to live closer to the one they are currently settle, choosing the cash compensation. Additionally the relevance of providing EM households with guidance on the use of compensation money properly and effectively, avoiding losses and unexpected risks, was highlighted.

- According to demand of EMs “all households having the same blood need to live together aside”. Thus a concentrated resettlement approach is given priority to ensure that kinship is considered, so as to ensure affected households will maintain their own customs and lifestyle.

- In addition, households requested during consultations to allow them to continue using the remaining agricultural land for such purposes, and install a camp construction to facilitate their agricultural production activities. As most affected EM households are purely engaged in agriculture, therefore, re-allocating productive land to them is essential, this request was agreed with
the government officials. As for the EM households in the area, they requested to continue be exempted from tuition fees for health and education services.

- Regarding livelihood restoration programs, during consultation HH representatives indicated that they will continue working their remained agricultural land (as mentioned above). Additionally, EMs expressed their interest for having livelihood choices to cope with foreseen impact. Job training was pointed as key to restore their livelihoods, although they expressed their concerns about the effectiveness of these programs and still are wondering if these programs will be solving their situation. For EMs, the potential jobs requiring a higher technology skills and capacity will be suitable for younger generations, while the ones requiring less qualified labor would better suit middle and older ages workers. They showed and expressed interest in accessing credit and service system. Most EM women are interested to be support for establishing business to provide local markets.

- **Table 12: The expectation of income restoration (rate % of people answered)**

<table>
<thead>
<tr>
<th>Area</th>
<th>Job supporting</th>
<th>Job training</th>
<th>Borrowed capita</th>
</tr>
</thead>
<tbody>
<tr>
<td>Binh Minh</td>
<td>85.4</td>
<td>73.9</td>
<td>62</td>
</tr>
<tr>
<td>Nam Cuong</td>
<td>78.5</td>
<td>66.5</td>
<td>75.0</td>
</tr>
<tr>
<td>Bac Cuong</td>
<td>89.0</td>
<td>56.7</td>
<td>45.7</td>
</tr>
</tbody>
</table>

- To ensure the inclusion of EMS during the project implementation, these HHs will be given top priorities by the local authorities in all areas such as access to education, vocational training and by supporting appropriated jobs seeking according to the demands and needs posed by each household.

- EMs cultures exert harmonious exchanges with the Kinh community in the project area. At present, traditional cultures mainly persist within each family life and practices. The communities’ traditional cultural activities, except the Co Doi- Cam Duong festival religious festivity, have been gradually disappearing. However, the social capital is still an important resource for livelihood in the daily activities of EMs. The same can be said from traditional rites and religion which are still maintained and practiced by families. During project implementation, the PMU will needs to ensure traditional social relations are respected.

- Paid potable water and managing solid waste were identified as challenges by EMs themselves, when moving to the resettled area. EMs are concerned about the potential social problems generated by workers, during construction in the
area, for example, drugs consumption and women annoyance or harassment. Traffic safety was also mentioned because a lot of young people under-aged and un-experienced ride motorbikes, infringing traffic rules and norms. Thus, EMs proposed to provide support with training for both EMs and constructors, on conduct norms to be followed specially regarding local women, on the use of public services, traffic safety and ways to monitor and report any irregularities. During the project implementation, basic knowledge of law, regulations, conduct norms should be provided for the EM communities and constructors in the project area.

- Regarding project information disclosure, although EMs are fully informed, they requested to be informed during the ongoing project implementation. According to their testimonies information disclosure process, could be in Vietnamese, since EMs do not find any difficulty in understanding it.
Table 13: The summary of consultation and feedback

<table>
<thead>
<tr>
<th>No</th>
<th>Time and location</th>
<th>Content</th>
<th>Participants</th>
<th>The feedback from the consultations</th>
</tr>
</thead>
</table>
| 1  | 12/11/2010: Bac Cuong ward People’s Committee | Meeting on resettlement, livelihood restoration and ethnic minorities. | - Representatives of PMU  
- Representatives of local authorities  
- Consultants  
- 12 PAHs | - Authorities’ leaders and local people agreed and supported for project.  
- The affected EMs manifested that are concerned because provincial compensation to be paid was according to their understanding lower than the market price  
- People chose cash compensation for affected land and assets.  
- There should be prior resettlement arrangement for people who are in blood-relations to maintain their relationship.  
- Households requested during consultations to allow them to continue using the remaining agricultural land for such purposes, and install a camp construction to facilitate their agricultural production activities.  
- PMU needs to have guide dance on the use of compensation money properly and effectively to avoid losses and unexpected risks.  
- For the livelihood restoration, the job training is only suitable for youth. The older are only suitable for simple jobs such as environmental sanitation service, planting tree, or simple work at social organizations or agencies…  
- Households showed and expressed interest in accessing credit and service system. Most EM women are interested to be support for establishing business to provide local markets.  
- Women expressed their interest in fee for water usage, solid waste and wastewater when moving to new resettlement area. They wanted to have basic information and to be educated to cope with these problems.  
- Households allowed project to move graves within the scope of land acquisition.  
- Households need to know all information relating to project implementation.  
- Authorities’ leaders said that the EMs and Kinh people live alternately; EM’s customs and habits are not much different from Kinh people’s except some activities within family; They use common language fluently. Kinh people do the economic production activities better than EMs in the same area. |
| 2  | 31/3/2011: Nam Cuong ward People’s | Consultations on ethnic minorities. | - Representatives of PMU  
- Representatives | - There are 9 groups of EMs living in 17 groups of wards. Generally, traditional culture of EMs is gradually disappearing. Except Giay people, other EMs immigrated here.  
- This project does not cause negative effect on EMs here directly. The scope of land |
<table>
<thead>
<tr>
<th>Committee of local authorities</th>
<th>Consultations on ethnic minorities</th>
<th>Local leaders supported project implementation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 1/4/2011; Kim Tan ward People’s Committee</td>
<td>- Representatives of PMU - Representatives of local authorities - Consultants</td>
<td>- Local leaders supported project implementation. - Within the ward, EMs are often officers or doing business. They fall in line with Kinh people.</td>
</tr>
<tr>
<td>4 1/4/2011; Binh Minh ward People’s committee.</td>
<td>- Representatives of PMU - Representatives of local authorities - Consultants</td>
<td>- Local leaders supported project implementation. - EMs still maintain their own community relationship. - PMU needs to pay attention to restoration of affected EMs’ life after project implementation. - During project implementation, a lot of social evils will be generated. They need to be supplied with information to avoid these social evils. - PMU needs to have capacity strengthening training program for representative of EMs in monitoring the project implementation. - Facilitate the consultants to organize the EMs’ community consultations within ward.</td>
</tr>
<tr>
<td>5 1/4/2011; People’s house in group 15- Bac Cuong ward.</td>
<td>EMs community consultations in project area. - Representatives of PMU - Consultants - Representatives of 13 EMs households in group 15.</td>
<td>- Representatives of households agreed with project implementation. - The affected area is quite far from the living area of people, so it does not affect their daily activities. - Propose PMU to remind people especially the youth to obey the traffic laws when constructing the road component.</td>
</tr>
<tr>
<td>6 2/4/2011; people’ house at group 26, Binh Minh ward.</td>
<td>EMs community consultations in project area. - Representatives of PMU - Consultants - Representatives of 36 EMs households in group 25, 26, 27.</td>
<td>- Representatives of households agreed with project implementation. - People think that the project implementation will not break the community relationship between Tay and Nung people in area. - Project should support people in area to develop agricultural production. - Need to propagate the traffic laws for EMs in area. - During construction, It is necessary to reduce effect on people’s life such as dust and traffic jam.</td>
</tr>
<tr>
<td>7 2/4/2011,</td>
<td>EMs - Representatives</td>
<td>Representatives of households agreed with project implementation.</td>
</tr>
</tbody>
</table>

VIWASE – LAVIC Consulting Association
<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Community Consultations</th>
<th>Representatives</th>
<th>PMU Support and Concerns</th>
</tr>
</thead>
</table>
| 3/4/2011   | People’s house at group 7, Binh Minh ward. | community consultations in project area. | Representatives of 42 EMs households from group 5 - 13. | - There are a lot of projects implemented in this area. EMs expects PMU to have vocational support for EMs in the area, though they are not affected by project.  
- It is necessary to reduce the effect on people’s life to minimize during construction.  
- During the project implementation, relevant agencies need to manage workers to ensure security and order and to avoid the contradiction with local people. |
| 8          | 3/4/2011, people’s house at group 21. | EMs community consultations in project area. | Representatives of PMU  
- Consultants  
- Representatives of 34 EMs households from group 14-21. | - Representatives of households agreed with project implementation.  
- PMU needs to provide knowledge of traffic safety for people to avoid the social evils.  
- Community relations of EMs in area were still maintained. At the present, There is no inequality between men and women in accessing the social resources.  
- People expected PMU to have vocational or agricultural production technique support for EMs in the area. |
6.3. Community consultation during the EMP implementation

- The project will continue to conduct ongoing community consultation during implementation. Consultations with EM households will ensure EMs participation and contribute to monitor the training programs results as well as schedules and training methods. Vietnamese will be used in consultation. Disclose information on project will be provided to communities by various types such as newspapers, project booklets and meetings (workshops).

VII. Useful measures

The specific measures will be implemented through the following activities:

7.1. Information disclosure

The disclosure of project’s objectives, unexpected impacts, affected households, resettlement and land compensation has been carried out during the Resettlement Plan\(^2\) and EM Development Plan preparation and the final draft before project appraisal. The final EMMP/RP are to be disclosed among the communities at public places, including Ward/City People’s Committees offices, village meeting houses and presented in a way that language (if needed) and layout are understandable to the EM people as well as other stakeholders. They a also will continue to be disclosed in Vietnam Development Information Center in Ha Noi (VDIC) and InfoShop in Washington D.C.

City and ward authorities will ensure that all EM households in the project area are informed during the implementation process. Methods will include distribution of project materials in written and with picture/illustrations; public meetings; survey to gather opinions and perceptions of the EMs during the project implementation at the project midterm and before the closing date.

7.2. Training activity

Based on the community consultation’s results the following training activities have been agreed:

- Agricultural extension activity: for the EMs, selecting topics defined as appropriate to the community and HHs, which could include cultivation related training and market oriented production management

- Vocational training activity for new skills development for local market demands including qualified labor (mainly for younger generations) and non qualified labor

- Cash management training especially for those EM individuals receiving compensation. The training will include planning investments on productive activities to prevent risking livelihood restoration opportunities.

\(^2\) Chapter 8, Heading 8.1 in Resettlement Plan,
- Training EM HHs on the costs of new public services provided, such as water and electricity. EMs will be trained on tariffs and ways for monitoring and saving expenditures. It will also include domestic trash management.

- Training activity on traffic safety since improved roads and bridges raise accidents’ risks, thus enhanced people’s awareness is required to ensure that traffic regulations are followed as a way to prevent accidents.

- Training and informing EMs HHs on the potential adverse impacts on the community of incoming workers such as prostitution, drugs and gambling.

7.3. Compensation, Resettlement and income restoration.

The compensation to EM groups are defined in the Lao Cai Resettlement Plan\(^3\). In the same manner, the RP\(^4\) defined the legal framework to be followed in the cases of EMs affected. The PMU will create favorable conditions for EMs to build houses on their remaining land, avoiding conflict with the city planning.

Livelihood restoration programs intended for EMs will be given a priority due to their vulnerability. Therefore, EMs losing more than 10% of the agricultural land area will be provided with the same support as those affected households losing more than 20% of their agricultural land. Additionally, the EMs income restoration activities as stipulated in RP include training and information provision for agricultural production activities, on potential market and provision of financial support for business and for the establishment of business in the resettlement site \(^{5}\).

VIII. Capacity Building

In order to ensure that EMs are given a priority and their demands are properly addressed, capacity building for government specialists who will be responsible for the implementation of the EMDP will be provided. Training plans will include subjects such as the WBs social safeguards instruments and the training implementation, this capacity building will be under the project component “Capacity strengthening and technical assistance”

XI. Institutional arrangements

9.1. Provincial Project Management Unit (PPMU)

The PPMU will ensure that the project implementation will meet the requirements of both GoV and WB policies. In doing so professional staff in charge of the implementation of project’s social-related activities will be hired. A team consisting of between 5 and 7 experienced professionals, whom will be in charge of the social safeguards instruments implementation, will also work in co-ordination with other relevant agencies (described below). The PPMU will prepare annual plans for the

\(^3\) Chapter 5, Heading 5.3 in Resettlement Plan.

\(^4\) Chapter 6, Heading 6.2 in Resettlement Plan.

\(^5\) Chapter 7, Heading 7.2 in Resettlement Plan.
EMDP implementation and will be in charge of internal monitoring under the supervision of an leading officer.

9.2. Provincial People’s Committee (PPC)

The PPC will support at community levels in the implementation of EMDP. The provincial EM department will often examines and comment on EMDP implementation.

9.3. City People’s Committee

City People’s Committee will cooperate with PMU and PPC for implementation of EMDP. It will set up a team of EM representatives of the affected EM communities and HHs as well as representatives of city’s fatherland front, farmers’ union, Women’s Union and representatives of people in the city. They will provide the community’s feedback to the District People’s Committee (DPC) and higher administrative departments.

9.4. Commune People’s Committee (CPC)

Representative leaders of CPC and the minority leader of commune are the key for the implementation of EMDP. The CPC will help local HHs to overcome difficulties during the project implementation. CPC will be in charge of organizing the community meetings for project’s and safeguards information disclosure.

X. Schedule of EMDP implementation

The EMDP is implemented as a single program. Table 13 provides a detailed schedule for the activities of the project, consultation and information dissemination as well as monitoring and evaluation. Some activities are included in the RP implementation (refer to RP implementation schedule).
Table 14: Schedule of EMDP implementation

<table>
<thead>
<tr>
<th>No</th>
<th>Activities</th>
<th>Times</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Q 1</td>
</tr>
<tr>
<td>1</td>
<td>Information disclosure and community consultation</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Capacity building</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Training activity</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Monitoring and Evaluation</td>
<td></td>
</tr>
</tbody>
</table>
XI. Grievance Redress Mechanism:

Currently, social conflicts arising in the EMs communities are commonly solved by following current laws and regulations, rather than their customary procedures. Therefore, any grievance or claim arising as a result of the project, will follow the procedures of the grievance redress mechanisms established for the project.

EMs communities and/or individuals affected by any involuntary resettlement topics or other social issues related to project intervention should present the claims/complaints in a written document, and report them to the PMU and PCs of commune/ward, urban district, always free of charges. Additionally, in order to ensure the impartiality and objectivity the project will establish an independent Grievance Panel, consisting of the city leader(s), the social safeguards specialists of PMU (1-2 persons), civil society/CBOs/NGOs (1-2 persons) representatives, representatives of the Lawyer Union and representatives of the claimers (community or individuals). The cost of this Grievance Panel will be covered by the project compensation’s administration cost. Internal monitoring by the PMU’s will include issuing monthly reports of the written complaint(s) (if any) to be provided to the Grievances Panel.

Following the aforementioned arrangement, the grievance procedure will be:

**Stage 1.** Any persons who are unsatisfied with any aspect of land acquisition, compensation and resettlement, or the EMDP can report verbally or in written papers to the Grievance Redress representatives responsible for resolving issues.

The independent grievance panel will, at step 1 conduct community consultation meeting and/or face to face discussion, for mediation. If not possible to solve the complaints at the aforementioned step 1, the Grievance Panel will, at step 2, propose the solutions to the complaints/grievances to the City authorities to issue complaint resolutions to the DPs within 15 days from the day it is lodged;

**Stage 2.** If the EMs are not satisfied with the decisions of the city level, they can appeal to the Provincial People’s Committee within 15 days since they received decision from the city level. The PPC will provide a decision on the appeal within 15 days from the day it is lodged with the PPC.

**Stage 3.** If the EMs still do not satisfy with the decisions of the PPC on their appeals they can submit their cases to the district courts for review within 15 days since they received decisions from the province.

Complainants will be free from administration charges and complaint charges.

Besides that, an escrow accounts for resettlement payments should be used when grievance is resolving to avoid excessive delay of the project while ensuring compensation payment after the grievance has been resolved.

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6 The verbally complain might be acceptable at the communal level, but complaint in written paper is obligatory at higher level.
The GRM will maintain a system to register queries, suggestions and grievances of all affected population including EMs. All queries, suggestions and grievances and their resolution should be recorded and forwarded to the PMU and its functioning monitored monthly. All the cost of GRM establishing and functioning should be included in the project cost.

This complaint solving mechanism will also be applied to deal with other issues in addition to the social safeguard issue of the whole project such as dust impacts, temporary impacts on land and business activities.

Moreover, to ensure peoples right to complaint, the PMU will provide special assistance for the affected people facing difficulties, with special attention provided to vulnerable people such as those illiterate, disabled or EMs. This will ensure that complaints of affected people that express their complaints orally, are taken into account.

**XII. Monitoring and Evaluation**

The objectives of the PMU’s monitoring are to ensure that: (i) impacts are being addressed in the EMDP and mitigation measures for negative impacts are effectively being carried out; (ii) community consultation and participations are being implemented; (iii) problems are being solve. Monitoring results reports will be submitted to WB every 6 months.

An external monitoring agency will be hire to undertake both the RP and the EMDP. This external agency would be a research institute or academy, non-governmental organization or consultancy firm, with the qualified and experienced staff, acceptable to the World Bank.

The monitoring indicators are:

- Number of events where project information was disclosed to EM people using the language they speak fluently as required by EMs;
- Number of mitigation measures agreed with the EMs (in the EDMP) been implemented, including training, capacity building events and courses, and the participants evaluations of such training.
- Surveys that gathered information on the grades of satisfaction with project’s quality delivery collected among EMs at the project’s midterm and its completion.
- Number of claims effectively solved and agreed among all parts, reflected in the independent monitoring reports submitted to World Bank and the PPMU every 6 months.

**XIII. Budget.**
The cost for activities to support the ethnic minorities for the EMDP and training are estimated as follows:

- Costs for training project staff and government officials are included in project component costs
- EMDP budget will finance activities for special training for the EMs in the project area including affected EMs (detailed in the budget section).
- The costs of compensation, support and resettlement activities, as well as income restoration activities, as part of the RP budget, including livelihood restoration activities such as vocational and other skills training
<table>
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<th>Program</th>
<th>Unit</th>
<th>Quantity</th>
<th>Unit price (VND)</th>
<th>Total (VND)</th>
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<td>Workshops</td>
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<td>Traffic safety training</td>
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<td>Dissemination activities</td>
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<td></td>
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<td><strong>176,000,000</strong></td>
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ANNEX
PHOTOS OF EM CONSULTATION