Resettlement Plan

**Vuc Mau Reservoir**

Rehabilitating and Upgrading project - Quynh Luu district

Nghe An province

Ha Noi
January 23, 2005
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**INTRODUCTION**

1. Vuc Mau reservoir is one of the largest reservoirs in Nghe An province. It plays a very important role to the course of agricultural and rural development in Quynh Luu district in particular and Nghe An province in general. The Vuc Mau reservoir scheme was built in 1978 when investment capital was insufficient and the technical environment conditions were inadequate. The objectives of the scheme were not only aimed to serve down stream’s beneficiaries with water for irrigation, domestic and industrial uses, but also to reduce the risk of and severity of damages caused by flooding frequently occurred in the areas. After about 3 decades of existence, the scheme capacity has been considerably diminished. Structures in the scheme have been seriously degraded, whereas maintenance is substandard due to lack of financial resources and weak management. Water delivery services have been worsened in both quality and quantity. The headwork has been severely damaged, being a risk to the dam safety. Devastating floods becomes at high risk during the wet season, while the water availability for irrigation, domestic and industrial uses is in acute short during the dry one. At present, Vuc Mau irrigation scheme can only provide irrigation water for 2,281 ha of cultivated land, equal 49.3% of its designed capacity (4,690 ha at the designed flood level).

2. Located in the most disaster-prone region of the country, the Vuc Mau reservoir of Nghe An province has been selected for investment in the IDA funded Natural Disaster Mitigation Project (NDMP). The objectives of the NDMP are to: (i) save lives and protect the economic assets of communities living in hazard prone areas; and (ii) improve the efficiency of medium-term reconstruction and recovery efforts. This would be achieved through support for : (a) provision of structural and non-structural measures to prevent and mitigate the impact of natural disaster; (b) restore infrastructures damaged and providing assistance to the poor communities affected to quickly restore their livelihoods and income; and (c) strengthening national and local institutions in natural disaster preparedness, response, the medium term recovery. The project includes four components: (i) Prevention and Mitigation Measures; (ii) Community Based Disaster Management; (iii) Contingency Funding for Reconstruction and Recovery; (iv) Institutional Strengthening and Capacity Building. The NDMP is proposed to be implemented in 6 years. There are 17 provinces were selected under the Component 1. Vuc Mau Reservoir Rehabilitation of Nghe An province, Ba Tri Sea Dyke Construction of Ben Tre and Mekong River Delta Flood forecasting subprojects were included in the list of the first year investment of the NDMP.

3. The subproject includes rehabilitation and upgrading of headwork – Vuc Mau reservoir, e.g. backfilling for expanding the dam body, slurry injection and grouting for seepage control at the dam body, lining bank protection works to protect the dam slope, repair of intake sluice, flood spillway, spillway operating equipment, management house and management road.

4. The Vuc Mau Reservoir Rehabilitation and Upgrading Subproject aims to:
   - Ensure dam stability and safety, as well as sustainable and effective operations of the reservoir;
   - Reduce the management cost through application of modern technologies which are convenient for management and safe operation;
   - Fully satisfy reasonable water demands for industrial, domestic and agricultural uses as well as natural environment improvement and better environment for tourism; and
   - Create favorable conditions for human resources utilization, poverty reduction and economic development in the subproject area.

5. The subproject is expected to be complete in 2008. It is targeted that by completion, the Subproject will provide secure irrigation water for 3431 ha of agricultural land, water supplies for 400 ha of aquaculture, serve domestic water for 104 000 people and 6 844 000 m³ of water per year for industrial uses. The design flood prevention capacity of Vuc Mau Reservoir will increase significantly, reducing 45% of the peak flood discharge volume of the flood exceedance probability 1%, and 39% of the peak flood discharge volume of the probability of 0.2%.
SCOPE OF LAND ACQUISITION AND RESETTLEMENT

6. The subproject covers 4 communes of Quynh Luu district, Nghe An province, namely Quynh Trang, Mai Hung, Quynh Thang and Tan Thang. The two last communes are located upstream of the dam, at the reservoir site and are not benefited from the scheme.

7. The Subproject includes the following physical works:

- Backfilling for expanding the dam body, slurry injection and grouting for seepage control at the dam body, lining bank protection works to protect the dam slope, repair of intake sluice, upgrading flood spillway, rebuild management house and rehabilitating of intake culvert and extending its length to additional 11m downstream.

- Rehabilitation of the 11 km management road linking the site with national highway 1A. This includes rehabilitation of the road, construction of a bridge at Khe Trau ditch and repair of certain related works of the road.

- Construction of a hydro meteorological forecasting station.

8. With assistance of the Subproject’s Preparation Unit and resettlement consultant, the local district’s and communes authorities have carried out the Inventory of Losses (IOL) for all affected land and attached properties. According to results of the IOL, there only the district Quynh Luu with 3 its communes will be affected, including Quynh Trang, Mai Hung and Quynh Thang. Tan Thang commune, although it is also covered by the reservoir, however the proposed NDM subproject does not cause any additional resettlement impacts in relation to the original one. In total, the project will require 22.0 ha of land of different uses, of which about 0.16 ha (1642m2) will be lost permanently and 21.9 ha will be affected temporarily.

9. The Project will cause permanent loss of 0.16 ha (1642 m2), of which 570 m2 residential land, 828 m2 of agricultural and 244 m2 of forest land. There 21.9 ha of garden, forest/forest garden land will be temporarily affected. A total of 35 households (172 people) will be affected with 1 HH has kiosk built on the communal land (irrigation canal) to be affected and the rest are marginally affected. Most of the DPs have legal status to their affected land. Some HHs may lose fencing walls and/or crops/trees planted on the public land in safety area of the existing access road.

10. Table 1 presents a summary of impacts on land and structures for all subproject components.

### Table 1: Summary of Resettlement Impacts of Vuc Mau Subproject

<table>
<thead>
<tr>
<th>Works</th>
<th>Significant Impacts</th>
<th>Insignificant Impacts</th>
<th>Total Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Residential land</td>
<td>Agricultural land</td>
<td>Residential land</td>
</tr>
<tr>
<td></td>
<td>(households)</td>
<td>(more than 20%)</td>
<td>(perm.)</td>
</tr>
<tr>
<td>Headwork</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Access road</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Hydro-Meteorological station</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Low voltage electric line 10 KV</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1</strong></td>
<td><strong>1</strong></td>
<td><strong>0</strong></td>
</tr>
</tbody>
</table>

Sources: Results of preliminary inventory of Losses, conducted by local authorities, with assistance of resettlement consultant, in January, 2005.

### Table 2 – Summary of Land Acquisition Impacts of Vuc Mau Reservoir

<table>
<thead>
<tr>
<th>Item</th>
<th>Residential land (m²)</th>
<th>Agricultural land (m²)</th>
<th>Forest land (m²)</th>
<th>Total (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Permanent loss</td>
<td>Temporary loss</td>
<td>Permanent loss</td>
<td>Temporary loss</td>
</tr>
<tr>
<td>Headwork</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
11. In the project implementation stage, when information of detailed technical design is available and when it is possible to demarcate the project areas, a DMS should be taken to precisely record all details of affected land and attached properties/assets. Such DMS's data will serve as the final legal information basis for compensation payment and provision of rehabilitation assistance measures to DPs of the subproject.

12. As the Vuc Mau subproject only causes insignificant resettlement impact, an abbreviated RAP is relevant for dealing with compensation for all losses and rehabilitation of people affected by the subproject development. This abbreviated RAP is prepared in accordance with provisions of the NDMP’s Resettlement Policy Framework which is being submitted by MARD to the Prime-Minister of Vietnam and WB for approval.

SOCIO- ECONOMIC INFORMATION

Source of Data

13. This Resettlement Plan is based on (i) the results of the land acquisition survey and investigation for 100% of the project affected people. Quynh Luu People’s Committee conducted the investigation in October 2004 and the results have been revised by the resettlement specialist in January 2005, (ii) a sample HHs socio-economic surveys in the project's affected communes, conducted by resettlement specialist in January 2005; (iii) group interviews and discussions in project affected communes, conducted by the social scientist in January 2005. Special interview with a severely affected HH was undertaken to collect data on (i) their specific resettlement needs, resettlement concerns and preferences, and proposed measures to reduce impacts.

Impacts on Land and Structures

14. About 18.6 ha of land will be acquired to rehabilitate and upgrade the headwork, including 0.1 ha to be permanently acquired and 18.5 ha to be impacted temporarily. However, no household is to be relocated. Some forest land will be temporarily lost for taking land to fill the dam.

Socio-economic characteristics of PAPs

Demographic features:

15. In cooperation with the Nghe An Subproject Preparation Unit and with assistance of local district’s and communes’ authorities, the consultant have conducted census of all affected people and their sample socio-economic survey, paying special attention on severely affected HHs. Among all DPs of Vuc Mau subproject, there is only 1 HH will be severely affected due to having to move back on its remaining land behind. All other DPs are marginally affected. The survey was carried out in January, 2005.

16. According to results of the surveys of DPs, there are two ethnic groups, Kinhs majority ethnic and Thai ethnic minority, in 4 affected subproject’s communes, except for 6 HHs of Dao origin living mixed and integrated with Kinhs in a Kinhs’ village of Quynh Thang commune (1 Dao HH) and in Tan Thang commune (5 Dao HHs). Quynh Trang and Mai Hung communes are pure of Kinhs. The population of Quynh Thang and Tan Thang composed of two ethnic groups: Kinhs are overwhelmingly predominant in Quynh Thang, accounted for 95.8% of its total population, but they form a smaller part of the commune’s
total population (59.3%) in Tan Thang, with a greater share of Thais ethnic minority (40.7%) there.

17. According to the local authorities, the Thais ethnic minority group came to this areas from Thanh Hoa province, from where was originated their local ethnic name “Thanh”. Meanwhile, the local Kinhs came to the sites from the lowlands in the 60-s of the last century, during the time of the State Movement redistributing the population into scarcely populated mountainous areas, occurred in the North of Vietnam. In these two having ethnic minorities’ communes, Thais and Kinhs form separate from each other ethnic settlements or hamlets/villages. All (insert number) Thai’s villages of Tan Thang and Quynh Thang communes are located at altitudes of 20-30 m higher than the highest design flood level (23.0 m) of the reservoir, and in distance of at least from 1.5 -2 km or more from the highest flood water surface. All of them cultivate land located at higher altitude and gather or hunt wild forest products/animals. According to the design, rehabilitation and upgrading the Vuc Mau reservoir will keep the same highest flood level of Meanwhile, even during the original construction of the reservoir in 1978, no any Thai’s HHs was affected by the project That’s why, the Vuc Mau subproject will not pose negative impacts as well as create no direct benefits on the local Thai ethnic minority.

18. The mean household size for the 3 subproject’s communes is 5.7 pers/HH, of which the average size is 4.96 person for a Kinh’s HH and 5.0 persons for a Thai’s HH. Thanks to the success of Family’s Planning Program, the natural population growth in all the 4 communes varies from 1.12% to 1.2% only.

19. All affected people are of Kinhs group. There no any ethnic minority HHs are affected by or directly benefited from the Vuc Mau NDM Subproject. The Table 3 below presents some characteristics of the population of affected communes.

Table 3: Some demographic characteristics of affected communes

<table>
<thead>
<tr>
<th>No</th>
<th>Commune</th>
<th>Total natural area (ha)</th>
<th>Total population (up to June, 2003) (pers)</th>
<th>Total number of HHs (HH)</th>
<th>Average HH’s size (pers./HH)</th>
<th>Average pop density (pers./km²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Mai Hung</td>
<td>1121</td>
<td>8085</td>
<td>1675</td>
<td>4.8</td>
<td>721</td>
</tr>
<tr>
<td>2</td>
<td>Quynh Trang</td>
<td>2509</td>
<td>7530</td>
<td>1549</td>
<td>4.9</td>
<td>300</td>
</tr>
<tr>
<td>3</td>
<td>Quynh Thang</td>
<td>3864</td>
<td>8360</td>
<td>1609</td>
<td>5.2</td>
<td>216</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>7,494</td>
<td>23,975</td>
<td>4,833</td>
<td>5.0</td>
<td>320</td>
</tr>
</tbody>
</table>

Source: Socio-economic data collected by resettlement Consultant, 2005

20. The Tables 4 and 5 below provides general demographic data of the DPs and of their household’s heads. The average household’s size of the affected population is of 5.5 person/HH, with the male ratio is of 54.9% and children under 18 years old consist of 41.5% of the total population. The average number of labor of HHs is of 2.3 pers/HH.

Table 4: General demographic information of DPs, Vuc Mau project

<table>
<thead>
<tr>
<th>No</th>
<th>Commune</th>
<th>Total number of DPs (HHs)</th>
<th>Population (pers.)</th>
<th>Average HH size (pers./HH)</th>
<th>Male ratio to total DPs population (%)</th>
<th>Aver. number of labors (labor/HH)</th>
<th>Ratio of children &lt; 18 to total population (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Mai Hung</td>
<td>12*</td>
<td>68</td>
<td>5.7</td>
<td>52.9</td>
<td>2.5</td>
<td>42.6</td>
</tr>
<tr>
<td>2</td>
<td>Quynh Trang</td>
<td>2*</td>
<td>9</td>
<td>4.5</td>
<td>77.8</td>
<td>1.5</td>
<td>44.4</td>
</tr>
<tr>
<td>3</td>
<td>Quynh Thang</td>
<td>1</td>
<td>5</td>
<td>5.0</td>
<td>60.0</td>
<td>2.0</td>
<td>20.0</td>
</tr>
<tr>
<td></td>
<td>Total number of DPs (HHs)</td>
<td>Population (pers.)</td>
<td>Average HH size (pers/HH)</td>
<td>Male ratio to total DPs population (%)</td>
<td>Aver. number of labors (labor/HH)</td>
<td>Ratio of children &lt; 18 to total population (%)</td>
<td></td>
</tr>
<tr>
<td>---------------------</td>
<td>--------------------------</td>
<td>--------------------</td>
<td>---------------------------</td>
<td>----------------------------------------</td>
<td>-----------------------------------</td>
<td>-----------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>15</td>
<td>82</td>
<td>5.7</td>
<td>54.9</td>
<td>2.3</td>
<td>41.5</td>
<td></td>
</tr>
</tbody>
</table>

**Source:** Results of inventory of losses and census survey of project’s affected people, conducted by resettlement consultant in cooperation with local authorities and Vuc Mau PPU in January of 2005

(*) Of the total DPs of Quynh Trang and Mai Hung communes, there 1 in each is community or collective unit which are excluded from the table.

21. There 100% of HHs are headed by male. The average age of the households’ heads (HHH) for DPs is 50.2. (see Table 5). The average age of the population surveyed is 21.6.

**Table 5: Demographic characteristics of households Heads affected by Vuc Mau NDM project**

<table>
<thead>
<tr>
<th>Location</th>
<th>Total number of PAPs</th>
<th>Male to total number of HHHs (%)</th>
<th>Female to total number of HHHs (%)</th>
<th>Average age (years)</th>
<th>Average education (school years/HHH)</th>
<th>Illiteracy rate (% to total HHHs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mai Hung</td>
<td>12</td>
<td>100.0</td>
<td>0.0</td>
<td>50.8</td>
<td>9.8</td>
<td>0.0</td>
</tr>
<tr>
<td>Quynh Trang</td>
<td>2*</td>
<td>100.0</td>
<td>0.0</td>
<td>45.0</td>
<td>9.0</td>
<td>0.0</td>
</tr>
<tr>
<td>Quynh Thang</td>
<td>1</td>
<td>100.0</td>
<td>0.0</td>
<td>54.0</td>
<td>12</td>
<td>0.0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>15</td>
<td>100.0</td>
<td>0.0</td>
<td>50.2</td>
<td>9.9</td>
<td>0.0</td>
</tr>
</tbody>
</table>

**Source:** Results of inventory of losses and census survey of project’s affected people, conducted by resettlement consultants in cooperation with local authorities and Vuc Mau PPU in January of 2005

3.4. Education

22. Results of sample HH’s socio-economic survey again confirm the relative high education level of the affected population, where the average schooling attendance years is equal 8.6 for the total surveyed population aged above 7 and 9.9 for all affected HHHs, among those haven’t got university education. The sample is small, thus it’s no meaning of comparison between the commune’s averages. About 5.6% of the surveyed population have high education.

There no illiterate person was found among the surveyed PAPs.

**Table 5: Average Education level of affected HHHs, Vuc Mau project**

<table>
<thead>
<tr>
<th>Schooling grades</th>
<th>Mai Hung</th>
<th>Quynh Trang</th>
<th>Quynh Thang</th>
<th><strong>Total Average</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>High education</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>12 grade</td>
<td>27.3</td>
<td>0.0</td>
<td>100.0</td>
<td><strong>28.6</strong></td>
</tr>
<tr>
<td>9 grade</td>
<td>72.7</td>
<td>100.0</td>
<td>0.0</td>
<td><strong>71.4</strong></td>
</tr>
<tr>
<td>Illiterate</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>100.0</td>
<td>100.0</td>
<td>100.0</td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

**Source:** As above

3.5. Occupation

23. The affected area is overwhelmingly rural. Agriculture provides income for all the affected HHs: Each DP have at least one labor engaged in farming activities, where 57.1% of
the DPs are pure agricultural. Main crops include rice, maize, sugar canes, pineapple, medicine trees. Local livestock includes pig, buffalo and oxes rearings. The forestry also contributes an important part of incomes for the population of affected communes. The non-agricultural activities involve about 42.9% of affected households. They include state employment, sevice or commercial activities, hired workers and driving. According to the local authorities, non-farm activities are still very limited in their communes. Even in Mai Hung, a commune located at the Highway 1A, there more than 90% of its total commune’s HH number are agricultural. (See Table 6)

<table>
<thead>
<tr>
<th>Table 6: Income sources of DPs, Vuc Mau Reservoir Rehabilitation Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surveyed PAPs</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>100.0</td>
</tr>
<tr>
<td>Total PAPs</td>
</tr>
</tbody>
</table>

Source: Results of census and socio-economic survey of project’s affected people, conducted by resettlement consultants in cooperation with local authorities and Vuc Mau PPU in January of 2005

3.6. Incomes and living standards

24. During the last years, as the common situation of Vietnam, the economic growth in the project area has been accelerated. The income and living standards of local population in project communes has been improved radically. The average per capita income of Mai Hung commune is equal 4.5 mln VND, for Quynh Trang - 4.0 mln. VND and for Quynh Thang - 3.96 mln.VND.

25. Thus, according to results of the socio-economic survey of the DPs, conducted by resettlement consultant during the RAP preparation in January 2005, the monthly income per capita for all DPs surveyed is of 400,000 VND/pers/month, much higher than the communes’ averages (See Table 7). Among the total 4 HHs surveyed, there only 1 HH (25%) have a monthly per capita income of 100,000VND/pers/month, while all the rests have income equal or higher than 300,000VND/pers/month.

26. All the DPs surveyed have semi- or permanent houses. All of them have access to electricity, but only 1 HH (25%) have access to tape water, while 2 HHs (50%) use well water and 1 – has to buy water for drinking. A half of the surveyed HHs (2 HHs or 50%) use gas for cooking, while the other 2 HHs cook by firewood.

27. Possession of relatively valuable assets by the DPs surveyed also confirmed about general average and above average living standards of the population. Among the total 4 DPs surveyed, all have color TV and video player, a half (2) have motorbikes, 1 have telephone, 1 have small truck and 1 have transportation boat...

28. The poverty rates in all the three communes are lower than 10%. Living conditions of the local poor also have been improved considerably. In the 2003 and 2004, more than a half of poor HHs in these communes have been provided with semi-permanent houses, being eliminated out of poor temporary houses. As planned, all the rest temporary (leaves-made) houses of local poor families will be replaced with semi-permanent (brick-made) ones.

29. The opening of two modern food processing factories (sugar rafinery and pineapple canned) in the areas are new impuls for local economic development and improvement of incomes and living standards of the local population. It together with the rehabilitation of the reservoir will play important role in poverty elimination in the project areas.
4. compensation policy

4.1. Objectives of resettlement

30. The main objective of this Resettlement Plan (RP) is to ensure that all Project Affected Persons (PAP's) will be compensated for their losses at replacement cost and provided with rehabilitation measures to assist them to improve, or at least maintain, their pre-project living standards and income earning capacity.


4.2. Project affected people

32. A DP is any person or persons, household, a firm or private institution, who, as of the cut-off date of the Project or any of its subcomponents or parts thereof, would have their:

(i) Right, title or interest in any house, land (including residential, commercial, agricultural, forest and grazing land) or any other fixed or moveable asset acquired or possessed or otherwise adversely affected, in full or in part, permanently or temporarily; and/or

(ii) Business, occupation, work, place of residence or habitat adversely affected, with or without displacement; and/or

(iii) Standard of living adversely affected.

33. The cut-off date of eligibility for entitlement is the 15 January 2005, the date of completion of the inventory of losses survey for Vuc Mau subproject.

4.3. Types of resettlement impacts

34. As mentioned above, Vuc Mau subproject will cause impacts, in total, on 36 HHs (with 172 people) and 2 collective units (local commune people committees). There only 1 DP (6 persons) has to move back their kiosk which is built on the communal/public land (on the communal irrigation canal). All the rest DPs are marginally affected as no any DPs have to relocate to new site or lose equal or more than 20% of their agricultural holding. They are losing residential land with secondary structures, mainly fencing walls or losing minor part of agricultural land and/or crops or trees. The scope and types of resettlement impacts are summarized as follows:

Permanent land acquisition
- 828 m² annual crops land and 244 m² of perennial crops land will be lost permanently
- 570 m² of residential land will be lost permanently;

Temporary land acquisition
- 191,404 m² (19.1 ha) of garden, forest/forest-garden land will be lost temporarily

Attached properties/assets
- 52 m² of semi-permanent houses, 110 m² of temporary house/secondary structures, 18 m² of animal shed and 412 m² of brick-made fencing walls will be lost
- 868 m² of rice and 500 m² of pineapple will be impacted
- 1415 fruit trees of different types and ages and 33,037 wood trees and bamboo will be affected.

4.4. **Compensation Policy**

4.4.1. **Compensation for Permanent Loss of Agricultural Land**

35. There only 14 DPs losing agricultural land permanently, but less than 20% of its land holding. The DPs have legal, long-term land use right. The remained area has size economically suitable for use. The DPs will be entitled to compensation for affected land and for standing crops as follow:

(i) cash compensation for the lost land, at full replacement cost, and

(ii) Cash compensation for loss of crops at market prices

In case the PAPs utilize public land for growing crops or trees with condition to return the land when the Government recover it for public interest, they will be compensated for crops and trees at replacement cost but are not entitled for land compensation.

4.4.2. **Compensation for loss of Standing Crops and Trees**

36. There are 31 DPs having crops or trees affected by the subproject, of which some DPs losing trees planted in the safety areas (ROW) of the access road. For loss of annual standing crops and trees, regardless of the legal status of the land, compensation will be paid to crops/trees owners, at full market prices for affected annual crops and/or at replacement cost for affected trees.

4.4.3. **Compensation for loss of residential land**

37. There are 17 DPs losing residential land, of which only 1 DP have kiosk built thereon (with the remaining land sufficient to rebuild structure), another DP has animal shed to be impacted, while the rest 8 DPs only lose brick-fencing walls attached to the recovered land. Thus, there no any DPs have to remove to new site, but 1 HH have to rebuild house on remaining land behind. The DPs are entitled to as follows:

(i) Cash compensation for loss of land at full replacement cost

(ii) Cash compensation for affected house and secondary structures, including fencing walls, at full replacement cost

(iii) Special business rehabilitation assistance equal average monthly income from the business for three months to the DP having business impacted to restore their income during transition period of moving.

4.4.4. **Compensation for impacted houses and structures**

38. There are 3 DPs losing houses, other lose brick-made fencing walls or animal shed. The DPs are entitled as follows:

(i) Compensation in cash for all affected structures will be provided at 100% of the full replacement cost for materials and labor, regardless of whether or not they have title to the affected land or permit to build the affected structure. The amount will be sufficient to rebuild a structure of the same quality as the former one at current market prices.

(ii) If house/structure is partially affected, the project will provide a house/structure repairing cost, in addition, to DPs to restore it to former or better conditions.

(iii) Compensation and assistance will be provided in the form of cash. No deductions will be made for depreciation or salvageable materials.
(iv) The calculation of rates will be based on the actual affected area and not the useable area.

4.4.5. **Compensation for Loss of Community Assets**

39. Community infrastructure such as Electric transmission lines, irrigation canals, bridges, water sources, are damaged, PMU of the MARD will ensure that these would be restored or repaired as the case may be, at no cost to the community.

4.4.6. **Temporary Impact during Construction**

*For arable land that will be temporarily affected:*

(i) Compensation for one harvest of crops at full market prices, or at replacement cost for affected trees.

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

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

(iv) If the duration of project’s use the land exceed more than two years, then the DPs have option to: 1) Continue using the land, **OR**, 2) transfer the land to the Project and be compensated as permanent loss.

*For temporary loss of residential land:*

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

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

*For temporary loss of houses (temporary relocation):*

(i) Compensation for houses/structures at full replacement cost.

(ii) If DPs have to move temporarily from the site to a new place, they will be provided: (a) a house rent assistance at the local prevailing renting rates, but not lower than 300,000 VND/month/HH, for the duration of the project use of the land, equal 6 months; (b) Transportation allowance to move assets to and from temporary sites equal 1,000,000 VND/HH; (c) Special living assistance for inconvenience occurred during the temporary displacement.

*For damages caused by contractors to private or public structures:*

Damaged property will be restored by contractors immediately, after completion of civil works, to its former condition. Under their contract specifications, the contractors will be required to take extreme care to avoid damaging properties during their construction activities. Where damages do occur, the contractor will be required to pay compensation immediately to affected families, groups, communities, or government agencies at the same compensation rates that shall be applied to all other assets affected by the Project. In addition, damaged property will be restored immediately to its former condition.

4.4.7. **Allowances and Rehabilitation Assistance**

40. Severely affected people are entitled to rehabilitation assistance to restore their livelihood not below the standard before the Project, and preferable better than before. As mentioned, there only 1 HH is severely affected having to remove back on remaining land behind. The DP is entitled to (i) transportation allowance of 500,000 VND to move back their assets, and to (ii) subsistence allowance in cash equivalent 30kg of rice per HH’s member per months during three months.
41. There is another HH losing lodgment temporarily on the temporarily affected land. The DP will be entitled to (i) house-rent allowance at a prevailing house rent rate for duration the project uses the land; (ii) a transportation allowance of 1,000,000 VND to transport household’s assets from the land affected; (iii) subsistence allowance equal value of 30kg of rice per person a month for six months during the project temporarily acquires the land.

The allowances should be adjusted annually to account inflation.

**INSTITUTIONal arrangement for RESETTLEMENT implementation**

42. As the scope of resettlement impacts is minor, there may be two options for resettlement implementation arrangement: The Vuc Mau PMU may directly carry out resettlement and compensation activities or sign a contract with a district resettlement committee which would be established at Quynh Luu DPC for resettlement/compensation implementation, according to the provision of Decree 197/2004/CP. In any case, the implementation of resettlement activities of the project requires close cooperation between relevant agencies at the national, provincial, district and commune levels. The provisions and policies of the RAP will form the legal basis for the implementation of resettlement activities for the Vuc Mau Project.

- **Central Level**

  **Ministry of Agriculture and Rural Development**

43. MARD is responsible for the realization of NDMP on behalf of the Government. A Central Project Management Office (CPMO) in coordination with relevant agencies will manage and take overall supervision of the project, including resettlement activities and land acquisition. Successful updating and implementation of the RAPs will require close coordination between MARD and other ministries and agencies as well as between PMUs, implementing agencies, and all local resettlement committees. Resettlement capacity will be established within the CPMO to coordinate all resettlement activities with full-time assistance of consultants. Resettlement specialist will provide technical assistance to strengthen the social capacity within the CPMO and implementing agencies. The CPMO, with assistance of the consultants, will take overall responsibility as follows:

  a) Providing overall planning, coordination, and supervision of the resettlement program.

  b) Guiding implementing agencies in updating and/or preparing RAPs and implementing resettlement activities in accordance with the approved RAPs and Resettlement Policy Framework (RPF); and if any mistakes or shortcomings are identified through internal and/or external monitoring of RAPs implementation, ensure that the objectives of the RAPs is met.

  c) Finalizing RAPs and obtaining Government (provincial) and World Bank approval before implementing approved RAPs.

  d) Supervising coordination between implementation of approved RAPs for each component with the award of civil works contracts for respective component.

  e) Providing resettlement training to implementing agencies, Provincial Project Implementation Units (PIU) staff and resettlement committees (RCs) at all levels.

  f) Providing the budget for resettlement activities.

  g) Providing income restoration and other social support as part of the rehabilitation assistance

  h) Establishing liaison mechanisms to ensure proper technical and logistical support to implementing agencies;

  i) Establishing and maintaining standardized DP databases for each Subproject and for the Project as a whole.
j) Establishing procedures for ongoing internal monitoring and review of project level progress reports and for tracking compliance to project policies.

k) Establishing procedures for monitoring coordination between contractor and local communities and for ensuring prompt identification and compensation of impacts to public and private assets during construction.

l) Recruiting, supervising, and acting upon the recommendations of the external monitoring organization.

m) Establishing procedures for the prompt implementation of corrective actions and the resolution of grievances.

n) Consolidate resettlement progress reports submitted by PMUs for the MARD and World Bank.

o) **Provincial Level**

4.2.1. **Nghe An Provincial People’s Committee (PPC)**

44. The PPC is the principal authority at the provincial level. Nghe An PPC, assisted by a Provincial Compensation Council, is responsible for: (i) reviewing and approving the RAP for Vuc Mau subproject; (ii) final decision on compensation unit costs, subsidies, allowances, and supporting policies for severely affected DPs, in accordance with this RAP and the RPF; (iii) approval of project land acquisition; (iv) coordination between the related institutions and provincial departments for the implementation of the RAP.

4.2.2. **Vuc Mau Subproject Implementation Unit (PMU)**

45. The Vuc Mau Subproject Implementation Unit (PMU) will be responsible for implementing the RAP. Responsibilities will include the following:

a) Managing and supervising, on behalf of the CPMO, all resettlement activities within the provincial territory under the PPC’s direction, carry out or signing contracts for resettlement implementation;

b) Guiding all resettlement activities of the subproject in accordance with the RAP’s policies and directives;

c) In collaboration with other relevant provincial departments, advise the PPC on compensation unit prices for land and structures; setting up procedures for land acquisition;

d) Coordinating, supervising, and monitoring the implementation of resettlement activities in the province, including the DMS process, preparation of compensation forms and compensation charts, if delegates task of the resettlement implementation to local authorities;

e) Deliver compensation payment to DPs or delegates the task to the DRC and supervise/monitor the activity;

f) Accepting and handing over the sites to contractor for implementing of civil works; and

   g) Cooperating fully with the external monitoring organization.

o) **District Level**

4.3.1. **District People’s Committee (DPC)**

46. The District People Committees are responsible for identification of legal status of land and structures, appointing members of the DRC and assigning functional tasks for the DRC.

4.3.2. **District Resettlement Committees (DRC)**
47. The Quynh Luu DRC will be responsible for:
   a) planning for and implementation of all resettlement activities in its district.
   b) Under the contract with the PMU, carry out DMS for the subproject within the district, apply compensation rates to affected land and attached properties and rehabilitation measures to entitled DPs, prepare DPs compensation forms and compensation charts to submit to the PPC for approval, paying compensation after receiving the funds or supervise payment of compensation given by the PMU to DPs;
   c) establishing inspectors to redress DPs grievances on resettlement policies and entitlements;
   d) paying special attention to the needs and demands of specific groups and vulnerable people (children, the elderly, woman/single headed households);
   e) cooperating fully with the external monitoring organization.

   o Agency Responsible for External Monitoring

48. One agency specialized in the social sciences or preferably one resettlement specialist must be identified in order to carry out independent monitoring and evaluation of RAP implementation for the Vuc Mau NDM subproject. It/he will submit periodic reports on the implementation progress and make recommendations regarding the issues identified. The methodology for monitoring is presented in Chapter 9.

PUBLIC INFORMATION, CONSULTATIONS AND GRIEVANCE REDRESS

   o Public consultation During RAP Preparation

49. During the Feasibility Study of the Project, Nghe An Preparation Unit and consultants tried to disseminate project information to local authorities and the public to provide brief information about the proposed project, its objectives, components and proposed implementation plan. The affected people were informed about the project resettlement policy and consulted on the modes of compensation.

50. Local population and all DPs expressed their full support to the project proposal. The authorities and population of Quynh Trang and Mai Hung communes are certain that their communities and DPs themselves will be greatly benefited from the project, considering that the project will mitigate the risk of flooding, erosion during the rainy season and drought and the shortage of domestic water during the dry season. They also consider that the improved irrigation, water supply, particularly transport and environmental conditions will be very important factors that can push economic and socio-cultural development in their localities. The only HH, who have to move back their kiosk, considered that the project's compensation and assistance policies could allow them to restore living standards soon as they can be able to rebuild kiosk on remaining land and re-open it at the site without problem. Most the DPs expressed opinions that the impacts on them are minor, considering that a severe impact would only be when relocation of the people is occured. However the people still wish to be compensated fairly, at market and/or replacement cost for affected properties/assets. All opted for cash compensation. The Quynh Trang CPC reported that they have reserved land for land compensation if certain PAPs opt for land of land compensation.

51. The authorities and population of Quynh Thang and Tan Thang shared opinions that their communes, communities do not benefit from the project directly, because they are located upstream of the dam, in its flooded areas. However, since the project design doesn’t change the original flood level of the reservoir, there no additional negative impacts of the project would be implicated, but the communes rather would indirectly benefit from the improved environmental conditions such as improved local micro-climate and vegetation. In opinions of district’s and Quynh Thang commune’s PCs, a more regulated water level of the
reservoir will favor restoration of local forest/green cover thus may allow, on one side, to
develop tourism/recreational activities in the areas and, on other side, allow the fishing
(traditional) village of Quynh Thang to considerably increase its annual catch in particular,
and both Quynh Thang and Tan Thang communes to develop a new type of fishing - cage-fish
rearing in the reservoir in general.

52. DPs expressed their wish that the project should adopt an additional mitigating
measure such as a posible rescheduling time of land clearing to after the nearest havest of
crops to avoid losses or reduce crop loss.

53. The compensation for affected land and properties will be based on market prices or
replacement costs at time of resettlement implementation.

Consultations Proposed During Implementation

54. During project implementation, the Vuc Mau PMU, assisted by the project
consultants, will undertake the following:
   a) Provide information, through training workshops, to resettlement committees at all
      levels, on project resettlement policies and implementation procedures.
   b) Cooperate with Quynh Luu DRC to conduct information dissemination to and
      consultation with all DPs throughout the life of the Project.
   c) Consult with DPs on compensation unit prices and to confirm land acquisition and
      impacts on properties through DMS.
   d) Consult with DPs on their DMS and Compensation Forms, showing the household’s
      affected assets and compensation entitlements. The forms have to be signed by the
      DPs to indicate their agreement with the forms. Any complaints the DPs have about
      the contents of the forms will be recorded at these times.
   e) Consultation regarding DPs preferred rehabilitation assistance options: This applies to
      severely affected and vulnerable PAPs. Severely affected DPs will be informed on
      their entitlements to rehabilitation assistance, consulted and investigated about their
      needs and preferred options for rehabilitation measures and appropriate forms of
      assistance to help them restoring their income generating capacity the best.

Disclosure

55. In addition to inform to affected people and communities, the PMU will display this
RAP or its summary at public place such as at the CPMO, Nghe An PMU, district RC,
Provincial Information Center to disclose to all interested parties/stakeholders.

Grievance Redress Procedures

56. The DP can raise any their complain or grievance concerning any aspect of
compensation and resettlement directly to the PMU for smooth solving emerged issue. If no
amicable solution can be reached between these two parties, then the DP can address their
complain/grievance through the formal system of grievance redressal. All the DPs are
exempted from any administrative and legal fees.

57. The four-step mechanism for grievance redressal is provided as follows:
   Step 1: through commune authority verbally or in written form. The complaint can be discussed
   in an informal meeting with the plaintiff and the representative of PMU or the chairman of the
   people’s committee at commune level. The people’s committee at commune level will be
   responsible for resolving the issue within 15 days from the day it is lodged.

   Step 2: In case if a PAP’s grievance can’t be solve at ward’s/commune’s level and/or an
   agreement could not be reached between the PMU and PAP, he/she can appeal their
   complaint/grievance to the district PC, which will work with the PMU to solve the issue
   within 30 days of registering the appeal.
**Step 3**: If the DP is not satisfied with decision of the DPC or in the absence of response from the DPC, the DP can address to Nghe An PPC. The latter will provide decision within 30 days from the days it is lodged with the PPC.

**Step 4**: If the DP still not satisfied with decision of the PPC, or in absence of any response from the PPC within the stipulated time, the PAP, as a last resort, can submit his/her case to the district court.

**BUDGET**

- **Financing**

58. Budget for RAP implementation will be the counterpart fund. The Central Government will provide counterpart budget for compensation and resettlement implementation.

The Resettlement training cost will be taken from the Component 4 “Capacity building”, transferred to CPMO for implementation.

External Monitoring cost will be taken from the IDA credit.

- **Flow of Funds**

59. The CPMO will be responsible for channeling funds for land acquisition and resettlement to the PMU for payment of compensation to affected persons for lost land, crops, trees, and for the rehabilitation assistances. In case of compensation option "land for land", the local authority will be responsible for preparing enough land, ensuring its availability where and when required and the compensation should be based on adequate consultation with DPs.

60. The CPMO will be responsible for contracting an external institution specialized on social sciences and experienced on resettlement issues for independent monitoring.

- **Compensation Prices**

61. Compensation cost estimate for temporary and permanently impacted land and attached properties have been based on:


(iii) Decree 188/ND-CP, dated 16 November 2004, providing methods of evaluation of land prices and the frame for the prices of various categories of land.

(iv) The Circular No 114/2004/TT-BTC issued by MOF on 26 November 2004, providing guidelines for implementation of the Decree No188/ND-CP

(v) Decree 197/CP, dated 3 December 2004, replaced the Decree 22/1998/CP, on compensation, assistance and resettlement in case of the Government recovers land for the national and public interest, and issued guidelines in Circular No116/TT-BTC by the MOF, 7 December 2004, for implementation of the Decree No197/ND-CP

(vi) Decision No 37/QD-UB, issued by Nghe An PPC, dated on 29, April, 2004, on compensation unit prices for house, structures and crops, trees and rehabilitation assistance policies, applied in case of land acquisition by the Government for public interests within Nghe An province;

(viii) Preliminary assessment of replacement costs and market price for land, crops and trees conducted by consultant during the Census Survey of affected people and Inventory of Losses (January, 05).

62. The New Land Law 2003 has provided legal base for land compensation to reflect market prices. It gives avenue for that land prices issued by the PPC could be approach close to their market prices.

63. The results of preliminary replacement cost assessment indicated that the compensation prices issued by Nghe An PPC for movable assets generally are reflecting replacement costs of affected houses and secondary structures as well as of attached crops and trees. There only compensation price for “hoa hoe” productive trees is lower than its replacement cost, equal about more or less than 50% of its annual income. Thus, in the RAP for compensation cost estimation, the unit price for this particular tree is based on its replacement cost acceptable to the DPs, while others are based on unit prices issued by the PPC but taking either an average or ceiling prices in the frame.

64. In stage of resettlement implementation, the compensation rates will be updated by the PPC to reflect current market prices for all types of losses.

○ Cost Estimate

65. Cost for RAP consists of (i) Cost of DMS; (ii) compensation cost for affected land and attached assets/properties; (iii) administrative cost, which includes cost for management, public information and consultation; (iv) monitoring (internal and external) cost; and (v) contingency cost, estimated at 20% of total cost. (See Table 12)

<table>
<thead>
<tr>
<th>No</th>
<th>Type of losses</th>
<th>Unit</th>
<th>Quantity</th>
<th>Unit price (1,000 VND)</th>
<th>Cost (1,000 VND)</th>
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</thead>
<tbody>
<tr>
<td>I/</td>
<td>Permanent loss of Land</td>
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</tr>
<tr>
<td>1</td>
<td>Residential land (perm.loss)</td>
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<td><strong>Houses and other structures:</strong></td>
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<td><strong>Subtotal</strong></td>
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<td><strong>Trees and crops:</strong></td>
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</table>
66. Total cost for resettlement implementation is 2,831,079,000 VND or 180,324 U$D, comprising of followings:

- Compensation cost (1000 VND): 2,080,890
- Administrative cost (1000VND, 10% of base cost): 300,000
- Monitoring cost (1000 VND): 150,000

Subtotal (1000 VND): 2,530,890
- Contingency cost (1000 VND, 20%): 253,089
- Training cost 47,100

Total cost: - in 1000VND 2,831,079
- in U$D 180,324

IMPLEMENTATION SCHEDULE

67. The RAP will be carried out in accordance with project implementation schedule. Schedule for Resettlement implementation is proposed as follow: (See Table 11)

1) The convention of credit and project signed: February-March, 2005
2) Technical design and approval: April - August, 2005
3) Contract signing for resettlement implementation and hiring an independent monitoring agency: April-May, 2005
4) Project information dissemination: June-July, 2005
5) Updated Detailed Measurement Surveys and Census of Dips: August-October, 2005
7) Public consultation and participation: throughout of RAP implementation.
8) Independent and internal monitoring: throughout of RAP implementation.
9) Start of project civil work: November, 2005.

Table 11: Resettlement Implementation Schedule

<table>
<thead>
<tr>
<th>No</th>
<th>Activities</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
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<tr>
<td>1</td>
<td>Convention of Credit and project signing</td>
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</table>
### MONITORING

**Objectives of Monitoring**

68. Monitoring has two purposes:

   (i) To verify that project activities have been effectively completed including quantity, quality, and timeliness; and

   (ii) To assess whether and how well these activities are achieving the stated goal and purpose of the Project.

69. Monitoring of the RAP implementation will be internally conducted by the implementing agencies (CPMO and PMU) as well as by an independent external monitoring organization hired by the CPMO.

**Internal Monitoring**

70. The Nghe An PMU will be responsible for internal monitoring of the Vuc Mau RAP, with the assistance of the project consultants. The implementing agency will oversee the progress in resettlement preparation and implementation through regular progress reports.

71. The main indicators that will be monitored regularly are:

   (i) payment of compensation to DPs in various categories, according to the compensation policy described in the RAP;

   (ii) delivery of income restoration and rehabilitation assistance entitlements, if required;

   (iii) public information dissemination and consultation procedures;

   (iv) adherence to grievance procedures and outstanding issues requiring management’s attention;

   (v) priority of DPs regarding the options offered; and

   (vi) Coordination and completion of resettlement activities and award of civil works contract.
72. Nghe An PMU will collect and update information every month on progress of resettlement implementing. A database of resettlement monitoring information regarding the Project will be maintained and updated every month.

73. Nghe An PMU will submit to the CPMO monitoring reports on the progress on implementation of the RAP. These reports will be forwarded to the World Bank as part of their regular quarterly report to the World Bank. The internal monitoring reports shall include the following topics:

(i) The number of DPs by category of impact per component, and the status of compensation payment and relocation and income restoration for each category.
(ii) The amount of funds allocated for resettlement implementation or for compensation and the amount of funds disbursed for each.
(iii) The eventual outcome of complaints and grievances and any outstanding issues requiring action by management.
(iv) Implementation problems.
(v) Revised actual resettlement implementation schedule.

ο External Monitoring

74. Objectives. The general objective of the external monitor is to provide an independent periodic review and assessment of achievement of resettlement objectives, the changes in living standards and livelihoods, restoration of the economic and social base of the affected people, the organizational effectiveness, impact and sustainability of entitlements, the need for further mitigation measures if any, and to learn strategic lessons for future policy formulation and planning.

75. Agency Responsible. In accordance with the World Bank requirements for consultant procurement, CPMO will hire an experienced organization or preferably one resettlement specialist for the independent monitoring and evaluation of RAP’s implementation. The MO/specialist should start their work as soon as the project started.

76. Monitoring and Evaluation Indicators. In accordance with the scope of project impacts, the following indicators will be monitored and evaluated by the MO:

(i) Payment of compensation will be as follows: (a) full payment to be made to all affected persons sufficiently before land acquisition; (b) adequacy of payment to replace affected assets.
(ii) Public consultation and awareness of compensation policy: (a) DPs should be fully informed and consulted about land acquisition, leasing and compensation activities; (b) public awareness of the compensation policy and entitlements will be assessed among the DPs; and (d) assessment of awareness of various options available to DPs as provided for in the RAP.
(iii) Affected persons should be monitored regarding restoration of productive activities.
(iv) The level of satisfaction of DPs with various aspects of the RAP will be monitored and recorded. The operation of the mechanisms for grievance redress, and the speed of grievance redress will be monitored.
(v) Throughout the implementation process, the trends of living standards will be observed and surveyed. Any potential problems in the restoration of living standards will be reported.

ο Methodology for external Monitoring

A. Sample Survey
77. As the number of DPs is minor by both number of DPs and level of impact on income generating capacity, a sample size could include from 50 to 100% of the DPs, and be conducted maximum two times throughout the project implementation: Prior or during and after compensation payment, based on schedule of resettlement implementation. The post-compensation monitoring should also include an evaluation of resettlement implementation.

B. Reporting

78. The MO/Specialist will be required to submit the findings of monitoring to the PMU and CPMO. The CPMO will submit the reports to the World Bank as an annex of its progress report.

C. Monitoring Report Follow-Up

79. The monitoring reports will be discussed in a meeting between the MO/Specialist, Nghe An PMU and CPMO. Meetings will be organized immediately after MO’s submission of monitoring report. Necessary follow-up action will be taken based on the problems and issues identified in the reports and follow-up discussions.
# Appendix 1: Entitlement Matrix for Vuc Mau Subproject

<table>
<thead>
<tr>
<th>Item</th>
<th>TYPE OF LOSS</th>
<th>APPLICATION</th>
<th>DEFINITION OF ENTITLED PERSON</th>
<th>COMPENSATION POLICY</th>
<th>IMPLEMENTATION ISSUES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Permanent loss of arable land</td>
<td>Less than 20% of HH's total land holding lost.</td>
<td>Legal user with permanent rights or legalizable as permanent users to use the affected land.</td>
<td>DPs will be entitled to:</td>
<td>HH without LURC but their name listed in the land book of the commune and still now using that land are considered as fully legal users.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Marginal impact on household income and living standards.</td>
<td>(There are 16 HHs marginally affected)</td>
<td>(i) Cash compensation for acquired land at 100% of replacement cost, and</td>
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<tr>
<td></td>
<td></td>
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<td></td>
<td>(ii) Cash compensation for crops and trees at market price.</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Loss of residential land</td>
<td>Land acquired without structures built therein.</td>
<td>User of the affected land.</td>
<td>Cash compensation for land at 100% of replacement cost of the area acquired;</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Marginal impact</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>Land acquired with structures built therein and remaining land is sufficient to rebuild.</td>
<td>At the time of compensation, allowances will be adjusted to account for inflation.</td>
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<td></td>
<td></td>
<td></td>
<td>There is 1 DP having to rebuild kiosk on remaining land</td>
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<td></td>
<td>User of the affected land.</td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(i) Cash compensation for land at 100% of replacement cost of the area acquired;</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>(ii) Compensation for affected structures at replacement cost;</td>
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<td></td>
<td>and,</td>
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<td></td>
<td></td>
<td></td>
<td>(iii) If PAP have to move back business, then: special business assistance equal monthly net income for restoration business</td>
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</tr>
<tr>
<td>3</td>
<td>House /structures</td>
<td>Houses/structures located in the project recovered area.</td>
<td>Owners of affected houses/structures.</td>
<td>(i) Compensation at 100% of replacement cost of the affected houses/structures. No deduction will be made for depreciation or salvageable materials.</td>
<td>The calculation of rates will be based on the actual affected area and not the useable area.</td>
</tr>
<tr>
<td>5</td>
<td>Loss of standing crops and trees</td>
<td>Crops affected.</td>
<td>Owners of affected crops</td>
<td>DPs are entitled to compensation for affected crops in cash at market value.</td>
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<td></td>
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<td></td>
<td>Trees affected.</td>
<td>DPs will be given notice several months in advance regarding evacuation. Crops grown after issuance of the deadline will not be compensated.</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>Owners of affected trees.</td>
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<td></td>
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<td></td>
<td></td>
<td>In case the DPs casually utilize the public land for growing crops/trees, which is subjecting acquisition by the project, then she/he will not be compensated for land, but will be compensated for crops and trees at market prices/replacement cost.</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Loss of community assets</td>
<td>Community irrigation systems, power transmission lines affected by temporary or permanent land acquisition or spoil disposal.</td>
<td>Village, Ward, Government Unit.</td>
<td>(i) Restoration of affected community buildings and structures to at least previous condition, or</td>
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<td>(ii) Replacement in areas identified in consultation with affected communities and relevant authorities, or</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>(iii) Compensation at replacement cost for affected community land and assets.</td>
<td></td>
</tr>
</tbody>
</table>

20
<table>
<thead>
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</thead>
</table>
| 6    | Temporary impact during construction | Temporary loss of arable land                    | Users of affected land                                             | (i) Compensation for one haves of crops/trees at full market prices  
(ii) Compensation for for loss of net income from subsequent crops that cannot be planted for the duration of project temporary use, AND  
(iii) Restoration of land to its previous or better quality by providing measures to improve land quality in cases of land being adversely affected or acidified, AND  
(iv) If the duration of project’s use the land exceed more than two years, then the DPs have option to: 1) Continue to use land, OR, 2) Give it to the Project and be compensated as permanent loss | If the quality of land will be radically changed when return to DPs, requiring DPs to change in the types of land use, then DPs should be compensated for all envisaged cost of losses |
|      |                                  | Temporary loss of residential land               | Users of affected land                                             | (i) Compensation for affected assets at replacement cost  
(ii) restoration of land to former conditions                                                                |                                                                                                                                                   |
|      |                                  | Temporary loss of dwelling house                 | DPs losing house temporarily and have to move out temporarily       | (i) Compensation for houses/structures at full replacement cost  
(ii) If DPs have to move temporarily from the site to a new place, they will be provided: (a) a house rent assistance at the local prevailing renting rates, but not lower than 300,000 VND/month/HH, for the duration of the project use of the land;  
(b) Transportation allowance to move assets to and from temporary sites equal 1,000,000 VND/HH;  
(c) Special living assistance for inconvenience occurred during the temporary displacement, equivalent to 30 kg of rice per person per month during 6 months |                                                                                                                                                   |
|      |                                  |Damages by contractors to private or public structures or land | Owner or person with use rights                                   | (i) The contractor will be required to pay compensation immediately to affected families, groups, communities or government agencies.  
(ii) Damaged property will be restored immediately to its former condition.                                  |                                                                                                                                                   |
| 9    | Allowances                        | Materials transport allowance.                   | Reorganizing DPs                                                  | Reorganizing and temporarily relocating DPs, who move back on remaining land or to a new site temporarily, having to transport household effects back or somewhere else temporarily, are entitled to transportation allowance by 500 000 VND per reorganizing and 1,000,000vnd per temporarily relocating HH. | At the time of compensation, allowances will be adjusted to account for inflation.                                                                 |
|      |                                  | Transition subsistence allowance.                | Reorganizing PAPs                                                 | (i) Subsistence allowance of value equivalent 30 kg of rice/person/month will be provided to DPs for 3 months if the DP is reorganizing, or for 6 months for temporarily relocating DP | At the time of compensation, allowances will be adjusted to reflect market price or account for inflation.                                                                 |