

MINISTRY OF TRANSPORTATION

PROJECT MANAGEMENT UNIT No. 2 – PMU2

**CENTRAL HIGHLANDS CONNECTIVITY IMPROVEMENT PROJECT
(CHCIP)**

DRAFT

UPDATED RESETTLEMENT ACTION PLAN
Gia Lai Province

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ACRONYMS

BP	Bank Procedure
CHCIP	Central Highlands Connectivity Improvement Project
DBCLA	District Board for Compensation and Land Acquisition
DMS	Detailed Measurement Survey
DPC	District People's Committee
DOLISA	Department of Labor – Invalids and Social Affairs
EMC	External Monitoring Consultant
EMDP	Ethnic Minority Development Plan
ESCAP	Economic and Social Commission for Asia and the Pacific
FPICon	Free, Prior and Informed Consultation
GRM	Grievance Redress Mechanism
HH	Household Head
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
IDA	International Development Association
IOL	Inventory of Losses
IRAP	International Road Assessment Programme
LURC	Land Use Rights Certificate
M&E	Monitoring and Evaluation
MOT	Ministry of Transport
OP	Operational Policy
PC	People's Committee
PAH	Project affected household
PAP	Project affected person
PIB	Public Information Booklet
PMU2	Project Management Unit 2
PPC	Provincial Peoples' Committee
PPMU	Provincial Project Management Unit
PWD	Person with Disability
RAP	Resettlement Action Plan
STI	Sexually Transmitted Infection
TIP	Trafficking in Persons
TSPMU	Traffic Safety Project Management Unit
VND	Viet Nam Dong
WB	World Bank

DEFINITION OF TERMS

Affected Households	A household residing under one roof and operating as a single economic unit regardless of the number of families or extended families who will be adversely affected by the project.
Collective attachment	For generations there has been a physical presence in and economic ties to lands and territories traditionally owned, or customarily used or occupied, by the group concerned, including areas that hold special significance for it, such as sacred sites. "Collective attachment" also refers to the attachment of nomadic groups to the territory they use on a seasonal or cyclical basis.
Cut-off-date	The cut-off date in accordance with Article 67.1 of Land Law 2013 is the date when the Notice of Land Acquisition is officially released and sent to all identified project affected households. Once cut-off date is established, persons who encroached within the project boundary limits will not be eligible for claims of compensation or any form of resettlement assistance.
Culturally appropriate	Having regard for all facets of the cultures and being sensitive to their dynamics.
Customary rights to lands and resources	Patterns of long-standing community land and resource usage in accordance with Ethnic Minority Peoples' customary laws, values, customs, and traditions, including seasonal or cyclical use, rather than formal legal title to land and resources issued by the State
Detailed Measurement Survey	The finalization and/or validation of the results of the Inventory of Losses (IOL), severity of impacts and list of affected persons after the approval of the detailed design and demarcation of project boundaries on the ground are completed. The cost of compensation, assistance and resettlement is determined following completion of the DMS.
Displacement	Means the physical (relocation, loss of residential land, or loss of shelter) and /or economic (loss of land, assets, access to assets, income sources, o means of livelihood) or shifting of a person from his/her pre-project place of residence and/or business.
Eligibility Criteria	<p>Eligibility is irrespective of formal legal rights to land or of customary claim (recognition of the rights and concerns of indigenous or ethnic minority communities) to the land the PAPs are occupying. A set of criteria that was developed in line with the World Bank's OP 4.12 to define the Project Affected Persons based on land ownership of the affected persons and severity of impacts, including:</p> <ul style="list-style-type: none"> • Persons whose agricultural land will be affected either severely or marginally, permanently or temporarily by the Project; • Persons whose residential land/houses will be affected in part or in total (severely or marginally), permanently or temporarily; • Persons whose leased houses will be affected either severely or marginally, permanently or temporarily;

	<ul style="list-style-type: none"> • Persons whose businesses, including farm and non-farm business, or places of work will be affected either severely or marginally, permanently or temporarily. • Persons whose crops and trees (annual and perennial) will be affected; • Persons whose other assets or access to those assets, will be affected in part or in total, permanently or temporarily by the Project; • Persons who are informal settlers in public safety zones (i.e. right of way) who are poor and rely on their retained business on the safety zone for income generation activities; and • Persons who rent houses for purpose of living.
Entitlement	The range of measures comprising cash or in-kind compensation, relocation cost, rehabilitation assistance, income substitution, and relocation which are due to PAPs depending on the degree of losses, to restore, at a minimum, their social and economic base to pre-project levels
Free, Prior and Informed Consultations	The process of meaningful engagement with indigenous peoples at each stage of a project, particularly during project preparation to fully identify their views and ascertain their broad community support for the project.
Informal Settlers/ Squatters	A person using or occupying vacant state land and who does not have title or formal agreement from the owner to use the land
Inventory of Loses	The inventory of assets as a preliminary record of affected or lost assets and people/households affected. The IOL is completed during the preparatory phase/feasibility studies.
Land Acquisition	Means the process whereby a person is compelled by the Government through the Executing Agency of the Project to alienate all or part of the land she/he owns or possesses in favor of the State in the implementation of the Project or any of its components in return for consideration.
Livelihood Restoration Program	Series of development activities that are designed based on the needs of the severely affected households and are implemented to support them to restore their income and living standards to the pre-project level.
Marginally Affected	The impact is only partial or less than 20% of land holding or less than 10% for vulnerable group and the remaining portion of the property or asset is still viable for continued use or meet expected personal yield. Compensation will be on the affected portion only.
Project Affected Persons	<p>Persons/individuals who as a direct consequence of the Project and without their informed consent or power of choice, are either (a) physically relocated or lose their shelter, (b) lose their assets or access to assets, or (c) lose a source of income or means of livelihood whether they are physically relocated to another place or not, (d) affected by the project in part (marginally) or in full (severely), temporarily or permanently through land acquisition that includes any person, firms, public or private institutions. The PAPs, therefore, include:</p> <ul style="list-style-type: none"> • Persons whose agricultural land will be affected (permanently or temporarily) by the Project;

	<ul style="list-style-type: none"> • Persons whose residential land/houses will be affected in part or in total (permanently or temporarily) by the Project; • Persons whose leased houses will be affected (permanently or temporarily) by the Project; • Persons whose businesses, including farm and non-farm business, or places of work, will be affected (permanently or temporarily) by the Project; • Persons whose crops and trees (annual and perennial) will be affected by the Project; • Persons whose other assets or access to those assets, will be affected in part or in total by the Project; • Persons who are squatters in public safety zones (i.e. right of the way) who are usually poor and rely on their retained business (located on the right of the way) for income generation activities; • persons who lose work/employment as a result of the project's impact; • persons or organizations who lose access to community resources/property as a result of the project; and • persons whose any other fixed or movable asset acquired or possessed.
Project impact	Any consequence immediately related to the taking of a parcel of land or to restrictions in the use of legally designated parks or protected areas. People directly affected by land acquisition may lose their home, farmland, property, business, or other means of livelihood. In other words, they lose their ownership, occupancy, or user rights, because of land acquisition or restriction of access.
Relocation	Displacement or physical movement of the PAPs from the affected area to a new area/site and the rebuilding of houses, infrastructure, provision of assets, including productive land/employment, and the re-establishment of income, livelihood, and living, and social systems.
Remaining Land Investment Cost	Include costs that the land user has invested in land (for the land use purpose) but have not been fully recovered by the time the land is acquired. These includes costs for: a) landfill, b) soil fertility improvement, soil erosion prevention (for farming purpose), c) foundation preparation (for business purpose), and d) other investment as appropriate to the land use purpose
Replacement Cost	The amount of compensation sufficient to replace lost assets, including transaction costs, which may include taxes, fees, transportation, labor, etc. With regard to land and structures, "replacement cost" is defined as follows: For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes. For land in urban areas, it is the pre-displacement market value of land of equal size and use, with similar or improved public infrastructure facilities and services and

	located in the vicinity of the affected land, plus the cost of any registration and transfer taxes. For houses and other structures, it is cost to build the new house/structure with similar technical standard without depreciation and deduction of salvageable materials, plus the cost of any related registration and taxes. For crops, trees, and other perennials based on current market value and other assets (i.e., income, cultural or aesthetic) based on the replacement cost or cost of mitigating measures.
Resettlement	Resettlement covers all direct economic and social losses resulting from land taking and restriction of access, together with the consequent compensatory and remedial measures. Resettlement is not restricted to its usual meaning - physical relocation. Resettlement can, depending on the case, include (a) acquisition of land and physical structures on the land, including businesses; (b) physical relocation; and (c) economic rehabilitation of affected people, to improve (or at least restore) incomes and living standards.
Resettlement Action Plan	A time-bound action plan prepared to compensate PAPs and /or mitigate the impact of resettlement that includes the objectives, principles, entitlements, specific activities, responsibilities of concerned agencies, groups or individuals, and budget for addressing the displacement of people from assets, sources of incomes, houses, and communities towards reconstructing their disrupted lives and improving or restoring their standards of living to at least pre-displacement level.
Severely Affected	The portion of the property to be affected is more than 20% or 10% for vulnerable groups of the total area or even less than 10% if the remaining portion is no longer economically viable or it will no longer function as intended. Full compensation of the whole property
Stakeholder	All individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project
Vulnerable groups	Distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) women headed household (widow, disabled husband with elderly or children), (ii) disabled or the elderly living alone, (iii) poor people (living below the state poverty threshold), (iv) the landless, and (v) ethnic minority groups.

EXECUTIVE SUMMARY

The Central Highlands Connectivity Improvement Project (CHCIP) will be implemented by the Government of Vietnam (GOV) through a Credit from the International Development Association (IDA) of the World Bank (WB) Group with the aim to (i) contribute to the development of the Asian Highway system connecting the Vietnam coast with neighboring countries; (ii) strengthen the transport and logistics connectivity along the East-West corridor from the Central Highlands to the Central Coastal Provinces; (iii) improve road safety corridor on National Highway No. 19 (NH19) by ensuring a minimum 3-star rating in accordance with the International Road Assessment Programme (iRAP) including Vietnam's Traffic Safety Strategy requirements and (iv) improve connectivity along NH19 to reduce travel time and deliver a design that will respond to the impending challenges associated with climate change.

Out of the 234 kilometers (km) of NH19, a total of 143.84km in length is considered under the CHCIP consisting of approximately 116 km of inter-urban roads and 26 km of urban roads (bypasses) to complement the 75 km two sections implemented by the government through Build-Operate-Transfer (BOT).

As per Detailed Design and Documentation (DDD), the 143.84 km Project is subdivided into eight (8) Contract Packages but then civil works will be executed based on Priority. The Priority Section covering two contract packages with a total length of 38.84 km lies in Gia Lai Province and the commencement of civil works is scheduled on the 1st quarter of 2021 while Non- Priority Section covering six contract packages with a total length of 105 km are situated in the provinces of Gia Lai and Binh Dinh which is scheduled for construction in later months of 2021. The physical improvements include pavement rehabilitation, widening of the road with paved shoulders, widening of lanes and features for the safe sharing of the road users, the improvement of intersections, provision of road safety facilities and the reinforcement of slopes in areas subject to landslides, in addition to the construction of two road bypasses, Pleiku and An Khe.

With the indicated physical improvements, the Project will cause land acquisition, displacement/relocation of people and disruption of income generating activities due to the clearance of road right of way or the project boundary limits. Nonetheless, mitigation and compensation measures are to be applied to redress the unavoidable adverse effects of project construction activities on local people through the Resettlement Action Plan (RAP). Two RAPs were prepared in 2017 as part of the Feasibility Studies (FS)/Preparatory Survey, these are the RAP for Gia Lai Province and RAP for Binh Dinh Province in which will be updated accordingly.

This Updated RAP for Gia Lai province primarily updates the policies to address the discrepancies/inaccuracies in the RAP of 2017, clarifies the institutional framework and mechanism for implementation, and the monitoring and evaluation. After the approval of the detailed design, the project impacts and mitigation measures will be updated through the Detailed Measurement Survey (DMS) in which the actual affected assets and number of affected persons that are eligible for compensation and other entitlements will be concluded including the accurate Resettlement Cost. The DMS will be carried out within the demarcated project boundary limits by a Consultant/Contractor to be engaged by PMU2 with the assistance of the District

Compensation and Site Clearance Committee (DSCC) along with the conduct of Replacement Cost Survey.

Scope of Impact and Mitigation Measures. The potential project impacts covering Gia Lai province as per Inventory of Losses (IOL) in 2017 revealed an estimated 915 households to be affected. Out of this total, 825 are landowners and 90 are renters along with the land acquisition of approximately 1,808,604 square meters (sqm) of land of which 1,745,967sqm (96.6%) classified as agricultural land; 54,790 sqm (3.0%) residential land; and 7,307 sqm (0.4%) public land.

Further, considering that civil work is based on Priority Section, a rapid assessment survey was conducted during July 3-7, 2020 along the alignment of the priority sections (Km67+000-Km70+740; Km83+600-Km90+000; and Km131+300-Km160+000) utilizing the preliminary Land Acquisition Plan. A total of 1,394 AHs were accounted for the priority sections alone and the affected assets are mostly concrete frontage or driveways, concrete access to households' properties and trees of various species, hence, impacts are considered insignificant. However, the extent of impacts though insignificant considerably increased compared to the RAP of 2017 for the whole province. At any rate, all these figures will be validated during the DMS. The list of HHs as per rapid assessment survey is attached in Appendix 2.

Mitigation measures. Strategies are being considered in the detailed design such as the improvement of the project will be contained within the existing road alignment and within the established road right of way. In the proposed bypasses, the strategy considered the alignment within public land to minimize land acquisition. Aside from the compensation and support, other measures will be taken to mitigate the potential adverse impact, including early notification of land acquisition (i.e. PAP will be notified at least 90 days prior to land acquisition for agricultural land and 180 days for residential land). Resettlement site to be provided at least comparable to the advantages at old site. During resettlement process, consultation will be conducted regularly to ensure comments and feedback of affected households are considered to avoid/mitigate the resettlement impact. Temporary impacts on business activities will be mitigated by allowing the households to continue running their current business until their new houses are ready for occupancy.

Socioeconomic Profile of Affected Population. As per 2017 RAP, out of the 915 affected households (AHs), 218 AHs were covered in the socioeconomic survey (household survey) and these households owned land to be potentially affected. The sampled 218 households comprised of 1,125 family members. The proportion of male respondents is 62% (136 persons).

This Socioeconomic Survey (SES) was conducted to collect information from the affected household on a) their demographic characteristics, b) occupations, c) living standards (income, expenditure, loan/credit, health status, environmental sanitation, water access, participation of PAP in local groups, d) vulnerability of affected households, e) project impact on people's assets, including its cumulative impact at household level, f) consultation with PAP on the potential impact. The collected information was analyzed to assess the socio-economic status of the affected persons and provide input for the preparation of resettlement instruments and designing livelihood restoration measures. Details are presented in Chapter III.

Information Disclosure, Public Consultation and Participation. A brief guidance on how Information Disclosure, Public Consultation, and Participation is established and will be implemented to promote effective two-way communication between the implementing agency (MOT/PMU2) and relevant stakeholders to ensure the affected and non-affected group understand the objective of the project, the design, potential positive and negative impacts, and the policy on involuntary resettlement. The guidance also aims to ensure affected people participate in all stages of resettlement planning and implementation process by having access to all project information and providing feedback to support project's design and mitigation measures.

Principles and Policies for Compensation, Support, Resettlement and Livelihood Restoration. It provides details on the compensation policies for types of impact and support to the affected persons and the process of resettlement and livelihood restoration measures.

Implementation Arrangements- set outs specific responsibilities of project stakeholders, including steps for preparation, updating and implementation of the RAP.

Grievance Redress Mechanism establishes a guidance to address grievance and complaints that may arise from affected households during RAP implementation.

Monitoring and Evaluation Arrangement describe how the RAP implementation is monitored and evaluated. This provides a brief guidance on how internal and external monitoring will be carried out.

Costs and Budget. Provides cost estimate and the arrangement of budget for RAP implementation. This will be updated after the conduct of Replacement Cost Survey

I. INTRODUCTION

The Central Highlands Connectivity Improvement Project (CHCIP) will be implemented by the Government of Vietnam (GOV) through a Credit from the International Development Association (IDA) of the World Bank (WB) Group with the aim to (i) contribute to the development of the Asian Highway system connecting the Vietnam coast with neighboring countries; (ii) strengthen the transport and logistics connectivity along the East-West corridor from the Central Highlands to the Central Coastal Provinces; (iii) improve road safety corridor on National Highway No. 19 (NH19) by ensuring a minimum 3-star rating in accordance with the International Road Assessment Programme (iRAP) including Vietnam's Traffic Safety Strategy requirements and (iv) improve connectivity along NH19 to reduce travel times and deliver a design that will respond to the impending challenges associated with climate change.

The implementation of the project will cause disturbance, land acquisition, displacement/relocation of people and disruption of income generating activities due to the clearance of road right of way (RROW) or the project boundary limits. Nonetheless, mitigation and compensation measures are to be applied to redress the unavoidable adverse effects of project construction activities on local people through the Resettlement Action Plan (RAP).

This Updated RAP primarily updates the policies to address the discrepancies/ inaccuracies in the RAP of 2017 for Gia Lai Province, clarifies the institutional framework and mechanism for implementation, and the monitoring and evaluation. The scope of project impact and mitigation measures will be updated through Detailed Measurement Survey (DMS) along with the conduct of Replacement Cost Survey after the approval of the detailed design and the Land Acquisition Plan. The DMS will be carried out within the demarcated road right of way by a Consultant/Contractor to be engaged by PMU2 with the assistance of the District Compensation and Site Clearance Committee (DSCC).

1.1 Project overview

The National Highway No. 19 (NH19) runs East-West in the Central Highlands and Central Coast Regions from the regional port of Quy Nhon in Binh Dinh Province through Pleiku City in Gia Lai Province to the Cambodian Border of Le Thanh with a total length of 234 kilometers (km). NH19 is recognized as a contribution to the ASEAN Highway Network as a key corridor in the Greater Mekong Sub region (GMS). The ASEAN Highway (AH) network, also known as the Great Asian Highway, is a cooperative project among countries in Asia and Europe and the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), to improve the highway systems in Asia. The corridor that NH19 supports connects Bangkok to the Central Coast of Vietnam through Cambodia, and is a major transport link for agricultural products of the hinterland of Gia Lai, as well as the cross-border trade from Cambodia and Southern Lao to NH1 and Quy Nhon Port.

The traffic characteristics in NH19 are quite mixed with large number of heavy trucks and high speed 4-wheeled vehicles with significant number of motorcycles and non-motorized traffic with local pedestrians, but the lack of sufficient road capacity and its poor conditions keeps NH19 being exposed to a high risk of traffic accidents. During the implementation of the Vietnam Road Safety Project (VRSP) in 2012, the International Road Assessment Program (iRAP) consultant assessed

most of NH19 as Star 1 and 2 ratings in the safety standard, which revealed that NH19 is one of the critically dangerous road in Vietnam, where a high priority should be given for upgrading. Studies from international research institutions (GRSP, MIROS, iRAP etc.) show that application of separate motorcycle lane in countries with high volume of motorcycle like Malaysia, Taiwan, Thailand, and India has proved a reduction in traffic accidents. According to the evaluation of Malaysian Road Safety Institute, 39% of accidents were reduced after the implementation of motorcycle lanes.

The proposed physical improvements under this project include pavement rehabilitation, widening of the road with paved shoulders, widening of lanes and features for the safe sharing of the road users, the improvement of intersections, provision of road safety facilities including provision of dedicated motorcycle lanes and the reinforcement of slopes in areas subject to landslides. Also, the Project will construct two road bypasses at Pleiku and An Khe towns.

The upgraded road will help strengthen regional and trade-economic development within the two regions and with Cambodia, and help reduce poverty as it will ease mobility in the northeast provinces of Cambodia which are known for difficult meteorological and geographical conditions (frequent floods during the rainy season and mountainous terrain across Vietnam). The bypasses (An Khe bypass of 13.70km, and Pleiku bypass of 13.30km), the on and off ramps for trucks in strategic locations (mountainous areas), as well as safer and efficient intersections with feeder roads will contribute to trade related improvement and transport cost reduction. The proposed project will also leverage the current Government-financed program to rehabilitate the feeder roads that link the agricultural zones to the main corridor, therefore reducing further transport costs along the corridor. The proposed project will therefore strengthen transport and logistics connectivity along the East - West corridor from the Central Highlands to the Central provinces and contributing to the Asia Road system connection with neighbor countries.

Component 1 – Road Improvements (estimated cost of USD155m): This component will support the physical improvement of three sections of NH19 including pavement rehabilitation, widening of the road with paved shoulders, widening of lanes and features for the safe sharing of the road by users, including the design and addition of dedicated motorcycle lanes, the improvement of intersections, provision of road safety facilities including guardrails, curbs, and road safety signs.

As per re-evaluation conducted in the Detailed Design and Documentation (DDD), implementation of the project is subdivided into eight (8) Contract packages with a total length of 143.84km (out of the total length of 234km of NH19) composed of 116km of inter-urban roads and 26km of urban roads (bypasses) to complement the two Build-Operate-Transfer (BOT) sections of 75km implemented by the Government. Civil works for the eight Contract Packages will be executed based on Priority. The Priority Section lies in Gia Lai Province covering two contract packages with a total length of 38.84km while Non- Priority Sections covering six contract packages with a total length of 105kms are situated in the provinces of Gia Lai and Binh Dinh.

MOT and the two Provinces have indeed been addressing the connectivity improvement and road safety issues on NH19 by promoting two BOT improvement projects and the NH1- Quy Nhon Port section improvement financed by MoT and Binh Dinh Province during the past few years. The two BOT sections are now in service and collecting tolls. These BOT sections have also

established a reasonable precedence for cross-section designs to accommodate the separation of fast and slow speed vehicles and motorcycles in urban, semi-urban and rural areas. The proposed project will help improve the remaining sections of NH19 by completing the establishment of NH19 as a Road Safety Corridor that meets international connectivity requirements with traffic safety standards including the Vietnam's Traffic Safety Strategy requirements of a minimum of iRap 3-star standard, through road infrastructure safety features. In addition, as the proposed 143km section for financing contains sections which are highly prone to landslides and potential natural disasters, a targeted intervention on these sections contributes to the overall connectivity and safety along the entire corridor.

Component 2 – Institutional Strengthening with estimated cost of USD15.35m. This component will support the institutional strengthening aspect of the road improvement component through the preparation of the detailed design for the sections of the roads, bridges and bypass to be improved, as well as the supervision of the works, and the monitoring of the safeguards aspects. This component will be supported by technical assistance through the Global Road Safety Program (GRSF) and the Global Facility for Disaster Reduction and Recovery (GDFRR) grants to (i) carry out the road safety audit to the road designs under the project; (ii) assess impacts of motorcycle lanes in Vietnam and update the draft manual for motorcycle lane design and specifications with incorporation of international best practices; and (iii) enhance climate resilience road design for disaster prone areas. In addition, this component is supported by road activities (enhancement of the traffic safety management capacity of provincial, district and commune level Traffic Safety Committees; road safety awareness program on media; etc. being implemented along the corridors through government funding.

BOT Section: The proposed additional financing project will upgrade approximately 18km of the NH19 passing Gia Lai province (Đăk Pơ towns, Ha Tam commune, An Thanh commune of Đăk Pơ district) from Km90 to Km108, expanded five existing bridges (An Cu, Ca Tung, Luc Kuc, Xa Huong and Ha Tam bridge) and upgraded three junctions along the route. The rehabilitated road will be class III- road in plain area having two lanes for motor bikes and two lanes for four-wheel vehicles. The road is 12m wide with drainage and lighting system, side protection and traffic safety. This proposed additional financing project will permanently acquire about 1.7hectare (ha) of private land which will include 1.5ha of agriculture land (garden, cash crop land) and 0.2 ha of residential land. Project will also take 4.4ha of forest land. The project will impact 14 households though no one will be relocated. To manage the potential impacts in the pre-construction stage, the BOT project has prepared a resettlement plan which was complied with the Vietnamese regulations. The total amount for compensation, support and resettlement is 59.80 billion. The implementation of RP is yet to be initiated.

1.2 Gia Lai Subprojects

Among the two components, Component 1: Road Improvement that comprises eight (8) Contract Packages/subprojects located in Gia Lai and Binh Dinh provinces will cause disturbance, land acquisition, displacement/relocation of people and disruption of income generating activities due to the clearance of road right of way (RROW) or the project boundary limits. Nonetheless, mitigation and compensation measures are to be applied to redress the unavoidable adverse effects of project construction activities on local people through the RAP prepared separately for the two provinces.

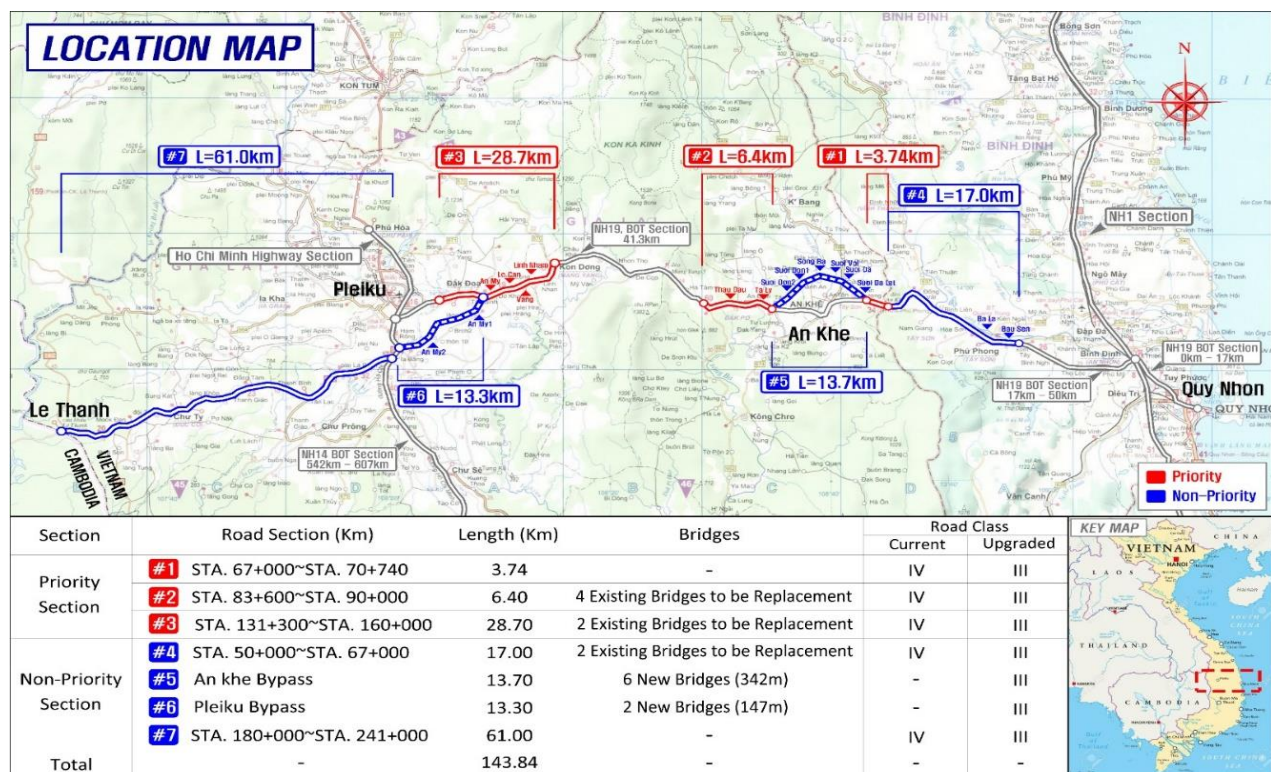
The subprojects are described in Table 1: NH19 CHCIP, Contract Packages with the corresponding Location Map in Figure 1. Location Map.

Table 1 NH19 CHCIP Improvements

No.	Road Section/Bypass	Length (km)	Bridges	Province
PK CW1	Km 50+000 – Km 67+000	17.00	2 Bridges for Replacement	Binh Dinh
PK CW 2	Km 0+000 - Km13+700 (An Khe Bypass)	13.70	6 new bridges (342m)	Gia Lai
PK CW 3	Km 67+000 – Km 70+740	3.74	4 Bridges for Replacement	Gia Lai
	Km 83+600 – Km 90+000	6.40		
PK CW 4A	Km 131+300 – Km160+000	28.70	2 Bridges for Replacement	Gia Lai
PK CW 4B	Km 155+000–Km160+000 (Pleiku Bypass)	13.30	2 new bridges (147m)	Gia Lai
PK CW 5	Km 180+000 – Km 200+000	20.00		Gia Lai
PK CW 6	Km 200+000 – Km 222+000	22.00		Gia Lai
PK CW 7	Km 222+000 – Km 241+000	19.00		Gia Lai
TOTAL LENGTH		143.84		

Note: PK CW 3 and PK CW 4A are PRIORITY SECTIONS

Figure 1: CHCIP Location Map



1.3 Objective of the Resettlement Action Plan (RAP)

The preparation of the RAP for Gia Lai province since the subprojects require land acquisition is in accordance with the policies prescribed in World Bank's OP 4.12 (Involuntary Resettlement)¹. In line with Bank's OP 4.12, the key principles of the resettlement are:

- Physical displacement, economic and physical adverse impacts will be avoided where feasible or, if not possible, minimized by examining all available design alternatives, technology, and/or site selection. Where avoidance is not possible, impacts must be mitigated;
- If the need for resettlement is unavoidable, resettlement activities will be executed as an integral part of the project, providing sufficient investment resources to enable the persons affected by the project to receive the project benefits; and
- All project affected persons (PAPs) and Ethnic Minorities will be meaningfully consulted and could participate in planning and implementing resettlement programs.

Specifically, RAP aims to:

- Ensure that no impoverishment of people shall result as a consequence of land acquisition, acquisition of assets, and resettlement for purposes of Project implementation.
- Ensure no affected person is worse off as a result of land acquisition due to project implementation.
- Ensure all affected persons are consulted and participated in project activities
- Ensure all affected persons aware of procedure for grievances redress which is easily accessible and responsive.
- Have in place a consultative, transparent, and accountable involuntary resettlement process with a time frame agreed to by MOT/PMU2 and the affected persons.
- Provide adequate assistance in the form of subsistence, transport, temporary accommodation, housing, vocational training, capacity building, service provision etc. to project affected persons.

II. LEGAL FRAMEWORKS

This RAP has been prepared and updated based on applicable laws and regulations related to land acquisition, compensation, support and resettlement of the Government of Vietnam and the World Bank's operational policy on Involuntary Resettlement (OP 4.12) equally in consonance with the provisions of the Resettlement Framework (RF) that has been formulated for WB funded projects to mitigate adverse effects. This RAP was also developed based on consultations with different stakeholders under the CHCIP project, particularly with the affected persons who will be compensated for the assets to be affected and supported in the restoration of their livelihoods.

¹ OP/BP 4.12 is available at <http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTSAFEPOL/0,,contentMDK:20543978~menuPK:1286647~pagePK:64168445~piPK:64168309~theSitePK:584435,00.html>

2.1 The Legal framework of the Government of Vietnam

A set of key legal documents of the Government of Vietnam was employed under this project to establish a legal framework for this RAP, including:

- The Constitution 2013 of Viet Nam.
- The Land Law No. 45/2013/QH13, effective in July 1, 2014.
- The Law on Complaints 02/2011/QH13 dated 11 November 2011.
- The Law on Denouncement 03/2011/QH13 dated 11 November 2011.
- Decree No.43/2014/ND-CP dated 15 May 2014, guiding in detail some articles of Land Law 2013.
- Decree No.44/2014/ND-CP dated 15 May 2014, provides the methodology for land pricing; adjustment to land price brackets, land price lists; specific land pricing and land price consultancy activities.
- Decree No.47/2014/ND-CP dated 15 May 2014, guiding in detail some articles of Land Law 2013 for compensation, assistance, resettlement when land is acquired by the State.
- Decree No. 56/2020/ND-CP of 25 May 2020, on management and use of official development assistance (ODA) and concessional loans of donors. Replacing Decree No. 16/2016/ND-CP dated 16 March 2016 and 132/2018/ND-CP, dated October 01, 2018 on management and use of official development assistance (ODA) and concessional loans of donors.
- Decree No. 01/2017/ND-CP dated 6/1/2017 amending and supplementing a number of decrees detailing the implementation of Land Law.
- Circular No. 36/2014 / TT-BTNMT dated 30 June 2014, regulating method of valuation of land, construction, land price adjustment, specific land valuation and land valuation advisory.
- Circular No. 37/2014/TT-BTNMT dated 30 June 2014, regulating compensation, assistance and resettlement when the State acquires land.
- Decision No. 1956/2009/QĐ-TTg, dated 17 November 2009, by the Prime Minister approving the Master Plan on vocational training for rural laborer by 2020.
- Decree No. 75/2012/ND-CP of the Government dated 3 Oct 2012, specifies some of articles of the Complaint Law.
- Decree No. 76/2012/ND-CP of the Government dated 3 Oct 2012, specifies some articles of the Denouncement Law.
- Circular No. 07/2013/TT-TTCP dated 31 October 2013 by Government Inspectorate regulating administrative complaint procedures and Circular No. 02/2016/TT-TTCP dated 20 October 2016 by Government Inspectorate amending and supplementing a number of articles of the Circular No. 07/2013/TT-TTCP dated 31 October 2013 by Government Inspectorate regulating administrative complaint procedures.
- Circular No. 30/2014/TT-BTNMT date 2 June 2014 regulations on allocation of land records, lease and transfer of land use, land acquisition.
- Decision No. 63/2015/QĐ-TTg dated 10 December 2015, on the assistance policies for employment and vocational training to labors (households) whose land are acquired by the State.

- Decision No.09/2018/QĐ-UBND by Gia Lai PC dated March 21, 2018 promulgating the regulation on compensation, support and resettlement when the state recovers land in Gia Lai;
- Decision No. 02/2020/QĐ-UBND of Gia Lai PC dated January 09, 2020 on amending and supplementing a number of the regulation issued together with Decision No.09/2018/QĐ-UBND of March 21, 2018 by the Gia Lai PC promulgating the regulation on compensation, support and resettlement when the State recover land in the Gia Lai province;
- Other relevant legal documents issued by People's Committees of Gia Lai which are currently active.

2.2 The World Bank's Operational Policy on Involuntary Resettlement (OP 4.12)

Involuntary resettlement under development projects, if unmitigated, often gives rise to severe economic, social, and environmental risks. For instance, the production systems are dismantled; people face impoverishment when their productive assets or income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community institutions and social networks are weakened; kin groups are dispersed; and cultural identity, traditional authority, and the potential for mutual help are diminished or lost.

Given the above condition, WB's OP 4.12, Involuntary Resettlement provides comprehensive guidance in complying with the requirements for Environmental and Social Safeguards considerations (involuntary resettlement and indigenous people/ethnic minorities) of the project. It contains three important elements as follows:

1. provision of support and assistance for those who lose their land, assets, or livelihood due to land acquisition or restriction on land use;
2. assistance for relocation including provision of relocation sites with appropriate facilities and services; and
3. assistance for rehabilitation to improve or achieve at least the same level of well-being with or without the project.

The overall objective of the policies is:

- (a) Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- (b) Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.

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

2.3 Gaps between the World Bank's policy and Government of Vietnam's policy on involuntary resettlement and harmonization measures.

The legal and policy framework on land acquisition, resettlement and compensation policies applied for the project are in accordance with the World Bank's requirements and laws of the Socialist Republic of Viet Nam. Under the WB policy, it is a condition of the funding institution that the Bank's requirements are met in relation to resettlement, compensation and rehabilitation to all affected households as defined in the OP4.12.

With the promulgation of the Government Land Law 2013 (No. 45/2013/QH13) and relevant Decrees stated above, the policies and practices of the Government become more consistent with the WB's social safeguards policies. Nonetheless, provisions and principles adopted in this RAP will supersede the provisions of the relevant decrees currently in force in Viet Nam wherever a gap exists, as provided for under Item 2, Article 87 of the land law 2013 and Decree No. 56/2020/ND-CP of 25 May 2020, on management and use of official development assistance (ODA) and concessional loans of donors.

The legal and policy framework on land acquisition and resettlement of GOV has been compared with the requirements of WB's policy and gaps were identified. The gap-filling measures required to resolve the differences are shown in Matrix below.

Table 2 Legal and Policy Framework on Land Acquisition and Compensation of World Bank and Government of Vietnam

Subjects	Bank's OP 4.12	Government of Vietnam	Project Measures or Project Policy Framework
1. Land Property			
1.1. Policy objectives	PAPs (Project Affected Persons) should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher	<p>There is a provision of support to be considered by PPC to ensure they have a place to live, to stabilize their living and production. (Article 25 of Decree 47).</p> <p>In case the amount of land compensation/support is not enough for resettled people to buy a minimum resettlement plot/apartment, they will be cash supported to be able to buy a minimum resettlement plot/apartment (Article 86.4 of Land Law 2013 and Article 27 of Decree 47)</p>	Livelihoods and income sources will be restored in real terms, at least, to the pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

Subjects	Bank's OP 4.12	Government of Vietnam	Project Measures or Project Policy Framework
1.2. Compensation for land and non-land assets of PAPs without LURC or illegalizable for LURC.	<p>a) Agriculture land: PAPs are supported in resettlement instead of compensation for the land they are occupying/using, and other supports, to achieve the resettlement objectives stated in OP4.12, if the land area encroached before the official cut-off date;</p> <p>b) Non-agriculture land: no compensation but user will get resettlement assistance.</p> <p>c) Compensation for loss of non-land assets including dwellings, structures, tree, crops at full replacement cost, if they have been constructed/created before cut-off date.</p>	<p>Land Law 2013, Article 77, item 2 and article 92: Persons who have used agricultural land before 1st July 2004 and are directly involved in agriculture production on the acquired land without LURC or ineligible for LURC will be compensated for the acquired land area but not exceed quota of agricultural land allocation. But no compensation for non-land assets in the following cases: (i) the assets subject to the land recovery as stipulated in one of items a, b, d, đ, e, l, clause 1, article 64 and items b, d, clause 1, article 65 of the Land Law 2013; the assets created after the notification on land acquisition; and (iii) unused public infrastructures and other works.</p>	<p>a) Agricultural land used before 1/7/2004 will be compensated at replacement cost; used after 1/7/2004 is assisted for livelihood restoration decided by Gia Lai PPC.</p> <p>b) No compensation for illegal residential land, but provision of resettlement assistance and other supports according to decision of the PPC. For displaced cases, if user has no land/house in the project commune/ward they will be allocated a standard land plot/apartment in resettlement site with land use levy; if the land user cannot afford to pay for land use levy, they will be debited and paid by instalments.</p> <p>c) compensate for non-land assets if they have been created before cut-off date.</p>
2. Compensation rate			
2.1. Compensation rates for land and non-land assets	Compensation for lost land and non-land assets including houses and structures should be paid at full replacement costs without	Compensation for land at specific land price of affected land; Compensation for living house at the cost enough for constructing	Independent appraiser identifies replacement costs for all types of assets affected to apply for compensation. No depreciation

Subjects	Bank's OP 4.12	Government of Vietnam	Project Measures or Project Policy Framework
	depreciation and deduction of salvageable materials.	new house with similar technical standard; Compensation for other structures at current value.	and deduction of salvageable materials is applied.
2.2. Assistance for severely affected household	Provision of livelihood restoration and assistance for severely affected households who lose 20% (10% for the poor/vulnerable households) of productive land to achieve the resettlement objectives.	Providing subsistence support for affected household who lose 30% or more of productive land and directly cultivate on the affected land.	Provision of livelihood restoration and assistance measures for severely affected households who lose 20% (10% for the poor/vulnerable households) of productive land to achieve the objectives of resettlement
3. Grievance Redress Mechanism			
Grievance redress	Grievance redress mechanism should be independent.	The same governmental body makes decisions on compensation and resettlement and make decision on grievance redress.	An effective Grievance Redress Mechanism is established, built on the existing governmental system, with monitoring by an external monitoring consultant.
4. Monitoring and Evaluation			
Monitoring and Evaluation	Internal and external monitoring are required.	Citizens can supervise and report on breaches in land use and management on their own (or through representative organizations), including land recovery, compensation, support, and resettlement (Article 199, Land Law 2013). There are no	Both internal and external (independent) monitoring is to be regularly maintained (monthly for internal and bi-annual basis for independent monitoring) and reported to the WB. An end-of-project evaluation on the implementation of resettlement is

Subjects	Bank's OP 4.12	Government of Vietnam	Project Measures or Project Policy Framework
		explicit requirements on monitoring of the resettlement works, especially independent (external) monitoring.	required and report will be prepared to confirm whether the objectives of OP 4.12 were achieved.

III. SCOPE OF PROJECT IMPACT AND MITIGATION MEASURES

3.1 Scope of Project Impacts

The data/figures in succeeding subsections will be updated once the result of the DMS becomes available. Through the DMS, the actual affected assets and number of affected persons subject for compensation and other entitlements will be concluded.

After the approval of the detailed design that includes the Land Acquisition / Road Right of Way Plan, the DMS will be carried out within the demarcated road right of way by a Consultant/Contractor to be engaged by PMU2 with the assistance of the District Compensation and Site Clearance Committee (DSCC) along with the conduct of Replacement Cost Survey.

3.1.1 Affected households

The project will potentially affect an estimated 915 households, of which 825 are landowner households, and 90 renter households. Number of severely affected households is 97 HHs, including 7 households losing 10% or more of total agricultural land holding and 87 relocated HHs. Number of affected business household is 220 HHs, and number of vulnerable is 90 HHs (10 poor, 15 women headed households with dependents, and 5 HHs of social policy category, 60 ethnic minority households).

The category and magnitude of impacts based from the IOL in 2017 are shown in Table 2: Category and Magnitude of Impacts.

Table 3 Category and Magnitude of Impacts

Ward/Commune	Severely affected HHs					Businesses	Vulnerable	Marginal affected HHs	Renter HHs	Total	
	Losing 10-70% (for poor/vulnerable)	Losing 20-70%	Losing >70%	Relocation	Subtotal					AH	AP
Song An	-	-	-	-	-	-	-	15	-	15	68
An Phước	-	-	-	5	5	-	-	10	-	15	68
Thành An	-	-	-	2	2	-	-	20	-	22	99
An Bình	-	-	-	2	2	-	-	17	-	19	86
Ngô Mỹ	-	-	-	-	-	-	-	10	-	10	45
Tân An	-	-	-	11	11	5	-	30	5	51	230
Cư An	-	-	-	23	23	5	-	30	5	63	284

Ward/Commune	Severely affected HHs					Busin esses	Vuln erabl e	Marginal affected HHs	Renter HHs	Total	
	Losing 10-70% (for poor/ vulnerable)	Losing 20-70%	Losing >70%	Reloca- tion	Subtotal					AH	AP
Đak DJrăng	-	-	-	-	-	15	-	26	-	41	185
Đăk Đoa townlet	-	-	-	-	-	-	-	10	-	10	45
Ia Băng	3	-	-	2	5	-	10	-	5	20	90
Tân Bình	-	-	-	5	5	5	20	10	3	43	194
Glar	2	-	-	4	6	-	15	-	5	26	117
A Dok	1	2	-	-	3	-	10	-	2	15	68
Kdang	-	-	-	7	7	-	5	10	-	22	99
Gào	-	-	-	-	-	-	-	15	3	18	81
An Phú	-	1	-	18	19	30	-	20	2	71	320
Chư Á	1	-	-	-	1	-	-	25	3	29	131
Chư Hdrông	-	-	-	-	-	-	-	10	-	10	45
Bầu Cạn	-	-	-	2	2	10	-	20	2	34	153
Thăng Hưng	-	-	-	2	2	15	-	25	5	47	212
Bình Giáo	-	-	-	-	-	15	-	10	5	30	158
Ia Kriêng	-	-	-	2	2	10	-	30	5	47	212
Ia Kla	-	-	-	2	2	-	-	10	10	22	99
Chư Ty townlet	-	-	-	-	-	-	-	10	-	10	45
Ia Pnôn	-	-	-	-	-	5	-	10	5	20	90
Ia Nan	-	-	-	-	-	20	-	10	10	40	180
Ia Krêl	-	-	-	-	-	25	-	25	5	55	270
Ia Dom	-	-	-	-	-	30	-	20	5	55	248
Ia Dìn	-	-	-	-	-	30	-	20	5	55	248
TOTAL	7	3	0	87	97	220	90	448	90	915	4,170

3.1.2 Impacts on Land

Land to be Acquired:

The rehabilitation/construction of subproject in Gia Lai province will require a permanent acquisition of approximately 1,808,604 square meter (sqm) of land as follows:

- Residential land: 54,790sqm belonging to 915 PAHs
- Agricultural land: 1,745,967sqm belonging to an estimated 700 HHs, including:
 - Annual cropland: 1,712,529sqm belonging to an estimated 500 households.
 - Perennial land: 33,438sqm belonging to an estimated 200 households.
 - Public land: an area of 7,307sqm of public land may be affected.

Table 4 Classification of Land to be Acquired

Commune/Ward	Residential land (m ²)	Agriculture land		Other land	Total (m ²)	Land tenure status	
		(m ²)				LURC	No LURC
		Annual cropland	Perennial land				
Song An	1,375	76,700	6,188	891	85,154	11	4
An Phước	2,153	55,800	2,300	3,000	63,253	10	5
Thành An	4,453	67,600	2,500	1,700	76,253	20	2
An Bình	3,912	44,000	-	391	48,211	15	4
Ngô Mây	-	9,404	-	1,325	10,729	10	0
Tân An	723	-	-	-	675	45	6
Cư An	13,800	32,600	5,200	-	51,600	60	3
Đak Dřrăng	1,617	79,200	-	-	80,817	41	0
Đăk Đoa townlet	387	-	-	-	100	10	0
Ia Băng	257	91,800	-	-	80,400	15	5
Tân Bình	320	95,300	17,250	-	104,870	35	8
Glar	232	104,300	-	-	84,232	15	11
A Dơk	85	95,700	-	-	80,270	10	5
Kdang	340	115,600	-	-	105,840	14	8
Gào	240	52,525	-	-	50,640	15	3
An Phú	1,611	49,200	-	-	50,811	67	4
Chư Á	1,520	45,700	-	-	41,820	25	4
Chư Hdrông	122	65,100	-	-	60,372	10	0
Bầu Cạn	600	68,300	-	-	62,600	30	4

Commune/Ward	Residential land (m ²)	Agriculture land		Other land	Total (m ²)	Land tenure status	
		(m ²)				LURC	No LURC
		Annual cropland	Perennial land				
Thăng Hưng	954	67,100	-	-	55,154	40	7
Bình Giáo	820	69,200	-	-	61,420	24	6
Ia Kriêng	670	52,100	-	-	52,770	40	7
Ia Kla	690	53,500	-	-	40,290	20	2
Chư Ty townlet	12,200	85,200	-	-	97,400	10	0
Ia Pnôn	1,800	40,200	-	-	32,300	15	5
Ia Nan	474	51,600	-	-	52,074	30	10
Ia Krêl	1,420	49,100	-	-	50,470	30	25
Ia Dom	615	45,600	-	-	40,580	50	5
Ia Din	1,400	50,100	-	-	51,500	45	10
TOTAL	54,790	1,712,529	33,438	7,307	1,808,064	762	153

Land tenure status of the AHs

Overall, 83.3 % of total affected households (762 HHs) hold Land Use Rights Certificates (LURCs) or are eligible to issuance of LURCs. The remaining 16.7% (153HHs) do not have LURC.

3.1.3 Impacts on Houses and Secondary Structures

Houses: The project will affect an estimated 310 houses, of which 87 houses would be fully affected - most are of Grade 4 (78 houses) and 223 houses will be only partially affected.

Structures associated with houses: In addition to impacts on houses, the following structures associated with their houses are also affected (see Table 4: Summary of Affected Houses and Other Structures below).

Table 5 Summary of Affected Houses and other Structures

Kitchens (m2)	Latrine (unit)	Graves	Wells	Electro meters	Water meters	Pipelines (m)	Fences (m)	Water containers	Yard (m2)
744	75	20	50	87	62	4,405.5	3,503.3	50	2,020

3.1.4 Impacts on Crops and Trees

The total affected crop areas are 131,188sqm including rice (17,429sqm), crops (30,959sqm), sugar cane (82,800sqm), coffee (29,306 trees), rubber trees (14,651 trees), pine (1,431 trees), acacia and eucalyptus (1,233 trees), and orchard trees (532).

3.1.5 Impact on Businesses

There are 220 households whose businesses are to be affected. The area of affected business includes junk shop, auto and motor repair, electronic repairs, etc. Some businesses have to be relocated as the land on which the businesses are located are permanently affected.

3.1.6 Impact on Graves

An estimated 20 graves (located in a cemetery in Glar commune of Đăk Đoa District) would be potentially affected. These graves belong to Bahnar ethnic minority group. Consultation with the grave owners indicated that the affected households support the project implementation and expect the appropriate compensation.

Once the detailed design for the subproject is available, detailed measurement survey will be carried out to identify the exact number of graves to be affected. Relocation of the affected graves will be done based on consultation with the affected households to meet their customs and habits of local peoples. Compensation payment for affected graves includes full costs associated with a) land for re-burial, b) excavation, c) relocation, d) reburial, e) construction of new tombs, and f) other reasonable related costs which are necessary to meet local customs.

3.1.7 Impact on Public Assets

A government/public land with an estimated area of 7,307sqm within the right of way could be potentially used for the project.

Fifty one (51) electric power poles at Km180 - Km241 in Gao commune (Pleiku City), Binh Giao, Bau Can, Thang Hung (Chu Prong district), Ia Nan, Chu Ty, Ia Pnon, Ia Krieng, Ia Kla, Krel, Ia Dom and Ia Din (Duc Co district) will need to be relocated.

3.1.8 Impact on Livelihood

The road sections for improvement/rehabilitation including the bridges for replacement go along with the existing road alignment except the proposed construction of new bypasses.

The land acquisition is kept to the minimum. However, an approximate 1,745,967sqm of agricultural land are to be acquired, thus, there is a considerable impact on the livelihoods of severely affected households including 87 households who need to be physically relocated and 10 households who lose 10-70% of their productive land. All the severely affected households will be compensated and additional support will be provided to restore their livelihood through

participation in the Livelihood Restoration Program (LRP) to recover their income effectively and promptly – either they are engaged in agricultural production or not. After the DMS in which the eligible affected households are determined, another consultation will be undertaken for the households to decide how and where they will be relocated.

3.1.9 Cumulative impacts

Out of the 915 HHs affected, 151 HHs would face cumulative impacts which may pose additional difficulties to them during their resettlement and livelihoods restoration process. These households include:

- 2 households will lose house + agricultural land + agricultural land based income;
- 40 households will lose house + businesses;
- 5 households will lose agricultural land + businesses;
- 100 households will residential land + businesses; and
- 4 vulnerable households will relocate.

These households will be entitled to participate in the livelihood restoration programs designed for this subproject.

3.1.10 Temporary Impact

During project construction, approximately 9,800sqm of agricultural land and 3,800sqm of public land could be used temporarily for the establishment of work campsite, site disposal area and detour route during the replacement/construction of bridges. The affected land should be compensated or leased for the duration of use according to the regulations of the RAP. Upon completion of the construction, the land used temporarily for the establishment of work campsites and detour route during the construction of bridges will be rehabilitated to its original condition and return to the owner. While for the temporary spoil disposal areas, some of the special treatment include site will be graded to match or blend with existing contours, access and haul roads to the areas are restored and disturbed surfaces are rehabilitated to facilitate the future target land use. The same approach will be applied in case that additional land is needed to be used temporarily for material storages.

An estimated 5-6 ethnic minorities (EM) recognized as Bahnar located in Boi village of Glar commune are likely to be temporarily affected due to the establishment of a work campsite and a disposal site. Consultation with these EM households are conducted in line with the EMDP. Where avoidance is not possible, compensation for such temporary effect will be made to the affected EM households in accordance with the entitlements set forth in the RAP.

In the event that business activities of the households will be temporarily affected resulting in loss of income that derive from such business due to the temporary used of the land, income loss should be compensated for the entire period of impact as per RAP.

3.2 Mitigation Measures

Strategies are being considered in the detailed design such as the improvement of the project will be contained within the existing road alignment and within the established road right of way. In the

proposed bypasses, the strategy considered the alignment within public land to minimize land acquisition.

Where avoidance of land acquisition is not feasible, compensation will be made to the affected households for the assets that are lost/affected, including their loss of income. The compensation payment will be made based on the principles set forth in this RAP. In addition to compensation, households who are severely affected will be provided with additional financial support for resettlement and they are eligible to participate in the Livelihood Restoration Program that was designed based on their needs to assist them in promptly restoring their livelihood as a result of loss of land/business/crops, or as a result of physical relocation. Aside from the compensation and support, other measures will be taken to mitigate the potential adverse impact, including early notification of land acquisition (i.e. PAP will be notified at least 90 days prior to land acquisition for agricultural land and 180 days for residential land), resettlement site must be provided and constructed close to the current location of the affected households. During resettlement process, consultation will be conducted regularly to ensure comments and feedback of affected households are considered to avoid/mitigate the resettlement impact. Temporary impacts on business activities will be mitigated by allowing the households to continue running their current business until their new houses are ready for occupancy. Contractor will apply all possible mitigation measures to avoid and/or mitigate negative impacts on local people during construction and to be closely monitored by PMU2 and local community.

IV. SOCIOECONOMIC PROFILE OF AFFECTED POPULATION

4.1 Purpose of Socioeconomic Survey and Methods

4.1.1 Purpose

Generally, the socioeconomic survey for affected households helps understand the overall context of the subproject area and current socio-economic status of affected households. Likewise, provides inputs for the preparation of resettlement instruments and designing livelihood restoration measures relevant to the context of affected households to ensure the sustainability of the project entitlements.

Specifically, the Socioeconomic Survey (SES) aims to collect information from affected households on a) their demographic characteristics, b) occupations, c) living standards (income, expenditure, water access, electricity), d) project impact on people's assets, including its cumulative impact at household level, e) consultation with PAP on the potential impact, and f) their support for project implementation.

4.1.2 Research Methods

Mixed methods. Qualitative and quantitative techniques are combined to enhance the reliability and the validity of the SES. Quantitative techniques are used for socioeconomic survey on affected households using questionnaire to collect households' socioeconomic information whereas qualitative techniques are used in focus group discussion, key informant interview, community meetings to obtain in-depth understanding of issues that could not be well captured from structured household survey. Field observation was also conducted throughout the field work. The field work was started from 18-26 August 2016, 17-25 December 2016 for household survey exercise, focus group discussion, and key informant interview.

Sample size and sampling. A sample of 218 households out of total 915 affected households has been taken for the purpose of socio-economic household survey. Stratified sampling was adopted to enhance the representative of each type of impact. Priority is given to those who are poor and/or vulnerable, particularly to the severely affected groups, including those who a) are affected with more than 20% of agriculture land, b) relocate their house, and c) face cumulative impact (i.e. loss of houses, physical relocation, and loss of businesses, etc.).

Data analysis. Quantitative data collected from the household survey were analyzed using Microsoft Excel. Qualitative data obtained from consultation sessions (public meetings, focus group discussion, informant interview, etc.) were also analyzed, by themes. Both method and data source triangulation are employed to ensuring validity and reliability/trustworthiness of the findings.

Consultation with Ethnic Minority community. There are 60 households from ethnic minority group (belonging to five EM groups, including Bahnar, Jarai, Nung, Thai, and Muong) that are potentially affected by the subproject. Representative of these groups have been invited to participate in a free, prior and informed consultation process during the RAP preparation to ensure that they are consulted in accordance with Bank's OP 4.10 and their meaningful feedbacks are

collected to integrate into resettlement planning and propose measures to avoid/mitigate the potential adverse impact into the detailed design.

With this, aside from the RAP, an Ethnic Minority Development Plan (EMDP) was developed encompassing the indigenous Bahnar and Jarai and migrant groups from northern Vietnam who have settled in the project area for many years including Tay, Thai, Nung and Muong. The EMDP laid out the strategies and programs for the involvement of the recognized EM groups living along the NH19 and within the two bypasses (An Khe Bypass and Pleiku Bypass) in the development and implementation of the plan during construction and other associated activities.

4.2 Socioeconomic Overview of Subproject Area

Seven (7) Contract Packages /subprojects are within Gia Lai with a total length of 126.84km, out of the 143.84km stretch of CHCIP and these are described in Table 6: Gia Lai Province Subprojects below:

Table 6 Gia Lai Province Subprojects/Contract Packages

No.	Road Section/Bypass	Length (km)	Bridges
PK CW 2	Km 0+000 - Km13+700 (An Khe Bypass)	13.70	6 new bridges (342m)
PK CW 3	Km 67+000 – Km 70+740	3.74	4 Bridges for Replacement
	Km 83+600 – Km 90+000	6.40	
PK CW 4A	Km 131+300 – Km160+000	28.70	2 Bridges for Replacement
PK CW 4B	Km 155+000–Km160+000 (Pleiku Bypass)	13.30	2 new bridges (147m)
PK CW 5	Km 180+000 – Km 200+000	20.00	
PK CW 6	Km 200+000 – Km 222+000	22.00	
PK CW 7	Km 222+000 – Km 241+000	19.00	
TOTAL LENGTH		126.84	

Note: PK CW 3 and PK CW 4A are PRIORITY SECTIONS

4.2.1. Economic condition

a. Pleiku city: In 2018, the ratio of trade-services accounted for 53.07%, industry and construction accounted for 42.86% and agriculture, forestry and fisheries accounted for 4.08%. In 2018, average income / hectare of production reached about VND 93 million. Per capita income in 2018 reached 52 million / person / year

b. An Khe Town: The ratio of industry is 50.4%, service 40.4%, agriculture 9.2%

c. Đắk Pơ District: The ratio of trade-services is 41.5%, industry and construction accounted for 50.0% and agriculture, forestry and fisheries accounted for 8.5%. The district's grain food production in 2018 is 526.851 tons. The total cultivated area of the district is 22,415.5 ha, of which rice is 1,416.6 ha. Per capita income reached 45.36 VND million / person / year up to 2018

d. Mang Yang District: In 2018, the ratio of trade-services accounted for 26.1%, industry and construction is 25.7% and agriculture, forestry and fisheries accounted for 48.1%. Per capita

income reached 36 million / person / year.

e. Đắk Đoa District: The economy steady growth, averaging at 11.0% / year. In the end of 2018, the total value of production reached VND 7.284 billion. Per capita income is estimated at VND 41.1 million/ person / year up to 2018. Agricultural economy achieved an average growth of 3.9 % / year in which the ratio of trade-services accounted for 34.4%, industry and construction accounted for 23.84% and agriculture, forestry and fisheries accounted for 41.76%; agricultural development oriented commercial production, has formed and developed some concentrated production areas of industrial crops of high economic value, such as coffee, pepper. The district currently has over 27,800 hectares of coffee, 6,858.0 hectares of rubber; over 3,205 ha of pepper. In animal husbandry, the district had a total livestock and poultry around 234.315 heads, of which cattle are 61.415 heads, crossbred rate was 26.2%.

f. Chư Prông District: The total production value in 2018 of the district reached VND 6,508.1 billion (100%), in which agriculture, forestry and fishery is 59.8%, industry and construction are 17.5% and services are 22.7% The total crop area of the district is 15621,6 hectares. . Per capita income in 2019 reached 40 VND million / person / year.

g. Đức Cơ: In 2018, the value of agriculture, forestry and fishery production of the district reached VND 2128.6 billion, in which service production value reached VND 1861.1 billion, accounting for 37.25%; production value of handicraft industry and construction reached VND 1006.5 billion, reaching 20.15%. The total cultivated area of the whole district has reached 32288.2 ha; in which Long-term industrial crops (coffee, rubber, cashew, pepper) with an area of 28864 ha. Equivalent to 40% of the total natural area of the district and 89.4% of the total cultivated area.

4.2.2. Available infrastructure and service

Water Supply and Sanitation. Based from the 2018 Statistical Yearbook of Gia Lai province, the proportion of people using potable water in the project districts ranged from 61.2% - 100%, while the highest rate recorded in Pleiku city and Dak Doa with 100% and the lowest was Mang Yang district. There are 17.5% of project affected households use water from dug wells, 29.4% use bored wells, others use tap water (53.1%). For drinking water, 67.6% of households use tap water, 13.5% use dug well and 18.9% use bored well. The statistics of Gia Lai also indicated that the proportion of households with sanitary latrines in the districts of the project area ranges from 49% -100%, of which the highest rate was in Pleiku city and the lowest was in Duc Co district.

4.2.3. Social condition

a. Land use status. The project goes through An Khe town, Dak Po District, Mang Yang district, Dak Doa district, Pleiku city, Chu Prong district and Duc Co district-Gia Lai province. Based from Gia Lai Statistical Yearbook of 2018, agricultural land represents a large proportion, particularly on land use structure of the districts in the project area as shown below Table 7: Land Use Status.

Table 7 Land use status of town/district/city in project area (ha)

Administration unit		Agricultural	Forestry	Specially used/ Dedicated land	Homestead/ Residential land	Total
Gia Lai province	TX. An Khê	12,455	3,965	1,735	642	20,007
	Đak Pơ	24,165	18,035	3,812	385	50,253
	Mang Yang	49,406	51,864	5,910	2,015	112,718
	Đak Đoa	65,237	20,904	3,801	1,174	98,530
	Tp. Pleiku	16,693	2,273	3,211	2,832	26,077
	Chư Prông	105,395	45,596	3,530	1,035	169,391
	Đức Cơ	60,395	6,543	2,589	460	72,186
Land use structure		56.9%	30.5%	5.0%	1.5%	100.0%

Source: Gia Lai Statistical yearbook, 2018.

b. Population. The investment project routes go through 7 districts of Gia Lai province. The most populated among the coverage area is Duc Co with a total population of 55,845 covering seven (7) communes while the least with only two communes/wards is Mang Yang with a total population of 16, 039. The population of the commune/ ward / township in project area is shown in Table 8: Population.

Table 8 Population of Communes/Wards/Township in Project Area

Province	District	Commune/ ward/ township	Population in 2018			Area (km ²)	Density (person /km ²)	House hold	Average person/ HH
			Total	Male	Female				
Gia Lai	Đăk Pơ	Cư An	6225	3218	3007	36.9097	169	1624	3.83
		Tân An	11277	5817	5460	26.5493	425	2742	4.11
	An Khê town	Song An	4527	2320	2207	44.171	102	1220	3.71
		An Phước	3289	1689	1600	13.200	249	877	3.75
		Thành An	4767	2457	2310	22.497	212	1135	4.2
		An Bình	8239	4121	4118	9.666	852	2140	3.85
		Ngô Mây	5097	2584	2513	10.278	496	1452	3.51
	Mang Yang	Đak D'răng	5762	2892	2870	50.47	114.16	1478	3.89
		Kon Dong	10277	5061	5216	16.88	608.76	2434	4.22
	Đăk Đoa	Đăk Đoa	16847	8377	8470	21.201	794	4446	3.79
		Tân Bình	4737	2382	2355	21.576	219	1278	3.71
		K'dang	10480	5178	5302	75.622	138	2643	3.97
		A Dơk	6677	3283	3394	21.127	316	1477	4.52
		Glar	10176	5026	5150	40.593	250	2278	4.47
		Ia Băng	12709	6403	6306	53.347	238	3038	3.23
	Tp. Pleiku	Gào	5085	2658	2427	57.97	88	1008	5.04
		An Phú	12334	6253	6081	11.16	1106	2840	4.34
		Chư H'Đrông	3139	1675	1464	13.13	239	608	5.16

	Chư Prông	Chư Á	11246	5697	5549	14.48	777	2097	5.36
		Thăng Hưng	6395	3183	3212	38.93	164.27	1674	3.82
		Bầu Cạn	5836	2934	2902	33.59	173.74	1614	3.62
	Đức Cơ	Bình Giáo	6389	3185	3204	42.95	148.75	1591	4.02
		Ia Kriêng	5985	2976	3009	109.21	54.80	1622	3.69
		Ia Kla	7689	3830	3859	49.95	153.94	1899	4.05
		Chu Ty	12861	6329	6532	15.45	832.70	3367	3.82
		Ia Pnôn	4767	2376	2390	114.01	41.81	1116	4.27
		Ia Nan	7893	3925	3968	90.31	87.39	1608	4.91
		Ia Krêl	8400	4173	4227	53.48	157.06	1991	4.22
		Ia Dom	8250	4248	4002	145.43	56.73	2073	3.98

The population of the whole Gia Lai province has reached to 15,510,980 people in the end of 2018 as per Gia Lai Statistical Yearbook. Out of the provincial population, 45.03% belongs to the 34-ethnic minority (EM) groups. Most of the EMs are Jarai with a population of 424,631 (30% of total population of the province) and Bahnar with a total population of 166,732 (11.78% of total population of the province) and the rest of ethnic minorities has a total population of 40,993 (3.08 % total population of the province).

The political role of ethnic minorities is enshrined such as , in the leadership of the communes and wards in project area, at least the Chairman or Vice Chairman of PC of communes, wards are from ethnic minorities. Bahnar and Jarai groups have long settled in the Central Highlands, concentrated mainly on both sides of NH19. They live together with the Kinh people and share public facilities and natural resources. The Bahnar and Jarai groups in the project areas include both nuclear and extended families. The ratios of men and women are 49% and 51%, respectively. Both Bahnar and Jarai people mainly live in a concentrated manner and build a close-knit relationship among members in the community, hence, the kinship is strong. The elderly within a village used to play a strong role in the social organization of the Bahnar and Jarai people, but their roles have become weakened over time. At present, members of these groups tend to follow the advice of the elected respected persons in their villages.

The Bahnar and Jarai people mainly cultivate rice but in fields away from the road corridor and will not be subjected to restriction of access to their fields with the construction of the road/bypasses. In addition, they plant fruit and vegetable crops and industrial plants (coffee, cashew, rubber,) and raise livestock. Agricultural livelihoods form their main sources of income and sustenance. Some households also own small shops selling car appliances, food, toiletries, drinks, and other basic commodities. About 10 - 20% of the Bahnar and Jarai households are in the districts' poor list. A majority of the Bahnar and Jarai people live on agriculture. Besides, they are hired as porters for nearby construction sites, or as seasonal laborers during a harvest season, or work for small businesses.

c. Education. The following data are extracted from Gia Lai Statistical Yearbook of 2018. Statistics show that there are 111 educational institutions including primary, junior high and high school in the communes covered by the project area. The number of educational institutions decreases from the 121 educational statistics in 2015.

Table 9 Schools in communes/wards/township in project area

Province	District	Commune/ ward/ township	School	Student				
				Kindergarten	Primary	Secondary	Highschool	Total
Gia Lai	An Khê	An Phước	0	0				
		Thành An	2	190		(1 school)		190
		An Bình	4	241	(1 school)	(1 school)	(1 school)	241
		Ngô Mây	2	265	(1 school)			265
		Song An	3	112	443	318		873
	Đắk Pơ	Cư An	4	443	579	326		1348
		Tân An	3	356	911	849		2116
	Mang Yang	Kon Đồng	5	609	2117		0	2726
		Đak DJrăng	3	313	(1 school)	(1 school)		313
	Đăk Đoa	Đak Đoa	10	1234	2519	1594	1295	6642
		Ia Kla						
		Ia Băng	4	556	1461	563	0	2580
		Tân Bình	3	255	517	359	0	1131
		Kdang	4	442	1069	510	0	2021
		Glar	4	374	905	597	0	1876
		A Dok	4	228	807	425	558	2018
	Pleiku	Gào	2	269	504	256	0	760
		An Phú	3	383	1339	774	0	2113
		Chư Hdrông	1	0	0	627	0	627
		Chư Á	2	512	583	499	0	1082
	Chư Prông	Thăng Hưng	3	231	707	488	0	1426
		Bình Giáo	3	165	719	482	0	1366
		Bầu Cạn	3	252	607	394	0	1253
	Đức Cơ	Ia Kriêng	4	245	598	255	0	1098
		Chư Ty	10	834	2048	1624	1152	5658
		Ia Pnôn	3	1289	567	271	0	2127
		Ia Nan	4	212	867	474	0	1553
		Ia Krêl	5	1341	815	428	0	2584
		Ia Dom	4	445	922	513	562	2442
		Ia Din	5	299	972	513	437	2221

d. Health. Based from Gia Lai Statistical Yearbook of 2018, there are 122 health establishments that include hospitals and medical service in the Project area. (Dak Po- 9; An Khet Town -12; Mang Yang district -14; Dak Doa district -19; Tp. Pleiku-35; Chu Prong-22; and Duc Co district - 11)

The final report of the Department of Health (DOH) in 2016 in Gia Lai province particularly in the project area often appears some common infectious diseases in adults, such as dengue fever, influenza, tuberculosis and eye diseases. With the children, there often have several diseases such as HFMD, chickenpox, eye diseases and upper respiratory diseases... Specifically common diseases of new cases were recorded in 2016 in the project area as follows: (i) 13374 cases of

dengue fever in Gia Lai province; (ii) 24290 cases of influenza in Gia Lai province; (iii) 851 cases of chickenpox in Gia Lai province; (iv) 137 cases of HFMD in Gia Lai province (v) 754 TB cases in Gia Lai province; (vi) 7250 cases of eye disease in Gia Lai province. Among these diseases, TB has a high danger level and is prevented due to National TB prevention programs, and in each province, there is specialized tuberculosis hospitals. The remaining diseases, because care facilities and health care are well-invested, these diseases often do not outbreak on a large scale.

In July 2020, the DOH in Gia Lai specifically in Dak Doa District detected an outbreak of diphtheria. In response to the rise in cases, urgent preventive measures have been taken in Dak Doa district with all villagers undergoing medical check-ups and being given diphtheria vaccine shots. At present, the province recorded 2 diphtheria outbreaks totaling to 20 cases. More than 1,400 local people were put into isolation at their home with 19 being tested positive for *Corynebacterium* bacterial strain. Gia Lai is the 3rd province located in the Central Highlands region to have reported a diphtheria outbreak following detection in Dak Nong and Kon Tum.

e. Culture and religion. There are some cultural and religious relics along the investment route, such as: (1) Xa temple (Song An commune –An Khê town– Gia Lai, 20-30m from NH19), a small local temple, worshipping snake god, held annually on February 20th, lunar calendar, (2) Cho Dong parish church (An Binh ward - An Khê town - Gia Lai, 20m from NH19), (3) Minh Chau pagoda (Kong Dong township - Mang Yang district) 20m from NH19, (4) Buu Tan pagoda (Pleiku city – Gia Lai), 10m from NH19, (5) Duc Giang pagoda (Pleiku city – Gia Lai) 20m from NH19, (6) Nguyen Son pagoda, Khanh Thien pagoda (Chư Prông district – Gia Lai) 20-25m from NH19.

The traditional and unique customs, the harvest festival for favorable wishes, good weather, a prosperous life, the main festival of Jarai and Bahnar people are as follows:

+ Po Thi festival held from November until the end of April following the calendar year. It is the biggest, crowded, and longest festival.

+ Dam Trau festival: Organization for the period from the beginning of lunar December last year to March next year. Bahnar held for 3 days, and the Jarai held for one day and a half. Dam Trau festival was held on the victory, the victory of the community celebration, inauguration of the communal house, praying for peace, celebration remove bad omen for the whole village or divine thanksgiving.

+ Com Moi festival: Held in November of each calendar year, the festival is typical of the Bahnar and Jrai held to thank the god of rice, new crop celebrates, pray for the rice fields to grow more grain.

+ Cau Mua festival: Usually held from March to May each year. Ceremony for rain is a folk belief phenomenon, reflecting the aspirations of the inhabitants of agriculture department.

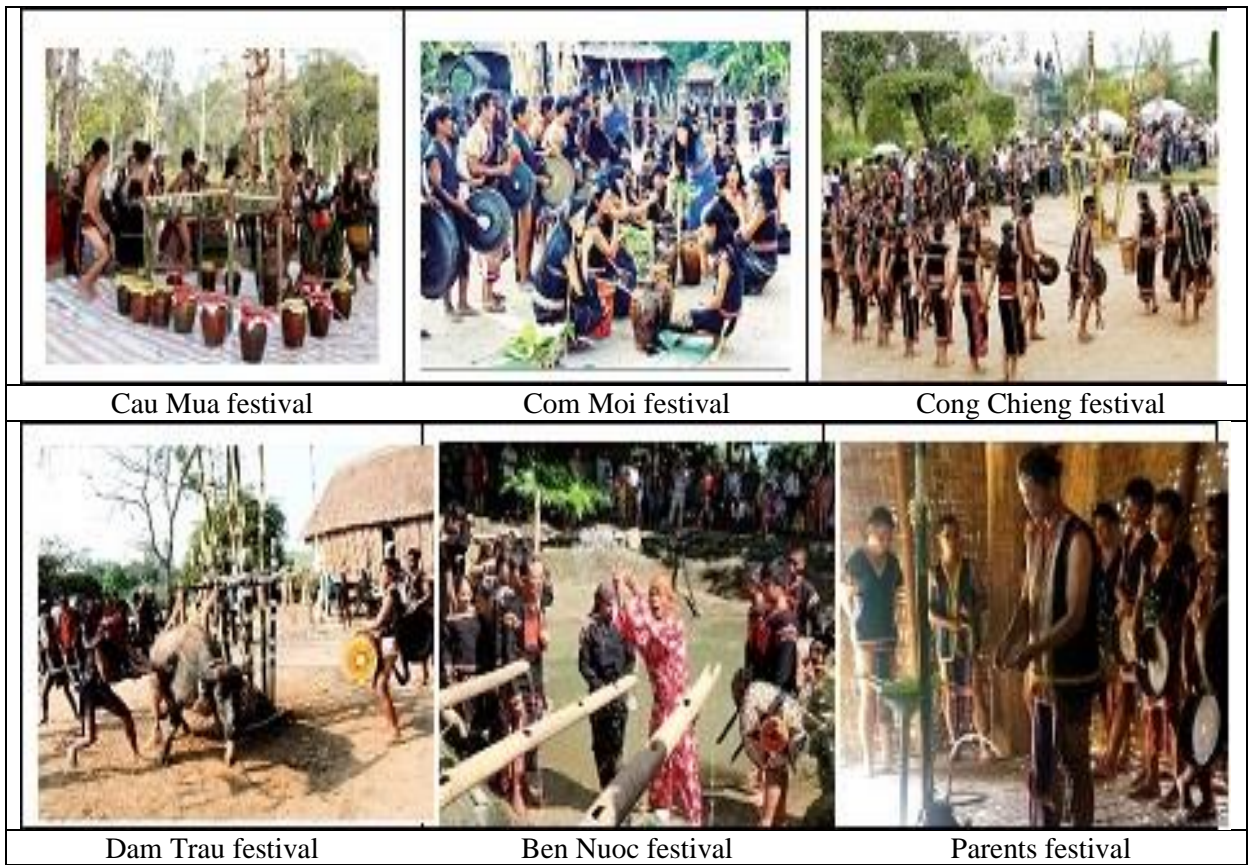
+ Ben Nuoc festival: usually held in March and lasting 1 day to pray for good weather, good harvests, and happy prosperous life.

+ Cong Chieng festival is held every year in alternate form in the provinces that have gong culture in the Central Highlands, the time depends on the organizational plan of the province. The festival is held to promote the Image of Space of Gong culture recognized as a UNESCO Oral and

Intangible Heritage of humanity.

+ Parents festival: commonly held on agricultural leisure (1-3 lunar month), in 1 day (not fixed) from the married child, own their own homes voluntarily informed the clan, parents that he/she want to celebrate thanksgiving for parents gave birth to and raised him/her.

Figure 2 Photos of Cultural Festivals



4.3 Socio-economic Survey on affected households

Out of the estimated 915 affected households, the socioeconomic survey (household survey) covered 218 respondents/household heads who owned land. The sampled 218 households comprised of 1,125 family members. The proportion of male respondents is 62% (136 persons). Findings of the survey are presented as follows.

4.3.1 Household size.

Each affected household has an average household size of 4.6member. The proportion of male and female in all affected households are 51.6% and 48.1%, respectively, of which there are 127 households with 4 or less member (58.26%), 78 households with number of member of 5-7

(35.7%), 13 households with 8 members or more (5.96%).

Figure 3 Summary of Affected Houses and Structures

Total HH in sample	Project affected households		Household size					
	Total Number of people	Average households' size	<= 4 people/HH	%	5 - 7 people/HH	%	>= 8 people/HH	%
218	1,012	4.6	127	58.26	78	35.78	13	5.96

Within the sample of 218 households, the percentage of male-headed households 83.9% (183 HHs) whereas that of female-headed households are 16.1% (35 HHs).

4.3.2. Ethnicity

From the sample, most of the affected households are from Kinh (199 HHs, 91.3%). The remainder (19 HHs, 8.7%) are from ethnic minority, including Bahnar (11 HHs, 5.05%), Jarai (4 HHs, 1.83%), Nung (2 HHs, 0.92%), Thai (1 HH, 0.46%) and Muong (1 HH, 0.46%). Of the total 19 ethnic minority households from the sample who are potentially affected, 4 Bahnar HH (located at Glar commune of Dak Doa district, Pleiku bypass) are likely to be relocated. Consultation has been conducted with these four households, including consultation with the local head of this EM group (Please see more on consultation with EM at section 5.3.2 below).

Some key socioeconomic and cultural practices of five groups of affected EM peoples (Thai, Muong, Nung, Bahnar and Jarai):

Socioeconomic condition

Thai. The social unit of the Tay is matrilineal. Tay's property regimes are divided into public ownership of the village and into ownership of private household property. The public ownership includes all land, forests, rivers, and natural resources within the village. Roads, bridges, temples, and shrines are classified as public property. Private ownership comprised of all the production land that is owned, cultivated, or reclaimed by each family. In addition, assets such as houses, agricultural products, household items, handicrafts and other items produced by household members are private property of the family. Each village has regulations concerning protection of forests and water resources as well as land and production activities. Social relations between relatives and neighbors in the village are demonstrated in all aspects of life, both in production, spiritual life, and religious beliefs. Agricultural production is the main economic activity for most Thai people in Gia Lai, in addition, they have more experience in embankment, digging ditches, making gutter drain to get water. Sticky rice is the main food. Thai people also cultivate for rice, vegetables, and other crops. Each family raises livestock and poultry. Some households still maintain family crafts like knitting and weaving.

Muong. Muong people live in the mountainous area to the southwest of Hanoi. Considered the only surviving descendants of the early Vietnamese, the Muong, unlike the lowland northern Vietnamese, have been less influenced by the Chinese. Their language, called Muong, is a subset of the Vietic branch of Mon-Khmer, a language family of Austroasiatic stock. The Muong's social structure is patrilineal and has as its foundation based on extended family. Only males can own

property. Muong's economic base is agrarian. Rice is grown on terraced land. Dry rice cultivation is also practiced. Pigs, oxen, buffalo, and chickens are often kept. Hunting is done to provide meat for festivals. The Muong gather wood and cinnamon for extra income generation. They live in clusters of 10–25 houses, portions of which are used to hold animals and store crops. Several of their towns have become trading centers. The Muong practices a religious animism, worshipping ancestral and supernatural spirits, many of which are also recognized by the northern Vietnamese. Muong people live in areas that has more productive land, near roads, convenient for doing business. Previously, sticky, or glutinous rice is their daily food which is grown more than sweet grain rice. Currently, more people eat ordinary rice so ordinary rice is now the main food crops. Some households have developed industrial crops (coffee, pepper) and new rice that increases productivity and extend breeding livestock. Besides, people raise pigs, chicken in flock for meat and eggs. Their cages are placed away from home and water sources.

Nung. The Nungs are closely related to the Tays and have similar village structure. The Nung people share the language of Tay, and typically share the same villages. The Nung follows the male line and have a tradition of handing all inheritance down to only son. The Nung are mostly Buddhists with influence of Confucianism, and they worship their ancestors. Like the Tay, the Nung have a long tradition of rice cultivation and well-developed irrigation systems. They grow vegetables, groundnuts, fruits, spices, and bamboo. Their field are typically located on the side of the hills. Nung people knows many types of handicrafts: weaving, knitting, woodworking, making carbon paper, etc. They also do some tradition jobs but still minor jobs for the need of families. These jobs are restored step by step, to increase incomes, while preserving traditional values.

Bahnar and Jarai. The Bahnar and Jarai people mainly grow rice, but in fields away from the road corridor. They also grow fruit and vegetable crops, industrial plants (coffee, rubber) and raise livestock. Agricultural livelihoods form their main source of income and sustenance. Some households also own small shops selling car appliances, food, toiletries, drinks, and other basic commodities.

Culture life

Thai. Thai people have the custom of matrilineal. They will move to their new houses after few years. But there is almost no case like this except the wives require. Houses of Thai people in Gia Lai are still traditional stilt houses. About the spiritual world, Thai people have polytheistic belief and keep worshipping their ancestors. Their life attached to agricultural production. Thus, they keep the customs of taking water at New Year eve, welcome thunder, and some other seasonal festivals. As for the dead, they have a concept that the dead continue "living" in the afterlife, so the funeral is off ceremony for the deceased to "village of heaven."

Muong. Most of Muong people in Gia Lai still live in traditional stilt houses with 4 roofs. Under the stilt floor are barns and cages and other production tools.

Customs: Ancestor worshipping and polytheism. The old social organization of Muong people were "Governor" regime that divided into regions and shared governance. Muong wedding is close to Kinh custom. When people give birth in the home, the main stair will be railed by a bamboo fence. They name the children after he/she grows about one year old. When a person dies, the funeral was held under strict ritual.

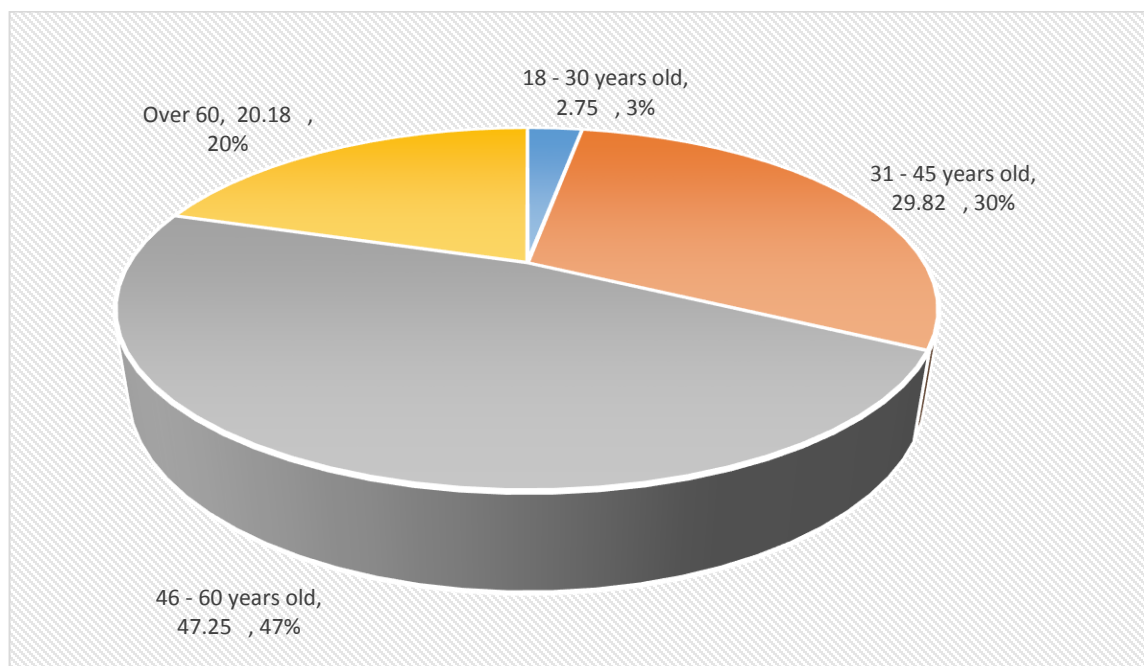
Nung. In many areas, corn is the main food. Corn is grounded into flour to make thick porridge. Foods are prepared by frying, stir-fried, cooked, but rarely boiled. Many people abstain from meat of bovine animals and dogs. Most of the houses are stilt house. Some are made of brick or wood. Nung worship their ancestors. Altar placed in a solemn, beautiful decorated. Besides, they also worship land's deity, Guanyin, some types of ghost door, etc. and organizational offering when there have natural disasters, epidemics. Nung people have many unique festivals, cultural traditions, one of the most popular festivals which attract many people from different ages is "lung tung" (also means down field festival) is held annually in lunar January.

Bahnar and Jarai. Bahnar and Jarai have their own ethnic languages which are spoken mainly among families and community members. The Bahnar and Jarai have preserved their own languages and passed onto younger generations mainly verbally. In terms of culture and ancestral traditions, Bahnar and Jarai people still maintain their traditional customs to worship their ancestors and pray for good weather in the New Year Festival. During the festival, they usually wear traditional clothes. Each village has a cultural house which is a wooden structure built on tilts. In the project area, most Bahnar and Jarai people follow Christianity and Evangelicalism.

4.3.3 Age structure

Of the surveyed affected persons, 256 persons (25.3%) are 18 years of age, or under. There are 268 persons within the group of 18-30 years of age (26.48%) and 203 persons within the group of 31-45 years of age (20.6%). The number of persons aged 46-60 years of age are 199, making up 19.66%. while 71 persons or 17.02% aged 60 or above. The data also revealed that 67.7% of the total affected population (from the sample) are within the work age (685 persons). The persons above 60 years of age and under 18 years of age accounted for 32.3% of the affected population. Yet, around of this population are active in agricultural production.

Figure 4 Age Structure



4.3.4 Education Status

Educational attainment of affected households is reviewed in two indicators (i) the level of education of the household head, and (ii) the level of education of family members who are affected. This aims to assist the design of information, education, and communication activities, as well as livelihood restoration program.

Educational attainment of the household head. Of the total 218 respondents/HH, there are 183 male-headed households and 35 female-headed households. Of these, there are 105 head of household (48.2%) who have completed secondary high school, 49 head of household (22.5%) have graduated primary school. At a higher level of education, there are 43 head of household (19.7%) who completed high school. The number of household heads completing vocational school, college, university is 17 people, making up 7.8%. The number of illiterate household heads are 4 people, accounting for 1.83%.

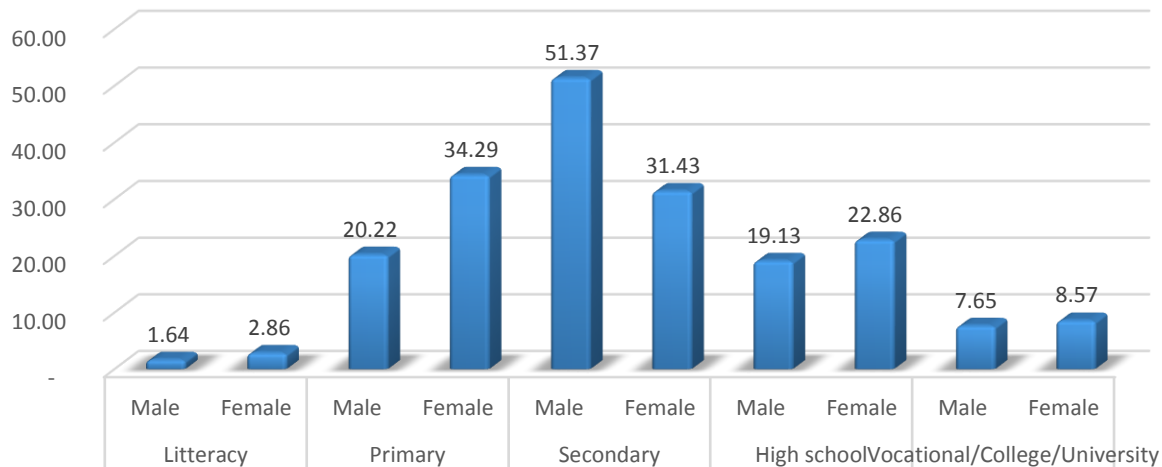
Comparing by gender, of the 105 householders completing high school, the number of male head of household are 94 whereas female headed households are 11. Within the male headed household group, the number of households completing high school accounts for 51.37%. Within the female headed household group, the number of households completing high school makes up only 31.4% (11 person).

Similarly, at the primary school level, of 49 household heads, there are 37 male headed households and 12 female headed households. The male group accounts for 20.32% compared with total male headed households, and 17.0% compared with total household heads. The female group accounts for 34.29% compared with total male headed households, and 5.5% compared with total household heads.

At high school level, this group include 43 persons, making up 19.7% compared to the total household heads. The female group accounts for 22.86% and male group accounts for 19.13%, respectively to female and male group. The group completing vocational high school, college and university makes up 7.8%, of which male group making up 7.65% and female 8.57%.

There are four household heads (1.8%) who are illiterate. By gender, there are 3 male head households and 1 female headed household.

Figure 5 Education Attainment by Gender



Educational attainment of members of affected households. Of the total 1,012 people (from 218 households participating in the socioeconomic survey), the number of men and women are 532 and 480, respectively. Children who have not yet at school age makes up 8.3%.

The data indicates that total affected households who complete high school make up the highest percentage (416 persons, 41.11%). There is no remarkable difference between male and female at this educational level (221 male, 41.54%) vs 195 female, 40.62%.

Percentage who is attending and who have graduated high school is 15.61% (158 people), in which the percentage of male is 1.56% higher than that of female. The proportion who are attending and graduated primary school is 19.37% (196 people) with no significant difference between men and women.

Regarding university level, no significant difference is found between the percentage of men and women enrolled in high school, college, and university. At the high school, colleges and university level, the proportion of person completing this level is 14.43% in which the proportion of men is 14.1% (75 people) and women is 14.8% (71 people).

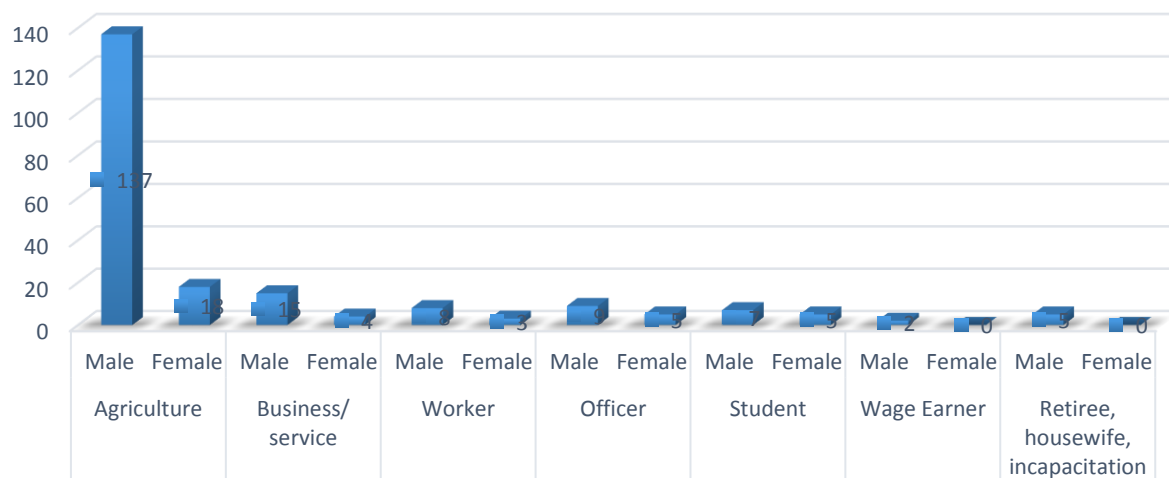
The percentage of illiterates makes up 1.3% of the total number of affected people. The illiteracy rate among women and men is balanced - 1.12% (men) vs 1.46% (women).

4.3.5 Gender Analysis

Occupation of affected household heads. 155 HHs are engaged in agricultural production, in which 137 are male headed households and 18 female headed households. These 155 HHs are agricultural/farmers that represents 71.1% of the total sampled affected households and are

scattered relatively from different communes and towns. There are 5 households who are retired officials and currently doing housework, or engaged in handicrafts, mechanic, noodles, pastry, making up 2.29% of the total affected households from the sample. There are 11 HH who work for companies in industrial parks. The number of male HH is 8 and female headed households is 3. In addition, 14 HH (6.4%) are government officials and 19 HH (8.72%) are into sale businesses, out of which 15 male headed household head and 4 female headed households. There are two other household who work as drivers.

Figure 6 Occupation by Gender



Occupation of members of affected household members. There are 532 men and 480 women from the samples taken. The number of AHs is at the working age (18 – 60) that makes up 67.7% of the total members. 456 household members (209 women and 247 men) are currently engaged in agricultural production and accounting for 45.06% of total samples. If disaggregated by gender, there is no big difference between men and women. The percentage of men and women participating in agriculture are 46.43% and 43.54%, respectively.

The number of people active in wage employment in private companies and private businesses is small (14 people, with 9 men and 5 women), making up 1.4%. Most of the household head (11 people) who work as hired labor is household head. Only 3 people who are not household heads. There are 2.87% (29 people, including 17 men and 12 women) who are working as hired labor, primarily in mechanical workshops (mainly young people).

There are 74 people (39 men and 35 women) who are working in the public sector (7.31%). Most of them aged between 25 and 45 years old. Around 75 people are engaged in private businesses (7.41%) and 9 people (0.89%) in the field of transport. 54 persons (5.34%, including 20 men and 34 women) who are retired and/or do housework, or running occasional small business during off-farm season. There are 301 people who are students (156 male and 145 female), accounting for 29.74% of those affected in the sample.

Income. The average income of the 218 HHs is 11,230,000 VND/month. Compared between male headed households and female headed households, the average income from male headed

household appears higher than that of female headed households - 3,750,000 VND/month for male headed household vs 1,600,000 VND/month for female headed households. While, the average income of all members of the affected household from the sample is 3,267,000 VND/month. Geographically, the average income appears to be higher in communes, town of An Khe and Pleiku City compared to that of communes in the rural, remote areas. Highest income is found among households in An Binh Commune with 15,104,000 VND/household/month whereas the lowest income are among communes of Ia Dok and Tay Giang with only 5,700,000 VND/household/month. The highest income per households is 550,000,000 VND/year whereas the lowest income was 32,000,000 VND/year.

Table 10 Average Monthly Income per Household

<=2 Million VND		From 2 - 3 Million VND		More than 3,000,000 Million VND		TOTAL	
Households	%	Households	%	Households	%	Households	%
23	10.55	47	21.56	148	66.7	218	100.0

Division of Labor. Consultation with affected Kinh households indicates that there somehow a more balanced labor division among men and women based on stereotype among the Kinh. It appears that women among affected EM groups still undertake household chores such as childcare and housework even when they are sick and need personal health care, including maternal health care. In addition, women among EM groups are still confined within their houses – doing housework and crop care, whereas men are expected to participate in activities outside the family. This apparently leaves the women less chance of being trained in skills that can improve their traditional dual roles – child/family care and crop care. According to some literature, women undertake both housework and crop care and are strongly expected to perform both roles since they are not mainly involved in income generating activities, so their voices are less heard.

Gender among potentially affected ethnic minority groups. For local people, agricultural production is the main work that are shared by all family members. For the Kinh, Thai, Tay, Muong ethnic groups, man and woman in a family play an equal role. In addition to housework, woman are expected to participate in farming activities: they can operate lawn mowers, spray pesticide, and directly harvest pepper and coffee. Only heavy works such as driving of tractors/trucks are assumed by men. Affected people think that their current work assignment (within the family) is appropriate. If their productive land is acquired, lives of all family members will be adversely affected. It is highly likely that they need to work as hired labor to maintain their family income in case all or part of their productive land are acquired by the project. The acquisition of land would affect the labor division within the family itself.

For Jarai group (inherited matrilineal), woman plays a decisive role in every aspect of daily life - from farming to family expenditure. Therefore, the loss of productive land are of utmost concern to Jarai women. However, in terms of labor division, Jarai women can use simple farming tools whereas tractors are operated by men. To address the concern of women when land is acquired for the project purpose, women should be provided access to loan to undertaking other job in order to maintain their livelihoods. Training of new job, in their opinion, should target both men and women. Generally, local people expect access to loan to improve their agricultural production.

4.3.6 Energy, water, and sanitation

100% of households surveyed have access to electricity from the national grid. In addition to lighting and other purpose, electricity is also used for cooking purpose despite liquefied petroleum gas (LPG) is still the main energy when it comes to cooking which accounts for almost 98% of households. Coal and firewood are still used among some households.

In terms of water access, 17.5% of households use water collected from dug wells, 29.4% use drive wells, 53.1% use tap water. For drinking purpose, 67.6% use tap water, whereas 13.5% use dug wells and 18.9% use drilled wells.

In terms of sanitation, 79.3% of households have flush toilets. 17.5% of households have temporary latrines. 2.2% of households have no access to latrine.

4.3.7 Vulnerable Households

Of the total 218 surveyed households, 38 are vulnerable as defined by the policy framework. Of this total, 9 households are ethnic minorities, 5 women-headed households with dependent people, 6 households are poor households, 16 households are of social policies and 1 people with disability (PWD).

4.3.8 Impact on Livelihoods

Among the total 915 HHs affected by the subproject in Gia Lai, 151 HHs would face cumulative impact which may pose additional difficulties to them during their resettlement and livelihoods restoration process. These households include:

- 2 households will lose house + agricultural land + agricultural land based income;
- 40 households will lose house + businesses;
- 5 households will lose agricultural land + businesses;
- 100 households will residential land + businesses;
- 4vulnerable households will relocate.

These households are entitled to participate in livelihood restoration programs proposed for the project.

4.3.9 Need Assessment on Livelihood Restoration Program

Focus Group Discussions (FGD) including need assessment for potential affected women together with representative of Women's Union was carried out by the DDD Social Safeguards and Gender Team every after the Public Consultations for Priority Sections on June 1-5, 2020 and on June 18-19 for Non-Priority Sections and during the FPIC on June 16-17, 2020 to assess the specific need of women to fully restore their livelihood.

In general, the women requested the following training to be included in the LRP:

1. Training on business (production) development/management/Poverty Reduction

2. Training on agricultural extension, forestry, and fishery cultivation techniques through programs of the government and with the guidance of agricultural extension staffs of commune and districts.
3. Provided technical assistance and credit support for development of production activities through the National fund for Employment Support of District Department of Labour- Invalid and Social Affairs (DOLISA) and Agriculture and Rural Development Bank.
4. Training on Traffic Accident prevention.
5. Training on preventing social evils/child marriage, HIV/AIDS.
6. Training on gender Equality and Community Supervision.
7. Vocational Trainings for family members such welding, electronics, motorcycle repairs so they could apply to work in companies or open small repairing shops.

V. INFORMATION DISCLOSURE, PUBLIC CONSULTATION AND PARTICIPATION

5.1 Objective of Information Disclosure, Public Consultation and Participation

Information Disclosure, Public Consultation & Participation aim to promote two-way communication between the implementing agencies and project stakeholders, including affected people to ensure generally the public, and particularly the affected group, understand the project's purpose, design, potential positive and negative impacts of the project, and the policy on involuntary resettlement. It also creates opportunity for PAPs to participate in all stages of resettlement planning and implementation. On the other hand, PPMU in collaboration with DBCLA will continue to hold public meetings with PAPs to agree with PAPs on the results of DMS, replacement costs survey and compensation packages, likewise, it's the WB's requirements to create awareness on the part of all PAPs on RAP implementation and arrangements and the mechanism of complaint and grievances

5.2 Stakeholders of the Project

The following stakeholders were informed of the project purpose and project's potential impacts:

- Representatives from DONRE, Department of Statistics, Department of Population, Department of Transport, DOLISA
- Gia Lai Peoples' Committee
- Chairman of respective Commune/Town/Ward Peoples' Committee
- Vice Chairman of respective Commune/Town
- Commune Environment Officer
- Representatives of Mass Organizations such as Women's Union, Communal Youth Union, Veterans Union, Spiritual leaders, Farmers Association
- Chairman of Communal Fatherland Front
- Cadastral Official, Town Legal Official, Socio-Cultural Official
- People's Committees of commune/ward, district and province.
- Communal Military Command/ Police Officer
- Directly and indirectly Affected households
- Affected persons from the Ethnic Minorities Group
- EM Leaders
- Committee of EM Affairs
- Representatives of MOT, PMU, PPMU
- Consultant from FS and DDD
- Program Managing Contractor (PMC), Aus4Transport /DT Global Australia Pty Ltd (DT Global).
- WB Team

5.3 Methods of Information Disclosure, Public Consultation and Participation

5.3.1 Methods and Techniques

Various methods and techniques are used in the conduct of information disclosure, consultation with and participation of affected peoples, including a) community meetings, b) household survey, c) focus group discussion, leaflet delivery, field observation and key informant interview. Using various methods and techniques aims to enhance the reliability and validity of the feedback from the project different stakeholders, particularly the affected people and to ensure that (i) affected people fully receive project information; (ii) all affected people are involved in the process of Free, Prior and Informed Consultation (FPICon) during preparation and implementation of the subproject.

Severely and vulnerable affected persons should be fully engaged in the process of information disclosure, public consultation, and participation. Meaningful consultation should be conducted throughout the project cycle and their concerns should be integrated in the subproject design.

5.3.2 Information Dissemination and Consultation during preparation of RAP (FS/Preparatory Phase)

The following information were shared with project stakeholders:

- Project description and objectives
- Project impact,
- Purpose of consultations, and consultation process,
- Tentative project timeline
- Summary of WB's OP 4.12 on Involuntary Resettlement.
- Compensation, support, resettlement options and principles
- Mitigation measures
- Grievance redress mechanism

A. Focus Group Discussion: *(four (4) FDGs were organized on August and December 2016)*

The affected persons, government and mass organizations expressed their support for this project. Summary of the feedback from the affected households are presented below.

- The detailed measurement survey should be strictly implemented and should be done closely with local authorities.
- The implementation of the project should be completed as soon as possible to avoid prolonged difficulties that may be caused to the livelihood of the local people, including the travel and transportation.
- The compensation must be paid in full, once, and directly to affected households.
- The detailed impact on each household remains unclear, it is expected the project will provide

- the affected households with more detailed information of the impact – at household level.
- Local people need to be involved in the process of inventory of loss.
- Compensation rates and site clearance procedure and progress should be disclosed and reflect the actual market prices.

5.3.3 Stakeholder Engagement/Public Consultations during Updating of RAP (Detailed Design and Documentation)

The stakeholder and public consultation activities were broken down into two components. The first involved training, awareness raising and consultation with local authorities at a provincial, district and commune level. The second component focused on the dissemination of information to and the collection of perceptions and input from PAPs and communities living within the project affected area. The two components are further detailed below.

Stakeholder Training Workshop. Training Workshop/Consultation in Gia Lai Province was conducted to build understanding and capacity of relevant local authorities in the World Bank safeguard requirements and project implementation and to develop a better understanding about the implementation of the RAP and EMDP along with its implementation requirements and to enhance the capacity of implementing office/agency and local authorities to ensure that the implementation of RAP/EMDP complies with the requirements and safeguards policy of the WB and the GOV. In addition, the Grievance Redress Mechanism (GRM) to address grievances/complaints that may arise during project implementation was discussed as well as the social impacts, and gender issues to address the gender-based differences in the needs, constraints, and opportunities for participation in the development and implementation of the resettlement and EMDP programs.

Further, a workshop was carried out to come-up with commitments and agreements, define and clarify the roles and responsibilities of the local authorities in relation to land acquisition and other associated tasks and seek stakeholders input and to highlight any concerns/issues/mitigation strategies into the finalization of safeguards plans. Information was also collected to support updating of the RAP, EMDP and support the preparation of the Gender Equality and Social Inclusion (GESI) Strategy/Plan.

The 4-day training workshop was undertaken from different venues as indicated in Table 11: Number of participants in a place disaggregated by sex.

Table 11 Stakeholder Training Number of Participants in a Place Disaggregated by Sex

Date	Time	Venue	Number of Participants	
			Male	Female
May 12	2:00PM-5:30PM	Meeting Hall of DONRE, Gia Lai	23	4
May 14	8:30AM-12:00NN	Meeting Hall of Dak Doa District Peoples' Committee	27	7
May 15	8:30AM-12:00NN	Headquarter of Duc Co DPC	25	7
May 16	8:30AM-12:00NN	Headquarter of An Khe town People's Committee	20	10

TOTAL	95	28
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A total of 123 stakeholders from different local government agencies participated in the training workshop/consultation. The participants dominated by male with 95 or 74% out of the 123 while females were not as well-represented with only 28 or 26%. As to the designation, 53% occupied managerial positions (director/chief/village leaders) and the rest belong to second level position and staff to the listed below agencies they represent.

The following Training Modules were delivered in Vietnamese language:

Module 1: Project Introduction

Module 2: Objectives and Principles of RAP and EMDP

Module 3: Difference between WB's and GOV policies on Involuntary Resettlement

Module 4: Steps in the Implementation of RAP and WB's Requirements

Module 5: Implementation of EMDP and WB's Requirements

Module 6: Implementation Arrangement, Roles and Responsibilities and the Grievance Redress Mechanism (GRM)/Grievance Redress Committee (GRC)

Module 7: Social Impacts and Gender Issues

Module 8: Gender Equality and Social Inclusion

Public Consultations. Another round of Stakeholder Engagement/Public Consultations were undertaken on June 1-5, 2020 in the coverage areas of the Priority Sections and on June 28-July 3, 2020 for Non-priority Sections. Likewise, FPICon was held on June 16-17, 2020.

Participants of the public consultations include:

1. Project Affected Persons (directly and indirectly)
2. CPC Chairman
3. Women's Union
4. EM Leaders
5. Farmers Association Representative
6. Youth Union
7. Religious Group Leaders

The objectives of the public consultations were (i) to disseminate all the information and activities related to the project including potential environmental and social impacts, the Project's draft Environmental and Social Management Plan (including RAP, LRP and EMDP) and Gender related; (ii) collecting the ideas, concerns, needs or priorities of community and affected people; (iii) ensuring that all the PAPs notified on all the decision which is related directly to their income and living standard; (iv) ensuring the transparency in implementation of the ESMP, land Acquisition, compensation and assistance payment, and relocation; (v) adoption of the Grievance Redress Mechanism for this project.

Following are the schedules in different venues with the number of participants in a place disaggregated by sex:

Table 12 Public Consultations in Priority Section, Disaggregated by Sex

Date	Time	Venue	Number of Participants	
			Male	Female
June 1	8:30AM-12:00NN	Head quarter of Tan An CPC	22	11
	2:00PM-5:30PM	Headquarter of Cu An CPC	30	7
June 2	8:30AM-12:00NN	Head quarter of Song An Commune	18	8
June 3	8:30AM-12:00NN	Head Quarter of Da Ya CPC	13	13
June 3	2:00PM-5:30PM	Head quarter of Kon Dong Town people's committee	16	10
June 4	8:00PM-10:00PM	Head quarter of Dak DJang CPC	14	20
	2:00PM-5:30PM	Head quarter of K Dang CPC	23	13
	8:30AM-12:00NN	Head quarter of Dak Doa DPC	17	11
June 5	8:30AM-12:00NN	Head quarter of Tan Binh CPC	14	7
TOTAL			167	100

Table 13 Public Consultations in Non-Priority Section, Disaggregated by Sex

Date	Time	Venue	Number of Participants	
			Male	Female
June 18	8:30AM-12:00NN	Head Quarter of Tay Son DPC Stakeholder Training	13	2
June 19	8:30AM-12:00NN	Head Quarter of Tay Thuan CPC	21	21
	2:00PM-5:30PM	Head Quarter of Tay Giang CPC	21	14
TOTAL			55	37

Issues and Concerns: Discussions evolved in the following issues and concerns during the public consultations:

1. Policy in the determination of compensation and other entitlements to be accorded to PAPs regardless of man, woman, ethnic minority.
2. LURC 85.67% households with LURC issued from 1999-2000 in the name of the household head but from 2004, the LURC issued have both name of spouses.
3. Inquiry who will finance compensation cost and site clearance activities, separation/measurement cost for this project
4. For Compensation Council - As per Vietnam Law, the locality will carry out site clearance and compensation but if there are changes from this policy to address gaps with the WB policy, official letter will be provided to locality prior to implementation.
5. All Districts have the capacity to develop a Resettlement Site, if needed, from their land fund in reconciliation to the district annual land use plan but it will take time besides no verification yet on the impact/number and identity of the affected person to be relocated.

6. Roles and responsibilities of the local authorities in the measurement cost/DMS/SES/, compensation plan/arrangements, all associated costs to be incurred and fund for the District Compensation Council must be clarified. (refer to Article 4, Circular No. 74/2015/TT-BTC dated May 15, 2015 and Circular No. 74/2015/TT-BTC and decision No. 15/2016/QĐ-UBND of Gia Lai Provincial Peoples Committee).

Public Information Booklet (PIB). PIB in Vietnamese language was distributed during the stakeholder training and public consultations. The PIB includes a brief description of the project and summarizes the main provisions of the RAP such as the project impacts, tentative implementation schedule of the RAPs, implementation arrangements, the compensation principles and policies and entitlements of PAPs, grievance procedures and the monitoring and evaluation. Contact person/information of MOT-PMU2 is also included.

The PIB will be update, likewise to be distributed during the next level of public consultations.

5.4 Mechanism for Information Disclosure, Public Consultation and Participation during RAP implementation

The result of DMS, replacement costs survey, updated compensation package, detailed design of resettlement, and updated RAP implementation schedule will be disclosed to all PAPs prior to finalization of the Updated RAP. Once the RAP is final, correspondingly the PIB will be updated summarizing the Final RAP and will be distributed during succeeding consultations. The PIB is useful for affected households to share with their family members and for future reference.

For severely affected households, such as those who need to be relocated or change their job, they must be informed in detail the project's compensation policies, resettlement and livelihood options to decide of their choice on mode of compensation and resettlement. The consultation and participation should be gender inclusive. All consultations with affected people are documented and appended to the Final Updated RAP and stored in PMU office for reference.

VI. PRINCIPLES AND POLICIES FOR COMPENSATION, SUPPORT, RESETTLEMENT AND LIVELIHOOD RESTORATION

6.1 General principles

6.1.1 Principles for Compensation and Support

Households/individual/organization whose assets such as lands/houses/structures/crops, etc. and/or business created before the cut-off date and affected as a result of land acquisition are entitled to compensation. Severely and vulnerably affected households will receive additional financial support to restore their livelihood to the pre-project level and are eligible to participate in Livelihoods Restoration Program.

Land will be compensated in cash at replacement cost for agriculture land and “land for land” or in cash for residential land at replacement cost depending on the choice of the affected households. PAPs who prefer “land for land” will be provided land plots in resettlement site nearby, and cash adjustment for difference between their land lost and the land plots provided.

Compensation rates for affected land and non-land assets will be determined based on the replacement costs survey as per WB requirement to be conducted by an independent price appraiser engaged by the PMU2. Compensation rates under GoV is based on land asset survey but the gaps with regards to resettlement and compensation were addressed for this project, thus, Independent appraiser identifies replacement costs to apply for compensation to all types of assets affected.

6.1.2 Principles for Physical Resettlement

All households who lose their houses (fully affected, or partially affected but the remaining part is not usable) must be entitled to compensate for entire affected house. (As per WB OP 4.12, non-land assets including dwellings, structures and other improvements to land such as crops, irrigation will be compensated at replacement cost if they have been constructed/created before the cut-off date while Land Law 2013, Article 77, item 2 and Article 92 stated that no compensation for non-land assets subject to the land recovery and the assets created after the notification on land acquisition and unused public infrastructures and other works. The gaps were addressed for this project: PAPs who were in the project area prior to the cut-off date will be equally entitled to participation in consultations and project benefit schemes and be compensated for their lost non-land assets such as dwellings and structures occupied before cut-off date without deduction of salvageable materials. They will be entitled to resettlement assistance and other compensation and social support to assist them to improve or at least restore their pre-project living standards and income levels.

Affected Households that are ineligible for compensation for residential land or house and must relocate but have no residential land or house within the affected commune are entitled to buy a standard plot in resettlement site.

The resettlement area will be planned properly and implemented in full consultation with PAPs. All basic infrastructures, such as paved roads, sidewalks, drainage, water, and electricity access will be available before PAHs move in. Costs for these infrastructures will be covered by the project.

Displaced households who prefer “cash for land” will be compensated in cash at the full replacement cost.

All fees and taxes related to land conversion and LURC issuance will be either waived or included in a compensation package.

Compensation and allowance must be provided to affected households one time within 30 days since land acquisition decision is issued.

By the end of the project, if the livelihoods of affected households have not yet restored to pre-project levels, additional support measures will be provided.

As RAP is one of the project components, the project will not be considered complete until the RAP is fully implemented and meets the objective of the World Bank’s OP 4.12.

6.2 Eligibility Criteria and Entitlements

6.2.1 Eligibility Criteria

The eligibility criteria of affected people for entitlements to compensation, support and resettlement are defined based on the World Bank’s Operational Policy on Involuntary Resettlement (OP 4.12), relevant Laws of the Government of Vietnam, and consultation with affected households. The eligibility for entitlements to compensation is determined by asset ownership criteria. There are three types of affected households as below:

- i. Those who have formal legal rights to land;
- ii. Those who do not have formal legal rights to land at the time the census begins but have claimed to such land and/or assets - provided that such claims that are recognized or recognizable under the laws of the country, or become recognized through a process identified in the resettlement action plan;
- iii. Those who have neither formal legal rights nor recognized or recognizable claims to such land that they are occupying.

Persons covered under (i) and (ii) are eligible for compensation payment at replacement cost for the land and non-land assets that they lose, and other assistance. Persons covered under (iii) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary to achieve the objectives set out in this policy, if they occupy the project area prior to the project cut-off date. Persons who encroach upon the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (i), (ii), or (iii) are provided with compensation for loss of owned or used assets associated to affected land, including businesses associated to affected land if they have been created before the project cut-off date. Please see the definitions of **affected households** and **severely affected households** from the Section on *Definition of Terms* (above).

Splitting affected households after the cut-off-date.

Households with various generations sharing the same house are allowed to split after the project's cut-off-date if they are eligible for splitting as per the national Law of Residence (dated 29 November 2006, effective as of July 1, 2007) – as specified at Article 6 of Decree 47/2014/ND-CP and Land Law 2013. Where splitting is allowed under Decree 47/2014/ND-CP, the allocation of land plots for families sharing the affected land will be considered by Gia Lai PC.

Decision No.09/2018/QĐ-UBND by Gia Lai PC dated March 21, 2018 promulgating the regulation on compensation, support and resettlement when the state recovers land in Gia Lai province. Article 4. Specific provisions of Clauses 1 and 2, Article 6 of Decree 47/2014 / ND-CP.

1. The remaining residential land area after recovering eligible to stay is equal to or bigger than the minimum residential land area allowed for splitting the parcel and meeting the conditions for splitting the land plot as prescribed by the provincial People's Committee. In special cases, the organization that is in charge of compensation and site clearance reports and proposes the district-level People's Committee (hereafter abbreviated to the People's Committee) to submit to the provincial People's Committee for consideration and decision.

2. Households specified in Clause 1, Article 6 of Decree No. 47/2014 / ND-CP, in which a multi-generational household or couple live together on a recovered residential land plot if they are eligible to be separated into Each individual household under the provisions of the residence law who has no other residential land or houses in the commune, ward or township where the residential land is recovered shall be compensated 01 (one) residential land plots and allocated land with land use levy in resettlement planning areas or other residential planning areas in the district where the land is recovered.

The number of residential land plots assigned with land use levy corresponds to the number of households separated from households whose residential land is recovered but these households have no other residential land or houses in their communes or wards, town where residential land is recovered.

3. According to Article 4, Decision No. 09/2018/QĐ-UBND, issued by Gia Lai PPC, in case many households have the same right to use one (01) recovered land parcel, they will be compensated 01 (one) residential land lot and assigned land with land use fee collection in the resettlement planning area or other residential planning in the district where the land is recovered. The number of residential land plots assigned with land use levy corresponds to the number of households with the same right to use one (01) residential land parcel recovered and currently living on such land plot but these households do not have other residential land/houses in the commune, ward or township where the land is recovered, minus 1 (one).

Issues related to the identification of households named in land use right certificates for compensated residential land plots and households allocated land with land use levy paid by households self-agreement.

4. The determination of households who are allocated land with land use levy according to this clause is reflected in the compensation, support and resettlement plan. Households and individuals that are allocated residential land shall fulfill their financial obligations according to current regulations.

6.2.2 Entitlements

With respect to eligibility category, entitlements are the sum of compensation and other forms of support, including allowance, bonus (conditional), and opportunities to participate in livelihoods restoration program (See Appendix 1 - Entitlements Matrix, for details).

6.2.3 Cut-off date:

A cut-off date for this project has not been set because the road alignment for the project is yet to be finalized. Once the detailed design is approved and the project boundary limits are demarcated, local governments (district level) will issue a Notice of Land Acquisition to all identified project affected households. The date of notification for land acquisition will be the cut-off date for both titleholders and non-titleholders. Once a cut-off day is established, people who encroach upon the project area after the cut-off date will not be entitled to compensation payment, or any form of resettlement assistance. This RAP will be updated once the DMS is completed; cut-off date is set and to be announced by local government.

6.3 Compensation Policies

All households who are affected by the project as a result of land acquisition will be entitled to compensation and/or support at replacement cost for their legal assets affected by the project such as land/crops/structures/businesses. In addition to compensation, those who are severely and vulnerably affected are supported for livelihoods restoration.

6.3.1 Compensation for Permanent Impact

a. Agricultural land

PAP with formal right to affected land (with LURC or eligible for LURC)

Compensation will be made at full replacement costs.

Households losing 20% or more of their total agricultural landholding, and 10% for poor/near-poor, and/or vulnerable groups, are considered *severely affected* and are entitled to allowance for life stabilization and participating in livelihoods restoration program (See Section 6.2.3 for allowances and 6.2.4 for livelihood restoration support).

If the remaining land area (not affected) is not economically viable, the area will be acquired and cash compensation will be paid for the remaining land area at replacement cost (*Article 77 of Land Law 2013, Article 4 of Decree 47/2014-ND-CP*)

PAP without LURC or customary rights to affected land

Affected land used before 1st July 2004 will be compensated at replacement cost but the compensated area is not to exceed the quota of agriculture allocation in locality. Households occupying affected land after 1st July 2004 but before the cut-off date will not be compensated for land but for improvements to the land including trees/crops/structures if they have been created before the cut-off date, cash assistance for such land will be provided on the basis of land origin, land use history, reasons for ineligibility, and the time when the land was put into use. No compensation is paid for land and non-land assets occupied and created after the cut-off date.

PAP with leased rights

- ***PAP leasing land managed by government***

Households who lease government-managed land (with annual rental payment, or a one-off rental payment for the entire lease period) will not be compensated for the affected land, but compensated the remaining rental and Land Investment Cost which will be calculated on the basis of survey (Article 76 of the Land Law 2013). Affected assets on rental land including crops/trees and/or structures will be compensated at full replacement costs if created before the cut-off date.

- ***PAP leasing private-owned land for farming purpose:***

Households who rent private-owned land for agricultural purpose will not be compensated for land but for standing crops and structures, if any and created before the cut-off date, on the affected land at replacement costs. Compensation for affected land will be paid for the eligible landowner at replacement cost.

In addition to compensation payment for the affected land, severely affected and/or vulnerable/social-policy households are provided with allowance, and eligible to participate in livelihoods restoration program, and provided with conditional/incentive bonus.

b. Residential Land

Compensation for residential land (Article 79 of Land law 2013).

Loss of residential land with no houses/structures thereon:

- (i) ***PAP with formal right to affected land (legal or legalizable):***
Compensation for loss of land will be paid in cash at full replacement cost.
- (ii) ***PAP without formal right to affected land (illegal or illegalizable):***
Financial support for loss of land on the basis of land use history and Land Law 2013 (Please see details on item (ii) below).

Loss of land with houses built thereon, and the remaining (non-acquired) land is adequate to reorganize:

- (i) ***PAP with formal right to affected land (legal or legalizable):***
 - Compensation for loss of land will be paid in cash - at replacement cost
 - Compensation for affected houses/structure (See Section c. below).

(ii) ***PAP without formal right to affected land:***

Compensation for affected houses/structure at replacement cost (See Section c. below). Costs to repair the remaining houses are covered by the Project (See Section 6.2.3. Support/Allowances).

Loss of land with houses built thereon, and have to be relocated:

(i) ***PAP with formal right to affected land (legal or legalizable):***

- Eligible households can opt: Compensation in cash for loss of land at replacement cost or allocation of a land plot/apartment in resettlement site;
- Compensation for affected houses/structure at replacement cost (see Section c. below).

(ii) ***PAP without formal right to affected land:***

Compensation for land is as follows:

- If PAP uses non-agricultural land² with house on it - prior to 1 July 2004, and the land was obtained by encroachment, PAP will be provided a new residential land plot in the project's resettlement site with levy collection, or are entitled to buying a new resettlement house, if they have no place in the project commune/ward to move [Article 7 of Decree 47/2014/ND-CP, Article 80 of Land Law 2013]. In addition, for illegal land user using land after 2004 and prior to the cut-off date, a financial assistance will be provided at PPC's decision
- If PAP is not eligible for LURC (as specified at Article 22 of Decree 43/2014/ND-CP) and is using land with house thereon and violation of the Land Law without preventive action from local authority, depending on land use history, PAP will be considered for cash assistance in accordance with regulations of Provincial People's Committee. Compensation for house/structure if created before the cut-off date are paid at full replacement costs in line with OP 4.12.

Compensation for affected land and house as regulated in item (ii) above. In case, PAP has no other residential land/house within project commune/ward, they are entitled to buying a standard land plot/apartment in resettlement site. Price of land/apartment is decided by PPC.

Compensation for non-agricultural land but not residential land:

For households and individuals using non-agricultural land which is not residential land, when the State recovers land, if they are eligible for compensation as prescribed in Article 75 of this Law, they shall be compensated with land having the same land use purpose. In case such land is not available for compensation, they shall be compensated with money calculated based on the remaining land use term.

For households and individuals using non-agricultural land which is not residential land and is

² Non-agricultural land – as prescribed at Article 10 of Land Law 2013, include land such as public land, river land, industrial land, production land, etc.

leased by the State with annual rental payment or with full one-off rental payment for the entire lease period but being exempted from land rental, when the State recovers land, they shall not be compensated for land but for the remaining investment costs in land, except the cases in which households and individuals use land under the policies for people with meritorious services to the revolution (According to Article 80 , Land Law 2013)

c. Compensation for house and secondary structures.

For entirely affected house and secondary structure, regardless of the legal status of the affected land and if the affected house/structure has been constructed before the cut-off date compensation will be paid at replacement costs for affected house and structure to construct new house/structure with similar technical standard, without depreciation and deduction of salvageable materials. For partially affected house and structure, addition to compensation for affected part at replacement cost, compensation for expenses to repair the remaining part will be paid at rate with concurrence of the affected household.

For equipment and/or production line, affected business household who own the equipment or production lines will be compensated for all costs associated with the disassembly, transportation, re-installation of the affected equipment and/or production line. In case irremovable or broken during removal. Compensation for the equipment and/or production line will be paid at replacement cost. An appraiser specialized in appraisal for such equipment/production lines will be engaged by the project owner to evaluate the costs - subject to review and approval of the District PC.

For small assets requiring specialized installation, including landline phone, water connection, electric connection, cable TV, internet connection, etc., all costs related to uninstallation and re-installation at new house/business premise will be compensated at replacement costs.

d. Compensation for affected Standing Crops, Trees, and Animal, Aquaculture products.

For annual and perennial trees, standing crops, or aquaculture products, compensation in cash will be paid at replacement cost, irrespective of the legal status of the affected land if they were created before the cut-off date, and are in line with Article 90 of the Land Law 2013.

Movable crops and animals will not be compensated but all actual costs associated with transportation of the trees to new location will be paid for affected household. If replanting of trees in new location incurs costs, such full costs will be compensated for.

Aquaculture that reaches harvest time by the time of land acquisition will not be compensated for, otherwise compensation at replacement cost will be paid.

e. Compensation for affected businesses.

For economic loss resulting from contract termination: For households/individual who rent government or private-owned land for non-farm business, and the land rental is made on renewable contract basis. By the time when the affected land must be returned to government, but the land lease contract is still valid, compensation will be paid – as agreed upon in the land lease contract, if any.

For loss of income incurred by business owner, compensation, and support according to regulation of PPC regardless status of registration, and as follows:

For registered businesses, compensation will be paid in cash for the loss of net business income, equivalent to 50% of the annual average net income - as declared with the tax agency during the recent three years (this amount is equivalent to 100% of monthly net income for 6 months)

For non-registered businesses, whose operations are recognized by local authority and whose net income from non-registered businesses is affected, compensation will be paid in cash for the income losses for at least 3 months.

For households who do retail business. They do not have business license and do not pay tax, including informal settlers/*squatter* whose business is located on the right of the way, compensation will be a one-off allowance of at least 3 million VND per household.

For loss of income incurred by business employees, employees who permanently lose their existing job due to acquisition of land on which the business are located will receive an unemployment allowance at the basic wage level for up to 6 months. Cash assistance for vocational training will be provided to the affected employee. PPC will decide on the assistance level for vocational training.

If they lose their income only temporarily during the business transition period, they will be supported with an allowance as specified by District PC.

f. Compensation for Graves.

The relocation of graves should be done based on full consultation with the affected households to meet the customs and habits of affected households with regards to relocation of graves. Compensation payment for affected graves includes full costs associated with a) land for re-burial, b) excavation, c) relocation, d) reburial, e) construction of new tombs, and f) other reasonable related costs which are necessary to meet local customs and habits.

Land for relocation of all affected graves will be provided to the affected households - at a graveyard as designated by the District PC. Affected households will be informed of the location of this graveyard so that they can decide where to relocate the affected graves – to the designated graveyard. If AHs decide to relocate the affected graves on their own, the replacement cost for buying land will be compensated for.

In case owner of the affected graves could not be identified, public announcement must be made (on TV, popular newspaper) for several times to look for the grave owners. Within a reasonable time, if grave owners could not show up, the relocation of graves should be done by a specialized unit in consultation with the District Department of Health. The geographical location and status of the graves (with photos taken in details), the procedure of grave relocation, and the new location of the graves must be documented carefully for the owner's use later.

g. Compensation for Loss of Public Structures and Community Assets.

Where public structures such as schools, health centers, libraries or other cultural centers,

recreational parks, public roads, water transmission pipelines, and electricity transmission lines are affected, such affected works will be restored, and repaired or compensated to ensure normal operation at no cost to the local community.

6.3.2 Compensation for Temporary Impact (during construction)

During the construction process, if any assets of local households are affected temporarily due to construction, the impact will be assessed and included in the updated Resettlement Action Plan. Depending on the nature of impact, compensation for the adverse impact will be compensated for, as follows:

a. Temporary impact on land/ local business:

In case residential land without house/structure thereon is temporarily acquired during construction, the affected land will be compensated equal to the rent of such land in locality for the duration of temporary use. Upon return of affected land to affected people, the affected land must be restored to its pre-project condition – as agreed with the affected households.

In case business activities of households are temporarily affected during construction, resulting in loss of income that derive from such business, the loss of income should be compensated for the entire period of impact – as agreed with the affected households.

Contractors will be informed of the RAP and should explore alternative construction method to avoid temporary impact. If avoidance is not possible, contractors will compensate for the above temporary impact in accordance with the RAP. Temporary impact is subject to both internal and external monitoring).

b. Compensation for damages caused by contractors to private or public structures.

Damaged property will be restored to its former condition by contractors, immediately upon completion of civil works. Under construction contracts, contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages occur, the contractor will be required to repair the damage or pay compensation to affected families, groups, communities, or government agencies at the same compensation rates as specified in this RAP.

c. Compensation for unpredictable impacts.

Any other impacts identified during project implementation will be compensated in accordance with the compensation principles and policies set for in this RAP and in line with the World Bank's OP 4.12.

6.3.3. Support/Allowances

Aside from the compensation for affected assets, AHs, especially severely and vulnerably AHs will be provided with allowances to support them during the transition period to restore or improve their livelihood and lives. The assistance levels will be adjusted and decided by PPC, considering inflation factor and price increase - as appropriate, at the time of resettlement implementation.

For affected residential land/houses

Transportation compensation:

For households who need to resettle in a new residential area, an amount of 6,000,000 VND will be provided if they physically relocate within the area of province. If relocating outside of the province, the transportation allowance will be 10,000,000VND.

Relocated households who rent private house for living purpose will be provided with a transportation allowance not exceed the rate mentioned above.

House Rental/ Temporary Accommodation Allowance:

In case, resettlement site is not ready for relocation at time of taking land of relocated household, house rental or temporary accommodation allowance will be provided to relocated households during period of temporary accommodation until allocated plot in resettlement site, plus 04 (four) month allowance for construction of new house. For households who have to relocate on the remaining land will be provided 04 (four) month allowance for re-organization. Married adult offspring sharing house with their parents are provided with house rental as an affected household. The allowance should be at market rate and decided by the PPC to ensure that relocated HHs could have a temporary accommodation.

Relocation plan needs to be discussed clearly with affected households to minimize the time duration for temporary accommodation as this may affect the income generation activities/livelihoods of the affected households.

House Repair compensation and support:

If house/structure is partially affected and the remaining structure is viable for continued use subject to appropriate repair, all actual repairing costs for the affected part of the house/structure are paid by the Project, to enable PAPs to restore it to former or better conditions.

Land Use Right Certificate:

For resettled households, all costs related to issuance of Land Use Right Certificate for their new land/houses - either located in the project's resettlement site, or elsewhere (if PAP relocates on their own) will be covered by the Project – by either including the estimated costs for LURC issuance included in the compensation package for self-relocating households, or providing by the Project Owner (later on) for those resettling in the project's resettlement site at no additional cost to them. For re-organizing households, whose land and house are partially affected, the costs relating to updating the LURC will be covered by the Project. In case the LURC of affected household is deposited in the Bank as a pledge for loan, land fund development center and/or resettlement committee of the project district will support the household for updating the LURC.

For significantly affected agricultural land:

Allowance for subsistence and Livelihood Stabilization (during transition period): (i) PAPs losing 20% - 70% of their agricultural landholding (or 10% - 70% for the poor, near-poor, and

vulnerable groups) will be provided with an allowance of for 6 months if no relocation, and for 12 months if relocation. In some special cases, allowance may be provided up to 24 months; (ii) PAPs losing more than 70% of their agricultural landholding will be assisted at the above rate for a period of 12 months if no relocation, and 24 months if relocation. In some special cases, the allowance may be provided up to a maximum of 36 months; (iii) The support level for 1 person specified at Points a and b of this Clause shall be calculated in cash equivalent to 30kg of rice / 01 month at the average rice price at the time of support provided by the district-level Finance agency where the project is located. Land acquisition determined; iv) In case households and individuals have land recovered in the area of two or more district-level administrative units in the same project with different total support levels, they are only entitled to support to stabilize their lives in district administrative unit have the highest total level of support.

If Allowance for subsistence and Livelihood Stabilization is paid in cash:

The support level of VND 6,000,000/ha shall be paid in cash and received in lump sum. The support level is equal to 30% of the year after-tax income, based on the average income of the 3 preceding years.

(Decision No.09/2018/QĐ-UBND by Gia Lai PC dated March 21, 2018 promulgating the regulation on compensation, support and resettlement when the state recovers land in Gia Lai province: Article 17. Specific provisions on support items in Clauses 3, 4 and 6, Article 19 of Decree 47/2014 / ND-CP).

PAPs affected with less than 20% of their agricultural landholding and their remaining land is cannot be used will receive the above allowance for 12 months.

HHs without, or ineligible for LURC will receive allowance equal to 60 % of the above rate.

Allowances for job training/job change/job creation:

Affected households who are directly engaged in agricultural production: these households will be supported in job training/job change and job creation according to Decision No. 02/2020/QĐ-UBND of Gia Lai PC dated January 09, 2020 amending and supplementing a number of the regulations issued together with Decision No.09/2018/QĐ-UBND of March 21, 2018 by the Gia Lai PC promulgating the regulation on compensation, support and resettlement when the State recover land in the Gia Lai province. “Article 18: Specific provisions on Point b, Clause 1, Article 20 of Decree No. 47/2014/ND-CP (amended and supplemented in Clause 6 Article 4 Decree No. 01/2017/ND-CP): The cash support level based on the price of agricultural land of the same type in the land price list issued by the provincial People’s Committee is as follows:

1. Land for wet rice cultivation with two or more crops is supported with 2.5 (two point five) times.

(According to Article 18 of Decision No.09/2018/QĐ-UBND of March 21, 2018 by the Gia Lai PC, 1) Pleiku City: support level 3 times of the same type of agricultural land price; 2) The remaining districts and towns: the support level is 2.5 times the price of agricultural land of the same type)

2. The remaining cultivation land, aquaculture land and other annual crop land shall be supported 2 (two) times.

3. Production forest land, land for planting perennial trees and other agricultural land shall be supported 1.5 (one and a half) times.

Households with both members are cadres, civil servants and public employees and members who are not cadres, civil servants or public employees but are using agricultural land for agricultural production purposes, when the State recovers land the members who are not cadres, civil servants and public employees will be supported to stabilize life and production, support for training, job change and job creation according to decision of the PPC.

Affected households who are running their business at their residential land/house with the main income coming from this business: For those who are at working age and wish to be trained for a particular job will be admitted to local training school and will be supported to find a new job and borrow loan to start a new job.

Members of affected households who are eligible for this support are entitled to participating in one short training program at no costs to them within a period of five years (from the date the Decision for Land Acquisition is issued). Free job consultation/orientation are offered at local Job Service Center.

Note: During the preparation of the training/job change/job creation program, consultation must be done with the affected households [*Article 84, Land Law 2013*]

Affected households who are directly engaged in agricultural production: these households will be supported in job training/job change and job creation)

Allowances for Vulnerable Households:

The following allowances will be provided to eligible vulnerable households. In case, one household is entitled to some allowances, the highest allowance will be provided only.

Female headed households with dependents and economic difficulties, households with disabled persons, elderly without any source of support will be provided with an amount of not less than VND 3 million per household.

Relocating households with heroic mothers, heroic armed force personnel, labor hero, war veterans, wounded or dead soldiers, will be provided with support - from 3 million to 5 million VND per household;

Poor households with certificate, or near-poor households, will be supported with an amount of 5 or 3 million VND/household, respectively.

Incentive Bonus:

All affected households who hand the affected land over to the project on time as scheduled after receiving full compensation and allowances will be given an incentive bonus. Bonus value will be

determined by the time of compensation payment.

6.3.4 Livelihood Restoration Program

All *severely affected* and/or *vulnerable* households will be eligible to participate in the Livelihood Restoration Program (LRP), which include trainings on agricultural extension, vocational training, credit access and other measures as recommended and appropriate to support their livelihoods restoration to the pre-project level – as a minimum.

The LRP was developed in consultation with affected households on the specific measures that they need to assist in the livelihood's restoration. Vocational training will be provided to all labor-age members of the affected household.

The LRP is designed based on assessment of needs of affected households, particularly the women. LRP will be mainstreamed into on-going local development program that support affected/poor households who are relocated due to development project. The LRP will be updated and specified in consultation with affected households after the RAP is finalized and disclosed to the affected households.

Costs related to implementing LRP will be provided by the project from the WB fund.

6.3.5 Gender Action Plan

As part of RAP implementation, the following gender actions will be made.

- **Participation.** Women, including EM women, should be invited to all consultation sessions throughout project cycle, particular to consultation done in groups to allow them chance to express their opinion, concerns, and to provide feedback on their resettlement and income/livelihoods restoration process. Women are prioritized to work in the project on jobs that are suitable to them to earn extra income.
- **Well-informed of Project Impact.** The potential impact of resettlement and livelihoods restoration should be further informed to the affected women so that they are fully aware of the potential impact on their household as well as their income generation activities, and as such propose measures that the project should do to avoid or minimize the impact.
- **Intra-household gender disparities:** as the gender analysis indicates, women spend more time than men doing housework and care of their children. Some also work to earn extra income or do jobs that are typically done by men such as spraying of pesticide. As a result, the relocation process, particularly for those losing shelter, would apparently take them more time and effort and affects their ability to earn income, particularly those who work as hired labor, or are directly involved in crop care, or even travel out of their community for off-season jobs which apparently increase their burden.
- **Income/Livelihoods Restoration.** As some households may change their jobs, i.e. households who depend on seasonal income – primarily from crops and/or fruit trees, counseling and training of new jobs for this group should be done with the capacity of men and women in mind so as to ensure the training knowledge provided area applicable for them.
- **Safety Assurance.** As women take care of children, they need to be notified/warned of potential risks that are inherent during the construction process and/or during the relocation

of their houses. In many cases where both men and women are directly involved in the relocation/house building/new business operation, they need to arrange a safe, alternative person to take care of their children.

- ***Influx of labors.*** PMU will ensure that prior to RAP implementation, awareness raising campaign, and information, education, communication activities, will focus specifically on the risks related to the arrival of laborers so that the EM community, as well as Kinh people are fully aware of the potential risks and take preventive measures. On the contractor side, contractors will be required to have workers signing in a code of conduct that sets out their behavioral obligations, ensuring that they are aware of such potential risks and that they understand the local context and behave appropriately.
- On the basis of gender based consultations, as mentioned above, the methods of compensation payment, particularly the coordination between PPMU, C/DBCLA, and severely affected households, will need to be worked out carefully to ensure difficulties and challenges potentially faced by severely affected households are avoided, or minimized if not avoidable.
- More consultation needs to be carefully done among affected EM households to ensure the support and compensation provided to them are cultural appropriate to them, and that both men and women will have opportunity to participate in and receive socioeconomic benefits that are to be provided to them through development activities proposed under the EMDP for Gia Lai.

The other gender actions include the following:

Awareness Generation Campaign. The campaign will specifically address the issues related to gender-based violence; women employment; HIV/AIDS; women health; women empowerment; and literacy among women. Apart from door to door approach; awareness campaigns will be through posters; wall paintings; street plays; village consultations; and various competitions among school children. Orientation workshop on gender issues for PMU and contractor's staff will also be carried out to sensitize staff members on gender related issues. Zero tolerance policy will be established/ mandated.

Safety of Women. During community consultations, it came out very clearly that women and children are the most affected section of the society when it comes to road accidents and other road related safety issues. Keeping this in mind, road safety has been taken up as a separate component of the project. Specific road safety engineering counter measures are integrated in the engineering designs to reduce the safety risks in hazardous locations and to provide a safer road environment for all road users especially women and children. Project will improve safety of vulnerable road users through paved shoulders along entire stretches of project roads. Work zone safety standards would be fully integrated in the contract management framework to ensure safety of women workers.

Workforce management strategies will be implemented to ensure a safe and equitable work environment for both men and women. In particular Contractors will be required to develop a Code of Conduct for all personnel governing the way they behave while working on the Project and there will be zero tolerance for sexual harassment, abuse and exploitation, whether within the workforce or between workers and the community.

Specific Provisions in the Construction Camp for Women. The provisions of gender separated facilities for men and women at all work facilities, including if required at the construction campsites. Creches will likewise be provided while mothers are at work, if required

Temporary Housing. During construction, the families of labourers/workers should be provided with residential accommodation suitable to nuclear families.

Health Centre. Health problems of the workers should be taken care of by providing basic health care facilities through health centres temporarily set up for the construction camp. The health centre should have at least a doctor, nurses, General Duty staff, medicines and minimum medical facilities to tackle first-aid requirements or minor accidental cases, linkage with nearest higher order hospital to refer patients of major illnesses or critical cases.

Day Nursery/Crèche Facilities. It is expected that among the women workers there will be mothers with infants and small children. Provision of a day nursery may solve the problems of such women who can leave behind their children and work for the day in the construction activities. If the construction work involves women in its day-night schedules, then the provision of such nursery should be made available on a 24-hour basis. The crèche should be provided with at least one trained staff /worker to look after the children. The worker, preferably women, shall take care of the children in a better way and can manage to provide nutritional food to them. In cases of emergency she, being trained, can tackle the health problems of the children and can organize treatment linking the nearest health centre.

Proper Scheduling Of Construction Works. Women, especially the mothers with infants should to be exempted from night shifts as far as possible. If unavoidable, crèche facilities in the construction camps must be extended to them in the night shifts too.

Control on Child Labour. Minors should be restricted from getting involved in the construction activities. It will be the responsibility of PMU to ensure that no child labour is engaged in the activities. The cell would require cooperation of contractor and CPCs and PPCs province level for effective monitoring for control on child labour. Exploitation of young unmarried women is very common in such camps. A strong vigilance mechanism will ensure ceasing of such exploitation.

Special Measures for Controlling STIs, AIDS. Adult males usually dominate the labour force of construction camps, often spending extended periods living away from their spouse and families. They play a significant role in spreading sexually transmitted diseases. In the construction camps as well as in the neighboring areas they are found to indulge in physical relations with different women. This unhealthy sexual behaviors gives rise to STDs and AIDS. While it is difficult to stop such activities, it is wiser to make provisions for means of controlling the spread of such diseases. Awareness camps for the target people, both in the construction camp and neighboring villages as well, and supply of condoms at concession rate to the male workers may help to large extent in this respect. Coordinate with local health agency in the implementation of plans to control diseases among workers

Women Participation with Other Stakeholders. It is imperative to bring the issue of women's development in the process of socio-economic uplifting within the scope of the RAP, thereby, involving women at all levels of the project.

Women are involved in the project development, however, most of the times, they are on the negative impacted side. Following are ways women are affected and/or involved in the project.

- Women constitute almost half of the PAPs.
- It is expected that women labourers will be engaged as contract labourers during the construction period. Various studies show that women constitute 25-40% of the semi-skilled and unskilled workforce in road construction contracts. However, women are seldom, if ever, involved in the road construction industry at managerial levels.

Women need to be involved in the implementation of the RAP. The other areas of concern to the women and to be addressed will be in managing health and hygiene issues at the construction camps (where there are possibilities of exploitation of women workforce, or children), and in managing the spread of highway related diseases. However, involvement of women is seen to be more important and as part of the long-term strategy than symbolic in the project. Therefore, certain management positions will need to be occupied by the women in this project.

6.3.6 Updated Gender Action Plan under the Project

The GAP was updated in consultation with women during the conduct of FGD/needs assessment for women as part of the DDD.

Table 14 Updated Gender Action Plan/Suggestions

No.	Key Indicators	Steps Taken by Project	
		Original (RAP of 2017)	Updates (DDD)
1	Representation and presence of women from different socioeconomic groups in all meetings.	Local government maintains a list of affected households and their socioeconomic profile and ensure that women from each socioeconomic group are invited to all meetings.	Local government maintains a list of affected households and their socioeconomic profile. At least 30% of women should be invited to attend the consultation meetings and they are from affected households from each socioeconomic group.
2	Venue for meetings is based on discussions with the women so they can feel free and uninhibited in their discussions.	Meeting conveners will make sure venue for meetings will be selected based on the convenience of invited women, to make sure women invited to the meetings feel free to raise their voice during the meeting	Meeting conveners will make sure venue for meetings will be selected based on the convenience of invited women, to make sure women invited to the meetings feel free to raise their voice during the meeting. (For examples: Convenient venue should be CPC's Office and Commune Houses; Meetings should be in the morning or evening; Invitation should be sent directly to the women).
3	Women facilitators or work through women's groups or networks—formal or informal.	Ensure commune Women's Union appointed women facilitator in all meetings to facilitate the free discussions in which women participate in.	Commune Women's Union appointed facilitator in all meetings to facilitate the free discussions in which women participate in. Suitable facilitators should be Chairwomen or Vice chairwomen of WU or Reputable person in the community or village heads.
4	Women's involvement in preparation and review of resettlement action plans.	During the RAP updating exercise, women representing different socioeconomic groups must be invited to community meetings to review and provided their feedback issues such as a) compensation package, b) support for livelihoods restoration, c) compensation payment, etc. which will be reflected once the RAP is updated.	During the RAP updating exercise, women representing different socioeconomic groups must be invited to community meetings to review and provided their feedbacks. It is recommended to engage women participation in every step of updating RAP. Involvement of women should be in: (i) DMS process - women join the DMS and sign on the minutes, where relevant all minutes and agreements should be signed by both spouses (ii) SES process - women in affected households should be prioritized to be interviewed during the SES, the percentage of affected women's should be at least 30%; (iii) Consultation meetings (including RAP publicizing) - percentage of women participation should be at least 30%.

No.	Key Indicators	Steps Taken by Project	
		Original (RAP of 2017)	Updates (DDD)
5	Women's associations are vested with authority.	Representative of commune/district's Women's Union are present in all meetings to add voices to women representing affected households.	Representative of Commune/District's Women's Union are present in all meetings to add voices to women representing affected households.
6	Ensure women's involvement and participation in implementation and monitoring.	During RAP monitoring, women representing different socioeconomic groups must be invited to community meetings to provided their feedback issues such as a) compensation package, b) support for livelihoods restoration, c) compensation payment, etc. which are done.	During RAP implementation and monitoring, women representing different socioeconomic groups must be invited to community meetings to provided their feedbacks. It is recommended to engage women participation in every step of RAP implementation. Involvement of women should be in: (i) Compensation payment - both husband and wife sign in the compensation payment receipt - at least 50% of compensation receipt has women's signatures; (ii) Consultation meetings (including consultation on compensation packages, livelihood restoration support, satisfactory level etc.) - percentage of women participation should be at least 30%; (iii) Employment opportunities generated under the project – the Contractors should endeavour to recruit at least 30% women.
7	Social and cultural factors may exclude women from participating actively in planning, implementing, and executing resettlement activities	Commune and District Women's Union will support Commune Peoples Committee in ensuring that women from affected households have equal chance to actively participate in planning, implementing, and implementing resettlement activities.	Commune and District Women's Union will support Commune Peoples Committee in ensuring that women from affected households have equal chance to actively participate in planning, implementing, and implementing resettlement activities. Women should be invited in every consultation meeting. A certain percentage of women participation should be achieved in every activity (target of 30% in the consultation meeting and employment opportunities; and at least 50% in signing DMS minutes and compensation receipts).
8	Women have all information about the proposed project and resettlement plan.	Project Information Booklet will be shared with representative affected households who will bring them home for other family members to review.	Project Information Booklet will be shared with representative affected households who will bring them home for other family members to review.

No.	Key Indicators	Steps Taken by Project	
		Original (RAP of 2017)	Updates (DDD)
		Commune and District Women's Union will conduct additional meetings to ensure their members (women) are aware of the project activities and the resettlement action plan.	Commune and District Women's Union will conduct additional meetings to ensure their members (women) are aware of the project activities and the resettlement action plan.
9	Inclusion of women in the socioeconomic survey.	If additional socioeconomic survey is undertaken, ensure consultant doing the survey interview women from affected families.	A list of affected households with women name should be made available. If additional socioeconomic survey is undertaken, women from affected households will be prioritized to be interviewed. Percentage of women participation should be at least 50%.
10	Legal rights to land and property allocated as part of the resettlement package for women.	Ensure both men and women have titlement to the updated Land Use Right Certificate when the certificate is updated following the land acquisition.	If Land Use Right Certificates (LURCs) are granted after conducting resettlement, it is requested to ensure both men and women having their names on updated LURCs. Number of updated LURCs with name of both husband and wife should be at least 50%.
11	Income-restoration programs to address gender issues.	Ensure additional consultation with both men and women are carried out to address the livelihood restoration and development needs of the affected households.	If income-restoration programs are required, it is requested to conduct additional consultation with both men and women to address the livelihood restoration and development needs of the affected households. The target for women participation should be at least 30%.

6.4 Entitlements Matrix

An entitlements matrix was established for the subproject to ensure all affected households and affected assets will be compensated and assisted to help affected households restore and/or improve their lives and livelihood to pre-project conditions (See Appendix 2 - Entitlement Matrix).

VII. IMPLEMENTATION ARRANGEMENTS

The implementation of the resettlement activities, as set forth under this RAP requires the participation of governmental agencies at national, city, district, and ward level. Gia Lai People's Committee take the overall responsibility for the implementation of the RAP. Compensation, Assistance and Resettlement Committees shall be established at district level according to the provisions of Decree 47/2014/CP. The provisions described in the RAP are the legal basis for the implementation of resettlement activities.

7.1 Responsibilities of Stakeholders

Ministry of Transport (MOT): The Ministry of Transport (MOT) is the project owner at central level and has overall responsibility for the project management and implementation. MOT is also, in consultation with other relevant Ministries, responsible for reviewing and approving the Resettlement Policy Framework.

Project Management Unit (PMU2): PMU2 – as delegated by MOT, will take the overall responsibility of day-to-day oversight and implementation of the Project. Undertake an overall supervision and provide necessary technical support to ensure smooth project implementation, including activities related to land acquisition, compensation, support, and resettlement under the Project. PMU will assure all resettlement activities will take place in compliance with this RAP. Specifically, PMU2 will:

- ▶ Cooperate with PPCs, and relevant local competent agencies to conduct compensation and resettlement.
- ▶ Organize training and building capacity activities for PMUs at provincial level where land acquisition, compensation payment and resettlement will take place.
- ▶ Cooperate with provincial PMUs to monitor internally compensation, resettlement;
- ▶ Report periodically on resettlement progress to MOT and the WB.

LOCAL LEVEL

People's Committee (PPC):

- ▶ Review and approve the u/Resettlement Action Plan.
- ▶ Appraise and approve the results of Replacement Costs Survey.
- ▶ Direct relevant Departments and City/Districts in appraising u/RAP within the line of authority.
- ▶ Solve complaints/grievances – as appropriate.
- ▶ Maintain an overall oversight of the RAP preparation and implementation, and provide guidance to relevant departments, City/District People's Committees, where required, to ensure effective and timely collaboration and coordination between these agencies in the preparation and implementation of RAP.
- ▶ Ensure the RAP is prepared and updated in accordance with the principles set forth in the RAP. Once a RAP is concurred by the World Bank (via a No Objection), PCs will approve the final RAP, or designate a relevant City/District PC to ratify the RAP to enable RAP implementation at City/District levels.

- ▶ Ensure that compensation resettlement and livelihoods restoration of affected households will be implemented and monitored in accordance with this RAP.

Provincial Project Management Unit (PPMU). PPMU will be established under the respective PPC. PPMU will represent PPC and will be responsible for day-to-day implementation of the Project at provincial level, including preparation, implementation, and monitoring and evaluation of the approved RAP. The key tasks include the followings:

During RAP implementation:

- ▶ Take lead in recruitment of two consultants – one carrying out a replacement costs survey and one conducting periodic social monitoring of RAP implementation
- ▶ Ensure the required budget for RAP implementation is timely and sufficiently allocated for planned compensation payment/resettlement – as described in the RAP.
- ▶ Update RAP and conduct internal monitoring of RAP implementation
- ▶ Designate staff with solid experience in resettlement and familiar with Bank's OP 4.12 to act as a social safeguards focal point for PPMU. This focal point will provide regular support to provincial People's Committee in RAP implementation.
- ▶ Recruit a social safeguards consultant to support PPMU and resettlement boards, at district level, for implementation of RAP. The Terms of Reference for this consultant will be subjected to Bank's prior review;
- ▶ Prepare quarterly progress reports and submit those reports to the WB;
- ▶ Conduct training on requirements of project's RAP; work closely with District People's Committee and District Board for Compensation and Land Acquisition (DBCLA) in updating RAPs based on the completed Detailed Measurement Survey, consultation and Replacement Costs Survey;
- ▶ Submit updated RAP to the Bank for review and concur before implementation.

City/District People's Committee (C/DPC):

- ▶ Preparing annual land use plan and submit to competent authorities for review and approval of changed land use plan - as prescribed by law.
- ▶ Issuing Notice of Land Acquisition and direct City/District Board for Compensation and Land Acquisition, and ward/commune-level People's Committees to implement the approved RAP.
- ▶ Directing the implementation of the RAP;
- ▶ Directing City/District Board for Compensation and Land Acquisition and ward/commune People's Committees in disseminating information and compensation and resettlement policies, conducting surveying, geodesy and DMS and implementing the RAP.
- ▶ Directing the evaluation of compensation, support and resettlement, compensation plan approved, support, resettlement and issued a decision to withdraw the land under their jurisdiction;
- ▶ Adjusting or grant a new land use right certificate for the land to be acquired, and for relocated households.
- ▶ Settling complaints related to land acquisition, compensation, support and resettlement in the district within its jurisdiction.

- ▶ Approving the compensation support and resettlement assessment to be carried out by the City/District BCLA.

City/District Board for Compensation and Land Acquisition (C/DBCLA):

- ▶ Coordinating with PPMU and ward/commune-level People's Committee to disseminate information and policies on project's compensation, support and resettlement to affected households, and conducting community consultation, surveys, surveying, detailed measurement survey (DMS) for affected assets to formulate plan for compensation, support and resettlement; being responsible for the accuracy and completeness of the survey data, surveying, and DMS;
- ▶ Preparing the plan for compensation, support and resettlement and conducting consultation with affected households on plan for compensation, support and resettlement for review and approval by City/District PCs; disclosing the approved plan for compensation, support and resettlement to the affected households;
- ▶ Organizing compensation payment and provision of assistance to affected people;
- ▶ Arranging resettlement for relocated households, land acquisition, and handover of acquired land to the construction units;
- ▶ Leading and coordinating with PPMU and ward/commune-level People's Committee to implement Livelihood Restoration Program;
- ▶ Assisting City/District People's Committee to settle complaints concerning land acquisition, compensation and resettlement.
- ▶ Supporting C/DPC in issuance of LURCs for land plot in the resettlement site.
- ▶ Support the external monitoring consultant for conducting independent resettlement monitoring– as required under this RAP.

Ward/Commune level People's Committee:

- ▶ Cooperating with C/DBCLA in arranging compensation payment, resettlement and livelihood restoration implementation;
- ▶ Providing documents related to the origin of land use by affected households; confirming the eligibility of affected persons and affected assets;
- ▶ Assisting competent authorities to resolve land disputes and complaints of affected people.
- ▶ Assisting C/DPC, C/DBCLA in organizing meetings, public consultations, socioeconomic survey during RAP preparation and implementation;
- ▶ Establishing working groups at the sub-ward/commune level to support C/DPC and C/DBCLA in conducting Detailed Measurement Survey, Replacement Costs Survey, Socioeconomic Survey, and provision of required information to support the preparation and implementation of RAP;
- ▶ Identifying replacement land for the affected households who are eligible and propose livelihoods restoration programs appropriate to the conditions of the people and the locality;
- ▶ Resolving complaints at the ward/commune level - as prescribed by the existing law;

Community level - Responsibilities of affected people:

- ▶ Cooperating C/DBCLA and Ward/Commune PC in all activities related to land acquisition, compensation, support and resettlement;

- ▶ Handing over of the affected land to the project on time upon receiving full compensation and support package;
- ▶ Supporting in reconciliation of households with regards to land disputes, and helping affected households in the process of resettlement and livelihoods restoration;
- ▶ Appointing representatives in the Board for Compensation and Land Acquisition to participate in monitoring the implementation of the plan for compensation, support and resettlement.
- ▶ Incentive Bonus. All affected households who hand the affected land over to local authority at the date specified after receiving compensation payment and allowances will be given an incentive bonus.

All stakeholders, particularly stakeholders at project level, including PPC, PPMU, City/District PC, Ward/Commune PCs, have extensive experiences in implementing resettlement program in Vietnam, including experiences in implementing projects financed by the World Bank that involve resettlement and livelihoods restoration. During RAP preparation, there has been an active participation from City/District PCs and ward/commune PCs, which contributes to the effective preparation of this RAP. These agencies will continue to contribute to the updating of RAP to reflect the results of the detailed measurement survey, replacement costs survey, and consultation with affected households on the proposed compensation and support packages. In terms of monitoring, these governmental agencies will continue to cooperate closely with the PPCs and City/District PCs to implement and monitor the RAP implementation. An external monitoring consultant will be engaged by PMU2 to provide an independent assessment of RAP implementation in addition to internal monitoring done by PPMU, City/District PCs, and PPC. Despite of the fact that these stakeholders are experienced with resettlement program, when the project starts implementation, these agencies will be invited to participate in additional trainings organized by PMU2 with WB technical support, in order to update them on the new policies requirements and good implementation practices, as well as the new requirements on gender mainstreaming to ensure smooth and satisfactory RAP implementation.

7.2 Updating of RAP

7.2.1 Key issues subject to RAP Updating

WB requires to update the RAP if there are significant changes or more than 20% changes in scope of impact and replacement cost after the completion of DMS or changes in policy on compensation, support and resettlement which affects rights and entitlements of PAPs. Updated RAP needs to be submitted to the Bank for review and endorsement. Implementation of updated RAP could be proceeded only when the Bank's No Objection for implementation will be issued.

Note. DMS will be done by a Consultant/Contractor to be engaged by PMU2 with the assistance of the DSCC once benchmark demarcation (final alignment/approved detailed design) was completed by MOT and PMU2. At the time of DMS, all displaced persons (DPs) will be required to submit copies of the LURCs or any legal papers to assist the District Compensation and Resettlement Committees (DCRC) in the preparation of the Compensation Plans. All DMS forms will be reviewed and signed by DPs and local authorities as required by the law. Official list of DPs, their losses and compensation will be disclosed. Any disagreement on the DMS and

Compensation Plan will not be signed by DP until it is resolved following the grievance redress process.

Land clearance/boundary setting for the Project. After receiving the Decision of the Project PPCs and District PCs in revoking land and handing over land to PMU for implementing the Project, PMU will cooperate with the PPCs and Provincial Department of Natural Resources, Environment to determine the Project land clearance red line and setting out boundary at the field in close coordination with detailed design consultants.

Updated RAP needs to reflect the results of the following:

- *Detailed Measurement Survey*
- *Additional Socioeconomic Survey* – only in case where there are significant changes in technical design which increase/decrease remarkably the number of affected households.
- *Additional Public Consultation* with affected households, particularly on:
 - Resettlement options,
 - Needs assessment that PAP expect to support their livelihood restoration.
 - Health issues (potential social risk related to HIV/AIDS and STI contraction among both construction workers and local people).
 - Training on Traffic Safety
- *Replacement Costs Survey; and*
- *Changes in policies (if any)*

7.2.2 Approval of updated RAP

Project implementation will be contingent on the compliance with the following RAP related conditionality along with the environmental safeguards' conditions:

1. Approval of Final Updated RAP by Gia Lai PPC and WB for implementation.
2. Full disclosure of at least summary of the RAP to the public
3. Full implementation of the compensation program
4. External monitoring agency/consultant is in place

7.3 Implementation of RAP

Steps in the Implementation of the RAP

Step1: Stakeholders Training/ Information Disclosure, Public Consultation & Participation:

Stakeholders (executing/implementing agency and local authorities) Training – this will be undertaken in order to develop a better understanding about the implementation of the RAP and EMDP for the project and to ensure that the RAP will be implemented in accordance with the WB's Operational Policy on Involuntary Resettlement (OP 4.12) as well as the GoV Land Law 2013.

Step 2: Setting Cut-off Date/Notice of Land Acquisition: Once the road alignment finalized and approved, local government (district level) will issue a Notice of Land Acquisition to all AHs. The date of notification for land acquisition will be the cut-off date and people who encroach after the cut-off date will not be entitled to compensation payment or any form of resettlement assistance. The cut-off date will be announced by the local government.

Step 3: DMS and Replacement Cost Survey:

Detailed Measurement Survey. By this time, DMS is conducted based on landmarks identified by the approved detailed design. For this step, the Bank requires that representatives of affected households must be involved in DMS process and signed in their DMS record; household will be kept a copy of the record; results of the DMS must be disclosed publicly.

Note: If new categories of losses and of DPs be identified in the implementation of the RAP, the entitlement matrix will be revised. The findings of the census and survey will be reported in the updated RAP and the detailed census records appended. A computerized database of all DP related information will be established and maintained at District Compensation and Site Clearance Committees and the similar database will be filed by PMU2 to monitor the implementation.

Replacement Cost Survey – if there is a significant difference between compensation price enacted by the Project PPCs and market price as per replacement cost survey carried out by a qualified appraiser, the PPCs will update the compensation unit price according to regulations and implementation guidance of Decree No. 47/2014/CP, 44/2014/ND-CP and Circular 36/2014/TT-BTNMT.

During DMS, DPs to participate and give copy of LURC/legal papers to District Compensation and Site Clearance Committees (DCSCC)

- The DCSCC to prepare Compensation Plan (as per DMS and RCS rate approved by the Project Provinces).
- The DCSCC to disclose Compensation Plan to DPs thru meeting with PAPs and posting in public area
- The DPs to review Compensation Plan and provide comments. If DPs agree with compensation plan, then sign for concurrence.
- The DCSCC will submit to the Departments of DONRE and DOF of the province for review and inspection.
- The DONRE will submit the PPC for the approval.
- The DCSCC will include the DMS and the Compensation Plan in the updated RAP.
- Any disagreement on the DMS and Compensation Plan will not be signed by the DP until it is resolved following the grievance redress process.

Step 4: Preparation of compensation and resettlement plan, appraisal, and approval.

DCSCCs are responsible for applying prices and preparing compensation tables for each affected precinct/commune. The People's Committees of districts will appraise these tables in respect of prices based on the approved market price as per Resettlement Cost Survey, quantities of affected

assets, allowances, and special assistance that the Project displaced persons are entitled to. The unit rates are presented to the displaced persons and posted in the commune offices. Compensation plan must be disclosed to affected people through meeting and posting in public area such as commune's office for PAPs' comment at least 20 days before submitting to competent agencies of District for appraisal. All tables of compensation price application must be checked and signed by displaced persons to prove their consensus.

All affected households will be required to submit copies of the LURCs or any legal papers to the District Compensation and Resettlement Committees in the preparation of the Compensation Plans. All DMS forms will be reviewed and signed by displaced persons (DPs) and authorities as required by the law.

As per WB OP 4.12 PAPs should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. As to GOV, there is a provision of support to be considered by PPC to ensure they have a place to live, to stabilize their living and production. (Article 25 of Decree 47). In case the amount of land compensation/support is not enough for resettled people to buy a minimum resettlement plot/apartment, they will be cash supported to be able to buy a minimum resettlement plot/apartment (Article 86.4 of Land Law 2013 and Article 27 of Decree 47). The gap was addressed and for this project, livelihoods and income sources will be restored in real terms, at least, to the pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

Step 5: Payment of Compensation and Allowance. According to Article 93 of Land Law 2013, within 30 days of the date the Decision for Land Acquisition is issued to affected households, payment of compensation and allowances for AHs must be processed by District Department. In case where affected households refused to receive the payment or have family conflict, the payment amount must be deposited in an escrow account which is the District State Treasury until the issue has been resolved and the affected households are ready to receive their compensation package.

MOT/PMU2 must ensure that allocation of funds for resettlement are available including the transferring of funds to respective district levels on time. The compensation to AHs must be disbursed as planned/per RAP.

PMU2 will not issue a notice of possession of site for any section (bidding package) until the head of DCSCC has officially confirmed in writing that (i) payment has been fully disbursed to the affected persons and rehabilitation measures are in place and agreed between PMU2 and WB; (ii) compensated affected persons have cleared the area in a timely manner; and (iii) the area is free from any encumbrances.

Step 6: Arrangement of relocation and land acquisition: AHs will be consulted to enable them to make an informed choice of new resettlement area that are suitable to their preference for livelihood restoration and development. PMU2, resettlement implementation agency such as LFDC, DCSCC needs to maintain a close coordination with relocated households to ensure impact on current houses, including business combined with house are minimized thru appropriate

construction measures developed and carried out in a manner that causes no or minimal impact on living activities of the household along the project road until their new houses (either in the resettlement site or elsewhere) are ready to relocate to.

Step 7: Livelihood Restoration Program Implementation: LRP is fundamental to achieving the objective of the WB's OP 4.12. Income restoration/improvement will be provided to the severely affected households/DPs. LRP must be updated during RAP implementation – based on additional consultation with PAP and should only be done after PAP decide on where and how to be relocated and agree on the proposed compensation package.

Programs:

- ▶ Households that are affected from 20% or more of their productive land
- ▶ Support for stabilizing production and life by cash
- ▶ Support for vocational training to change works for PAPs in working age
- ▶ Vulnerable groups such as poor families and women headed households who lose 10% or more of the agricultural land will be supported to recover and improve lost income in the form of food support and vocational training
- ▶ To create condition for participation in construction work to increase income

Step 8: Grievance redress: PAP should be informed again of the Grievance redress mechanism to make sure complaints, if any, are effectively solved to avoid any possible delay in relocation, compensation payment, and land acquisition process.

The World Bank's OP 4.12 on Involuntary Resettlement requires any RAPs that are prepared for Bank financed projects need to establish a grievance redress mechanism to address grievance and complaints that may arise from affected households during RAP implementation.

Grievance Management and Monitoring – City/District PC and Ward/Commune PC will maintain a logbook for recording queries, suggestions, and grievances of PAPs. All complaints will be assessed and resolved in accordance with fair, timely and constructive manner.

A focal point from **PMU2** will be appointed who is responsible for administering grievance mechanism. Work closely with DBCLA and WPC and keep track of overall grievance management process.

Step 9: Monitoring and Evaluation: will be maintained by Project owner to ensure activities and commitments described in the approved RAP is implemented fully and timely and meets the objective of WB OP 4.12.

In case where gaps between the RAP and actual implementation are identified during the implementation process, corrective measures will be proposed for timely action by PPMU.

7.3.2 Resettlement Arrangement

Resettlement Subproject. A stand-alone resettlement subproject will be prepared separately by the PPMU for approval by District's People's Committee as per local regulations. The resettlement

subproject will be prepared in accordance with the resettlement principles and policies adopted for this Updated RAP in conjunction with the Livelihood Restoration Program. Overall, compensation payment, resettlement arrangement and support for livelihood restoration will be done in close coordination with relocating households so as to minimize the adverse impact on the resettlement and livelihood restoration process.

Resettlement Site. There are 87 households expected to be relocated due to the project that concentrate primarily in the communes of Tan An, Cu An, and An Phu.

During the current public consultations, the local authorities assure that fund to develop relocation site is available in consonance to the local land use plan but first need to determine the actual number of PAPs to be relocated for them assess site for relocation.

Physical Relocation. Relevant local authorities ensure that Relocation site is developed with basic amenities and facilities and houses are ready for occupancy before physical relocation. Transportation will be provided to relocators.

7.3.3 Gender Monitoring Plan

Gender Monitoring. During RAP implementation, key indicators below should be monitored and reflected in internal and external monitoring reports.

- *Consultation participation:* Ensure women are invited to participate in public consultations and group discussions during the RAP updating and implementing process. At least 20% of participants in consultation meeting are women.
- *Compensation disbursement.* Ensure that the process of compensation disbursement is transparent, and that compensation is in the name of both spouses. Presence of both husband and wife at the compensation payment session should be encouraged.

C/DBCLA must ensure that the affected persons are guided carefully on how the compensation would be made – in cash or through bank transfer so that affected households have sufficient time to prepare themselves and a safe reception of the compensation money.

- *Livelihood Restoration.* Assess women's requirements for skills training to facilitate income restoration. 100% of severely affected households who confirm their need for job counseling/training/job introduction will be invited to consultation session(s) with participation from women representing these households.

Consider providing women with employment opportunities generated under the project. All contractors will inform PPMU of job opportunities appropriate for local women and men so that PPMU can inform the affected households.

Explore opportunities to link women to self-help groups and microfinance programs.

7.3.4 Livelihood Restoration Program

Purpose. The LRP is fundamental to achieve the objective of the World Bank's OP 4.12 on Involuntary Resettlement. This is designed for those who are severely affected persons and the vulnerable groups that face risk of impoverishment and challenges in restoring their income. Given this, a practical LRP, taking into account the needs of affected households and the advice of vocational experts, is important to make sure the eligible affected households could receive reliable technical support that could help them build/improve their skills for their new business – either new business type, or same business but in a new location. Because of the complexity in development of skills for income generation, a needs assessment shall be made to collect further information to make the LRP realistic as well as feasible. As such, this LRP will be updated prior to RAP implementation.

Eligibility. Since the LRP aims to help PAPs improve, or at least restore, their livelihood (which include their income), the following households are eligible to participate in program:

- Households who lose 20% or more of their agricultural land.
- Poor/vulnerable households who lose 10% or more of the agricultural land.
- Households who lose income from their current business– regardless status of registration and own or rent house-based business.
- Household who will physically relocate.
- Household who lose income from the leased land.
- Households who experience cumulative impact - as mentioned in section 2.1.9 (above).

Each of eligible household could send two representatives (ideally one male and one female) to the registered training program. Household representative should be within working-age and are committed to attending the entire training program. All costs for training courses will be covered by the project.

Key developmental activities of the LRP

- **Agricultural extension.** For those who are active in farming and wish to continue farming activities, agricultural trainings will be provided – based on their specific needs.
- **Business Development.** For those who run home-based business, they will be trained on business development skills, and will be able to join in a vocational training of their choice.
- **Credit loan.** For those who wish to borrow loan to develop their new business, their credit access will be facilitated by PPMU and City/District PCs.

Update of LRP. The LRP will be updated on the basis of consultation with affected households (needs assessment) after they have fully received their compensation package, and decided on resettlement options (for those who resettle). This will assure consultation with PAPs on their future business plan is meaningful and PAPs are more likely to peruse trainings that they requested. The needs assessment consider both men and women's concerns (gender based).

Where possible and effective, this Livelihood Restoration Programs could be mainstreamed into on-going District's development program. Once updated, the LRP will contain the following

elements:

- List of specific activities and corresponding costs;
- Responsibilities of stakeholders for each of activities;
- Specific methods and training program for each training activities;
- Implementation schedule; and
- Monitoring and evaluation plan.

Budget. The costs incurred with implementation of the entire LRP – based on needs assessment, will be covered by the project using the WB fund. Affected households will not pay for any costs associated with their training. They will be provided with an allowance covering their costs of travel and meals and accommodation for the actual days that attend the training.

Monitoring. The implementation of the LRP is subject to monitoring and evaluation of PMU2 (internal monitoring), and the external monitoring which will be done by external monitoring consultant to be engaged by PMU2 to ensure the Bank's policy objective is met.

7.5 Implementation Schedule

The following schedule is set to ensure the land acquisition plan is implemented in coordination with the construction plan.

	Activities	10/2020	10/2020	10/2020	10/2020	10/2020	10/2020	11/2020	11/2020	11/2020	11/2020	12/2020	12/2020	12/2020					
1	Notice of Land Acquisition	■																	
2	Conduct Detailed Measurement Survey	■	■																
3	Conduct Replacement Costs Survey	■	■																
4	Finalize Draft Compensation Plan		■																
5	Update draft RAP to reflect DBCLA compensation plan (if needed)		■																
6	Submit Updated RAP to WB for No Objection			■															
7	Disclose Draft Compensation Plan				■														
8	Engage External Monitoring Consultant					■	■												
9	Finalize Compensation Plan					■	■												
10	Issue Decision of Land Acquisition					■	■												
11	Start and Complete compensation payment						■	■											
12	Start site clearance						■	■											
13	Land Hand-Over							■	■										
14	Resettlement Site								■	■	■	■	■	■					
15	Relocating to Resettlement Site												■	■					
16	Delivery of LURC													■	■	■	■	■	■
17	Internal monitoring (PMU)						■	■	■	■	■	■	■	■	■	■	■	■	■
18	External monitoring (PMU Consultant)										■	■	■	■	■	■	■	■	■

VIII. GRIEVANCE REDRESS MECHANISM

8.1 Requirements of the Grievance Redress Mechanism

The World Bank's OP 4.12 on Involuntary Resettlement requires any RAPs that are prepared for Bank financed projects need to establish a grievance redress mechanism to address grievance and complaints that may arise from affected households during RAP implementation.

A mechanism will be put in place to ensure all concerns and complaints of PAP are recorded/registered appropriately, and addressed in a manner that is fair, timely, and constructive. PAP will be informed of the grievance management procedure, as well as their rights to take their grievances to the agencies responsible for handling their complaints as well as informational queries. PAP will also be informed that their use of this grievance mechanism will be free of charge, even when their cases are elevated to the Courts of Law. All costs related to handling and solving of the complaints are covered by the project and are included in the budget for RAP implementation.

8.2 Grievance Redress Procedure

Within the Vietnamese legal framework, citizen rights to complain are protected. As part of overall implementation of the project, a grievance redress mechanism (GRM) will be developed by the PMU with responding procedures, responsible persons and contact information. It will be readily accessible to ensure that grievances shall be handled and resolved at the lowest level as quickly as possible. The mechanism will provide a framework within which complaints about environmental, social, and safety issues can be handled, grievances can be addressed, and disputes can be settled promptly. The GRM will be in place before construction commencement.

Onsite complaint addressing procedure

The communities and communes will be informed about the GRM availability to handle complaints and concerns relative to the project. This will be done via the community consultation and information disclosure process under which the contractors will communicate with the affected communities and interested authorities on a regular basis. Meetings will be held at least quarterly, monthly information brochures will be published, announcements will be placed in local media, and notices of upcoming planned activities will be posted, etc.

All complaints and corresponding actions undertaken by the contractors will be recorded in project safeguard monitoring reports. Complaints and claims for damages could be lodged as follows:

- Verbally: direct to the CSC and/ or the contractors' safeguard staff or representatives at the site offices.
- In writing: by hand-delivering or posting a written complaint to specified addresses.
- By telephone, fax, e-mails: to the CSC, the contractors' safeguard staff or representatives. Upon receipt of a complaint, the CSC, the contractors' safeguard staff or representatives will register the complaint in a complaint file and maintain a log of events pertaining to it

thereafter, until it is resolved. Immediately after receipt, four copies of the complaint will be prepared. The original will be kept in the file, one copy will be used by the contractor's safeguard staff, one copy will be forwarded to the CSC, and the fourth copy to the PPMU within 24 hours since receipt of the complaint.

Information to be recorded in the complaint log will consist of:

- The date and time of the complaint.
- The name, address and contact details of the complainant.
- A short description of the complaint.
- Actions taken to address the complaint, including responsible person/agencies, contact persons and findings at each step in the complaint redress process.
- The dates and times when the complainant is contacted during the redress process.
- The final resolution of the complaint.
- The date, time and manner in which the complainant was informed thereof.
- The complainant's signature when resolution has been obtained.

Minor complaints will be dealt with within one week. Within two weeks (and weekly thereafter), a written reply will be delivered to the complainant (by hand, post, fax, e-mails) indicating the procedures taken and progress to date.

The main objective will be to resolve an issue as quickly as possible by the simplest means, involving as few people as possible, and at the lowest possible level. Only when an issue cannot be resolved at the simplest level and/ or within 15 days, will other authorities be involved. Such a situation may arise, for example, when damages are claimed, the to-be-paid amount cannot be resolved, or damage causes are determined.

Official GRM as per Government Regulation

Grievance Redress Mechanism based on the complaint and denounced in the laws of Viet Nam is summarized herewith:

***First Stage –
Ward/Commune
People’s Committee
(WPC):***

PAP may submit their complaint – either in written or verbal, to the office of the Ward/Commune People’s Committee. W/C PC will receive the complaints and will notify the W/C PC leaders of the complaint. The Chairman of the W/C PC will meet the complainant in person and will solve it within 15 days following the receipt of the complaint.

***Second Stage –
City/District People’s
Committee (C/DPC)***

After 15 days since the submission of the complaints, if the aggrieved person does not have any response from the W/C PC, or if the aggrieved person is not satisfied with the decision taken on his/her complaint, the PAP may take the case, either in written or verbal, to the Reception Unit of City/District People’s Committee. The City/District People’s Committee will have 30 days since the date of receipt of the complaint to resolve the case. The City/District People’s Committee will register all the complaints submitted and will inform the District Board for Compensation and Land Acquisition of the City/District PC’s resolution/assessment results. Aggrieved person may elevate the case to the Courts of Law if they wish.

***Third Stage –
Provincial People’s
Committee):***

After 30 days, if the aggrieved PAP does not hear from the City/District PC, or if the PAP is not satisfied with the decision taken on his/her complaint, the PAP may escalate the case, either in writing or verbal, provincial People’s Committee, or lodge an administrative case with the City/District People’s Court for resolution. The provincial PC will have 45 days to resolve the complaint to the satisfaction of all the concerned. The provincial PC secretariat is also responsible for registering all complaints that are submitted. Aggrieved person may elevate the case to the Courts of Law if they wish

***Final Stage - Courts
of Law:***

After 45 days following the submission of the complaint at provincial PC, if the aggrieved PAP does not hear from the provincial PC, or if PAP is not satisfied with the decision taken on his/her complaint, PAP may take the case to a Courts of Law for adjudication. Decision by the court will be the final decision.

Decision on solving the complaints must be sent to the aggrieved PAPs and concerned parties and must be posted at the office of the People’s Committee where the complaint is solved.

After 3 days, the decision/result on resolution must be made available at ward level and after 7 days at the district level.

8.3 Grievance Management

City/District PC and Ward/Commune PC. City/District People's Committee, and Ward/Commune PC will maintain a logbook for recording queries, suggestions and grievances of PAP. All complaints will be assessed and resolved in accordance with fair, timely and constructive manner.

PPMU. A focal point who is responsible for administering grievance mechanism on behalf of PPMU will be appointed by PPMU. This staff will act as a liaison officer (with DBCLA and C/WPC) and will perform the following key tasks:

- Work closely with DBCLA and WPC to respond to any informational queries from PAP;
- Keep track of overall grievance management process on behalf of PPMU.
- Maintain a grievance log with basic information, including a) **Receipts** (name of complainant, complainant's story and expectation; date the grievance was received and recorded, b) **Tracking** (progress – pending/solved, agreements and commitments made), and **Closeout** (resolution outcome).
- Report to PPMU.

8.4 Grievance Monitoring

An Independent Environmental Monitoring Consultant (IEMC) will be engaged by PMU-2 to monitor and evaluate the effectiveness of the grievance mechanism. The monitoring will identify common or recurrent claims that may require structural solutions or adjustment to compensation policy. The EMC may recommend measures to be taken to redress unresolved grievances.

IX. MONITORING AND EVALUATION ARRANGEMENT

9.1 Objective of Monitoring

The main objective of monitoring the implementation of the RAP is to determine whether or not the RAP is carried out in accordance with the Resettlement Framework and the agreed schedule and methods, and that the RAP implementation meets the objective of the World Bank's Operational Policy 4.12 on Involuntary Resettlement.

Moreover, evaluation of the resettlement activities will be resorted after implementation of the RP to assess whether the resettlement objectives were appropriate and whether they were met, specifically, whether livelihoods and living standards have been restored or enhanced if there is any. The evaluation will also assess resettlement efficiency, effectiveness, impact, and sustainability, drawing lessons as a guide to future resettlement planning.

9.2 Internal Monitoring

PMU2 is responsible to conduct internal monitoring on resettlement implementation and will assign a specialized PMU staff to help PPMU and work closely with DBCLA and other relevant governmental agencies to conduct internal monitoring with key assignments as below:

- Coordinate with related agencies in process of RAP implementation;
- Collect necessary data – as required by this RAP, to set up a database of resettlement for RAP implementation progress reports for internal monitoring purpose
- Identify any pending issues/non-compliance issues during RAP implementation
- Work closely with the Independent Monitoring Consultant to oversee the implementation of RAP
- Receive and report complaint of affected people to competent authorities for resolving
- Conduct monthly and reported quarterly to ensure any issues that may arise so as to take timely and appropriate action

9.2.1 Key indicators for internal monitoring

The following suggestive criteria could be used for internal monitoring by PPMU:

- Number of affected persons according to types of impacts;
- Status of compensation payment, resettlement, and income restoration;
- List of outstanding complaints;
- Final results on solving complaints and any outstanding issues that demand management agencies at all levels to solve;
- Issues that arise during the implementation process;

Monitoring done by PPMU could be coordinated with external monitoring when the external monitoring consultant is engaged by PMU2 and starts the service.

9.3 External Monitoring

PMU2 will engage an External Monitoring Consultant (EMC) to conduct periodically independent monitoring on implementation of RAP. The EMC will be recruited based on their experience on application of Bank's safeguards policy and on monitoring and evaluation of RAP implementation. PMU2 will prepare a TOR for this assignment which will be reviewed by the World Bank prior to recruitment. The recruitment will be based on the bidding process in accordance with the relevant procurement regulations of the World Bank.

- To monitor the implementation of the approved RAP to ensure the implementation follows regulations and policies stipulated in the RAP, including monitoring risks and impacts related to labor influx and gender issues (SEA/SH).
- To conduct a final monitoring and evaluation of resettlement implementation 6 months after completion of all resettlement activities.
- To evaluate the effectiveness of the grievance mechanism.
- Identify common or recurrent claims that may require adjustment to the compensation policy.
- Recommend measures to be taken to redress unresolved grievances
- Periodical and final reports include all findings from monitoring and evaluation and corrective action plan (if needed) to submit to PMU2 and the World Bank.

The IEMC is expected to monitor and evaluate the results of the RAP implementation with regards to the following three key aspects:

- *Performance* (Process, including compliance),
- *Impact* (Outcome); and
- *Sustainability* (upon Completion of the RAP implementation).

While internal monitoring of RAP implementation process is maintained quarterly, external monitoring should be conducted twice a year, and an evaluation after six months following the completion of resettlement. EMC must prepare a bi-annual report on findings from each monitoring mission, consolidating all the findings from the last internal monitoring reports, and submit to PMU2 and World Bank. The report requirements will be detailed in the Terms of Reference for EMC.

9.3.1 Key indicators of external monitoring

The following suggestive indicators should be used by the EMC:

- Payment of compensation: a) full payment to be made to all affected persons before land acquisition; (b) adequacy of payment to replace affected assets.
- Provision of assistance for PAPs who have to rebuild their houses on their remaining land, or building their houses in new places as arranged by the project, or on newly assigned plots.
- Assistance for recovering livelihood/income sources.
- Community consultation and public dissemination of compensation policy:
 - (a) PAPs should be fully informed and consulted about land acquisition, and relocation activities;

- (b) community consultation procedures and how to solve these problems;
 - (c) public awareness of the compensation policy and entitlements will be assessed among the PAPs; and
 - (d) assessment of awareness of various options available to PAPs as provided in the RAP.
- Affected persons should be monitored regarding the restoration of productive activities.
 - PAPs' satisfaction on compensation, assistance and resettlement will be monitored and recorded.
 - Effectiveness of the complaint mechanism and speed of complaint settlement will also be monitored.

9.4 Community Monitoring

- Evaluate the investor's compliance with the regulations on land boundary and land use; detailed ground planning; architectural and construction plans; waste treatment; environmental protection; compensation, site clearance and resettlement plan; investment schedule and plan.
- Detecting acts that are detrimental to the interests of the community; negative impacts of the project on the living environment of the community during the process of project investment and operation.

9.5 Monitoring by WB

Reviewing and approving the RAP and monitoring reports to ensure that RAP implementation, monitoring and evaluation is in accordance with the WB's OP 4.12.

X. COSTS AND BUDGET

The following table summarizes the estimated costs for compensation payment of affected assets, including residential and agricultural land, houses, structures, graves, trees and crops, businesses, etc., costs as allowance, support, etc.

Once the detailed measurement survey and replacement costs survey (conducted by independent appraiser) are completed, the results of these two surveys will be applied for calculation of the compensation package for affected households and the total cost estimate will be updated to reflect such change in case adjustment of compensation rates is made.

All costs related to compensation, support, livelihoods restoration, including monitoring and evaluation will be borne by WB/PMU.

Table 15 Costs of Resettlement Program

No.	Items	Areas	Unit Price	Unit	Amount (VND)
I	Compensation for Land and Structure			VND	
1	Agricultural land	1,745,967	20,000	VND	34,919,334,800.00
1,1	2% as transaction cost				698,386,696.00
	Residential land	54,790	1,500,000	VND	82,185,405,000.00
1,2	2% as transaction cost				1,643,708,100.00
	Sub Total (a)				119,446,834,596.00
	Compensation for structures	6,633		VND	
2	Houses and other secondary structures	6,633	2,500,000	VND	16,582,950,000.00
2.1	Compensation for crops and trees				
3	Rice, crops	48,388	5,000	VND	241,940,000.00
3.1	Crops temporarily affected	9,800	5,000	VND	49,000,000.00
3.1	Sub Total (b)				290,940,000.00
4	Support			VND	
4.1	Support in training, job change and job search	191,476	40,000	VND	7,659,054,400.00
4.2	Livelihood Stabilization during transition period	352	300,000/month	VND	1,267,200,000.00
4.3	Transportation	80		VND	235,000,000.00

4.4	Support for vulnerable groups	38	2,500,000	VND	95,000,000.00
	Sub total (C)				9,256,254,400.00
II	Independent Monitoring (2% of total)			VND	2,941,539,579.92
	Total (I+II)				147,076,978,996.00
III	Management Cost (2% of total)			VND	2,941,539,579.92
IV	TOTAL (I+II+III)			VND	150,018,518,575.92
V	Contingency (10%)			VND	15,001,851,857.59
VI	GRAND-TOTAL (IV+V)			VND	165,020,370,433.51

APPENDICES

Appendix 1 – Entitlements Matrix

Type of Impacts	Application	Entitlements	Implementation Arrangement
A. PERMANENT IMPACT			
1. AGRICULTURAL LAND	<i>Land users with LURC or eligible for LURC</i> Marginal loss (<20% of land holding or <10% for vulnerable group), the remaining area is still economically viable for use or meets expected personal yield.	Compensation will be at full replacement costs.	PAP will be notified at least 90 days prior to land acquisition and receive compensation and allowances at the latest one month before land acquisition. The landowner will hand over the land within 20 days of full payment of compensation and allowances.
	Significant loss >=20% or >=10% for vulnerable groups	<p>Compensation will be at full replacement costs.</p> <ul style="list-style-type: none"> • Compensation will be paid in cash at full replacement cost for all the affected area within governmental allocated quota of 3ha. For area exceeding the 3ha-quota, compensation will be made only for the Remaining Land Investment Cost³ which is the cost already invested in the land but has not been recovered by the time of land acquisition (Article 129, 130 of Land Law 2013) <p>ALLOWANCES: Severely affected households will be provided with additional allowances for life stabilization and participating in Livelihood Restoration Program (See Section 8 on ALLOWANCES below)</p>	<p>PAP will be notified at least 90 days prior to land acquisition and receive compensation and allowances at the latest one month before land acquisition.</p> <p>The landowner will hand over the land within 20 days of full payment of compensation and allowances.</p>

³ Remaining Land Investment Cost as per land Law 2013, are costs that the land user has invested in land but have not been fully recovered by the time of land acquisition. These includes, for instance, costs of a) landfill, b) soil fertility improvement, soil erosion prevention (for farming purpose), c) foundation preparation (for business purpose), d) other investment as appropriate to the land use purpose (Article 3, Decree 47/2014/ND-CP).

Type of Impacts	Application	Entitlements	Implementation Arrangement
	<i>Land users without formal or customary rights to land</i>	Land used before 1 st July 2004 will be compensated at replacement cost; land used after 1 st July 2024 to before the cut-off date will not be paid but cash assistance will be provided – on the basis of land origin, land use history, reason for un-eligibility, and the time when the land was put into use- as per Land Law 2013 and provincial most updated regulations.	Gia Lai PC will make decision.
	<i>Leased Right</i>	<p>PAP renting land managed by the government:</p> <ul style="list-style-type: none"> No compensation for the affected land but for the Remaining Land Investment Cost. Compensation paid at full replacement cost for affected assets (structures, crops, trees) on rental land if they have been created before the Cut-off Date. <p>PAP renting private-owned land for farming purpose:</p> <ul style="list-style-type: none"> Compensation for land at replacement cost for the landowner; Compensation for renter a) affected assets (structures, crops, trees) at replacement cost for the renter if the affected assets have been created before the Cut-off Date; b) the remaining rental contract value. 	Remaining Land Investment Cost will be calculated on the basis of survey in line with Article 76 of Land law 2013.
2. RESIDENTIAL LAND	<i>Land users with LURC or eligible for LURC</i>	<p>Loss of residential land with no houses/structures on it:</p> <ul style="list-style-type: none"> Compensation for loss of land will be paid in cash at full replacement cost. <p>Loss of land with houses built thereon, and the remaining (non-acquired) land is adequate to reorganize:</p> <ul style="list-style-type: none"> Compensation at full replacement cost for the affected land. 	PAP will be notified at least 180 days prior to land acquisition.

Type of Impacts	Application	Entitlements	Implementation Arrangement
		<ul style="list-style-type: none"> • Compensation for affected house is as follows: <p><i>Partially affected house and remaining part is usable:</i></p> <ul style="list-style-type: none"> • Compensation at full replacement cost for the affected part and actual costs for repairing the remaining part without deduction of salvageable materials. <p><i>Fully affected house:</i></p> <ul style="list-style-type: none"> • Compensation at full replacement cost for the entirely affected house. <p><i>In case the remaining land is insufficient to build a new house, the affected household could request converting the agricultural land adjoining with the affected residential land into residential land but not exceed residential land quota- as specified by Gia Lai PC.</i></p>	
		<p><i>Loss of land with houses built thereon, and the remaining (non-acquired) land is not adequate to rebuild the house (Relocated PAP):</i></p> <ul style="list-style-type: none"> • Compensation for loss of land and houses will be paid at full replacement cost. Affected households are entitled to allocation of a plot of land in Project's Resettlement/Relocation Site. • In case compensation value for the affected residential land is less than the cost of a standard land plot in the designated Resettlement/Relocation Site, relocated households will be provided with a cash support equal to the difference to enable them to have the land plot in the Relocation Site. 	<ul style="list-style-type: none"> • Resettlement land/house will be arranged in line with Article 86 and Article 87 of the Land Law, Decree No. 47/2014/ND-CP and Article 20, 22 of Decree No. 43/2014 • AHs are paid compensation and allowance within 30 days since compensation plan approved.

Type of Impacts	Application	Entitlements	Implementation Arrangement
		<ul style="list-style-type: none"> If AHs prefer self-relocating to other place, an amount of cash support equal to the difference between the cost of the minimum land plot in the designated Relocation Site and total compensation amount for the affected residential land will be provided to the relocating households. (Article 86 of Land Law 2013, Article 27 of Decree 47/2014/ND-CP) PAP will be provided for cash resettlement assistance (See Item 8 and compensation for house/structure if created before the project Cut-off Date (See Item 3) 	<ul style="list-style-type: none"> No deduction or depreciation apply for salvageable materials.
	No formal right to affected land	<p><i>Loss of land with houses built thereon, and the remaining (non-acquired) land is adequate to reorganize:</i></p> <p><i>(i) PAP with formal right to affected land (legal or legalizable):</i></p> <ul style="list-style-type: none"> Compensation for loss of land will be paid in cash - at replacement cost Compensation for affected houses/structure (See Section c. below). <p><i>(ii) PAP without formal right to affected land:</i></p> <p>Compensation for affected houses/structure at replacement cost (See Section c. below). Costs to repair the remaining houses are covered by the Project (See Section 6.2.3. Support/Allowances).</p>	
		<p><i>Loss of land with houses built thereon, and the remaining (non-acquired) land is not adequate to rebuild the house (Relocated PAP):</i></p>	

Type of Impacts	Application	Entitlements	Implementation Arrangement
		<p><i>(i) PAP with formal right to affected land (legal or legalizable):</i></p> <ul style="list-style-type: none"> – Eligible households can opt: Compensation in cash for loss of land at replacement cost or allocation of a land plot/apartment in resettlement site; – Compensation for affected houses/structure at replacement cost (see Section c. below). <p><i>(ii) PAP without formal right to affected land:</i> Compensation for land is as follows:</p> <ul style="list-style-type: none"> - If PAP uses non-agricultural land⁴ with house on it - prior to 1 July 2004, and the land was obtained by encroachment, PAP will be provided a new residential land plot in the project's resettlement site with levy collection, or are entitled to buying a new resettlement house, if they have no place in the project commune/ward to move [Article 7 of Decree 47/2014/ND-CP, Article 80 of Land Law 2013]. In addition, for illegal land user using land after 1st Jul, 2004 and prior to the cut-off date, a financial assistance will be provided at PPC's disposal - If PAP is not eligible for LURC (as specified at Article 22 of Decree 43/2014/ND-CP) and is using land with house thereon and violation of the Land Law without preventive action from local authority, depending on land use history, PAP will be considered for cash 	

⁴ Non-agricultural land – as prescribed at Article 10 of Land Law 2013, include land such as public land, river land, industrial land, production land, etc.

Type of Impacts	Application	Entitlements	Implementation Arrangement
		<p>assistance in accordance with regulations of Provincial People's Committee. Compensation for house/structure if created before the cut-off date are paid at full replacement costs in line with OP 4.12.</p> <p>Compensation for affected land and house as regulated in item (ii) above. In case, PAP has no other residential land/house within project commune/ward, they are entitled to buying a standard land plot/apartment in resettlement site. Price of land/apartment is decided by PPC.</p>	
3 Compensation for non-agricultural land (but not residential land):		<p>For households and individuals using non-agricultural land which is not residential land, when the State recovers land, if they are eligible for compensation as prescribed in Article 75 of this Law, they shall be compensated with land having the same land use purpose. In case such land is not available for compensation, they shall be compensated with money calculated based on the remaining land use term.</p> <p>For households and individuals using non-agricultural land which is not residential land and is leased by the State with annual rental payment or with full one-off rental payment for the entire lease period but being exempted from land rental, when the State recovers land, they shall not be compensated for land but for the remaining investment costs in land, except the cases in which households and individuals use land under the policies for people with meritorious services to the revolution(According to Article 80 , Land Law 2013)</p>	

Type of Impacts	Application	Entitlements	Implementation Arrangement
4. HOUSES/ SECONDARY STRUCTURES/ EQUIPMENT/ PRODUCTION LINE, ETC.		<p><i>For non-movable houses and secondary structures</i> – compensation will be at full replacement costs for affected houses and structures regardless of the legal status of the affected land, houses or structures OR compensation for constructing a new house/structure with equivalent technical standard.</p> <p>For houses and structures that are partially demolished, compensation at replacement cost for the affected part, plus cost for repairing and renovating the remaining part to suit its utility. Cost for repair and renovation are calculated at replacement cost and included in compensation plan.</p> <p><i>For equipment and/or production line</i>, affected business who own the equipment or production lines will be compensated for all costs associated with disassembly, transportation, re-installation of the affected equipment and/or production line. A consulting firm specialized in appraisal for such equipment/ production lines will be engaged by the PMU2 to estimate the costs which are subject to review and approval of Gia Lai PC. Costs associated to this process will be paid at full replacement cost.</p> <p><i>For small assets requiring specialized installation</i> including landline phone, water connection, electricity connection, cable TV, internet connection, etc, all costs related to uninstallation and re-installation at new house/business premise will be compensated at full replacement cost.</p>	<p>Replacement costs includes;</p> <ul style="list-style-type: none"> a) market cost of the materials to build a replacement structure with an area and quality similar or better than those of the affected structure or to repair a partially affected structure b) the cost of transporting building materials to the construction site c) the cost of any labor and construction fees d) the cost of any registration and transfer taxes. <p>Structures shall be evaluated with regards to its value individually.</p>

Type of Impacts	Application	Entitlements	Implementation Arrangement
5. CROPS, TREES and QUACULTURE PRODUCTS	<i>LURC, eligible and not eligible for LURC</i>	<p>For annual and perennial trees, standing crops or aquaculture products, compensation in cash will be paid at full replacement cost irrespective of the legal status of the land if created before the cut-off date and are in line with Article 90 of the Land Law 2013.</p> <p>Movable crops such as orchard trees will not be compensated but transportation of the trees to new location is supported as specified by District Board for Compensation and Land Acquisition. If replanting of trees in new location incurs costs, such full costs will be compensated for.</p> <p>Aquaculture that reaches harvest time by the time of land acquisition will not be compensated for.</p>	<ul style="list-style-type: none"> • Calculation of compensation for crop is based on the highest productivity of one crop of the last 3 years. • Calculation of compensation for trees is based on age and diameter of the tree. • PAP has the right to use salvageable trees.
6. BUSINESSES		<p><i>For economic loss resulting from Contract termination:</i> For households/individual who rent government or private-owned land for non-farm business and the land rental is made on renewable contract basis by the time when the affected land must be returned to government but the land lease contract is still valid, compensation will be paid as agreed upon in the land lease contract, if any.</p> <p><i>For affected assets such as houses, structures, equipment, production line and other small assets,</i> compensation will be paid using full replacement costs principle.</p> <p><i>For loss of income incurred by business owner,</i> the mechanism for compensation is as follows:</p> <ul style="list-style-type: none"> • For registered businesses, compensation will be paid in cash for the loss of net business income equivalent to 50% of the annual 	<p>PAP will be given priority for business relocation at conveniently located place in order to maximize their benefit from business opportunities. At the time of compensation, allowances will be adjusted to account for inflation.</p>

Type of Impacts	Application	Entitlements	Implementation Arrangement
		<p>average net income as declared with the tax agency during the recent three (3) years (this amount is equivalent to 100% of monthly net income for 6 months).</p> <ul style="list-style-type: none"> For non-registered businesses whose operations are recognized by local authority and whose net income for non-registered businesses are affected, compensation will be paid in cash for the income losses for at least three (3) months. For households who retailed business without business license and do not pay tax including also <i>squatter/informal settler</i> whose business are located on the right of way, compensation will be paid a one-time allowance of 3 million (3,000,000) VND per household. <p><i>For loss of income incurred by business employees:</i></p> <ul style="list-style-type: none"> Employees who permanently lose their existing job due to acquisition of land on which the business are located will receive an unemployment allowance at the basic wage level for up to 6 months. Besides, employee is entitled to participation in vocational training of the project's LRP. If they lose their income only temporarily during the business transition period, they will be supported with an allowance as specified by City/District PC. 	
7. GRAVES		Compensation for affected graves includes full costs associated with a) land for re-burial; b) excavation; c) reburial	The relocation of graves should be done on the basis of full consultation with the affected households to meet their customs and habits.

Type of Impacts	Application	Entitlements	Implementation Arrangement
		<p>d) relocation; e) construction of new tombs and f) other reasonable related costs which are necessary to meet local customs and habits.</p> <p>Land for relocation of all affected graves will be provided at a graveyard designated by the District PC. If District graveyard is not available, compensation payment will cover costs for buying land for reburial.</p> <p>In case owner of the affected graves could not be identified, public announcement has to be made on Radio, TV or in popular newspaper and in public notice sites in the community for a number of times to look for the grave owners. Within a reasonable time, if grave owners are not identified, the relocation of graves should be done by a specialized unit in consultation with the District Department of Health. The geographical location and status of the graves (with photos taken in details), the procedure of grave relocation and the new location of the graves must be documented carefully for the owner's use at a later time.</p>	<p>Affected households will be informed of the location of the graveyard so that they can decide where to relocate the affected graves within the designated graveyard or to somewhere else in accordance with their customs and habits.</p>
8PUBLIC STRUCTURES/ COMMUNITY ASSETS		Where public structures such as schools, health centers, libraries or other cultural centers, recreational parks, public roads, water transmission pipelines and electricity transmission lines are affected, such affected works will be restored/repared to ensure normal operation at no cost to the local community.	
9. ALLOWANCES	<i>Affected residential land/ houses and relocation</i>	Transportation Allowance: For household who need to resettle in a new residential area, an amount of 6,000,000VND will be provided if they physically relocate within the area of Gia Lai Province. If relocating outside of Province, the transport allowance	Relocation Plan needs to be discussed clearly with affected households to minimize the time duration for temporary accommodation as this may affect the income generation

Type of Impacts	Application	Entitlements	Implementation Arrangement
		<p>will be 10,000,000VND or Gia Lai's regulations whichever is higher.</p> <p>House Renting Allowance/Temporary Accommodation: House renting allowance or temporary accommodation will be provided to relocating households and re-organizing households (where required) for the actual time during which they have no other accommodation due to handing over the affected land (as required by the project) while not having completed yet the construction of the new house. An actual amount will be provided to each relocating households for a period of temporary accommodation until allocated plot in resettlement site, plus 4 months for construction of new house. For re-organizing households, this amount will be provided for three (3)-month period. The rental is decided by the PPC to ensure relocated have accommodation during temporary relocation.</p> <p>Subsistence allowance: equivalent to the market value of 30kg of rice/person/month for 3 months if PAP have to rebuild house on their remaining land and for 6 months if PAP have to relocate to a new site.</p>	activities/livelihoods of the affected households.
	Severely affected agricultural land	<p>Allowance for Livelihood Stabilization (during transition period):</p> <p>i. PAPs losing 20%-70%% of their agricultural landholding (or 10%-70% for the poor, near-poor and vulnerable groups) will be provided with an allowance of 500,000VND/per person/ month for 6 months if they will not be relocated and for 12 months in the case of relocation. In some special cases, allowance may be provided up to 24 months;</p>	

Type of Impacts	Application	Entitlements	Implementation Arrangement
		<p>ii. PAPs losing more than 70% of their agricultural landholding will be assisted at the above rate for a period of 12 months if they do not relocate and 24 months in the case of relocation. In some special cases, the allowance may be provided up to a maximum of 36 months;</p> <p>iii. PAPs affected by less than 20% of the land and their remaining land is not economically viable will receive the allowance for 12 months.</p> <p>HHs with no recognized land use right will receive allowance equal to 60% of the above rate provided for the legal, legalizable land users of agricultural land.</p>	
	<i>Allowance of job training/creation</i>	<ul style="list-style-type: none"> • Affected households directly engaged in agricultural production: supported on job training/job change and job creation with an amount of cash not exceeding 3 times the compensation value of affected agricultural land (Article 20 of Decree No. 47/214/ND/CP and Article 18 of Decision No.09/2018/QĐ-UBND, and Article 18 of Decision No. 02/2020/QĐ-UBND) Those at work age wishing to be trained for a particular job will be admitted to local training school and supported to find a new job and borrow loan for the new job. • Affected households running business at their residential land with the main income derived from this business: Those at working age wishing to be trained for a job will be admitted to local training school and supported to find a new job and borrow loan for the new job. <p>Free job consultation/orientation are offered at local Job Service Center.</p>	PPMU in combination with IMC will conduct a training needs assessment for all severely affected households to develop a training plan. Budget for job training will be provided by TSPMU. Loans for new job will be considered by District PC and District Department of Labor, Invalids and Social Affairs and will be provided under a suitable loan program of Gia Lai PC as recommended by respective City/District PC.

Type of Impacts	Application	Entitlements	Implementation Arrangement
	<i>Vulnerable Households</i>	<p>Female headed households with dependents and economic difficulties, households with disabled persons, elderly without any source of support, households from ethnic minority groups will be provided with an amount of not less than 3million VND per household.</p> <p>Relocating will be provided with support.</p> <p>Households with heroic mothers, heroic armed force personnel, labor hero, war veterans, wounded or dead soldiers and poor household certificate or categorized as near-poor will be supported in cash with an amount from 3-5millionVND/household.</p>	One household may be eligible for some allowances, but only the highest allowance is provided.
	<i>Incentive Bonus</i>	All affected households who hand the affected land over to local authority at the date specified after receiving compensation payment and allowances will be given an incentive bonus. Bonus rate will be determined at the time of compensation payment and decided by the PPC.	
10. LIVELIHOOD RESTORATION PROGRAM		All households who are severely affected and who are vulnerable as defined from Section 4.2 will be eligible to participate in the Livelihood Restoration Program (LRP) which include trainings on agricultural extension, new job training, credit access and other measures as recommended and appropriate to support the livelihood restoration of affected households to ensure their livelihood restored to the pre-project level or even improve. The LRP will be developed in consultation with affected households after the Resettlement Action Plan (as approved by Gia Lai PC and the World Bank) are disclosed fully to the affected households to ensure the consultation on measures to restore livelihoods for severely affected	Livelihood Restoration Program will be designed based on assessment of the needs of the affected households. LRP will be mainstreamed into on-going local development program that support affected/poor households who relocate as a result of development project.

Type of Impacts	Application	Entitlements	Implementation Arrangement
		households meaningful and realistic. Costs related to implementing LRP will be borne by the Project Owner.	
B. TEMPORARY IMPACTS			
11. TEMPORARY IMPACT ON LAND/LOCAL BUSINESS		<ul style="list-style-type: none"> Temporarily affected land including assets associated with affected land will be compensated for as agreed with the landowner. Upon return of affected land to people, the affected land must be restored to its original condition as agreed with the affected households. In case the construction affects temporarily the business activities of local households outside the project area, resulting in loss of income that derive from such business, loss of income should be compensated for the entire period of impact as agreed with the affected households. 	Contractors will be informed of this RAP and should explore alternative construction method to avoid temporary impact. If avoidance is not possible, contractors will compensate for the above temporary impact in accordance with this RAP. Temporary impact is subject to both internal and external monitoring.
12. DAMAGES CAUSED BY CONTRACTORS		Damaged property will be immediately restored to its former condition by contractors.	Contractors will be required to take extreme care to avoid damaging property during construction. Where damages occur, contractor will be required to immediately repair damages or pay compensation to the affected families, groups, communities, or government.
C. UNPREDICTABLE IMPACTS DURING IMPLEMENTATION			
		Any other impacts identified during the project implementation will be compensated in accordance with the Compensation Principles set out for in this RAP and in line with the WB's OP 4.12	

