Ethnic Minority Development Plan
Urban Upgrading Project in Mekong Delta-Rach Gia Sub-Project

RACH GIA PEOPLE'S COMMITTEE
URBAN UPGRADE PROJECT MANAGEMENT UNIT
IN KIENGJIANGPROVINCE

Urban Upgrading Project In Mekong Delta River
Rach Gia Urban Upgrading Sub-Project

Ethnic Minority Development Plan

(Final Draft)

Infra-Thanglong

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<th>Description</th>
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<tbody>
<tr>
<td>CRC</td>
<td>City Resettlement Committee</td>
</tr>
<tr>
<td>DMS</td>
<td>Detail measurement survey</td>
</tr>
<tr>
<td>EIA</td>
<td>Environmental Impact Assessment</td>
</tr>
<tr>
<td>EMDP</td>
<td>Ethnic Minorities Development Plan</td>
</tr>
<tr>
<td>FS</td>
<td>Feasibility Study</td>
</tr>
<tr>
<td>GOV</td>
<td>Vietnamese government</td>
</tr>
<tr>
<td>IDA</td>
<td>International Development Association</td>
</tr>
<tr>
<td>IP</td>
<td>Indigenous People</td>
</tr>
<tr>
<td>LIA</td>
<td>Low Income Area</td>
</tr>
<tr>
<td>PAHs</td>
<td>Project Affected Households</td>
</tr>
<tr>
<td>PCs</td>
<td>People’s Committee</td>
</tr>
<tr>
<td>PMU</td>
<td>Project Management Unit</td>
</tr>
<tr>
<td>RAP</td>
<td>Resettlement Action Plan</td>
</tr>
<tr>
<td>RPF</td>
<td>Resettlement Policy Framework</td>
</tr>
<tr>
<td>TOR</td>
<td>Terms of Reference</td>
</tr>
<tr>
<td>WB</td>
<td>World Bank</td>
</tr>
</tbody>
</table>
Indigenous Peoples

Equivalent to Ethnic Minorities (EMs) in Viet Nam. To refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, social, economic, social or political institutions that are separate from those of the dominant society and culture; and (iv) an indigenous language, often different from the official language of the country or region.

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 use rights, because of land acquisition or restriction of access.

Displaced (affected people)

Individuals or businesses that are directly affected socially and economically by Bank-assisted investment project caused by the involuntary taking of land and other assets that results in: (i) relocation or loss of shelter; (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location. The involuntary taking of land includes the exercise of possession when the proprietor has allowed and benefited from others' occupation of the area. In addition, displaced person is one for whom involuntary restriction of access to legally designated parks and protected areas that result in adverse impacts on livelihoods also; this category of displaced person would be unlikely in the urban area, however.

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) disable or the elderly alone, (iii) poor people (living below the state poverty threshold), (iv) the landless, and (v) ethnic minority groups.

Culturally appropriate

Having regard for all facets of the cultures, and being sensitive to their dynamics.

Consultation and Participation

Where the project affects EMs, the borrower engages in free, prior and informed consultation with EMs. The borrower ensures: a) an appropriate gender and intergenerational inclusive framework that provides opportunities for consultation at each stage of project preparation and implementation among the affected people; b) using appropriate method to the social and cultural values of the affected EM communities and their local conditions; and c)
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providing the affected EM communities with all relevant information about the project in a culturally appropriate manner at each stage of project preparation and implementation.

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 transhumant/nomadic groups to the territory they use on a seasonal or cyclical basis.

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.
PREFACE

This Ethnic Minority Development Plan (EMDP) was prepared to ensure that the project complies with the World Bank’s Indigenous Peoples policy (OP4.10) referred here as ethnic minorities (EMs) that are living in the project areas. The objectives of the EMDP are to ensure that: (a) EMs affected by the project receive culturally appropriate social and economic benefits; and (b) when potential adverse effects on EMs are identified, those adverse effects are avoided, minimized, mitigated, and compensated.

Development projects, under distinct circumstances, could affect ethnic minorities (EMs) putting them at risk and causing irreversible cultural and socio-economic impacts. EMs, as social groups with identities distinct from that of dominant society, is frequently among the most marginalized, and vulnerable segments, of the population. Economic, social, and legal status often limit their capacity to defend their rights to land, territories, and other productive resources, and restricts their ability to participate in and benefit from development interventions. Therefore the WB’s OP 4.10 is triggered for this sub-component.

The EMDP was prepared based on the results of the social assessment carried out in the project areas as well as free, prior and informed consultations with Khmer communities in low income areas of Rach Gia city. Consultations were conducted in order to ensure all the needs and concerns of ethnic minority communities are included in the project activities and confirm their support to the project. The EMDP sets up activities and plans that project executing agencies will implement during project implementation.
EXECUTIVE SUMMARY

The objectives of the Mekong Delta Region Urban Upgrading Project in Rach Gia city are: to upgrade infrastructural facilities for low-income areas (LIAs) in the City; to promote sustainable growth, equal and active social participation; to help reduce poverty in poor urban areas through the improvement of living conditions and environmental sanitation in LIAs and to strengthen the Urban Management Capacity of Rach Gia City People's Committee (CPC).

The Mekong Delta Region Urban Upgrading Project in Rach Gia city Upgrading Subproject is comprised of the following components: Component 1, Tertiary Infrastructure Upgrading in 7 LIAs; Component 2, Supporting Primary and Secondary Infrastructure; Component 3, Two resettlement Sites Construction for 7 LIAs; Component 4, Implementation and Project Management; Component 5, Technical Assistance to the Ministry of Construction to Implement NUUP and for Project Coordination.

The project will bring about benefits for the city and Khmer people in selected LIAs. However, the project also will cause marginally adverse impacts on 35 Khmer households (168 persons) due to land acquisition and on their structures. No households will lose land permanently or will need to be relocated. The project will not affect any of physical and cultural structures, historical sites (such as Pagodas), natural and biodiversity reserves and collective attachment of Khmer people. Detailed data on land and assets by affected project will be updated after completion of the project detailed measurement survey (DMS).

This EMDP was prepared to provide with measures by which negative impacts to the ethnic minority people are mitigated and benefits are enhanced. The EMDP was based on the findings of the social assessment and results of free, prior and informed consultations with the affected Khmer people conducted in three low LIAs in June 2011 by Infra-Thanglong's consultant. The social assessment defined the methods for consultations and the EMDP sets up the measures to: (a) minimize, mitigate, and compensate for potential adverse impacts on Khmer communities; (b) ensure that Khmer people receive social and economic benefits in a culturally appropriated manner and inclusive in both gender and intergenerational terms.

A consultation process during project implementation was designed to ensure compliance with the Indigenous People Policy (OP4.10) of the World Bank: which ensures (i) to gain broad support and understanding of project objectives from the EMs; and (ii) to provide EMs with the opportunity to identify their preferences and constraints, as relate to compensation, resettlement and livelihood restoration. During project preparation, the free, prior and informed consultations were conducted by social specialists of Infra-Thanglong through group discussions with households' heads and representatives of 160 Khmer households. Participants were invited by chiefs of Khmer clusters to join in 6 group discussions organized in their resident areas. According to the results of social assessment, Khmer people in the project area can speak Vietnamese. Group discussions were conducted in Vietnamese without any translator's support during the meetings.

The project’s objectives and potential positive and negative impacts, mitigation measures, and entitlements of compensation and resettlement were informed and consulted with the participants.

1Out 7 LIAs included in the project site, LIA 1, 5, and 6 have affected Khmer people. Consultants conducted required consultations in the LIAs where Khmer people live.

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All representatives of Khmer households agreed and supported the project by voting. They are aware that the project will improve their living conditions through upgrading drainage system, flood management, and environment pollution mitigation.

A grievance redress mechanism was established for the project and informed to all EMs. Therefore, all EMs' complaints or grievances related to involuntary resettlement or any other aspect of the project intervention will be received and solved up timely and satisfactorily without any fee or payment.

The EMDP defined Monitoring and Evaluation mechanism and established the indicators for internal and external monitoring on resettlement and EMDP implementation. Internal monitoring will be conducted by Project Management Unit (PMU) and external monitoring implemented by an external agency recruited by the PMU (see chapter 9).

Regarding the institutional arrangements the Rach Gia city PMU in combination with the City Resettlement Committee (CRC) is responsible for EMDP implementation, including capacity building and strengthening for EMs. PMU is also responsible for internal monitoring and contracting and supervising the EMDP implementation.

Total cost estimate for implementing the EMDPs is about 1,680,000,000 VND, which includes cost for training workshop on home business, capacity building for Khmer people, and vocational training allowance (see chapter ....).
I. INTRODUCTION

1.1. Project background

With the remarkable economic growth since 1990, Vietnam is urbanizing rapidly with yearly average increase of one million persons in urban areas. By 2020, it is estimated that, population in Vietnam will increase to 100 million persons. Of which 40% of the population will live in urban areas compared to the current urban population of about 29%. The Government’s Urban Development Strategy of 2000, updated in 2008, emphasizes the positive relationship between urbanization and economic development and the potential to further reduce overall poverty rates. The strategy has important poverty alleviation aspects (Vietnam entering the 21st century) and effective urban management can enhance the benefits of urbanization.

Despite great achievements in poverty reduction and strong economic growth, intra-urban inequality is still evident in the poor living conditions and lack of access to basic services such as housing, land tenure, drainage and sanitation and overcrowding in some pockets, etc. Low-income areas within cities are characterized by high population density and lack of or poorly maintained infrastructure and social services. The quality of housing is usually low; many houses are settled around lakes and canals and have limited access to water supply, and sewerage connections are not available. Flooding occurs frequently due to inadequate drainage. Poor sanitation often results from the direct discharge of waste into nearby drains, canals, rivers or lakes without treatment, which is posing environmental and health risks. Together with urbanization, inflow of people from rural to urban areas causes housing encroachment and illegal settlement. Higher population density inevitably puts additional pressures on these areas that are already destitute of adequate infrastructure and services.

In 2007, Ministry of Construction (MoC) prepared the National Urban Upgrading Strategy and Overall Investment Plan for Urban Upgrading to 2020 (NUUP), which is based on lessons learned from Vietnam Urban Upgrading Project in four cities (Ho Chi Minh, Can Tho, Hai Phong, and Nam Dinh). This Strategy has been approved by the Prime Minister in June 2009. Overall investments in basic infrastructure needs to the year 2020 were estimated to be more than US$11 billions. According to this approved Strategy, Government of Vietnam seeks support from World Bank to implement the National Urban Upgrading Program. Mekong River Delta Region is supported in the Project taking into consideration that this region has the highest demand for infrastructure upgrading in low-income areas and a critical need for investments in drainage and wastewater collection. Based on the demand for infrastructure upgrading in low income areas, Mekong River Delta Region is proposed as key area in Vietnam National Urban Upgrading Program. Six (06) cities were selected in this Project, including Cần Thơ, Mỹ Tho, Trà Vinh, Cà Mau, Rach Gia and Cao Lãnh.

The project aims to improve the living conditions and infrastructure services in low-income areas in six cities in the Mekong Delta Region to improve urban management and planning capacity of those cities’ agencies and support National Urban Upgrading Program through implementation of urban upgrading projects based on the National Urban Upgrading Strategy and Overall Investment Plan for Urban Upgrading to 2020.

1.2. Rach Gia City Upgrading Subproject

The Mekong Delta Region Urban Upgrading Project in Rach Gia city is included 5 components:
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- Component 1: Upgrading tertiary infrastructure in 7 LIAs (alley roads, water supply and drainage, lighting, garbage and solid waste collection and environmental hygiene), improving social infrastructure services (schools, places for community activities, market, cultural and sport houses).

- Component 2: Upgrade associated primary and secondary infrastructures to create background for connection of tertiary infrastructures (systems of ditches and drainage culverts outside of LIAs; dredging ditches and canals, improving reservoirs and regulatory reservoirs; putting investment into waste collection equipment; building embankment and expanding roads along the river, installing drainage culverts, planting trees to create good landscape).

- Component 3: Constructing two resettlement sites for 7 LIAs under the project site;

- Component 4: Building capacity for PMU, community and local authorities who participate in the project implementation process; and mobilize residents to participate in monitoring and supervision of construction quality, contribute finance, operate and maintain infrastructure systems upon their upgrading.

1.3 Objectives of EMDP

The Social Assessment conducted in the project selected areas shows that there are Khmer people living in 7 project LIAs. Besides Khmer and Kinh (dominant ethnic group) people in the project LIAs, there are Chinese people. Chinese people are not considered as EMs under OP4.10 and are not part of vulnerable groups in the project area. Chinese have similar economic profile with Kinh people and speak both Vietnamese and their own languages.

According to the Indigenous People Policy (OP 4.10) of the World Bank, the project affects EMs, so an EMDP was required aiming to: a) minimize and mitigate project impact on the livelihoods of EMs in the project area and; b) ensure that the development process fosters full respect for the dignity, human rights and cultural uniqueness of ethnic minorities in the project affected area, and takes into account their development needs and aspirations. Specifically, the EMDP aims to:

(i) define mitigation measures to minimize negative impacts among ethnic minority communities, and maximize benefits of the project by selecting the most suitable design alternative;

(ii) prepare, the analysis of the EMs legal and policy framework concerning EMs, the budget and implementation plan to effectively carry out targeted activities for affected EMs;

(iii) provide the results of free, prior and informed consultation and define an active participation framework for project implementation;

(iv) ensure that local EMs are involved in the process of project design and implementation so that EM peoples receive social and economic benefits in a culturally appropriate manner and inclusive in both gender and intergenerational terms, and broad community support for the project;

(v) define a sound monitoring and evaluation for the project.
II. SOCIO-ECONOMIC CHARACTERISTICS OF KHMER PEOPLE IN SUB-PROJECT AREA.

A social assessment was conducted in June 2011 by an Infra-Thanglong consultant in the subproject areas (3/7 LIAs). The following parts will present key findings of socio-economic characteristics of Khmer people and their needs, demands and expectations from the project.

2.1 Demographic characteristics and resident status

Khmer population in Vietnam is now more than one million people. Their long-standing settlements in Mekong Delta Region, are mostly in Soc Trang, Tra Vinh, Vinh Long, Can Tho, Kien Giang, Hau Giang, and An Giang provinces. In project area, there are total of about 61 Khmer households with 305 persons living in LIA 1, LIA 5 and LIA 6.

<table>
<thead>
<tr>
<th>LIA</th>
<th>Number of Khmer HHs</th>
<th>Number of Khmer persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIA 5</td>
<td>11</td>
<td>55</td>
</tr>
<tr>
<td>LIA 6</td>
<td>16</td>
<td>80</td>
</tr>
<tr>
<td>LIA 1</td>
<td>34</td>
<td>170</td>
</tr>
<tr>
<td>Total</td>
<td>61</td>
<td>305</td>
</tr>
</tbody>
</table>

Source: Rach Gia city Social Assessment (Survey date June, 22-24, 2011)

Khmer households: There are only 35 Khmer households to be adversely affected of a total 61 Khmer households in project area. Among 35 Khmer affected households, 11 households (31.4%) are headed by women and 24 households (68.6%) by men. Average Khmer household size is 5.2 persons/household, largest size comparing to other groups (average size of 4.1 persons/household). Most Khmer households in the project area have been living long time ago in Rach Gia city.

Education: Education level of Khmer people is low compared with that of other groups. Results of the social assessment shows that among the 168 affected people, 56.5% of them graduated primary school, 30% graduated secondary school, 7.3% graduated high school, and 6% is illiterate. Khmer children often drop out school after completion of primary school because their families are too poor to afford tuitions and school expenses.

Occupation of Khmer affected households: Most affected Khmer households have their own home business (e.g hair cut, food-related services). (see Table 2.a below).

Table 2.a: Occupation of affected Khmer householders

<table>
<thead>
<tr>
<th>LIAs</th>
<th>Farming</th>
<th>Hired labors</th>
<th>Government employees</th>
<th>Small trading</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIA 1</td>
<td>4</td>
<td>2</td>
<td>0</td>
<td>4</td>
<td>10</td>
</tr>
</tbody>
</table>
2.2 Economic characteristics of affected Khmer people

*Occupation of Khmer affected households:* Most affected Khmer households have their own home business (e.g. hair cut, food-related services). (see Table 2.b. below).

**Table 2.b.: Occupation of affected Khmer householders**

<table>
<thead>
<tr>
<th>LIAs</th>
<th>Farming</th>
<th>Other non-skilled occupation</th>
<th>Government employees</th>
<th>Small trading</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIA 1</td>
<td>4</td>
<td>2</td>
<td>0</td>
<td>4</td>
<td>10</td>
</tr>
<tr>
<td>LIA 5</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td>6</td>
<td>10</td>
</tr>
<tr>
<td>LIA 6</td>
<td>0</td>
<td>5</td>
<td>0</td>
<td>10</td>
<td>15</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>4</strong></td>
<td><strong>11</strong></td>
<td><strong>0</strong></td>
<td><strong>20</strong></td>
<td><strong>35</strong></td>
</tr>
</tbody>
</table>

*Source*: Rach Gia city Social Assessment (Survey date June, 22-24, 2011)

According to the Social Assessment's results, Khmer people in the project area do not have land-based income. Their main occupations are small home business, and non-skilled labor (e.g. food-related services, selling lotteries, and motorbike-taxi drivers). Thus, they have unstable incomes and registering high rate of poor households, among 35 affected households, 14 households are poor, accounting for 40% (see Table 3).

**Table 3: Living standard of the affected Khmer households in surveyed wards**

<table>
<thead>
<tr>
<th></th>
<th>Khmer households in Vinh Lac ward</th>
<th>Khmer households in Vinh Quang ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>Better-off</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>Average</td>
<td>10</td>
<td>4</td>
</tr>
<tr>
<td>Poor</td>
<td>9</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>25</strong></td>
<td><strong>10</strong></td>
</tr>
</tbody>
</table>

*Source*: Rach Gia city Social Assessment (Survey date June, 22-24, 2011)

2.3 Living conditions

*Access to clean water supply of Khmer households:* Low income is the key barrier for Khmer people in the LIAs to access basic urban public services. The SA results show that the rate of
Khmer people accessing clean water services in surveyed LIAs is lower than the Kinh’s. Despite of living in urban areas, about 28% Khmer families living in the LIAs in the project area is using water from self-drilled wells or ponds/lakes.

Sanitation facilities of Khmer households in the project area: The use of toilets in Khmer households remains low. According to the SA results, there are 60% of Khmer households provided with latrines, while 40% of them don’t and discharge directly into canals, causing serious environmental pollution and hazards.

2.4 Characteristics of culture, customs and traditions.

Language: Khmer’s own language is mainly spoken among family and community members. The Khmer have preserved their own language and writing which is taught at the Khmer pagodas and pass onto new generations mainly orally.

Culture and ancestral traditions: Khmer people mainly practice Brahmanism and Hinayana Buddhism. A Khmer pagoda is a meeting place for cultural activities and practices. Before reaching adulthood, young Khmer people often attend pagodas to study and improve their ancestral knowledge. In rural area, Khmer people share mixed multi-ethnic settlements with the Kinh and Hoa in so-called "soc" (villages), and "phum" or "ap" (hamlets). Their houses are built with local materials thatched or tiled roofs. However, in the city Khmer people live together with Kinh people in wards. Major Khmer festivals include, "Chon Cho Nam Tho May" (New Year Festival), Buddha’s Birthday, "Don Ta" (Forgive the Crimes of the Dead), and "Ooc Om Bok" (Moon Worship). During these big festivals, some Khmer elder persons wear their traditional clothes. Men wear white loose-fitting blouses, black trousers (or black blouses) and scarves in the head. Women wear xăm pốt hốh, a cloth range creating a sort of short and wide pants.

2.5 Gender issue in the Khmer community

Gender exclusion is not evident among the Khmer people. Within Khmer family making decision regarding, for example, buying valuables, marriage of offsprings, donation to pagoda, results from mutual consent of both husband and wife. Family property ownership is shared by both spouses and common assets created during marriage shall be owned by both of them. No discriminatory practices between male - female or first - last borned children, adopted - offspring, are evidences of gender equality. Accordingly, daughter in law and son in law are treated equally in family as between brother and sister in law. When the parents pass away, their last assets shall belong to the offspring who stay with them. Divorce percentage among Khmer spouses is low due to religious practice defined by Buddhism.

According to the SA all formal leaders of Khmer communities in LIAs are males. On the surveyed wards, approximately 48 male officials, serve as their representatives. Women and men are equally respected in the society. Although female and male gender roles prevail within families as the principle for the division of labour among married couples: husbands are the main bread winners, deal with the non-family matters, while wives perform the main domestic work, take care of children and the manage family finances.
III. LEGAL FRAMEWORK FOR ETHNIC MINORITY

3.1. National policies for ethnic minority

All ethnic groups in Vietnam enjoy full citizenship under the law and national constitution. The Constitution of Vietnam (1992, amended 2001) acknowledges equality among ethnic groups and includes general principles as stipulated in Articles 5, 30, 36 and 39 of the Constitution:

a. Vietnam is a united nation of all ethnic groups living within the country.
b. The State applies a policy of equality, solidarity and mutual support among the various ethnic communities and prohibits all acts of ethnic discrimination and division.
c. All ethnic groups have the right to use their own languages and writing systems and to preserve their traditional customs and culture.
d. The State implements policies of all-round development aimed at gradually improving and raising the material and spiritual conditions of life of ethnic minorities.
e. The State will take charge of and will ensure the promotion of the cultural values of all the nationalities in Vietnam.
f. The State gives priority for development of education and health care to mountain inhabitants and ethnic minorities.

The Government of Vietnam (GoV) has passed a series of policy resolutions related to ethnic minority development, particularly in remote mountainous areas. One of the most relevant policy resolutions is Decision No.134/2004/QD-TTg (referred to as “Program 134”) of the Prime Minister, dated on 20 July 2004. This resolution includes a number of policies to provide support to poor ethnic minority households meeting with difficulties, in terms of provision of land for agricultural production, housing, and access to clean water for daily-life.

Participation/Grassroots Democracy Documents from the Government relating to grassroots democracy and public participation are also relevant to this EMDP. Ordinance No.34/2007/PL-UBTVQH11, dated on 20 April, 2007 (superseding Decree No.79/2003/ND-CP of 7 July 2003) on the implementation of democracy in communes, ward and township levels, provides the basis in Viet Nam for community participation in the preparation of development plans and their supervision. Prime Minister’s Decision No. 80/2005/QD-TTg, dated on 18 April 2005, promulgates regulations on investment supervision by the community.

The adaptation of economic and social policies to each region and each group, taking the needs of ethnic minorities into account, is a requirement. The Socio-Economic Development Plan and Socio-Economic Development Strategy of Vietnam specifically call for attention to ethnic minorities. Major programs targeting ethnic minority people include Program 135 (socioeconomic development for extremely poor communes in ethnic minority and mountainous areas, Phase 1 &2) and Program 134 (support of productive land, residential land, housing and clean water for poor ethnic minorities and hard life). A policy on education and health care for ethnic minorities is in place. All legal documents relate to EMs are as follows:

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- Resolution No.22/NQ-TW of 11 November 2003 of the Party’s Politburo on a number of policies for the economic-social development in the mountainous communes.
- Resolution of the IX session Party Central Committee’s No 24/-NQ/TW dated on 12, March, 2003 on ethnic minorities activities.
- Decree No. 60/2008/ND-CP of Government dated May 9th, 2008 on functions, tasks, rights and organization of Committees for Ethnic Minorities.
- Resolution of National Assembly dated on July 7th, 2003 on Regulation for Committees for Ethnic Minority Committee.
- Decision No.134/2004/QD-TTg of the Prime Minister, dated on 20 July 2004, on a number of policies to provide support to poor ethnic minorities (supporting residential land, productive land and clean water for poor ethnic people with difficult living conditions).
- Decision 170/2005/QD-TTg dated December 25, 2005 by Prime Minister issuing criteria of a poor household in 2006-2010.
- Decision 32/2007/QD-TTg dated on March 5, 2007 by Prime Minister on giving capitals to disadvantageous ethnic minority households to promote production.
- Decision No. 33/2007/QD-TTg dated on March 5, 2007 by Prime Minister on Policies to Support Relocation of Ethnic Minority Inhabitants for Sedentary Farming and Settlement in the 2007-2010 period.
- Decision 112/2007/QD-TTg dated 20th July, 2007 by the Prime Minister on the policy supporting services to improve the people’s life, and legal support to increase the legal awareness under the program 135 phase II.
- Program 135 on infrastructure investment for poverty and remote area.
- Policy on education and health care for ethnic minorities.
- Decision No.05/2007/QD-UBDT dated on September 6, 2007 by Committee for Ethnic Minority recognizing communes of three ethnic minority and mountainous regions based on development status.
- Circular No. 06/2007/TT-UBDT dated on September 20th, 2007 of Committee for Ethnic Minority guidance on the assistance for services, improved livelihood of people, technical assistance for improving the knowledge on the laws according the Decision 112/2007/QD-TTg.
- Directive No.393-TTg of 10 June 1996 of the Prime Minister on population planning, improvement of infrastructure and production restructuring in the regions of ethnic minorities and mountainous regions.
- Inter-ministerial Circular No. 50-TT/LB in 1995 by Ministry of Finance and Committee for Ethnic Minority on guidance on management, distribution and utilization of support funds for ethnic minorities and Khmer peoples with extreme difficulty living conditions.

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• Decision No.267/2005/QD-TTg of Prime Minister on October 31, 2005 on job-training policies towards boarding schools ethnic minority pupils.

• Directive No.03/2002/CT-BTC dated on September 6, 2002 by Minister of Finance enhancing the work of building, training and fostering the contingent of financial officials for communes, wards and townships. In this Directive, Khmer people officials are concentrated specially.

• Directive No.04/2003/CT-BTC dated on March, 19, 2003 by Minister of Finance strengthening financial officials as Khmer and Cham peoples communes, wards and townships in the south-west province.

• Decision No. 74/2008/QD-TTg by Prime Minister of June 9, 2008, on a number of support policies on allocation of residential land and production land and creation of jobs for poor ethnic minority people with difficult living conditions in the mekong river delta during 2008-2010

• Decision No. 965/QD-TTg July 21, 2008 by the Prime Minister on amending and supplementing the Decision No.289/QD-TTgby the Prime Minister regarding issuance of policies to support ethnic minority groups, poor and nearly poor people and fishermen; Decision 602/QD-TTg dated May 22, 2008 regarding amendment and supplementation of Decision 201/QD-TTg dated February 19, 2008 and Decision No.289/QD-TTg dated March 18, 2008.

• Decision No.102/2009/QD-TTg by Prime Minister dated on August 7, 2009 on direct assistance for the poor in disadvantage area.

• Correspondence No. 10/KH-UBND dated February 25th, 2010 by Rach Gia Provincial People’ Committee on implementation plan for distribution of support finance for housing land, production land and creation of job for poor ethnic minorities with difficult living conditions in 2010 in Rach Gia province.

• Correspondence No.181/KH-UBND dated June 3rd, 2010 by Rach Gia Provincial People’ Committee on implementation plan for Program 135 Phase 2 in 2010.

• Correspondence No.19/KH-UBND dated July 19th, 2010 by Rach Gia Provincial People’ Committee on implementation plan for direct assistance policy for poor households in difficult living conditions area in 2010.

In 1995, Committee for Ethnic Minority Affairs (CEMA) developed a framework for External Assistance with the Development of Ethnic Minorities. This framework resulted in a strategy for the development of ethnic minority people within the Government's goal of stability, sustainable growth and reduction of poverty. The key points of this framework are: a) to fight against poverty; b) to encourage active participation of the populations of ethnic minorities in their own development; c) to reinforce the institutions involving ethnic minorities; d) to develop natural and human resources in a sustainable manner; and e) to ensure mutual respect between, and increase responsibility of the parties involved. Decree No.60/2008/ND-CP the Prime Minister, dated on 9 May 2008, prescribes the functions, tasks, powers and organizational structure of the CEMA. This ministerial level agency under the Government performs its functions of state management on nationwide ethnic minority affairs, and on public services within its authorities, and provincial departments. Provinces with a significant ethnic minority population have a Department of Ethnic Minority Affairs under the Provincial People’s Committee. The functions of CEMA ranges from development of laws to implementation of the programs, their monitoring and acting as inter-agency of different ministries of Vietnam and cooperating with international organizations within its authorities regulated by law.
3.2 Government Policies for Khmer people

The directive of Party Secretariat Board No. 68-CT/TW (April 18, 1991) on activities in Khmer people state: “Khmer nation is part of a community of 54 nationalities living on the territory of Vietnam. The State carries out a policy of equality, solidarity and mutual assistance among all nationalities, and forbids all acts of national discrimination and division. This is stated clearly in Constitution of Vietnam”

All ethnic minorities, including Khmer people, are treated equally, State of Vietnam is interested in and create favour conditions to improve their spiritual and material living conditions. According to Ministry of Foreign Affairs in 2008, local governments created new 358 thousand jobs for Khmer people (increase about 1.2% comparing to year 2007). 4,000 Khmer persons worked in overseas as labor export with GDP per capita per month is about 14.8 mil. VND (equipvalent to 890 USD), number of poor Khmer households reduced, remaining about 11.2% (reduced more than 1.6% comparing to year 2007).

3.3. Policies and programs for Khmer people in Kien Giang province and Rach Gia city.

Kien Giang province established the Committee of Ethnic Minorities in October, 1962 with Danh Ngoc Hung - Chairman and Danh Hoang Duyen - Vice chairman. The Committee of Ethnic Minorities implements the policy of all-sided development and step by step improves the material and spiritual life of ethnic minorities. The Rach Gia city implements the Communist Party’s directives and resolutions and the State’s policies and laws relating to ethnic minorities in the province as follows:

Kien Giang has been implementing Decision No.134 (program 134) of the Prime Minister. Under this program, the province has built 12,252 houses for ethnic minorities, mostly for Khmer people, supplied clean water for 10,982 households, and built 15 water supply stations for ethnic minorities who have poor living conditions with the total budget of 200 billion VND. The credit programs were provided for 18,000 households to loan for development of their production amounting for 420 billion VND. Separately, the loans under Decision No.32/2007/QD-TTg are provided for 1,240 households equal with 6.2 billion VND. The Project that follows Decision No.74/2008/QD-TTg of the Prime Minister on the support policy for residential land, productive land and jobs for poor ethnic minorities, who have hard living conditions, is being implemented with the total capital of more than 150 billion VND.

In addition, local government makes specific policies and measures on the ethnic affairs. For example, Rach Gia City established the “Fund for the poor”. The fund is used to eliminate hunger and reduce poverty of poor households in general and to poor Khmer households in particular. Allowances are usually given on important occasions as Chol Chnam Thmay Tet/festival.

Rach Gia city maintains and consolidates a Campaigning Committee, which mobilizes "a day for the Poor" and the “Fund for the poor" to contribute capital to build "a great solitary house for the poor". The city organizes monitoring the works to prevent the occurrence of the negative phenomena, selects qualified contractors for building qualitative and beautifully designed houses, and organizes the careful acceptance of houses when their construction complete and before they are handed over to the poor.

The leaders of the local Communist Party and Government, the Fatherland Front, and other unions in Rach Gia city are always interested in the successful implementation of the ethnic minority policies such as Program 134, which has supported for constructing houses for 99% of Khmer households.
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households and supplied clean water for 96% of Khmer households (according to the SA in June 2011); The Decision No.74/QD-TTg of the Prime Minister on the policies supporting settlement of residential land, productive land and jobs for ethnic minorities, the Vocational Training Centre coordinated with the Ward/Commune People's Committees to train Khmer people in the Province. Students are completely waived off tuitions and supported 15,000 VND/person/day. In addition, following Decision No.74, people are supported or loaned with 0% interest for improving their livelihoods (according to the SA in June 2011).

The EMDP ensures that ethnic minorities in the area of the Urban Upgrading Project are consulted and provided with adequate information, participate in the project stages, benefited from the Project and minimized negative impacts to their culture, economics, social values during the Project implementation.

3.4 World Bank's Operational Policy on Indigenous Peoples (OP/ 4.10)
The WB's OP4.10 ensures Indigenous Peoples (hereby ethnic minorities) do not suffer adverse effects during the project's development process and receive culturally compatible social and economic benefits. The strategy for addressing the issues pertaining to indigenous peoples must be based on the informed participation and EMs themselves through direct consultation.

Indigenous peoples are commonly among the poorest segments of a population. All projects proposed for World Bank financing affecting Indigenous Peoples are require:

- screening to identify whether ethnic minorities are present in, or have collective attachment to, the project area;
- undertake a social assessment to evaluate the project’s potential positive and adverse effects on the ethnic minorities, and to examine and modify project design to mitigate the potential adverse effects and optimize the positive effects of the project;
- a process of free, prior and informed consultation with the affected people ethnic minority communities in order to fully identify their views and to ascertain whether there is broad community support for the project;
- prepare an EMDP in consultation with the communities, outlining the benefits that they will receive from the project and how any adverse impacts have been minimized or mitigated; and
- disclose of the draft EMDP to EMs people, before project appraisal.

3.5 Project principles for Khmer people

The basic ethnic minority development principles of the project are:

- Khmer people are encouraged, and arrangements put in place to ensure their participation in project’s activities that affect or/ and benefit them.
- The project will ensure to support culturally appropriate activities, including taking into account their language, livelihood practices, customs and traditions.
- Regarding involuntary resettlement: adverse impacts on Khmer communities will be avoided or minimized by exploring all viable options such as constructing drainage system in the bed of existing roads or walkways; affected Khmer households are entitled to full compensation for losses or affected assets, income and business activities,
and proper livelihood restoration measures will be provided to improve or at least maintain their living standards, income and production ability as the same level before the Project; the lack of legal right to landholdings and resources (including traditional hunting, fishing and community natural resources) will not affect their right for getting full compensation and assistance. In the subproject, all affected Khmer households without land use certificates (LURCs) will be entitled to full compensation for their affected land, residences and lost assets. Khmer households will be relocated within their original resident area or preference ensuring they maintain their culture and social cohesion and institutions; implementation schedule and budget for EMDP planning and implementation must be incorporated into each subproject and the overall project; additional to compensation for land and lost assets, households with female headed, households with disabled and old persons will be provided with special allowances to help them restore their livelihoods and income.
IV. PROJECT IMPACTS ON KHMER COMMUNITY

Free, prior and informed consultations with Khmer communities in the project area were conducted during project preparation. Project purposes, project components, scope of project impacts, entitlements of compensation and resettlement, grievance redress mechanism, project implementation schedule were informed and discussed with affected and non-affected people. The methods of public consultation include group discussions with local leaders (authorities and social organizations, departments of wards), representatives of Khmer families in all project areas where they are living; in-depth interviews with chiefs of Khmer communities, Khmer Monks (religious leaders in pagodas). Participants in the consultations include the elderly people, women and men. The Khmer community consultations were conducted in June. The results of public consultation are analyzed and summarized in the following sections.

4.1. Positive impacts

The Urban Upgrading Project in Rach Gia will bring benefits to the local people as well as Khmer people. They will provide good living conditions for low income people in terms of transportation, environment and sanitation, water supply, school, market, housing, and security. Positive impacts of project components on local people are summarized in below table:

<table>
<thead>
<tr>
<th>Positive impacts</th>
<th>Descriptions</th>
<th>Scope of impacts</th>
<th>Measures to enhance benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Clean water supply so that Khmer people in the LIAs can access to clean water</td>
<td>Currently only households living on the main route of the city are accessible to the water supply. Most households located in alleys especially in LIAs, especially in LIA 5 and LIA 6 are not accessible to this service, because water pipelines are not connected to households from the water supply stations. Therefore, people here have to buy clean water or use water from drilled wells or rainwater, event water from canals for their daily lives. The Project will install pipelines to connect from water supply stations to households in LIAs so that people can access to clean water.</td>
<td>All 61 Khmer households, including 35 affected Khmer HHs in 3 LIAs.</td>
<td>During the implementation process, Khmer participated to enhance the Subproject positive effects to their Khmer community. When carrying out civil works construction of components 1 and 2, will offer jobs opportunities for implementation of Subproject.</td>
</tr>
<tr>
<td>2. Reduce flood and improve environment and sanitation conditions</td>
<td>In the LIAs, wastewater and rainwater are currently discharged into ditches/canals or penetrated into soil. Therefore, during rain, local flooding occurs. The project will install drainage systems in LIAs to collect wastewater from</td>
<td>All 61 households in the 3 LIAs</td>
<td></td>
</tr>
</tbody>
</table>

Infra-Thanglong
<table>
<thead>
<tr>
<th>Positive impacts</th>
<th>Descriptions</th>
<th>Scope of impacts</th>
<th>Measures to enhance benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Improve transportation system in LIAs so that create good business opportunities and develop new services in LIAs. The values of real estates rise in LIAs.</td>
<td>The alleys in 07 LIAs are mostly dirty roads or sub based roads but degraded (70-100% alley in the LIAs). Due to the populated density and narrow alleys (less than 2m wide) the safety for traffic is not ensured. In addition to the earth roads, there are some concrete or asphalt roads but they are currently deteriorated and severely damaged. Such degraded alleys much influence the movement as well as the environment and health of the people in the LIAs. Therefore, upgrading the alleys will help improve the traffic conditions of people, leading the development of production as well as new services in population areas and rising values of real estates.</td>
<td>All 61 households in the 3 LIAs</td>
<td>Each design stage and subproject item shall be consulted with Khmer people in order to make the Subproject more reality and to help Khmer people strengthen their awareness of their roles in and responsibilities for the urban upgrading and make the subproject widely social effects</td>
</tr>
<tr>
<td>4. Improve street lighting and help stabilize the power supply for production and living activities in the LIAs.</td>
<td>Most alleys in the LIAs have no public lighting systems. The others have been invested by lighting bulbs by the contributions of people. However, most bulbs are broken or unqualified to light. The Project will construct the power lines as well as urban lighting systems in LIAs, helping the movement of people easier and ensure better security at night; rising values of real estates; and the quality of people’s lives in general is better improved. The Project also meets the demand of people for energy for production and living in the LIAs and facilitate the development of industries, handicrafts ... creation of jobs and incomes for citizens.</td>
<td>All 61 households in the 3 LIAs</td>
<td>Each design stage and subproject item shall be consulted with Khmer people in order to make the Subproject more reality and to help Khmer people strengthen their awareness of electric safety usage and power saving.</td>
</tr>
<tr>
<td>5. Improve the sanitation conditions and the quality of life for people in the LIAs</td>
<td>At present, solid waste collection and disposal in Rach Gia city mainly serve for households living along the main roads but not enough capacity to meet the demand. This service is not provided for households in the...</td>
<td>All 61 households in the 3 LIAs</td>
<td>Strengthen their awareness of using toilets and solid waste collection and treatment to protect environment in...</td>
</tr>
<tr>
<td>Positive impacts</td>
<td>Descriptions</td>
<td>Scope of impacts</td>
<td>Measures to enhance benefits</td>
</tr>
<tr>
<td>------------------</td>
<td>--------------</td>
<td>------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>6. Create conditions for people renovating, improving housing conditions and other facilities to improve people's livelihood</td>
<td>The project will facilitate people's access to the waste collection and treatment services to ensure hygienic and environment conditions and create the habit of waste management and environmental protection to improve the quality of life for people in the LIAs.</td>
<td>All 61 Khmer households in the 3 LIAs.</td>
<td>Give opportunity to Khmer people to engage in the project, set up credit programs to provide loan for them to improve their housing conditions.</td>
</tr>
<tr>
<td>7. Creation more jobs for local people, especially affected Khmer people.</td>
<td>During construction of civil works, contractors are required to offer Khmer labourers for relevant work to create jobs and increase their income.</td>
<td>Possibly 35 Affected Khmer households in the LIAs</td>
<td>Offer local people in LIAs to work in the project.</td>
</tr>
<tr>
<td>8. Creating group working skill for Khmer people.</td>
<td>Consultation and participation in project design and implementation will create skill in group working</td>
<td>For all 61 Khmer HHs in 3 LIAs</td>
<td>To create more opportunities for Khmer people to participate in subproject design and implementation process.</td>
</tr>
<tr>
<td>9. Khmer people’s Infra-Thanglong</td>
<td>Alleys are widened, transportation</td>
<td>All 61 Khmer</td>
<td>Strengthening</td>
</tr>
</tbody>
</table>
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Urban Upgrading Project in Mekong Delta-Rach Gia Sub-Project

<table>
<thead>
<tr>
<th>Positive impacts</th>
<th>Descriptions</th>
<th>Scope of impacts</th>
<th>Measures to enhance benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>lives and assets will be protected and secured better</td>
<td>condition is improved so that ambulance and fire truck can access to residential areas.</td>
<td>HHs in 3LIAs</td>
<td>Khmer people’s awareness on protecting from re-encroachment of roads and walkways.</td>
</tr>
</tbody>
</table>

10. Create public places for entertainment

| 4.2. Negative impacts |

Undoubtedly, the project brings significant benefits to local people, especially to Khmer people. However, it also causes negative impacts on local people, including Khmer people as a result of land acquisition, resettlement. These negative impacts of project components on Khmer people and mitigation measures are summarized in below table.

According to inventory of loss, 35 Khmer households with 168 persons in the subproject area will be affected by temporary land acquisition and structures. No households has to relocate or lose more than 10% of productive land. Most households are affected structures, such as fences, porches, kitchens (Table 5).

**Table 5: Negative impacts of the Project**

<table>
<thead>
<tr>
<th>Negative impacts</th>
<th>Description</th>
<th>Scope of Impact</th>
<th>Mitigation measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Damages of structures such as fences, awnings, porches, kitchens</td>
<td>Project will temporarily acquire residential land of some Khmer households leading to removal of some structures.</td>
<td>35 Khmer households</td>
<td>Cash compensation for affected assets to rebuild the new ones, provided.</td>
</tr>
<tr>
<td>2. Impact on local transportation, casing dust and noise pollution during construction.</td>
<td>Construction process in LIAs would affect the traffic of local people, as pupils going to school</td>
<td>All 61 households living in LIAs, including 35Khmer affected households</td>
<td>Construction shall be implemented quickly and in less traffic hour. Implementation of safe measures as proposed in environmental management plan. Construction prevented near Mnêvôngsa pagoda during festivals. Be available with signal board of danger at construction area, temporary fence at construction holes, etc.</td>
</tr>
<tr>
<td>3. There are potential risks of social</td>
<td>Many workers from elsewhere come to work</td>
<td>Khmer young males and</td>
<td>Enhanced awareness of contractors and</td>
</tr>
</tbody>
</table>

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### Ethnic Minority Development Plan
#### Urban Upgrading Project in Mekong Delta-Rach Gia Sub-Project

<table>
<thead>
<tr>
<th>Negative Impacts</th>
<th>Description</th>
<th>Scope of Impact</th>
<th>Mitigation measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>conflicts</td>
<td>and reside in the communities for a cup of years. The interaction of contractors and local people, especially the young people could be a source of social conflicts. This might result from cultures and beliefs encountering among groups of the project’s, workers and Khmer communities. Some social evils such as prostitution, drugs usage.</td>
<td>females</td>
<td>workers and local people, especially Khmer people about risks of social evils provided through capacity building. Close monitoring on the environmental management plan during construction.</td>
</tr>
</tbody>
</table>

4. Ground floor of some households living along both sides of alleys being upgraded shall be lower than the surface of alleys.

According to the design of alleys, the level of alley roads shall be raised in accordance with city standard, therefore some households living along both sides of alleys whose ground floor is low may be flooded during heavy rain. It is estimated that about 30% of all the households including Khmer households will be flooded during heavy rain because of raising level of roads. (The exact number of affected HHs will be determined at the time of detail design). Credit fund for lending to upgrade house for Khmer, provided

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5. MEASURES TO ENSURE PROJECT BENEFITS FOR LOCAL ETHNIC MINORITY COMMUNITIES

5.1 Mitigation Measures for negative impact and enhancement of positive impacts

Rach Gia City Upgrading Subproject will cause negative impacts on households due to land acquisition for Components 1 and 2. Therefore mitigation measures at the stage of project design included: (i) to look at technical design alternatives to minimise and mitigate negative impacts and where unavoidable impacts were confirmed, a proper compensation considered for land, structure, and income losses proposed; (ii) free, prior and informed consultations with Khmer communities on a drafted resettlement plan were carried out and will continue during project implementation (see the annex); (iii) based on consultations resettlement sites selected for relocated household were considered as to ensure response to the affected preferences and the least impact to their livelihoods and income generating activities. Two options of resettlement sites were provided for relocated households, including relocating in resettlement sites which will be constructed in LIAs and self-relocation in other places; (iv) before submission of the compensation plan to the authorized agency for approval, it will be disclosed to PAPs through public meetings. The approved compensation plans will be disclosed to affected households through public meetings and providing written information in public areas; (v) during construction, a method to minimize and address adverse impacts on business and traffic of Khmer people will be developed. Labor safety measures will be issued and closely monitored to minimize accidents.

5.2 Free, prior, and informed consultation with the affected Khmer communities during project preparation and implementation.

5.2.1 Objectives of the consultation

Consultations aim at addressing concerns, incorporate suggestions and recommendations and minimize impacts among the project affected people and integrate local stakeholders’ opinions for project planning and implementation. The participatory approach encouraged Khmer people’s participation on project decision-making, and will continue to do so ensuring a sound project implementation.

5.2.2 Summary of consultation results with Khmer communities during project preparation

During the project preparation process, consultation with key stakeholders were carried out. Therefore meetings with the ward PC and 6 group discussions with Khmer households living in LIAs 1, 5 and 6 where Khmer households are living were conducted by the Project Preparation Council and consultants. In meetings and group discussions, project information, project design, measures of impact mitigation, compensation and resettlement entitlements of affected people were discussed with Khmer people in Vietnamese because Khmer people can speak Vietnamese and translation was not demanded/ requested.

The results of consultations are summarised as follows: 160 consulted Khmer people agreed and broadly supported the project because they confirmed that the project will improve their overall living conditions.
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- All consulted Khmer households wished to borrow a loan with low interest and instalment payment within 5 years for improving their houses because their ground floor is lower than road surface level. This loan fund will be included in existing credit programs in project communes.

The project information provided included six main topics: (1) basic components of the Project, (2) impacts of the subproject; (3) benefits and entitlements to compensation, assistance and resettlement for affected people; (4) the implementation plan of the compensation, assistance, resettlement and project implementation and summary presentation of the documents related to the mentioned topics; (6) presentation of the consultation and participation mechanisms and methods; and (7) Grievance redress mechanism (GRM).

The communication channels to disseminate Khmer people: All above information on the Mekong Delta Region Urban Upgrading subproject of the Rach Gia city was disseminated through public meetings, ward's broadcasting system, and written leaflets. The Ward People's Committees and the PMU in Rach Gia city were responsible for ensuring that people are aware of the project activities and updates. Results of public consultation are summarized as below table.

<table>
<thead>
<tr>
<th>Locations</th>
<th>Date</th>
<th>Consultation</th>
<th>Participants</th>
<th>Consultation results</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIA 1</td>
<td>23/06/11</td>
<td>✓ Information of the Subproject in Rach Gia City.</td>
<td>✓ 34 Khmer HHs attended in this meeting; plus ward PC Vice-Chairman, community leaders</td>
<td>✓ All EMs participants support the project by voting. The affected households are willing to hand over land for the project after receiving full compensation.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>✓ The basic design options of the Project.</td>
<td></td>
<td>✓ Ideas on the designs include widen ways improving access LIAs.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>✓ Scope of project impacts.</td>
<td></td>
<td>✓ Households expect to access loans for upgrading houses.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>✓ The policies on compensation, assistance and resettlement for affected people.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>✓ Measures to reduce negative and promote positive impacts</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>✓ Grievance redresses mechanisms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LIA 5</td>
<td>24/06/11</td>
<td></td>
<td>✓ 11 Khmer HHs attended in this meeting; plus ward PC Vice Chairman, community leaders</td>
<td></td>
</tr>
</tbody>
</table>

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5.2.3. Public consultation during project implementation

Consultation and participation should be conducted throughout the implementation process of the project with different stakeholders, including Khmer people. A strategy of consultation with and participation of different stakeholders is established as follows:

- Conducting group discussions with representatives of commune/ward authorities, persons in charge of land management, and PMB staff to discuss on land acquisition of and resettlement for Khmer people.

- Consulting with representatives of all Khmer households living in LIAs on compensation plans and relocation measures.

- Meeting with head of monks in Khmer Mônvôngsa pagodas in project area to consult them about land acquisition, resettlement and restoration of livelihoods and incomes of Khmer people.

- Meeting with representatives of civil society organizations such as Ward/Commune Women’s Union, Youth Union to discuss on their role and responsibility in supporting Khmer people to restore livelihoods after resettlement.

Specific action plan:

- During process of final design and construction for civil works, Khmer communities, head of monks of pagoda will have additional consultation and to provide information throughout the entire project cycle.

- For all the resettlement activities, traditions and cultural preferences, customs and lifestyle of Khmer people and Khmer households will be follow. Joint decision-making will be ensured to identify any potential impacts or vulnerabilities during project implementation.
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- Households (HHs) relocation activities will avoid any disruption to their cultural and customary social relations
- Provide opportunity for all Khmer affected households to be involved in the decision making process about inventory of their land and assets losses and ensured the witness and acceptance by the representatives of social associations.
- Representatives of Khmer affected households participated and involved in replacement cost survey.
- Khmer affected households participate in preparation of livelihood restoration measures and programs. Income restoration activities will be provided as to ensure long-term income generation in a culturally appropriate way.
- The Khmer people monitor the process of project implementation. Guidance and capacity building will be provided to ensure participatory monitoring.
VI. GRIEVANCE AND COMPLAINT SETTLEMENT MECHANISM

6.1 Principles of grievance redress mechanism

During project implementation, Khmer People, other local communities and stakeholders may raise their grievances to executing agencies or local authorities about any issues relating to their entitlements for compensation and resettlement as well as project implementation. As a result, it is required to prepare a grievance redress mechanism (GRM) for the project and to be applied for all project affected people. Key principles of the GRM must ensure that:

(i) The basic rights and interests of affected Khmer people are protected.

(ii) Khmer people have the rights to lodge grievances and get their grievances settled for free of charge.

(iii) The grievance procedure will be an important part of the conflict resolution mechanism that is community-based, involving ethnic minorities and representatives of other vulnerable groups.

The GRM must be publicly disclosed to the affected Khmer communities during public consultations from the beginning and throughout the project implementation process. Khmer people should be informed about contact addresses of the respective organizations at relevant levels where complainants can be sent with their grievances and complaints. Grievances related to any aspect of the project will be handled through negotiation aimed at achieving consensus. Facilitation for translation to their own language when needed will be ensured.

6.2 Grievance Redress Mechanism - GRM

The GRM is established to resolve complaints of project affected people, including ethnic minority people will pass through 3 stages before they could be elevated to a court of law as a last resort. For this project, an independent Grievance Redress Panel (GRP) is also required to be established to solve project affected people complaints. This GRP will include 01 deputy chairman of the Peoples' Committee of the City, 01 person from the PMU, 01 person from Fatherland Front Committee of the City, 01 person from the Natural Resource and Environment Department of the City, 01 representative of local lawyer association/lawyer office, 01 chairman of the ward having grievance (this position will not be fixed, only chairman of the ward having grievance will be involved in the Grievance Redress Panel) and 03 representatives of the community having grievance (these three positions will not be fixed either, depending on the area having grievance).

First stage, at Commune People's Committee. An aggrieved affected household may bring his/her complaint before the receiving department of the Commune People's Committee to be received and guided for necessary procedures. The CPC will meet personally with the aggrieved affected household together with Monks of Khmer pagodas to resolve the complaints within 5 days following the lodging of the complaint. The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles. If the household is not satisfied with the CPC solution, the household can elevate his/her complaint either to the CityPC or to the project GRP.

Second stage, at the City level: Upon receipt of complaint from the household, the CityPC/GRP will have 30 days following the lodging of the complaint to resolve the case. The CityPC/GRP is responsible for documenting and keeping file of all complaints that it handles. If the household is still not satisfied with the CityPC decision, the household can elevate his/her complaint to the PPC.
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Third Stage, at the provincial level: Upon receipt of complaint from the household, the PPC will have 30 days following the lodging of the complaint to resolve the case. The PPC and GRP are responsible for documenting and keeping file of all complaints. If the decision of the PPC does not satisfy the household, they can elevate their complaint to the City court within 45 days.

To assure that the mechanism described above is effective and acceptable to affected Khmer people, feedback from local authorities and affected communities about this mechanism will be sought particularly through consultation to ensure accessibility and effectiveness.
VII. Project's Mitigation Measures

Specific Measures/Activities present the proposed measures, targets, budget and implementation timing are proposed to develop Khmer communities affected by the project. The proposed measures consist of the following three categories:

• Measures to avoid or mitigate adverse impacts
• Measures to enhance positive impacts
• Measures to ensure project benefits accrue to affected Khmer people in a preferential or in an appropriate manner.

The scale and scope of the proposed measures are subject to modification from time to time depending on the finalization of project design and various other factors.

7.1 Measures to support for mitigation of adverse impacts

According to results of the free, prior and informed consultations with Khmer people during social assessment (conducted in June 2011 by consultants) all affected Khmer households defined their preference to be able to access loans to develop home business such as food services provision. People prefer to receive cash allowances training courses related to investment of credits in their own chosen business.

The PMU will conduct an assessment of Khmer people's needs for loans. With a list of borrowers, the city authorities will jointly decide the establishment of credit programs with average loan of 10 million VND/household through the banks or civil society organizations, such as Women’s Union or social policy bank. These programs should be included in existing credit programs in the project communes, not be a separate component of the project.

Orientation training on business for Khmer households who plan to do business shall be held to support Khmer households for their business start. The PMU will coordinate with consultants and other agencies to hold workshops in order to introduce some handcrafts production and marketing; to support on-site training and workshops with some successful small private enterprises to present their experiences in business development; to support training visits to successful business models that may be suitable to Khmer households so that they evidence operational methods to help them take opportunities and foresee difficulties that they may cope when doing business.

Table 7: Measures for mitigation of adverse impacts

<table>
<thead>
<tr>
<th>Proposed measures</th>
<th>Targets/indicators</th>
<th>Beneficiaries</th>
<th>Budgets</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provision of loan</td>
<td>Invest in small home business</td>
<td>Among 61 Khmer households who have demand for business and loan.</td>
<td>10 million VND/household</td>
<td>2012-2016</td>
</tr>
<tr>
<td></td>
<td>Invest in upgrading houses</td>
<td>Among 61 Khmer households who have demand for upgrading their</td>
<td>10 million VND/household</td>
<td>2012-2016</td>
</tr>
</tbody>
</table>
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<table>
<thead>
<tr>
<th>Orientation training courses</th>
<th>Introduction of handicrafts, successful experience and models of business</th>
<th>Among 61 Khmer households who want to do business</th>
<th>VND300 million</th>
<th>2012-2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vocational training allowance</td>
<td>Cash allowance instead of vocational training courses</td>
<td>35 affected Khmer laborers.</td>
<td>3 million VND included in RP</td>
<td>2012-2013</td>
</tr>
</tbody>
</table>

7.2 Building capacity of Khmer community

The Project’s fund will support Khmer community in building their capacity of participation in project implementation, strengthening their awareness on benefits from project. The PMU in combination with Provincial Department of Culture and Communication, Television and local broadcast stations set-up communication programs in Khmer language to disseminate project information and policy to Khmer people in order to increase their understanding about the project so that they support project broadly. The RP and EMDP should be summarized in Khmer language and filed in ward/commune office for Khmer people reference before project appraisal.

During project implementation, social consultants should be hired to guide and train Khmer people to participate in the process of project implementation. Participatory methods and skills development will be introduced.

Table 8: Building capacity of Khmer community

<table>
<thead>
<tr>
<th>Proposed measures</th>
<th>Targets/indicators</th>
<th>Beneficiaries</th>
<th>Budgets</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Television and broadcasting programs in Khmer language</td>
<td>Translating project information and policy in Khmer language and disseminating by television and broadcasting programs</td>
<td>All Khmer households and Khmer monks in LIAs</td>
<td>10 million VND/LIA</td>
<td>2012-2013</td>
</tr>
<tr>
<td>Guidance of Khmer people on participation in the process of project implementation</td>
<td>Training in participatory methods and skills, and guiding practice of participation in the project implementation, monitoring</td>
<td>35 affected Khmer households</td>
<td>Budget included in project management costs (component 5)</td>
<td>2012-2013</td>
</tr>
</tbody>
</table>

VIII. INSTITUTIONAL ARRANGEMENT AND EMDP IMPLEMENTATION PLAN

Infra-Thanglong 33
8.1. Institutional arrangement

Rach Gia PPC will establish a PMU to implement this project. PMU in combination with Rach Gia City Resettlement Committee (CRC) are responsible for implementation of the involuntary resettlement plan and the EMDP. Kien Giang Prvincial People’s Committee is the highest authority for the promulgation of regulations, dealing with what is relating to the policies, directing the project implementation, and acting as the link between the functional authorities in the implementation of the Project. The PMU will assist the People's Committee of Kien Giang province to directly manage the project implementation. The PMU will be responsible for EMDP implementation. It needs to organize training workshop for staff of PMU and CRC to strengthen their capability of project implementation, including implementation of resettlement and EMDP. Supporting and strengthening capability of Khmer community will be integrated with Resettlement Action Plan (RP) implementation.

To ensure the EMDP is implemented in compliance with the Ethnic Minority Policy Framework (EMPF), PMU is responsible for internal monitoring the implementation process of EMDP. PMU will recruit a team or organization specialized in social development and experienced in social safeguard policy of the WB to monitor the process of EMDP and RP implementation as the independently external organization. The internal monitoring is carried out monthly and the external monitoring is twice a year with the monitoring indicators proposed in Chapter 9.

8.2 EMDP Schedule

The implementation plan for EMDP is prepared as follows:
### Table 9. PROPOSED IMPLEMENTATION PLAN

<table>
<thead>
<tr>
<th>Nr</th>
<th>Preparation phase</th>
<th>Implementation phase</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Q1</td>
<td>Q2</td>
</tr>
<tr>
<td>I</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Subproject preparation</td>
<td></td>
</tr>
<tr>
<td>1.1</td>
<td>Preparation of FS, RAP, EMDP</td>
<td></td>
</tr>
<tr>
<td>1.2</td>
<td>Approval of FS, RAP, EMDP</td>
<td></td>
</tr>
<tr>
<td>1.3</td>
<td>Sign loan agreement</td>
<td></td>
</tr>
<tr>
<td>II</td>
<td>Implementation Plan of EMDP</td>
<td></td>
</tr>
<tr>
<td>2.1</td>
<td>Orientation training courses</td>
<td></td>
</tr>
<tr>
<td>2.2</td>
<td>Training workshop on home business</td>
<td></td>
</tr>
<tr>
<td>2.3</td>
<td>Community consultation with ethnic minority</td>
<td></td>
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<tr>
<td></td>
<td>- Focus group discussion</td>
<td></td>
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<td></td>
<td>- Important interview</td>
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<tr>
<td></td>
<td>- In-depth interview</td>
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<tr>
<td></td>
<td>- Inofficial interview</td>
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<td></td>
<td>- Distribute the leaflet on project information by Khmer language</td>
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<tr>
<td>2.4</td>
<td>Training and strengthening capability for Khmer people</td>
<td></td>
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<tr>
<td>2.5</td>
<td>Implementation of measures to minimize</td>
<td></td>
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<tr>
<td>2.6 Checking, monitoring and evaluation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Hiring Independent Evaluation Agency</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Conduct sample testing on DPs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Collect quantitative indicators</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Assess and record the level of satisfaction of affected persons</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Remarks: - 1 This stage is Community consultation and dissemination of Ethnic Minority Development Plan after getting approval including consultation about this Ethnic Minority Development Plan
IX. MONITORING AND EVALUATION

9.1 Monitoring Principles

To ensure the EMDP is implemented and complies with the World Bank's *Indigenous People Policy* (OP4.10), a Monitoring and Evaluation Mechanism needs to be established and carried out throughout the process of project implementation. Monitoring and evaluation is a continuous process. The PMU will be in charge of internal monitoring. Based on the monitoring mechanism, a monitoring and evaluation plan of the mitigation measures will be made by the PMU. The mechanism will describe as follows:

- key monitoring indicators which would be used for internal and external monitoring (as proposed in 9.2 item);
- institutional arrangements;
- frequency and timing of reporting and content for internal and external monitoring, process for integrating feedback from internal and external monitoring into implementation;
- methodology for external monitoring;
- financial arrangements for external monitoring and evaluation

9.2 Internal Monitoring

Objectives of the internal monitoring are to:

a. Ensure all negative impacts of the subproject on Khmer Peoples are mitigated, minimized or compensated in compliance with RPF, RAP, EMPF and EMDP.
b. Ensure mitigation measures are implemented in culturally appropriate way for Khmer peoples.
c. Identify whether the free, prior and informed consultations for Khmer people communities are conducted in culturally appropriate manner for Khmer peoples or not.
d. Determine if complaint procedures are followed the EMPF and propose solutions if there are pending issues.
e. Conformity between relocation and land clearance and construction commencement to ensures that affected Khmer peoples have been provided with compensation, allowance, and relocation satisfactorily before construction commencement.

Internal monitoring will be monthly conducted by the PMU. All findings of the internal monitoring should be reported to the PPC and the WB. In practice, the internal monitoring of EMDP implementation should be combined with internal monitoring of RAP implementation. The findings of both RAP monitoring and EMDP monitoring should be included in one report to submit to PPC and the WB for review.

Key internal monitoring indicators:

a. Consultation with and participation of Khmer people are conducted with culturally appropriated methods during project implementation (# of consultations events and documentation provided).
b. Payment of compensation to affected Khmer people are provided based on DMS results and replacement costs of affected assets at the market prices at the time of the effective payments (100% of affected land and assets confirmed).

c. Resettlement activities are conducted according to the compensation policies as per agreed RPF and RAP for the sub-project (100% of affected HHs confirmed full compensation payments).

d. Determine if the required transition and income restoration measures and allowances are timely provided (100% of households by on-going report assessment issued).

e. Assess if all income and livelihood restoration measures have been provided properly for income restoration of Khmer and propose remedial measures if objectives of restoring income of households have not been met (100% of the impacted HHs on-going assessment report issued).

f. Implementation of information disclosure and community consultation (number of events documented and reported).

g. Determine if complaint procedures are followed and propose solutions if there are pending issues (grievance redress mechanism on-going documentation and reports issued).

i. Number of training courses and workshops were held and number of beneficiaries.

External Monitoring and Evaluation

External monitoring will be conducted by an external agency that is specialized in the social science. The external monitoring of EMDP implementation should be included in the external monitoring of RAP implementation with the same methodology and monitoring indicators, but focusing on ethnic minority peoples. The monitoring is periodically conducted twice a year and findings reports will be submit to the PPC and the WB for review.

Key indicators for external monitoring and evaluation

a. Public consultation and awareness of project benefits, resettlement policy and entitlements of Khmer PAPs;

b. DMS of affected assets and compensation payment as per policies in approved RAPs;

c. Land acquisition and transfer procedures;

d. Construction/rebuilding of replacement houses and structures on residual land or to new relocation sites;

e. Level of satisfaction of Khmer PAPs with the provisions and implementation of the RAPs and EMDP;

f. Grievance redress mechanism (documentation, process, resolution);

g. Effectiveness and sustainability of entitlements and income rehabilitation measures for Khmer PAPs;

h. Gender impacts and strategy;

i. Capacity of Khmer PAPs to restore/re-establish livelihoods and living standards. Special attention provided or to be provided to severely affected and vulnerable households;
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j. Resettlement impacts caused during construction activities;
k. Participation of Khmer PAPs in RAP and EMDP planning, updating and implementation;
l. Institutional capacity, internal monitoring and reporting; and
m. Channelling of government funds for compensation payment and allowances for severely Khmer PAPs or displaced PAPs.
n. Number of training courses and workshops were held and number of beneficiaries.
X. BUDGET FOR THE ETHNIC MINORITY PLAN

Total cost for the implementation of the Ethnic Minority Plan of the Project is estimated about 1,680,000,000 VND, as follows:

Table 10: Cost estimate for the EMDP implementation

<table>
<thead>
<tr>
<th>No</th>
<th>Training workshops on home business for Khmer women and men.</th>
<th>300,000,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Support facilities for the entertainment zone for the young and the elderly.</td>
<td>500,000,000</td>
</tr>
<tr>
<td>3</td>
<td>Support for building cultural houses, radio speakers, chairs, lamps: 150,000,000 VND/1 zone x 2 zones</td>
<td>300,000,000</td>
</tr>
<tr>
<td>4</td>
<td>Support the communities to establish a management regulation, propaganda for the environmental sanitation, prevention of drug abuse, and road safety: 100,000,000 VND/1 ward x 3 ward of ethnic minorities</td>
<td>300,000,000</td>
</tr>
<tr>
<td>5</td>
<td>Contingency cost (20%)</td>
<td>280,000,000</td>
</tr>
<tr>
<td></td>
<td><strong>Total cost</strong></td>
<td><strong>1,680,000,000</strong></td>
</tr>
</tbody>
</table>
XI. EMDP DISCLOSURE ARRANGEMENTS

To ensure full disclosure with Khmer Peoples, all communication concerning the project will take place in an appropriate manner - in the Khmer language (if they cannot speak and read Vietnamese), and in a culturally appropriate way. Public meetings will be arranged in villages, using participatory methodology and the ethnic minority language(s), (if required). Information will be posted in a central public location such as the ward/commune People's Committee office. Information should use pictures/images so that illiterate people among the Khmer community can also understand in order to guarantee accessibility of the information for Khmer people with poor literacy skills.

Local people's opinions will be recorded in an appropriate way as minutes of the meetings. Notes also will be taken from all regular meetings between PMU and leaders of Khmer communities or village representatives chosen at village meetings. All the concerns from involved people will be recorded this way and brought into the project planning process and used during implementation to adjust project activities. Any concerns, claims or grievances brought up in meetings or other consultations will be recorded in the same way. The draft EMDP will be disclosed at commune level in a public meeting including all relevant stakeholders. The final EMDP also disclosed at a commune level public meeting. Women representing affected households must be present at the disclosure meetings. Copies (in Khmer language, if necessary) of the EMDP will be available at the ward/commune People's Committee offices, village/hamlet leader's house and EM leader's house. It is also restored at the Infoshop of the WB in Ha Noi and posted on the website of the World Bank.
APPENDIX