Resettlement action plan (final RAP)

Subproject: Hai Lang
Province: Quang Tri

Quang Tri. March 2008
QUANG TRI PROVINCIAL DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

Natural Disaster Mitigation Project (WB4)

RESETTLEMENT ACTION PLAN
for
HAI LANG FLOOD PROTECTION SUBPROJECT

Quang Tri, March 2008
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I. Introduction

1. Project overview

The Natural Disaster Mitigation project (the Project) that is assisted by the World Bank is implemented in Central provinces of Vietnam. The subproject has 4 components:

1. Component 1: Structural and non-structural sub-projects to mitigate natural disasters
2. Component 2: Community Based Natural Disaster Mitigation
3. Component 3: Post-Disaster Reconstruction Support
4. Component 4: Institutional capacity building for Natural Disaster Mitigation

The Components 1 and 2 are carried out in 17 provinces/cities namely: Thanh Hoa, Nghe An, Ha Tinh, Quang Binh, Quang Tri, Thua Thien Hue, Quang Nam, Quang Ngai, Binh Dinh, Khanh Hoa, Phu Yen, Binh Thuan, Ninh Thuan, Long An, Dong Thap, An Giang, and Ben Tre. The Components 3 and 4 are implemented extensively in Vietnam territory.

The Project aims at (i) protecting life and assets of communities living in natural disaster prone provinces; (ii) improving the effect of the post-disaster reconstruction and recovery; and (iii) institutional capacity building for natural disaster mitigation and management agencies in the central and local levels.

2. Summary of Hai Lang flood control subproject – Quang Tri province

Hai Lang flood control subproject locates in Quang Tri province in 16°38’ -16°43’ latitude and 107°17’ -107°22’ longitude on the South coast of Vietnam. This region is in prone of tropical storms and low-pressures from the East sea. Usual natural disasters in the region are typhoons, tropical storms, floods, drought, seawater intrusion, hailstorms, and landslides.

Annual natural disasters are threats to human beings. Therefore, natural disaster mitigation, control and prevention are always given top priority of local authorities and of all people. This is also a pressing problem that needs solving with effective measures in order to mitigate negative impacts caused by natural disasters, protect crops, life and properties of people.

The subproject aims at (i) reducing damages resulted from the natural disaster, protecting life of 60,000 inhabitants and properties in flood and rainy season, particularly main floods; (ii) upgrading, repairing dike systems to prevent early flood, small floods to protect 5,200 ha of rice, combining to serve as rural roads, emergency road, relief roads during and after the floods; (iii) and building up flood-relief areas, communication system for flood and storm control in order to mitigate negative damages caused by floods and storms.

The subproject has to (i) upgrade a 42.8 km long dike system; (ii) build 2 drainage pumping stations, and (iii) dredge downstream section of O Lau river. Together with structural measures, non-structural measures are also deployed namely (i) building up flood-relief areas, (ii) building up a complete rural transport system in the region and in the vicinity; and (iii) furnishing the information system, flood warning system, etc.
II. Socioeconomic Information

3.1. Data source

The Resettlement Action Plan is based on the preliminary survey data on land and properties affected by the Subproject of 100% of PAHs. With the assistance provided by the Resettlement consultant, relevant commune governments carried out a preliminary survey on population, land and assets affected. The need on land acquisition and resettlement impacts of this subproject was surveyed and consolidated based on the land-use documents of the localities and existing technical design information. The detailed measurement and survey (DMS) will be carried out when the technical design of the subproject is approved and is limited to the subproject impacts identified clearly on site. Then, the detailed data on PAHs will be updated sufficiently.

The socioeconomic information of RAP is based on (i) the preliminary results on land, properties and population of 100% of PAHs that was carried out by the affected commune authorities in October 2007 with the technical assistance provided by the Resettlement consultant; (ii) the results of socioeconomic survey to PAHs with questionnaires carried out by Resettlement consultant in cooperation with communes in 250 HHs in November 2007; (iii) consultation with PAHs and stakeholders carried out by Resettlement consultant in November 2007, and (iv) consultation and study results of secondary documents related to the subproject area.

The group-interviews were carried out with PAHs in order to collect information and data on (i) special requirements on resettlement of PAHs and vulnerable groups; (ii) expectations and concerns about resettlement of PAHs; and (iii) mitigation measures for resettlement and life rehabilitation program for severe PAHs.

2.1. Socioeconomic conditions in the region

a. Livelihood

All PAHs are in the Kinh group. According to the PAHs census results and the socioeconomic survey carried out in November 2007, the averaged population per PAH is 4.1, and averaged labourer per PAH is 2.8. The proportions of male and female are similar (approximately 50%). Main labourers make up 48% of total PAPs.

Main economic activities in the project area are in agricultural sector. Main income of farmers is from agricultural production, husbandry so the income is low and their life is poor. The number of PAHs under poverty line remains high (about 26%).

Livelihood in the subproject area

<table>
<thead>
<tr>
<th>Nr</th>
<th>Name of commune</th>
<th>HHs</th>
<th>Population</th>
<th>Agricultural labourer</th>
<th>Poverty</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sub-zone I</td>
<td>5,040</td>
<td>19,664</td>
<td>10,635</td>
<td>1,337</td>
</tr>
<tr>
<td>1</td>
<td>Hai Duong</td>
<td>1,088</td>
<td>5,220</td>
<td>4,960</td>
<td>325</td>
</tr>
<tr>
<td>2</td>
<td>Hai Thanh</td>
<td>587</td>
<td>2,696</td>
<td>877</td>
<td>206</td>
</tr>
<tr>
<td>3</td>
<td>Hai Vinh</td>
<td>1,165</td>
<td>1,118</td>
<td>1,900</td>
<td>304</td>
</tr>
<tr>
<td>4</td>
<td>Hai Ba</td>
<td>1,310</td>
<td>6,330</td>
<td>1,995</td>
<td>308</td>
</tr>
<tr>
<td>5</td>
<td>Hai Que</td>
<td>890</td>
<td>4,300</td>
<td>903</td>
<td>194</td>
</tr>
<tr>
<td>II</td>
<td>Sub-zone II</td>
<td>3,809</td>
<td>18,882</td>
<td>6,606</td>
<td>938</td>
</tr>
<tr>
<td>1</td>
<td>Hai Chanh</td>
<td>1,685</td>
<td>8,006</td>
<td>579</td>
<td>384</td>
</tr>
<tr>
<td>2</td>
<td>Hai Tan</td>
<td>1,107</td>
<td>5,620</td>
<td>1,245</td>
<td>221</td>
</tr>
</tbody>
</table>
b. Land allocation in the region

According to the survey data, land-use situation in the subproject area is as below:

- Rice land: 1000 m²/person
- Garden land: 60 m²/person
- Upland cropping land: 70 m²/person

According to the survey data, the land-use situation in the subproject communes is presented below:

<table>
<thead>
<tr>
<th>Nr</th>
<th>Name of commune</th>
<th>Area of land (ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Natural</td>
</tr>
<tr>
<td>I</td>
<td>Sub-zone I</td>
<td>7,888.52</td>
</tr>
<tr>
<td>1</td>
<td>Hai Thanh</td>
<td>587.55</td>
</tr>
<tr>
<td>2</td>
<td>Hai Que</td>
<td>1,502.14</td>
</tr>
<tr>
<td>3</td>
<td>Hai Duong</td>
<td>2,413.00</td>
</tr>
<tr>
<td>4</td>
<td>Hai Ba</td>
<td>2,298.51</td>
</tr>
<tr>
<td>5</td>
<td>Hai Vinh</td>
<td>1,087.32</td>
</tr>
<tr>
<td>II</td>
<td>Sub-zone II</td>
<td>5,494.57</td>
</tr>
<tr>
<td>1</td>
<td>Hai Tan</td>
<td>774.34</td>
</tr>
<tr>
<td>2</td>
<td>Hai Hoa</td>
<td>1,182.23</td>
</tr>
<tr>
<td>3</td>
<td>Hai Chanh</td>
<td>3,538.00</td>
</tr>
<tr>
<td>III</td>
<td>Sub-zone III</td>
<td>13,547.62</td>
</tr>
<tr>
<td>1</td>
<td>Hai Son</td>
<td>5,535.88</td>
</tr>
<tr>
<td>2</td>
<td>Hai Truong</td>
<td>4,505.05</td>
</tr>
<tr>
<td>3</td>
<td>Hai Tho</td>
<td>2,227.25</td>
</tr>
<tr>
<td>4</td>
<td>Hai Thien</td>
<td>1,279.44</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>26,930.71</td>
</tr>
</tbody>
</table>

C. Income, poverty, and gender equity

The subproject locates in 12 communes of Hai Lang district with 13,268 HHs and 60,217 persons, including 3,449 poor HHs (making up 26%) in Kinh group. The
main career is agricultural production with two crops per year (winter-spring rice and summer-autumn rice). In main flood season, the region is almost inundated in floodwater. Continuous natural disasters make the life of local people very hard. The averaged income per capital only gains about 310 USD/year. The main reason of such low income is that the agricultural production is uncertain, depends largely in natural conditions, in particularly in recent years, major floods and storms happen more often and severely.

Gender equity: In general, there is no discrimination to the female. The female can participate in social activities, are concerned in healthcare, education similar to the male are. However, in order to ensure more equity, the subproject proposes training and capacity building program and plan for the female, which focuses on the resources and opportunities to local women, ensures that they can equally participate in the subproject implementation process.

III. Scope of Land Acquisition and Resettlement

The subproject causes the resettlement and land-acquisition in 12 communes, namely: Hai Duong, Hai Thanh, Hai Que, Hai Vinh, Hai Ba, Hai Tan, Hai Hoa, Hai Chanh, Hai Thien, Hai Tho, Hai Truong and Hai Son. This RAP is compiled to provide guidance on the compensation and proposed life rehabilitation measures to PAHs. Once the technical design is completed, land-marks of the subproject are posted to clearly define the boundary of land acquisition in the subproject, the DMS will be carried out. The results of MDS will provide a legal base for the compensation and application of life rehabilitation measures of the subproject. The main works items the subproject consist of:

(i) Upgrading a 42.8 km long sea-dike system comprising of: Tan Vinh Dinh river dike, Cuu Vinh river dike, river dikes of O Giang, Mai Linh, O Lau rivers; river bank protection works of O Khe and O Giang rivers;

(ii) Building up 2 pumping stations

(iii) Dredging downstream of O Lau river.

Among the civil works items of the subproject, the upgrading, construction of dike system acquires land permanently for dike body, right of way, and borrowing pits for dike embankment. In addition, pumping stations also requires land for building pump stations and drainage canals.

Main adverse impacts of the subproject related to the land acquisition comprise of permanent land acquisition for works, temporary impacts in the construction phase, dumping of construction wastes, and long-term impacts due to land acquisition for building the works. The total land areas to be acquired permanently and temporarily are presented below:
## TOTAL LAND AREA TO BE ACQUIRED

<table>
<thead>
<tr>
<th>Nr.</th>
<th>Work item</th>
<th>Total length of dike</th>
<th>B (_{\text{dike surface}}) (m)</th>
<th>In communes</th>
<th>PAHs</th>
<th>Land lost area (m(^2))</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Garden</td>
<td>Rice</td>
<td>Crop</td>
</tr>
<tr>
<td>A</td>
<td>Sub-zone I</td>
<td>20,000</td>
<td></td>
<td>318</td>
<td>349</td>
<td>42</td>
</tr>
<tr>
<td>I</td>
<td>Left side of Tan Vinh Dinh</td>
<td>8,700</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>K0 to K3+470</td>
<td>2,500</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Hai Que</td>
<td>93</td>
<td>23</td>
</tr>
<tr>
<td>I</td>
<td>K2+500 to K3+470</td>
<td>970</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Hai Duong</td>
<td>10</td>
<td>11</td>
</tr>
<tr>
<td>2</td>
<td>K3+470 to K4+270</td>
<td>800</td>
<td>3</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Hai Duong</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>K4+270 to K8+700</td>
<td>4,430</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Hai Duong</td>
<td>150</td>
<td>12</td>
</tr>
<tr>
<td>II</td>
<td>Right side of Tan Vinh Dinh</td>
<td>3,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>K0 to K2+500</td>
<td>2,500</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Hai Que</td>
<td>31</td>
<td></td>
</tr>
<tr>
<td>III</td>
<td>Left side of Cuu Vinh Dinh</td>
<td>4,150</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>K0 to K1+800</td>
<td>1800</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Hai Que</td>
<td>93</td>
<td>15</td>
</tr>
<tr>
<td>2</td>
<td>K1+800 to K2+600</td>
<td>800</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Hai Thanh</td>
<td>45</td>
<td>10</td>
</tr>
<tr>
<td>3</td>
<td>K2+600 to K3+450</td>
<td>850</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Hai Thanh</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>K3+450 to K4+150</td>
<td>700</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Hai Thanh</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>IV</td>
<td>Right side of Cuu Vinh Dinh</td>
<td>4,150</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>K0 to K1+800</td>
<td>1800</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Hai Que</td>
<td>122</td>
<td>23</td>
</tr>
<tr>
<td>3</td>
<td>K1+800 to K2+650</td>
<td>850</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
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<td></td>
<td></td>
<td>Hai Thanh</td>
<td>60</td>
<td>10</td>
</tr>
<tr>
<td>Nr.</td>
<td>Work item</td>
<td>Total length of dike</td>
<td>B_dike surface (m)</td>
<td>In communes</td>
<td>PAHs</td>
<td>Land lost area (m2)</td>
</tr>
<tr>
<td>-----</td>
<td>-----------</td>
<td>----------------------</td>
<td>---------------------</td>
<td>-------------</td>
<td>-------</td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Garden</td>
<td>Rice</td>
<td>Crop</td>
</tr>
<tr>
<td>4</td>
<td>K2+650 to K4+150</td>
<td>1,500</td>
<td>5</td>
<td>Hai Thanh</td>
<td></td>
<td>20</td>
</tr>
<tr>
<td>B</td>
<td>Sub-zone II</td>
<td>18,515</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Van Thanh - Cau Nhi</td>
<td>4,186</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>K0+00 to K1+800</td>
<td>1,800</td>
<td>5</td>
<td>Hai Tan</td>
<td>35</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>K1+800 to K2+890</td>
<td>1,090</td>
<td>5</td>
<td>Hai Tan</td>
<td>55 65</td>
<td>14</td>
</tr>
<tr>
<td>3</td>
<td>K2+890 to K4+186</td>
<td>1,296</td>
<td>3</td>
<td>Hai Tan</td>
<td>52 72</td>
<td>19</td>
</tr>
<tr>
<td>II</td>
<td>Cau Nhi - Hai Hoa</td>
<td>8,156</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>K0+00 to K0+800</td>
<td>800</td>
<td>3</td>
<td>Hai Tan</td>
<td>62 56</td>
<td>10</td>
</tr>
<tr>
<td>2</td>
<td>K0+800 to K1+550</td>
<td>750</td>
<td>3</td>
<td>Hai Tan</td>
<td>63</td>
<td>9</td>
</tr>
<tr>
<td>3</td>
<td>K1+550 to K6+670</td>
<td></td>
<td>5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
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<td>K1+550 to K2+250</td>
<td>700</td>
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<td>Hai Tan</td>
<td>15 23</td>
<td>9 368</td>
</tr>
<tr>
<td></td>
<td>K2+250 to K6+672</td>
<td>4,422</td>
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<td>Hai Hoa</td>
<td>49 131</td>
<td>50 1,201</td>
</tr>
<tr>
<td>4</td>
<td>K6+670 to K8+156</td>
<td>1,486</td>
<td>3</td>
<td>Hai Hoa</td>
<td>8 38</td>
<td>19</td>
</tr>
<tr>
<td>III</td>
<td>Right side of Mai Linh river</td>
<td>6,173</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>K0+00 to K3+770</td>
<td>1,000</td>
<td>3</td>
<td>Hai Hoa</td>
<td>65</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>K0+00 to K1+000</td>
<td>950</td>
<td></td>
<td>Hai Tan</td>
<td>38</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>K1+950 to K2+350</td>
<td>400</td>
<td></td>
<td>Hai Hoa</td>
<td>18</td>
<td>5</td>
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<tr>
<td></td>
<td>K2+350 to K2+670</td>
<td>320</td>
<td></td>
<td>Hai Chanh</td>
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<tr>
<td></td>
<td>K2+670 to K3+770</td>
<td>1,100</td>
<td></td>
<td>Hai Thanh</td>
<td>41 13</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>K3+770 to K6+173</td>
<td>1,000</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nr.</td>
<td>Work item</td>
<td>Total length of dike</td>
<td>$B_{dike}$ surface (m)</td>
<td>In communes</td>
<td>PAHs</td>
<td>Land lost area (m2)</td>
</tr>
<tr>
<td>-----</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Garden</td>
<td>Rice</td>
<td>Crop</td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Hai Truong</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>K0+700 to K2+700</td>
<td>2,700</td>
<td>Hai Duong</td>
<td></td>
<td>57</td>
<td>17</td>
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<tr>
<td>2</td>
<td>K2+700 to K4+564</td>
<td>1,864</td>
<td>Hai Duong</td>
<td></td>
<td>63</td>
<td>15</td>
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<tr>
<td></td>
<td>SUB-ZONE III</td>
<td>10,288</td>
<td>Hai Hoa</td>
<td></td>
<td>182</td>
<td>80</td>
</tr>
<tr>
<td>C</td>
<td>SUB-ZONE I</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I</td>
<td>Hai Truong</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>K0+00 to K2+374</td>
<td>2,374</td>
<td>No works</td>
<td></td>
<td>115</td>
<td>85</td>
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<tr>
<td>2</td>
<td>K2+374 to K2+874</td>
<td>500</td>
<td>Hai Truong</td>
<td></td>
<td>45</td>
<td>78</td>
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<tr>
<td>3</td>
<td>K2+874 to K3+874</td>
<td>1,000</td>
<td>Hai Truong</td>
<td></td>
<td>105</td>
<td>74</td>
</tr>
<tr>
<td>II</td>
<td>Hai Tho</td>
<td></td>
<td></td>
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<tr>
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<td>K0+00 to K2+374</td>
<td>2,374</td>
<td>No works</td>
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<td>42</td>
<td>19</td>
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<tr>
<td>2</td>
<td>K2+374 to K2+874</td>
<td>500</td>
<td>Hai Tho</td>
<td></td>
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<td>35</td>
</tr>
<tr>
<td>3</td>
<td>K2+874 to K3+874</td>
<td>1,000</td>
<td>Hai Tho</td>
<td></td>
<td>25</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Total I+II+III</td>
<td></td>
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<td></td>
<td>732</td>
<td>1,002</td>
</tr>
</tbody>
</table>

- 7 -
SUMMARY OF IMPACTS CAUSED BY LAND ACQUISITION IN THE SUBPROJECT

<table>
<thead>
<tr>
<th>Nr</th>
<th>Per zone</th>
<th>Total PAHs</th>
<th>Relocation PAHs</th>
<th>PAHs with houses, works affected</th>
<th>PAHs with permanently lost agricultural land</th>
<th>PAHs with temporarily lost agricultural land</th>
<th>PAHs losing &gt; 20% of total landholdings</th>
<th>Garden land</th>
<th>Rice land</th>
<th>Upland land</th>
<th>Temporarily lost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>SUB-ZONE I</td>
<td>354</td>
<td>0</td>
<td>0</td>
<td>274</td>
<td>80</td>
<td>0</td>
<td>23,320</td>
<td>65,514</td>
<td>3,646</td>
<td>22,980</td>
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<tr>
<td>2</td>
<td>SUB-ZONE II</td>
<td>620</td>
<td>0</td>
<td>0</td>
<td>527</td>
<td>93</td>
<td>0</td>
<td>8,075</td>
<td>49,051</td>
<td>10,088</td>
<td>20,347</td>
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<tr>
<td>3</td>
<td>SUB-ZONE III</td>
<td>249</td>
<td>0</td>
<td>0</td>
<td>214</td>
<td>35</td>
<td>0</td>
<td>14,605</td>
<td>5,435</td>
<td>12,267</td>
<td>31,674</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>1,223</td>
<td>0</td>
<td>0</td>
<td>1,015</td>
<td>208</td>
<td>0</td>
<td>46,000</td>
<td>120,000</td>
<td>26,000</td>
<td>75,000</td>
</tr>
</tbody>
</table>

Among 1,223 HHs are affected by the subproject:
- 1,015 PAHs loss agricultural land permanently, and 208 PAHs loss agricultural land temporarily;
- None of PAHs has to relocate;
- None of PAHs is affected with houses / architectural works
- None of PAHs losses over 20% of total landholdings.
IV. Legal Frameworks

4.1. World Bank Policy on Involuntary Resettlement

The World Bank experience indicates that involuntary resettlement under development projects, if unmitigated, often give rise to severe economic, social, and environmental risks: 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; skin groups are dispersed; cultural identity, traditional authority, and the potential for mutual help are diminished or lost. Thus the World Bank policy regulated by OP 4.12 includes safeguards to address and mitigate these impoverishment risks.

The basic guiding principles of the World Bank resettlement policy are:

(i) Involuntary resettlement should be avoided where feasible, or minimized by exploring all viable alternatives in project design;

(ii) 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 person displaced by the project to share in profit benefit. Displaced persons should be meaningful consulted and should have opportunities to participate in planning and implementing resettlement programs.

(iii) 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.

The main objective of the WB on Involuntary Resettlement policy is to ensure that PAPs are assisted to improve their living conditions, income and income generation, or at least equal to the without-project case. The policy regulates that the omission of legal documents on land use-rights will not bar to entitlements of PAHs to compensation and rehabilitation allowances. The policy requests that the compensation for all types of affects must be in replacement prices without depreciation or deduction of salvaged materials.

4.2. Vietnam policy

4.2.1. Vietnamese Laws, Decrees, and Circulars

In recent years, particularly in 2003 and 2004, the Government of Vietnam has promulgated many legal documents and regulations to protect rights of persons who are affected by development projects. The Law,

decrees, circulars and documents related to the resettlement and land acquisitions are:

(v) Decree No188/2004/ND-CP, 16 November 2004, regulating the land price and price framework for land categories;

(vi) Circular No114/2004/TT-BTC by MOF instructing to implement the Decree No. Decree No188/2004/ND-CP, 16 November 2004, GOV, regulating the methods on formulation of land prices and price frameworks for land categories;

(vii) Decree No197/2004/ND-CP, 03 December 2004, on compensation, assistance and resettlement when land is recovered by the State (replacing Decree No. 22/CP). And issued guidelines in Circular No116/2004/TT-BTC by MOF instructing to implement the Decree No. No197/2004/ND-CP, 03 December 2004 regulating the compensation, assistance and resettlement when land is recovered by the State;


(ix) Decree No64/CP, 27 December 1993 regulating the allocation of agricultural land to HHs and individuals for long-term use in agricultural production;

(x) Circular No05-BXD-DT, February 1993, regulating the categorization of houses


Comparing to the amended Land Law 1993, regarding the land use rights and land acquisition, the Land Law 2003 contains a number of new provisions and approaches, closer to the WB’s resettlement objectives and principles. The Land Law 2003 extends significantly to the legal and legalizable households to the land-use rights. The new points in this Law can be summarized as follows:

i) Land Law 2003 gives new provisions toward land ownership:
   - The State retains its prominent rights for land: right to decide purposes of land use through land use planning, land use plans; regulate duration of land use, land allocation, give land for rent, acquisition of land, evaluate land prices.
   - State retains its right to benefit from land through land financial policy, including right for regulating the value added of the land that is not a result of the land user’s investment.

ii) Land Law 2003 provides new regulations on land acquisition and land compensation, resettlement of people losing the acquired land:
   - At least ninety days before land recovery, for agricultural land, and one hundred and eighty days, for non-agricultural land, the competent State agencies shall have to
notify the persons having land to be recovered about purpose of land acquisition, time and plan of relocation, overall plan of compensation, land clearance and resettlement.

- The persons losing the acquired land shall be compensated with the assignment of new land of the same land use purposes; if there is no land available for compensations, the affected persons shall be compensated with the value of land use right with the use purpose existed at the time of issuance of decisions on land acquisition.

- Provincial PCs, PCs of Cities under direct Central Government prepare and carry out resettlement projects before acquiring land for compensation with provision of dwelling house, residential land to affected persons who lose residential land and have to be relocated. Resettlement Sites can be planed for more than one project in the same locality and should have at least equal or better conditions than the former ones.

- In cases there is no resettlement site available, the affected persons shall be compensated in cash and given priority to purchase or lease dwelling houses under the State’s ownership, for urban areas; be compensated with residential land, for rural areas; in cases if the value of land use right of the recovered land is higher than that of the land compensated, the affected persons shall be compensated for such differences in cash.

- In case of recovering productive land of households and/or individuals who are directly engaged in production, but there is no land available for compensation to continue production, then besides of cash compensations, the affected persons shall also be assisted by the State for rehabilitation of their living conditions, for training to shift into new occupations, or be arranged for new employment.

iii) One of new points in Land Law 2003 is the provisions on price of land.

- The price of land regulated by Provincial PCs, PCs of Cities under direct Central Government provides a base for the State to manage the land economically, including the compensation purpose when the State acquires land.

iv) Land Law 2003 defines principles for State’s evaluation of land prices:

- Reflecting market price of land use right transfer, in normal market conditions; in case of existence of great difference between the identified land prices and the local market ones, it should be adjusted accordingly;

- The land plots in bordering, having similar natural, socio-economical, infrastructure conditions, being under similar existing and planned type of land use, will have similar land prices;

- Land located in areas bordering between provinces, cities under Central Government, having similar natural, socio-economical, infrastructure conditions, under similar existing and planned type of land use, will have similar land prices;

v) Land Law 2003 provides: land prices regulated by PPC or PC of Cities under direct Central Government, will be publicly announced every the First of January annually.

vi) Land Law 2003 clearly states about application of the Law, in which the Clause 2 of Article 3 regulates:

- In case if International treaties, which the Socialist Republic of Vietnam has signed or acceded, contain provisions different from the provisions of this Law, the provisions of such international treaties shall be applied.

4.2.3. **Decree 197/CP**

In December 3rd 2004, the Government has issued the Decree No 197/ND-CP providing policy on compensation, assistance and resettlement in case the Government recovers land, replacing the Decree No/1998/CP. The Government has also issued guidelines for the implementation of this Decree (116/2004/TT-BTC). Along with the
New Land Law 2004, the Decree 197/CP is one longer step approaching closer to the WB’s policy on Involuntary Resettlement.

The main new contents of compensation and resettlement policy of the Decree 197/CP include the followings:

(i) The Government limits its scope of compensation, assistance and resettlement, encouraging private project developer/investor itself to negotiate with affected people on compensation and resettlement;

(ii) Assign the PPC to prepare and implement resettlement projects to compensate relocating people with housing or residential land before acquisition of their residential land.

(iii) The Government unifies to compensate the recovered land with the price announced by the local PPC on the first day of the year, as governed by the Land Law 2003. The land price reflects market price of land use rights transfer in normal market conditions;

(iv) The affected person losing land will be compensated with the land of the same land use purpose. In case there no land is available for “land for land” compensation, s/he will be compensated at the price reflecting the land use value at the time the Decision on land acquisition is issued;

(v) Compensation for residential land is based on the actual land use; Regarding the agricultural land scattered in urban residential area and residential garden land and pond, besides of compensation for them as for agricultural land, there also will be given assistance equal from 20 to 50% of the actual value of the residential land of the same plot;

(vi) Affected houses and structures attached to the acquired land are compensated at replacement cost without depreciation and deduction of salvage materials;

(vii) Affected crops and trees are compensated at market and replacement cost respectively;

(viii) Involuntary relocated person can choose one of the three relocation options: (a) compensated with housing; (b) compensated with assignment of a new residential plot; (c) compensated in cash for self-relocation.

(ix) Resettlement implementation unit assigned by PPC has to inform affected person on proposed relocation options and publicly announced the options at their office and at local commune/ward People Committee where the project recovers the land and at resettlement site at least 20 days before the competent authority approves the resettlement option;

(x) Rehabilitation assistance measures should be provided to the severely affected persons, including those having income generating capacity affected;

(xi) The rights and obligations of affected persons for compensation and resettlement;

(xii) Enforce implementation of the Decision on land acquisition to the case of violation.

In general, the Law Land 2003 and the Decree 197/CP almost comply with the objectives and policy of Involuntary Resettlement of WB.

4.3. Government, World Bank, and NDMP policy in resettlement and compensation

Though the new Land Law and Decrees regulating the resettlement and land acquisition in Vietnam approach closer to the WB policy on Involuntary Resettlement. However, there still exist certain differences. The following table presents the differences between the Government Policy, the WB policy and the principle policies applied in the Project.
## Differences between Decree 197/2004/CP, the World Bank and NDMP Policy

<table>
<thead>
<tr>
<th>Decree 197/2004/CP</th>
<th>World Bank Policy</th>
<th>Project Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Article 6</strong>: If persons who have land recovered by the State meet all conditions prescribed in Article 8 of the Decree, they shall receive compensation; if they fail to meet all conditions for compensation, the People’s Committees of the provinces or centrally run cities shall consider to provide supports.</td>
<td>PAPs who are not entitled to compensation under domestic law will be assisted to restore living standards as before the project</td>
<td>All project displaced person, irrespective of tenure status, social or economic standing, will be entitled to be compensated or assisted for their lost assets, incomes, and businesses and provided with rehabilitation measures sufficient to assist them to improve or at least restore their pre-project living standards, income levels and productive capacity.</td>
</tr>
<tr>
<td><strong>Article 9</strong>: The compensation rates for land shall be determined by the PPC in accordance with the Government regulations for the type of land which has been used for at the time of land acquisition</td>
<td>Land compensation price should be replacement one</td>
<td>Replacement cost surveys have to be carried out to ensure that project compensation rates for all categories of loss will be equivalent to replacement cost to be updated at the time of resettlement implementation.</td>
</tr>
</tbody>
</table>
| **Articles 18, 19, 20**:  
- Houses and structures on non-eligible-for-compensation land, which have not violated announced land use plans or the right of way will be assisted at 80% of replacement cost  
- Houses and structures on non-eligible-for-compensation land, which have violated announced land use plans or the right of way will not be assisted. In special cases, the PPC will consider to assist on the case by-case basis. | All affected houses and structures, irrespective of land tenure status, should be compensated at the full replacement cost | Full compensation at replacement cost will be paid for all affected structures without any deductions for salvageable materials or depreciation. |
| **Articles 26, 28**: only registered businesses are eligible for assistance | All affected businesses are eligible for assistance | All affected businesses are eligible for assistance |
| **Articles 28, 29**: PAPs losing more than 30% of productive land will be entitled to living stabilization and training/job creation assistance | Severely affected PAPs, including PAPs losing more than 20% of productive land, will be entitled to rehabilitation assistance | Severely affected PAPs, including PAPs losing more than 20% of productive land, will be entitled to rehabilitation assistance |

The World Bank also requires external monitoring, which is not required in Vietnamese laws.
v.  **Compensation Policy**

5.1.  **Objectives for Resettlement**

The main objective of the Resettlement Plan (RP) is to ensure that all PAPs will be compensated or assisted for their losses and provided with rehabilitation measures to assist them in their efforts to improve, or at least maintain, their pre-project living standards and income earning capacity.

5.2.  **Subproject affected people (PAPs)**

As defined in OP 4.12, the project-affected people are those who are affected with economic and/or social impacts that are the consequences of the project implementation and are affected by:

(i) the involuntary taking of land resulting in:
   a. relocation or loss of shelter;
   b. loss of assets or access to assets; or
   c. loss of income sources or means of livelihood, whether or not the PAHs must move to another location; or

(ii) the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the PAHs.

5.3.  **Principles of Resettlement**

The principle for resettlement policy in the project will be as follows:

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

b) All PAPs residing, working, doing business or cultivating land within the recovered area under the Project as of the cut-off-date are entitled to be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-Project living standards, income earning capacity and production levels. Lack of legal rights to the assets lost will not bar the PAPs from entitlement to such rehabilitation measures.

c) The rehabilitation measures to be provided are: (i) compensation at replacement cost without deduction for depreciation or salvage materials for houses and other structures; (ii) agricultural land-for-land of equal productive capacity acceptable to the DP; (iii) replacement of premise land (if any) of equal size acceptable to the DP; (iv) transportation and subsistence allowances, and (v) business/income rehabilitation allowances.

d) Replacement premise and agricultural land will be as nearby as possible to the land that was lost, and acceptable to the DP. In case of minor fractions of land (less than 20% of total landholding), cash compensation may apply.

e) The resettlement transition period will be minimized and the rehabilitation means will be provided to the PAPs no later than one month prior to the expected start-up date of works in the respective Project site.

f) Plans for acquisition of land and other assets and provision of rehabilitation measures will be carried out in consultation with the PAPs to ensure minimal disturbance. Entitlements will be provided to PAPs no later than one month prior to expected start-up of works at the respective project site.

g) The previous level of community services and resources will be maintained or improved.
h) Adequate budgetary support will be fully committed and be made available to cover the costs of land acquisition and resettlement and rehabilitation within the agreed implementation period. Physical resources for resettlement and rehabilitation will be made available as when required.

i) WB shall not approve of any civil works contract for any subproject to be financed from the loan proceeds unless the Government has completed satisfactorily and in accordance with the approved RAP for that subproject compensation payment and ensured rehabilitation assistance is in place prior starting civil work. Entitlements will be provided to PAPs no later than one month prior to expected start-up of works at the respective project site.

j) Institutional arrangements will ensure effective and timely design, planning, consultation and implementation of the Resettlement Action Plans (RAP).

k) Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system. Evaluation of the land acquisition process and the final outcome will be conducted independently to the executing agency.

5.4. Compensation Policy for Loss of Agricultural Land

Total 1,015 PAHs loss agricultural land permanently. Most of PAHs have permanent land-use rights to the land acquired and some of PAHs have temporary land-use rights. None of PAHs use agricultural land illegally. For the agricultural land lost, PAPs will be entitled to the following types of compensation:

The general mechanism for compensation of lost agricultural land will be through provision of "land for land" arrangements of equal productive capacity, satisfactory to the DP. If land compensation size is smaller or lower quality, PAPs will be entitled to compensation on cash equivalent the differences.

However, if land is not available or the DP prefers to receive cash compensation then the following applies:

**Legal and legalizable land users:**

(i) if the portion of the land to be lost represents 20% or less of the total area of the landholding, and the remaining land is still a viable economic holding, cash compensation for the lost area (or for the entire affected plot if the remaining area of the plot is not economically viable), at full replacement cost, may be provided to the DP, or

(ii) According to the present preliminary survey, none of PAHs loss over 20% of total landholdings. However, in the DMS survey, if more than 20% of a household’s agricultural land is acquired, or for the entire affected plot if the remaining area of the plot is not economically viable, then in addition to cash compensation at full replacement cost for the lost area, the Project will provide rehabilitation assistances, including: (i) subsistence allowance equal to 30kg of rice per person per month for 3 months, (ii) training assistance of no less than VND 3,000,000/HH, (iii) technical assistance such as agricultural extension, or/and credit.

**Users with temporary or leased rights to use land:**

(i) the PAPs will be compensated in cash the amount invested in the land, equal to 30% of replacement cost of the land lost, or compensated for the remaining time of the land lease contract; and
(ii) PAPs will be compensated for the loss of standing crops and fruit or industrial trees at market price.

5.5. Compensation Policy for Residential Land

There are three types of loss of residential land: (i) losing residential land without structures; (ii) losing residential land with structures built thereon and the remaining land is sufficient to rebuild on (reorganizing by PAH itself): and (iii) losing residential land with structures built thereon and without remaining land sufficient to rebuild on (relocating DP). According to the preliminary survey, in this Subproject none of PAHs has to relocate. However, during the subproject implementation, if any PAH has to relocate, the following compensation policies will be applied:

- PAPs losing residential land without structures:
  Compensation for loss of land in cash at full replacement cost (100%),

- PAPs losing residential land with structures built thereon and the remaining land is sufficient to rebuild on (reorganizing DP): In case the remaining residential land is equal to or larger than 30m$^2$ in urban area, or equal to or larger than 100m$^2$ in rural area, PAPs will be compensated on cash following:
  (a) Compensation for loss of land in cash at replacement cost;
  (b) Compensation for affected structures and other assets at full replacement cost;
  (c) If PAPs have to rebuild the main house, they will receive: (i) transportation allowance not less than 500,000 VND/HH to move their properties, belongings to new living place; (ii) subsistence living allowances equivalent 30 kg of rice per each HH’s member per month for 3 months.

- PAPs losing residential land with structures built thereon and without remaining land sufficient to rebuild on (relocating DP): In case the remaining residential land is less than 30m$^2$ in urban area, or less than 100m$^2$ in rural area, PAPs will have to move to a new living place:
  (1) The PAPs can opt to one of the followings:
    (a) The provision of replacement residential land of equivalent size, in the dispersed resettlement, at a location acceptable to the PAPs and PAPs will be granted with full land title without any cost;
    An amount of cash sufficient to develop basic infrastructure, including access road, access to electricity, to water supply, drainage, which at least are equal to conditions existed at the former location, or these facilities will be provided/developed by the project.
  OR, on request as the DP’s fully informed choice,
    (b) Cash compensation for entire residential land at full replacement cost,
  (2) Compensation for affected structures at full replacement cost; AND,
  (3) Rehabilitation allowances, including (i) transportation allowance equal to 2,000,000 VND per HH if the house of relocating PAH is less than 50m$^2$; and equal to 3,000,000 VND per HH if the house of relocating PAH is equal to or larger than 50m$^2$; (ii) subsistence living allowance equivalent 30 kg of rice per each HH member per month for 6 months.

5.6. Compensation Policy for Loss of Houses/Structures

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

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

(iii) The calculation of rates will be based on the actual affected area and not the useable area.

5.7. Compensation policy for loss of Standing Crops and Trees

For annual and perennial standing crops, regardless of the legal status of the land, compensation will be paid to households who cultivate the land, according to the full market value of the affected crops and/or at replacement cost for affected perennial trees.

5.9. Compensation for Loss of Community Assets

In cases where community infrastructure such as schools, bridges, factories, water sources, roads, sewage systems is damaged, the Project management unit at various level will ensure that these would be restored or repaired as the case may be, at no cost to the community.

5.10. Temporary Impact During Construction

For temporary loss of land and properties, PAPs are entitled to the followings:

*For arable land that will be temporarily affected:*

(i) Compensation for one harvest of crops/trees at full market prices
(ii) Compensation for loss of net income from subsequent crops that cannot be planted for the duration of project temporary use, **AND**
(iii) Restoration of land to its previous or improvement to better quality, **AND**
(iv) If the duration of project’s use the land exceed more than two years, then the PAPs have option to: 1) Continue using land, OR, 2) Give it to the Project and be compensated as permanent loss.

*For temporary loss of residential land:*

(i) Compensation for all affected properties associated to the land at full replacement cost.
(ii) Restoration of land to its previous or better quality before returning it to PAHs.

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

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

According to the preliminary survey, in this subproject none of PAHs has to relocate. However, during the construction phase, if any PAH has to relocate, the following policy will apply:

Severely affected persons are entitled to rehabilitation assistance to restore their livelihood not below the standard before the Project, and preferable better than before. People losing equal to or more than 20% of agricultural land, beside the compensation about for the land lost, the subproject will provide rehabilitation package including: (i) subsistence allowance equal to 30kg of rice per person per month for 3 months, (ii) training assistance of no less than VND 3,000,000/HH, (iii) technical assistance such as agricultural extension, or/ and credit.

Reorganizing PAPs, who have to rebuild main house on remaining land, and relocating PAPs are entitled to: (1) transportation cost of 500,000 VND/HH for the reorganizing PAPs and transportation allowance equal to 2,000,000 VND per HH if the house of relocating PAH is less than 50m²; and equal to 3,000,000 VND per HH if the house of relocating PAH is equal to or larger than 50m² to move to other place; (ii) subsistence living allowance equivalent 30 kg of rice per each HH member per month for 3 months for reorganizing PAHs or for 6 months for relocating PAHs.

VI. RAP Implementation Arrangements

Ministry of Agriculture and Rural Development (MARD)

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

a. Providing overall planning, coordination, and supervision of the resettlement program.
b. Guiding implementing agencies in updating and/or preparing RAPs and implementing resettlement activities in accordance with the approved RAPs and Resettlement Policy Framework (RPF); and if any mistakes or shortcomings are identified through internal and/or external monitoring of RAP implementation, ensure that the objectives of the RAPs are met.
c. Finalizing RAPs and obtaining Government and World Bank approval before implementing approved RAPs.
d. Supervising the coordination between completed implementation of approved RAPs for each component with the award of civil works contracts for each component.
e. Providing resettlement training to implementing agencies, all Provincial Project Management Units (PMUs) staff and resettlement committees (RCs) at all levels, and to the external monitoring organization.

f. Establishing standard procedures for information meetings and stakeholder consultation, such as monthly newsletters to communities on project activities. Providing coordination with other components and various agencies involved in RP, RP implementation and monitoring.

g. Establishing liaison mechanisms to ensure proper technical and logistical support to implementing agencies;

h. Managing standardized PAPs databases for each component, as well as for the Project as a whole.

i. Establishing procedures for ongoing internal monitoring and review of project level progress reports and for tracking compliance to project policies.

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

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

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

m. Reporting periodically on resettlement activities to MAD and the World Bank.

6.2. Provincial Level

6.2.1. Quang Tri Provincial People’s Committee (PPC)

The PPC is the principal authority at the provincial level. The PPC is responsible for (i) approving the Subproject RP; (ii) issuing a decision on compensation unit costs, subsidies, allowances, and supporting policies for PAHs, in accordance with the Project policy and provisions of this RP as well as of the Project Policy Framework; (iii) issuing decision to acquire land of the project; and (iv) instructing the coordination between the related institutions and provincial departments for the implementation of the RP.

6.2.2. Provincial Project Management Unit (PMU)

Provincial Project Management Unit (PMU) will be responsible for implementing the subproject RP. Responsibilities will include the following:

a. Monitoring, on behalf of the CPMO, all resettlement activities within the provincial territory under the PPCs’ management, and signing contracts for the implementation of resettlement components;

b. Guiding all resettlement activities in accordance with the project policies and directives in the subproject RP;

c. In collaboration with other provincial departments following the rules of this RP, reviewing and advising PPC on compensation unit prices for land and structures; setting up procedures for land acquisition and allocation and submitting them to the PPC for approval;

d. Coordinating, directing and monitoring the RP activities, including: DMS process, preparing and finalizing compensation forms and RP, preparing
compensation charts, if signing the contract for this task assignment to the local authorities;
e. Accepting and handing over the sites to the implementing agencies; and
f. Cooperating fully with the external monitoring organization.

6.3. District Level

6.3.1. **Hai Lang District People’s Committee (DPC)**

The Hai Lang DPC is responsible for identification legal status of land and structures associated to the land acquired, and appointing members of the DRC and assigning functional tasks for the DRC.

6.3.2. **District Resettlement Committees (DRC)**

The DRC will be responsible for:

a. planning and implementation of for all resettlement activities in the district
b. being responsible for DMS in the district, applying compensation prices for land, assets affected, and calculating the rehabilitation allowance, preparing compensation plan for PAHs and consolidating into the RP to submit to the PPC for approval and paying compensation directly to each PAH after receiving the funds or supervising the compensation payment if this activity is undertaken by PMU directly;
c. establishing inspectors to redress PAPs grievances on resettlement policies and entitlements;
d. cooperating fully with the external monitoring organization.

6.3.3. **Commune level (CPC)**

CPC is responsible for followings:

a. Assign concerned ward/commune officials/professionals to help carry out all resettlement activities in its ward/commune;
b. Assist others, including the PMU, to implement project information disclosure, and facilitating public meetings and consultation with PAPs;
c. Assist the others, including PMU, in census surveys, replacement cost survey, DMS, and other resettlement-related activities;
d. Participate in all activities related to land acquisition and allocation, resettlement, rehabilitation measures and social development support activities;
e. Support PAPs in all resettlement and rehabilitation-related activities. Inform PAHs about the compensation plan and supervise the compensation delivery. Co-sign compensation documents with the PAPs;
f. Ensure DP’s grievances redressal mechanisms are appropriate and properly in place. Document PAPs grievances and maintain records of all grievances. Assist and advise PAPs on speedy redressal of grievances.

6.5. **Agency Responsible for External Monitoring**

One agency or institute, specialized in social sciences must be identified and engaged in order to carry out socioeconomic surveys, monitoring, and evaluation of RP implementation for the Hai Lang subproject. The external monitoring organization will submit periodic reports on the implementation process and make recommendations regarding the issues identified during the monitoring. The external monitoring method is presented in details in Chapter 10.
VII. Public Participation, Consultation, And Grievance Mechanisms

7.1. Objectives of Public Information and Consultation

Information dissemination to PAHs and involved agencies is an important part of Project preparation and implementation. Consultation with PAPs and ensuring their active participation will reduce the potential for conflicts and minimize the risk of project delays. This will also enable the Project to design the resettlement and rehabilitation program as a comprehensive development program to suit the needs and priorities of the displaced persons, and thereby maximizing the economic and social benefits of investments. The objectives of the public information and consultation program are as follows:

a. Ensure that local authorities, as well as representatives of PAPs, will be included in the planning and decision-making processes.
b. Fully share information about the proposed project components and activities with the PAPs.
c. Obtain information about the needs and priorities of the PAPs, as well as receiving information about their reactions to proposed policies and activities.
d. Ensure that PAPs are able to make fully informed decisions that will directly affect their incomes and living standards, and that they will have the opportunity to participate in activities and decision-making about issues that will directly affect them.
e. Obtain the cooperation and participation of the PAPs and communities in activities necessary for resettlement planning and implementation.
f. Ensure transparency in all activities related to land acquisition, resettlement, compensation, and rehabilitation.

The CPMO and PMUs will work closely with the Provincial People’s Committee and the District People’s Committee during the project implementation. PAPs involvement in implementation will be continued thereafter by requesting each district to invite PAPs’ representatives to take part in the resettlement, compensation activities (property evaluation, compensation, resettlement, removal and training).

7.2. Consultation During Subproject’s preparation

During the subproject preparatory phase, the consultant usually disseminated information about the subproject. The activities carried out comprise of:

a. Group interviews were carried out in 2 communes affected by the subproject. Interviews were also carried out with PAHs about agricultural land that aimed to consult their opinions about the compensation polices and their recommendations. The compensation unit prices were raised by PAHs and discussed in the group discussions.
b. Socioeconomic surveys at household level were carried out in all communes affected, with a survey sample equal to 20% of total PAHs. The surveys were incorporated with other needs in other sectors (agriculture, society, economy, and resettlement) and provided useful socioeconomic information. Each meeting had 10 – 15 participants. After the group meeting, women were usually invited to have a group discussion separately.
c. The surveys, interviews were carried out in November 2007 and collected information about: (a) overall evaluation of resettlement impacts and
benefits of the subproject; (b) finding out needs, preferable choice of PAHs; (c) identifying vulnerable groups, and (d) measures to mitigate land acquisition and resettlement impacts.

d. The results of the surveys, interviews, group discussions and public meetings indicated that all consulted PAPs supported the subproject; they thought that the subproject would bring benefits to their communities.

e. According to opinions of PAPs, the construction of the dike as proposed in this Project would increase significantly the value of agricultural land in the locality, crops, agricultural products, properties, and life of human would be protected.

7.3. Consultation During Subproject’s Implementation

Information Dissemination and Consultation

During the subproject implementation, PMU, assisted by the project consultants, will undertake the followings:

a. Provide information on the subproject’s resettlement and compensation policies and implementation procedures to resettlement committees at all levels through training workshops.

b. In coordination with DRCs and communes affected, conduct information dissemination to and consultation with PAPs throughout the life of the subproject.

c. Update the provincial unit prices, and confirm land acquisition and impact on properties through a Detailed Measurement Survey (DMS).

d. The DRC will then apply prices, calculate compensation entitlements, and complete the Compensation Forms for each affected household. PMU will present information on entitlements to PAHs in follow-up visits to PAHs.

e. The Compensation Form, showing the household’s affected assets and compensation entitlements, will then need to be signed by the PAPs to indicate their agreement with the assessment. Any complaints the PAPs have about the contents of the form will be recorded at this time.

Public Meetings

Prior to the beginning of land acquisition and resettlement plan, public meetings will be held in each commune affected to provide PAPs with additional information and an opportunity for open discussion about resettlement policies and procedures. Upon the completion of the DMS, a letter of invitation will be sent to all PAPs at least 2 weeks before the meeting in their area. This meeting is intended to clarify information that has been given to date and to provide PAPs with the opportunity to discuss issues of concern and obtain clarification. In addition to a letter informing the DP, other means will be used to inform PAPs and the general public such as posters in prominent locations in the communes and districts where PAPs currently reside: radio, newspaper and public poster announcements.

Both men and women from affected households will be encouraged to attend, as well as other interested community members. The meeting will explain the Project, and households’ rights and entitlements, and there will be opportunities to ask questions. Such meetings will be conducted periodically during the life of the Project.

Relevant information will be given to the PAPs at the meetings (verbally, graphically, and/or on printed information sheets). Extra copies of the printed information sheets will be available at township and district offices throughout the project area. The meetings are proposed to have the following format:
a. Explanations given verbally and in visual format, including written information and drawings of the proposed design for the different components of the Project.

b. Adequate opportunities will be provided for PAPs to respond with questions and comments. PAPs will be encouraged to contribute their ideas for PAPs rehabilitation options.

c. The DRC will establish a complete list of all PAPs present at the meetings.

d. The DRC will make a complete record of all questions, comments, opinions and decisions that arise during the information/consultation meetings, and present a report of all the meetings to the relevant PMU.

Information about the following will be given to the DP:

**Project components.** This includes the places where they can obtain more detailed information about the Project.

**Project impacts.** Impacts on the people living and working in the affected areas of the project including explanations about the need for land acquisition for the dike body, dike blankets, right of way of dike, borrowing pit, and other subproject components.

**PAPs’ rights and entitlements.** These will be defined for PAPs (with the cut-off date). The verification of eligibility and legality will be explained to PAHs who do not have sufficient legal documents to the properties affected. The rights and entitlements for different impact on PAPs and compensation options (land-for-land and/or cash) will be also explained.

**Right to participate and be consulted.** The PAPs will be informed about their right to participate in the planning and implementation of the resettlement process. The PAPs will be represented in the commune’s resettlement committees, and the representative for the PAPs will be present whenever commune/district committees meet to ensure their participation in all aspects of the project.

**Organizational responsibilities.** PAPs will be informed about the organizations and levels of Government involved in resettlement and the responsibilities of each, as well as the names and positions of the government officials with phone numbers, office locations, and office hours if available.

**Implementation schedule.** PAPs will receive the proposed schedule for the main resettlement activities and informed that physical works will start only after the completion of all resettlement activities and clearance from the project area.

**Compensation payment**

A letter of notification will be sent to each DP with the time, location, and procedure for receiving compensation payment. Vulnerable PAPs will be personally contacted to confirm their preferences for rehabilitation assistance.

**Public Information Booklet (PIB)**

To ensure that PAPs, their representatives, and local governments in the affected areas fully understand the details of the resettlement program, and are also informed about the compensation and rehabilitation packages applicable to the Project, a Public Information Booklet (PIB) will be prepared by the PCMO, with the assistance from the Consultant and in consultation with the World Bank. This booklet will be distributed to all PAPs in the project area. General contents of the PIB will include the following:

Brief description of the project, Implementation schedule, Project impacts, Entitlements and rights of DP, Resettlement and rehabilitation policies for all types of impacts, Institutions responsible for resettlement, Information
dissemination to and consultations with PAPs, What to do if PAPs have a question or a problem, Grievance procedure, and Independent monitoring.

7.4. Grievance Redress Procedure

In order to ensure that all questions, complaints of PAHs related to any aspects of land acquisition, resettlement and compensation to be solved on time and satisfactorily, and all measures prepared to receive and solve complaints and questions of PAHs, it is necessary to set up an appropriate grievance redress procedures. Another important thing is that PAHs should be aware of such grievance redress procedures. The detailed grievance redress procedures shall be informed to PAHs in the information dissemination propagandas, and also explained in the PIB and distributed to all PAPs.

Contents of complaints, grievance

PAPs can lodge their complaints regarding any aspect of compensation policy, rates, land acquisition, resettlement and entitlements relating to rehabilitation assistance programs. Complaints by PAPs can be lodged verbally or in written form, but in case they are lodged verbally, the committee to which it is lodged will write it down during the first meeting with the DP. PAPs will be exempted from administrative and legal fees when they lodge their case to the PMU, DPC, PPC, and court.

Local mass organizations, including National Front, Association of Farmers, Women’s Union, mediator groups, etc. will be mobilized to actively participate in process of solving of DP’s emerged complaints/grievances.

Grievance Redress Procedure

The four-stage procedure for redressing grievances is as follows:

Stage 1 - Complaints from PAPs on any aspect of the resettlement program, or losses not previously addressed shall first be lodged verbally or in written form to the people’s committee at commune level. The complaint can be discussed in an informal meeting with the plaintiff and the chairman of the people’s committee at commune level. The people’s committee at commune level will be responsible for resolving the issue within 15 days from the day it is lodged.

Stage 2 - If no understanding or amicable solution cannot be reached, or if no response from the people’s committee at commune level is received by the PAPs within 15 days of registering the complaint, he/she can appeal to the DRC. The DRC will provide a decision within 1 month of the registering of the appeal.

Stage 3 - If the DP is not satisfied with the decision of the DRC or its representative, or, in the absence of any response by the DRC, the PAPs can appeal to the Provincial People’s Committee. The PPC together with the representative of the PRC will provide a decision on the appeal within 30 days from the day it is lodged with the PPC.

Stage 4 - If the DP is still not satisfied with the decision of the PPC or PRC on appeal, or in absence of any response from the PPC within the stipulated time, the PAPs as a last resort, may submit his/her case to the administration court as provided for by laws.
IX. Resettlement Cost and Budget

9.1. **Budget**

- The fund for land acquisition, resettlement and compensation costs in the subproject comes from the Quang Tri provincial budget.
- The fund for resettlement capacity training will be allocated from Component 4 of NDRMP.
- The fund for RP implementation external monitoring consultant will be allocated from the Credit.

9.2. **Fund sources**

Quang Tri PPC will take responsibility to allocate the fund for land acquisition, resettlement and compensation to PPMU that is responsible for delivering compensation payment to PAHs for affected land, crops, trees, and rehabilitation assistances. In case of the land-for-land compensation option, Hai Lang DPC and relevant CPCs will be responsible for preparing available and sufficient land for compensation, with the relevant consultation with PAHs. CPMO will be responsible for signing a contract with an external organization specializing in social science to undertake the RP external monitoring.

9.3. **Compensation unit price**

The compensation estimated for land and assets affected by the subproject is based on the following:


b. Decree No197/2004/ND-CP, 03 December 2004, on compensation, assistance and resettlement when land is recovered by the State (replacing Decree No. 22/CP). And issued guidelines in Circular No116/2004/TT-BTC by MOF instructing to implement the Decree No. No197/2004/ND-CP, 03 December 2004 regulating the compensation, assistance and resettlement when land is recovered by the State;


d. Decision on promulgation of annual cost norms issued by Quang Tri PPC based on the survey on replacement costs and the Decree No. 197/2004/ND-CP.

During the subproject implementation, the compensation unit prices will be updated by PPC for all types of assets affected. The increase of prices of building materials recently in Vietnam in general and in Quang Tri province in particular requires to have special attention to this issue and it is necessary to have suitable adjustment to the compensation unit prices for houses and works at the RP implementation time.

9.4. **Resettlement cost estimated**

The cost of RP implementation comprises of: (i) cost of RP update, including DMS, information and data updating, and RP finalization costs; (ii) compensation for affected assets and land; (iii) administrative cost including overhead, communication
and consultant with PAHs; (iv) monitoring cost; and (v) contingency. The basic cost for implementing the resettlement plan is estimated to 3,135,921,360 VND (Details are presented in Annex 2).

9.5. Compensation for crops/domestic animals

i. Compensation for residential land and productive land is based on the Decision No. 83/2006/QD-UBND dated December 22nd 2006 issued by Quang Tri PPC promulgating cost norms of different land categories in Quang Tri territory.

ii. Compensation for crops/trees is based on Decision No. 308/QD-UBND dated February 14th 2007 by Quang Tri PPC promulgating cost norms applicable to crops, trees applied uniformly in Quang Tri province.

iii. All affected families agreed with the unit price mentioned in the following

9.6 Total compensation and allowances: 3,135,921,360 VND

<table>
<thead>
<tr>
<th>Nr</th>
<th>Item</th>
<th>Unit</th>
<th>Quantity</th>
<th>Unit price (VND)</th>
<th>Compensation cost (VND)</th>
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<td>I</td>
<td>Sub-zone I</td>
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<tr>
<td>1</td>
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<td><strong>Total</strong></td>
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X. Implementation Schedule

**Project appraisal:** IDA will appraise the project together with the project’s RP. PPC will approve the RP of Hai Lang subproject.

**Information Dissemination Prior to Detailed Design.** Prior to the commencement of detailed design, PMU, in coordination with local government, will provide information about the Project throughout the project area. Information meetings will be held in all potentially affected communes to inform the communities about (i) the project scope; (ii) impacts; (iii) entitlements for all categories of loss; (iv) schedule of activities beginning with the detailed design survey; (v) institutional responsibilities; and (vi) the grievance mechanism. The PIB will be prepared and distributed to all affected communities during the meetings in format of picture, image, or booklet.

**Establishment of Resettlement Committees.** Hai Dang district resettlement committee will be established upon the subproject is approved.

**Training for Resettlement Staff.** In two months upon the recruitment of the Consultant, all local resettlement staff at PMUs, PRCs, DRCs, and commune levels will be trained by the CPMO assisted by resettlement specialists. Training subjects will include:

a. Objectives of RAP;

b. Consultation and information dissemination methods;

c. Principles, policies, and entitlements of the RAPs;

d. RP implementation steps, procedures, and schedule;

e. Grievance redress mechanism; and

f. Powers and obligations of individuals/ agencies involved in the process of resettlement programs.

**Updating Compensation Rates.** During the preliminary detailed design process, the PPC will update unit rates at replacement cost for all categories of loss and adjust allowances to account for inflation. This will be done in consultation with PAPs and local government agencies. Before deciding official compensation rates applicable to the project, in assistance of the consultant, executing agencies and appraisal committee will consult opinions of PAHs and relevant governments.

**Detailed Measurement and Census Survey.** Before each new phases of the NDMP new DMS will be conducted in each subproject area after completion of the detailed design. These surveys will serve as a basis for compensation and updating RAPs.

Data will be computerized by PMU, and submitted to CPMO. This database will be open to the monitoring agencies for monitoring purposes.

Information dissemination and public consultation. This is described clearly in Chapter 7.

**Pricing Application and Compensation to PAPs.** DRC will be responsible for pricing application and preparing compensation charts for each affected commune/district. These will be subject to verification by PMU, PPC, and CPMO of unit prices, quantity of affected assets, PAHs' entitlements, etc. before posting them at each commune for the people to review and comment. All compensation forms must be checked and signed by the PAPs to indicate their agreement.

The compensation payment will be carried out at commune level under the supervision of representatives of PMU, DPC, CPC and PAPs.
**Civil works contract award**: When all PAHs are compensated and supported in accordance with policies in RP, relevant civil works contract will be awarded to contractors.

**Social support and rehabilitation allowance**: In order to provide appropriate support measures, PAHs who entitle to rehabilitation allowance will be consulted about the assistance measures and assistance to participate in responsive activities.

**Monitoring**: RP Internal monitoring and independent monitoring will be commenced as early as possible when the updated RP is approved. The monitoring will be continued during the project implementation process. One survey on replacement prices to be surveyed by the RP independent monitoring organization will be carried out before or during the DMS in order to update the information on the replacement price and advise PPC to make necessary adjustments to the compensation unit prices if necessary. The Post-Resettlement Evaluation will be carried out 6 to 12 months after completion of all resettlement activities.

*Table 14: RP implementation schedule – Hai Lang subproject*

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<th>No</th>
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<tr>
<td>2</td>
<td>Signing a contract for RP implementation and hiring an IMO</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Project information dissemination, Consultation and public participation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Updating DMS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Application of compensation rates</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Compensation payment and land hand-over</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Internal and external RP implementation monitoring</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Commencement of civil works</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

All resettlement activities shall be completed before the WB gives no-objection to the civil works contract award in the subproject.
XI. Monitoring and Evaluation

11.1. Objectives of monitoring

Monitoring has two purposes:

a. To verify that project activities have been effectively completed including quantity, quality, and timeliness; and

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

Regular monitoring of the RAP implementation will be conducted by the RP implementing agency as well as by an independent external monitoring organization hired by the CPMO.

11.2. Internal Monitoring

Internal monitoring of the implementation of the subproject RAP will be the responsibility of the PMU, with the assistance of the project consultants. The CPMO will oversee the progress in RP implementation through regular progress reports.

The main indicators that will be monitored regularly are:

a. payment of compensation to PAPs in various categories, according to the compensation policy described in the RAP;

b. delivery of technical assistance, relocation, payment of subsistence, and removal allowances;

c. delivery of income restoration and rehabilitation assistance entitlements;

d. public information dissemination and consultation procedures;

e. adherence to grievance procedures and outstanding issues requiring management’s attention;

f. priority of PAPs regarding the options offered; and

g. coordination and completion of resettlement activities and award of civil works contract.

The PMU will collect and update information every month on the resettlement and compensation activities. A database of resettlement monitoring information regarding the Project will be maintained and updated every month.

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

a. The number of PAPs by category of impact per component, and the status of compensation payment and relocation and income restoration for each category.

b. The amount of funds allocated for operations or for compensation and the amount of funds disbursed for each.

c. The eventual outcome of complaints and grievances and any outstanding issues requiring action by management.

d. Implementation problems.

e. Revised actual resettlement implementation schedule.

11.3. External Monitoring

Objectives:

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

Agency Responsible.

In accordance with the World Bank requirements for consultant procurement, CPMO will hire an organization for the independent monitoring and evaluation of RAP implementation. This organization, to be called the Monitoring Organization (IMO or IMA) will be specialized in the Social Sciences and experienced in resettlement monitoring. The IMO/IMA should start their work as soon as the updated RAP has been approved.

Monitoring and Evaluation Indicators.

The following indicators will be monitored and evaluated by the IMO:

a. Payment of compensation will be as follows: (a) full payment to be made to all PAPs sufficiently before land acquisition; (b) adequacy of payment to replace affected assets.

b. Provision of technical assistance for house construction to PAPs who are rebuilding their structures on their remaining land, or building their own structures in new places as arranged by the project, or on newly assigned plots; accordance of resettlement activities with the construction activities; completion of resettlement and compensation prior to the commencement of civil works contract award.

c. Provision of income restoration assistance.

d. Public consultation and awareness of compensation policy: (a) PAPs should be fully informed and consulted about land acquisition, leasing and relocation activities; (b) the monitoring team should attend at least one public consultation meeting to monitor public consultation procedures, problems and issues that arise during the meetings, and solutions that are proposed; (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 for in the RAP.

e. PAHs should be monitored regarding restoration of productive activities.

f. The level of satisfaction of PAPs with various aspects of the RAP will be monitored and recorded. The operation of the mechanisms for grievance redress, and the speed of grievance redress will be monitored.

g. Throughout the implementation process, the trends of living standards will be observed and surveyed. Any potential problems in the restoration of living standards will be reported.

11.4. Independent Monitoring Methodology

The independent monitoring and evaluation methodology for RP implementation includes the following activities:

Detailed measurement survey on scope of land acquisition and assets affected and census

The Detailed Measurement Survey (DMS) and inventory of land, properties affected and census of PAHs will be carried out with 100% of PAHs. The inventory, census made to all PAHs on social economic conditions, characteristics, scope of impacts, compensation rights, etc. This database will provide a legal base for implementing the RP, monitoring project benefits, entitlements and rights of PAHs during the project implementation.
Upon the identification of DMS area and the set-up of project land-marks, the cut-off date is determined, Hai Lang DRC, in coordination with relevant agencies, will carry out the MDS and inventory and update data of all 100% of PAHs. The collected data will be computerized and provide an access to the RP independent monitoring organization.

**Sample Survey**

A socio-economic survey will be required before, during and after resettlement implementation to provide a clear comparison of success/failure of the resettlement plan. Monitoring will be on a sample basis. The sample size should be 20% of PAHs affected with agricultural land. The sample survey should be conducted twice a year with the questionnaires similar to the questionnaires used for the socioeconomic survey during the DMS process.

The survey should include women, elderly persons, and other vulnerable target groups. It should have equal representation of male and female respondents.

A Post-Resettlement Evaluation will be carried out 6 to 12 months after completion of all resettlement activities.

**Database Storage**

The MO will maintain a database of resettlement monitoring information. It will contain files on results of independent monitoring, PAPs surveyed and will be updated based on information collected in successive rounds of data collection. All databases compiled will be fully accessible by implementing agencies and the CPMO.

**Reporting**

The MO will be required to submit the findings of the periodical monitoring every 6 months. These monitoring reports shall be submitted to the CPMO, which in turn will submit the reports to the World Bank as an annex of its progress report.

The report should contain (i) a report on the progress of RAP implementation; (ii) deviations, if any, from the provisions and principles of the RAP; (ii) identification of problem issues and recommended solutions so that implementing agencies are informed about the ongoing situation and can resolve problems in a timely manner; and (iv) a report on progress of the follow-up of problems and issues identified in the previous report.

**11.5. Monitoring Report Follow-Up**

The monitoring reports will be discussed in a meeting between the IMO, CPMO and implementing agencies held immediately after submission of the report. Necessary follow-up action will be taken based on the problems and issues identified in the reports and follow-up discussions.

**11.6. Evaluation**

Evaluation is an assessment at a given point of time of the impact of resettlement and whether stated objectives have been achieved. The external monitoring organization will conduct an evaluation of the resettlement process and impact 6 to 12 months after completion of all resettlement activities using the same survey questionnaire and sample as used during the monitoring activities.
### Appendix 1: Entitlement Matrix in Hai Lang Subproject

<table>
<thead>
<tr>
<th>Item</th>
<th>TYPE OF LOSS</th>
<th>APPLICATION</th>
<th>DEFINITION OF ENTITLED PERSON</th>
<th>COMPENSATION POLICY</th>
<th>IMPLEMENTATION ISSUES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Permanent loss of arable land</td>
<td>Less than 20%(^a) of HH's total land holding lost. Marginal impact on household income and living standards.</td>
<td>Legal user with permanent or legalizable rights to use the affected land.</td>
<td>PAPs will be entitled to: (i) Cash compensation for acquired land at 100% of replacement cost, and (ii) Cash compensation for crops and trees at market price. (iii) Cash compensation for remaining investment on the land, including land reclamation and other capital investment cost</td>
<td>If the viability of the remaining land is less than the minimum viable economic unit, then the entire piece of land would be acquired and the PAPs will fall under the next category.</td>
</tr>
<tr>
<td>2</td>
<td>Land Users With Temporary or Leased Rights to Use Land</td>
<td></td>
<td>As priority, compensation &quot;temporary land for temporary land&quot;, OR, if requested or there no reserved land to compensate &quot;land for land&quot;, Cash compensation equal to remained investment put on the land or 30% of land replacement cost; AND, (ii) Cash compensation for loss of crops and trees at full market prices;</td>
<td></td>
<td>If the viability of the remaining land is less than the minimum viable economic unit, then the entire piece of land will be acquired.</td>
</tr>
<tr>
<td>3</td>
<td>Loss of standing crops and trees</td>
<td>Crops affected.</td>
<td>Owners of affected crops</td>
<td>PAPs are entitled to compensation for affected crops in cash at market value.</td>
<td>PAPs will be given notice several months in advance regarding evacuation. Crops grown after issuance of the deadline will not be compensated.</td>
</tr>
<tr>
<td>Item</td>
<td>TYPE OF LOSS</td>
<td>APPLICATION</td>
<td>DEFINITION OF ENTITLED PERSON</td>
<td>COMPENSATION POLICY</td>
<td>IMPLEMENTATION ISSUES</td>
</tr>
<tr>
<td>------</td>
<td>--------------</td>
<td>-------------</td>
<td>-------------------------------</td>
<td>----------------------</td>
<td>-----------------------</td>
</tr>
</tbody>
</table>
| 4    | Temporary impact during construction | Temporary loss of arable land | Users of affected land | (i) Compensation for one harvest of crops/trees at full market prices  
(ii) Compensation for loss of net income from subsequent crops that cannot be planted for the duration of project temporary use, AND  
(iii) Restoration of land to its previous or better quality by providing measures to improve land quality in cases of land being adversely affected or acidified, AND  
(iv) If the duration of project’s use the land exceed more than two years, then the PAPs have an option to: 1) Continue to use land, OR, 2) Give it to the Project and be compensated as permanent loss | If the quality of land will be radically changed when return to PAPs, then PAPs should be compensated for all envisaged cost to improve the quality of land to the pre-project condition. |
|      | Damages by contractors to private or public structures or land | Owner or person with use rights | (i) The contractor will be required to pay compensation immediately to affected families, groups, communities or government agencies.  
(ii) Damaged property will be restored immediately to its former condition. |
## Appendix 2: Cost estimated for Resettlement and Compensation

**Phase: Investment project**

<table>
<thead>
<tr>
<th>Nr</th>
<th>Item</th>
<th>Unit</th>
<th>Quantity</th>
<th>Unit price (VND)</th>
<th>Compensation cost (VND)</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Sub-zone I</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Garden land</td>
<td>m²</td>
<td>23,320</td>
<td>40,000</td>
<td>932,800,000</td>
</tr>
<tr>
<td>2</td>
<td>Annual crops (Class of Land: 4)</td>
<td>m²</td>
<td>69,160</td>
<td>7,600</td>
<td>525,616,000</td>
</tr>
<tr>
<td>3</td>
<td>Rice</td>
<td>m²</td>
<td>21,580</td>
<td>1,600</td>
<td>34,528,000</td>
</tr>
<tr>
<td>4</td>
<td>Other cash crops</td>
<td>m²</td>
<td>1,400</td>
<td>3,000</td>
<td>4,200,000</td>
</tr>
<tr>
<td>5</td>
<td>Perennial trees</td>
<td>tree</td>
<td>2,580</td>
<td>10,000</td>
<td>25,800,000</td>
</tr>
<tr>
<td>II</td>
<td>Sub-zone II</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Garden land</td>
<td>m²</td>
<td>8,075</td>
<td>40,000</td>
<td>322,992,000</td>
</tr>
<tr>
<td>2</td>
<td>Annual crops (Class of Land: 4)</td>
<td>m²</td>
<td>59,139</td>
<td>7,600</td>
<td>449,453,360</td>
</tr>
<tr>
<td>3</td>
<td>Rice</td>
<td>m²</td>
<td>19,367</td>
<td>1,600</td>
<td>30,986,667</td>
</tr>
<tr>
<td>4</td>
<td>Other cash crops</td>
<td>m²</td>
<td>980</td>
<td>3,000</td>
<td>2,940,000</td>
</tr>
<tr>
<td>5</td>
<td>Perennial trees</td>
<td>tree</td>
<td>2,365</td>
<td>10,000</td>
<td>25,650,000</td>
</tr>
<tr>
<td>III</td>
<td>Sub-zone III</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Garden land</td>
<td>m²</td>
<td>14,535</td>
<td>40,000</td>
<td>581,408,000</td>
</tr>
<tr>
<td>2</td>
<td>Annual crops (Class of Land: 4)</td>
<td>m²</td>
<td>17,690</td>
<td>7,600</td>
<td>134,444,000</td>
</tr>
<tr>
<td>3</td>
<td>Rice</td>
<td>m²</td>
<td>30,433</td>
<td>1,600</td>
<td>48,693,333</td>
</tr>
<tr>
<td>4</td>
<td>Other cash crops</td>
<td>m²</td>
<td>1,120</td>
<td>3,000</td>
<td>3,360,000</td>
</tr>
<tr>
<td>5</td>
<td>Perennial trees</td>
<td>tree</td>
<td>1,505</td>
<td>10,000</td>
<td>15,050,000</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>3,135,921,360</strong></td>
</tr>
</tbody>
</table>

*Socioeconomic survey in subproject area carried out by Consultant in December, 2007*