Project: Urban Water Supply And Drainage in Vietnam - Stage I

Abbreviations

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<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>GOV</td>
<td>Government of Vietnam</td>
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<tr>
<td>IDA</td>
<td>International Development Association</td>
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<td>WB</td>
<td>World Bank</td>
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<td>MOC</td>
<td>Ministry of Construction</td>
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<td>WSC</td>
<td>Water supply system</td>
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<td>DMS</td>
<td>Detail Measurement and Survey</td>
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<td>PAP</td>
<td>People under the affection of the project (or AP)</td>
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<tr>
<td>PCU</td>
<td>Project Control Unit</td>
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<td>PPMU</td>
<td>Provincial Project Management Unit</td>
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<tr>
<td>PPC</td>
<td>Provincial People’s Committee</td>
</tr>
<tr>
<td>TPC</td>
<td>Town People’s Committee</td>
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<tr>
<td>CPC</td>
<td>Commune People’s Committee</td>
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<td>PSC</td>
<td>Provincial Steering Committee</td>
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<tr>
<td>PRC</td>
<td>Provincial Resettlement Compensation</td>
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<tr>
<td>DRC</td>
<td>Town Resettlement Compensation</td>
</tr>
<tr>
<td>Re</td>
<td>Resettlement</td>
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<tr>
<td>C-R</td>
<td>Compensation Resettlement</td>
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<td>PMB</td>
<td>Project Management Board</td>
</tr>
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<td>MO</td>
<td>Monitor Organization</td>
</tr>
<tr>
<td>RCs</td>
<td>Resettlement Councils</td>
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<td>PRF</td>
<td>Provincial Resettlement Framework.</td>
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<td>RAP</td>
<td>Resettlement Action Plan</td>
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Figure 1: Project area Dong Xoai Town
Definitions:

**Replacement**: Analyze the design of infrastructure to compare to the impacts of the project.

**Support**: Support for affected households such as: loss of assets, incomes, jobs or living source, extra-payment for affected properties in order to reach the minimum level of recovering livelihood.

**Affected people**: Are people, households, communities and organizations by the affection of the project lose all or partial lands, houses, assets and other sources. (AP)

**Interest**: Includes compensation and support for affected people base on the type and level of damage.

**Resettlement receiving community**: Community lives in the proposed Resettlement area.

**Damage inventory**: Is the process of indentifying, positioning, measuring, and pricing compensation cost for fixed assets to be revoked or be affected. It also includes the seriousness evaluation of affections to the lands, assets and livelihood of people.

**Livelihood**: Competence, assets and necessary activities to maintain the living standard and living quality, includes cash incomes and self-provided products.

**Major project**: Dam and auxiliary areas. The impact from the project is the impact from reservoir and auxiliary areas (including site hut of workers) and impact in the downstream.

**Operation policy**: World Bank policy.

**Plan**: All and every indentified regulations, targets, progress procedures and budgets.

**Compensation**: Compensate in cash or materials for damage on land, houses, incomes or other assets by the project.

**Evaluation**: estimate whether impacts are advantaged or disadvantaged in the regulated period and scale of gained targets.

**Land revocation**: is the progress that the State forcefully revokes lands and assets.

**Compensation payment**: compensate in cash, tangible items or both, with replacement price for lost properties.

**Resettlement impact**: All direct disadvantaged situations origin from the project/minor project including loss of land, properties, income opportunities and cultural assets.

**Moving**: reconstruct properties, houses including manufacturing land, public infrastructures at other places.

**Recover**: Re-create incomes, livelihood and living standard as well as social works.
**Vulnerable groups:** distinct group of people may suffer more from Resettlement impacts, includes: poor people without land, nearly without land, household with woman as the bread-winner, households with disabled-members or elders without shelters.
SUMMARY

The Government of Vietnam and the World Bank develop Water Supply and Wastewater in Urbans Project of Vietnam. The development objective of the project Water and Wastewater Vietnam Urban stage I - a World Bank loan to improve water supply system, collection and wastewater treatment and sewerage services in urban areas nationwide. The improvements include increasing access to better services for water supply and drainage and improve the quality of water supply

Introduction

Report Resettlement Plan (RP) is prepared for sub-projects: construction of drainage systems and wastewater treatment in Dong Xoai Town, Binh Phuoc province, including the socio-economic survey, statistical properties are affected, proposed mitigation measures and policies concerning the rights of land recovery actions identified through the survey / investigation, implementation plans and cost estimates fee details...

Mitigation measures

Technical Assistance Advisory Group, with close cooperation with the Water Supply Company Limited Binh Phuoc and local government has launched the preferred choice of public land managed by the TPC and try not affect households. The storm drain lines and waste water drainage design has been placed along the sidewalk, the road corridor to avoid impacts on land acquisition and property

Land Acquisition scope

According to the technical design, there are 1,949 households have been affected in part to the garden and agricultural land for construction purposes. Nine (09) house displaced resettled. To spare for such sub-projects under construction to permanent recovery 88,072m² and affect to 5,866 various types of plant and crops..

Policy framework and interest

The basic principle is applied in this report as "the affected households (PAP) to be the best support to improve living standards, income and ability to project urban water supply and wastewater of Vietnam Phase I WB loans – Sub-project to build drainage and wastewater treatment in Dong Xoai Town, Binh Phuoc province in production or at least comparable with the previous time of project implementation. Lack of legal basis for land rights is not limited to compensation and / or support to economic recovery for the households. Date project to be announced on 12/10/2010, cases arising after this date will not be identified as the subjects affected by the project

Istitution arrangement

The activities of compensation, assistance and resettlement will be implemented and monitored by the PMU and the town council compensation shall bear primary responsibility for implementation. In the process of implementation, related organizations including Council staff compensation, the PMU staff, social workers and households affected should be coordinated closely with experts and re-resettlement project.

Implementation plan

Compensation, assistance and resettlement will be carried out before implementing sub-project construction and households will be entitled to compensation and site
clearance scheduled for October 2010.

**Consultancy and participation**

Policy interests in the policy framework of the project were prepared with the authorities, mass organizations and the affected households to increase community participation in the plan preparation process resettlement. Report this resettlement plan was made public in town People's Committee. The final report will be through the World Bank and be approved by provincial People's Committee of Binh Phuoc, and the final report will be disseminated at the Center for Information and Development of the World Bank in Hanoi.

**Monitoring and evaluation**

The implementation of the resettlement plan will be monitored and checked by the PMU staff. Also, an independent monitoring unit will be recruited to oversee the implementation of the resettlement plan and evaluate the living standard of households after the completion of the compensation and resettlement assistance.

**Claims and resolution**

In the process of implementing the resettlement plan, the question of the households will be settled according to the requirements set forth in the Policy Framework. The recommendations of the households will be resolved fairly and quickly by the relevant agencies at all levels and the PMU staff and households will not lose any expenses.

**Cost estimation**

Cost estimation of the project is 12,169,058,184 VND. This cost includes the cost of compensation for land and other assets, cost income restoration, relocation support, monitoring and evaluation of administrative costs, other contingencies.
1. INTRO


Problem solving environmental pollution has been one of the leading target in Vietnam. Currently, the direct discharge of waste water and production to receive source without treatment contributing to environmental pollution is getting worse, the movement of dredged canals off the information flow is only temporary solution ... need to take measures to thoroughly handle the root cause of environmental pollution by waste water must be treated before being discharged into the standard receiving source. So the wife to mobilize investment for the field of water supply and municipal wastewater to improve water supply and urban waste water is imperative in the current conditions.

Project urban water supply and wastewater phase I was agreed by the Prime Minister and list of 11 provinces participating in the project components in phase with WB loans $ 200 million total cost, including capital IDA is $ 150 million, $ 50 million IBRD (1366/N0g-QHQT Dispatch on August 6th 2010)

The development objective of the project Urban Water and Wastewater in Vietnam stage I - a World Bank loan is to improve water supply system, collection and wastewater treatment and sewerage services in urban areas nationwide. The improvements include increasing access better services for water supply and drainage and improve water supply quality. The completion of these goals will be quantified as follows: expand coverage, increase the amount of treated waste water, reducing flooding in urban areas, enhance sustainability by increasing performance indicators and the price of water and sewage charges.

Project includes 03 primary contents:
- Water supply: includes 07 component projects at provinces Quảng Nam, Ninh Bình, Quảng Ninh, Kiên Giang, Lâm Đồng, Bình Dương, Bình Phước.
- Wastewater collection and treatment: includes 07 component projects at provinces Ninh Bình, Nghệ An, Thanh Hóa, Quảng trị, Quảng Nam, Lâm Đồng, Bình Phước.

Support the management and development in the central sector is done at the Ministry of Construction and Ministry of Planning and Investment.

The project will be implemented in (05) years from 2011-2016.

1.2. Sub-project: construction of drainage and wastewater treatment system in Dong xoai town.

Project description

On 01-09-1999, Government issued Decree 90/1999/ND-CP, establish Dong Xoai town. It’s located in the southern province of Bình Phước; it has geographical location as follows:
- The North borders Dong Phu suburban district
- The South borders Dong Phu suburban district
- The East borders Dong Phu suburban district
- The West borders Chon Thanh suburban district
- The Southwest borders Bình Dương province.

Through years, Dong Xoai Town has had positive development steps in the economy. The mechanism of economic development has moved in right direction with high rate of developing. The strong economic development requires that infrastructures develops stimulanously in order to meet needs of domestic, production, business and services... Aside the socio-economic development to the general developing tendency of the country, the task of gathering and treating waste water strategically and orientedcally to the Prime Minister of Government has been implmented at Dong Xoai Town in specific and Binh Phuoc Province in general.

Dong Xoai Town hasn’t been invested in any wastewater collection and treatment system construction. Households discharge wastewater to surrounding ditches, channels, rivers, springs etc causes smells, affects significantly to environment and landscape. Therefore, the serious environment pollution directly threat the people’ health. Summarily the wastewater collection and treatment is imposing the great challenge for the environment and community’s health of Dong Xoai Town.

Belong to Binh Phuoc planning task, one of the most priority of infrastructure construction is the drainage system construction. This is the highly livelihood, important investment, contributes to boost the economic development of the town in particular and the Binh Phuoc Province in general.

The objective of the subproject drainage and wastewater treatment in Dong Xoai Town is to improve the environment condition, via construction of drainage, wastewater treatment works and improvement of community awareness about health and hygiene via educational activities and public relation.

Strengthen the sustainability of the infrastructure and urban services in Binh Phuoc Province by supporting drainage system management and operation unit, proposing suitable operation mechanism for BPWSaDCo as well as technical supports in operation management task of the drainage and environment sanitation task.

Project’s work items

3.2.1. Rainwater drainage sewer line

Rainwater drainage sewer line will be designed and installed separately to the wastewater drainage system. The design length of this sewer line 12.906m. Including sewers D600, D800, D1000, D1200 and manholes D600 102 manholes, sewer type D800 166 unit, manhole type D1000 39 manholes, manhole type D1200 20 manholes.

3.2.2. Wastewater drainage sewer line

Wastewater from households, services, small business, offices, organs etc will be collected to the system via head manholes then transferred to the main sewer system to the wastewater pumping station and to the treatment station. Thus the separately collected wastewater from rainwater will mitigate the pollution threats to the environment since all the wastewater volume is collected. Total design length of the wastewater sewer line is 54.025m.
3.2.3. Boost pumping station

Wastewater pumping stations are constructed in terms of reducing the installation-depth of wastewater collecting sewer, increasing the pressure of water flowing to the treatment station. Quantity of stations selection must suit the status; the quantity can be reduced minimum as long as the measure for transferring wastewater to the treatment station is best optimal.

On the basis of the wastewater drainage sewer, location of treatment station and initial calculation of profile of sewer lines with the control installation-depth smaller than 4m, it's necessary to build 05 wastewater pumping stations TBT1, TBT2, TBT3, TBT4, and TBT5. Capacities of stations as follows:

Table 1: Recapitulation of wastewater pumping station

<table>
<thead>
<tr>
<th>Station</th>
<th>Capacity</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>No.1</td>
<td>25 (m³/h)</td>
<td>3.6x1.9m=6.84m²</td>
</tr>
<tr>
<td>No.2</td>
<td>65 (m³/h)</td>
<td>4.9x2.6m=12.74m²</td>
</tr>
<tr>
<td>No.3</td>
<td>178 (m³/h)</td>
<td>6.5x4.2m=27.3m²</td>
</tr>
<tr>
<td>No.4</td>
<td>25(m³/h)</td>
<td>3.6x1.9m=6.84m²</td>
</tr>
<tr>
<td>No.5</td>
<td>500 (m³/h)</td>
<td>7.4x5.1m=37.74m²</td>
</tr>
</tbody>
</table>

3.2.4. Wastewater treatment plant

The wastewater plant to be constructed on field land near Dak Rip spring. The wastewater volume in here mainly is domestic wastewater from residential areas in the Town. In addition to the domestic wastewater, there is a small amount of wastewater from schools, hospitals, markets, hotels etc in the project areas, not wastewater from industrial zones. The capacity is 10,000m³/day. The charts of process lines as follows:

Process line of wastewater treatment:
Ditch for instaling trash rack → Horizontal sand sedimentation tank → Anaerobic tank → Duality tank → Antiseptic tank → Discharging Da spring.

Process line of sludge treatment:
Activated sludge (dredged from lakes) → to landfills.

Table 2: Area of work items in the treatment plant

<table>
<thead>
<tr>
<th>work items</th>
<th>Structure</th>
<th>Area (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ditch for trash rack</td>
<td>Reinforced concrete</td>
<td>12</td>
</tr>
<tr>
<td>Horizontal sand sedimentation</td>
<td>Reinforced concrete</td>
<td>40</td>
</tr>
<tr>
<td>Anaerobic tank</td>
<td>Dig and installation</td>
<td>7,920</td>
</tr>
<tr>
<td>Casual tank</td>
<td>Dig and installation</td>
<td>30,000</td>
</tr>
<tr>
<td>Antiseptic tank</td>
<td>Reinforced concrete</td>
<td>108</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>37,880</td>
</tr>
</tbody>
</table>

2. MITIGATION MEASURES

2.1. Objective
The first principle mentioned in the policy framework of the project is to avoid or minimize impacts on land acquisition and resettlement. In case of unavoidable land...
acquisition, mitigation measures and / or other appropriate remedies will be applied to PAP households. According to the principles and objectives of the project implementation, to minimize land acquisition and resettlement, in which the TA Consultant, PMU and other relevant agencies have made great strides in reducing the work on land acquisition in the design process and prepare investment reports of the project. Therefore, the scope of the project impacts on land acquisition has been limited.

2.2. Measures

To mitigate the impact land acquisition for state construction projects and drainage water treatment in Dong Xoai town of Binh Phuoc province, including affected households and the households affected indirectly by the project, the following measures have been applied:

- First, the first measures to minimize the impact of the project is to support the households have enough information about the project including location of water treatment plants, pumping stations location, and common outlet information about the benefits of the project as well as some action to establish a policy framework appropriate mitigation. In other words, if households are provided with full information, they will have to prepare mentally and material sufficient for such changes. To implement these objectives, community consultation meetings in each sub-project was conducted to (i) disseminate project information and (ii) informing them of the expected impacts as well as measures of compensation and assistance under the project's Policy Framework. After gathering information, people generally support / agree with the project and look forward to early implementation of projects to address water shortages in local.

- Second, to minimize the negative impacts caused by land acquisition for the construction and installation of water supply, including water treatment works and collection of works, technical assistance team has been consulting closely with Water supply companies and other relevant agencies, review and prioritize the recovery of land area and managed by the CPC, not the people's land. Placement networks are built pavement or road corridor to avoid the impact of land acquisition and impacts all property / structures of the people. As a result, impacts on land acquisition, housing is not significant and households do not have to relocate. Through the measures development, the detailed design phase, mitigation plans will be made more consistent with the design of each sub-project.

3. IMPACTS ON LAND ACQUISITION

3.1. Overview

Subprojects in Binh Phuoc province is expected to be the construction of rainwater drainage systems, sewage and waste water treatment and new to provide adequate sewer service to town the same area is shown in Figure of Dong Xoai Town below:
Project construction and drainage of wastewater treatment the same town with Mango items related to land acquisition and compensation including:

- Treatment plant.
- Plant’s entrance.
- Rainwater and wastewater drainage network.
- Booster pumping station.

3.2. Basic info

Binh Phuoc is a province in the Southeast region, Vietnam. Has the following geographic location:

- North and northwest border with Cambodia.
- South borders with Binh Duong Province.
- East and Northeast border provinces Đồng Nai, Lâm Đồng and Dak Nông.
Natural land area: 6,874.62 km². In which:
- Residential: 5,740.43 ha
- Agricultural: 292.789.19 ha
- Forestry: 336.770.24 ha
- None-agricultural: 54.870.50 ha
- Unused: 1,221.17 ha.

Bình Phước includes 03 towns and 07 districts:
- Đồng Xoài town (township).
- Bình Long town.
- Phước Long town.
- Bu Đăng district.
- Bu Đốp district.
- Bu Gia Mập district.
- Chơn Thành district.
- Đồng Phú district.
- Hớn Quản district.
- Lộc Ninh district.

On January 01, 1999, the Government issued Decree 90/1999/ND-CP The Mango established town. Located in the southern province of Bình Phước has the following geographic location:
- North borders Đồng Phú district.
- South borders Đồng Phú district.
- East borders Đồng Phú district.
- West borders Chơn Thành district.
- Southeast borders Bình Dương province.

Accordingly, the adjusted general planning to expand the town built to the same Mango 2025 years by the Institute of Urban and Rural Planning made the South: The total area of natural land 26,555 ha, the total current population of 100,720 people (years 2009).

- **Household scale**

  According to this survey, the affected households in the area are mostly in small-scale, in the sub-project area there is a household with 4,3 habitants. Survey results show that the ratio of male householders is higher than female householders.

- **Ethnic**

  There are many peoples in the Bình Phước area, in which Kinh peoples occupy mainly and live concentratively in the urban areas, the minority peoples live scatterly in the remote regions of Bu Đặng, Bu Đốp, Phước Long and Lộc Ninh districts, etc.

- **Education**

  Socio-economic survey shows that 100% of AP is literate.

  Table 3: Householder education background
The school network of major, level is maintained steadily and expanded throughout in all areas. Implemented well social tasks, education and training work with the birth of many new form schools, gradually diversified training forms such as private kindergarten.

At the end of Term I 2009-2010, the education industry has achieved incentive results, the ratio of well-good in Secondary level reaches 32.44%, increased 3.94%; High school level 19.8%, increased 3.5% in comparison with last year period. However the drop-out ratio is still high: in elementary is 0.24%, decreased 002%; secondary is 1.45%, increased 0.15%; high school is 2.07%, decreased 0.23%. The education industry has coordinated with concerned units to continuously propagate, encourage, and help pupils back to schools.

Healthcare
Healthcare-targeted programs continuously implement effectively; the quality and examination and treatment gradually improved (total turns of examination and treatment in quarter I are 572,000, in-patients are 25,725, line-transferring patients are 105); the task of food hygiene examination is strengthened, there is no food contamination in the first months of the year. National healthcare programs are implemented effectively, especially open injections. Many dangerous plagues are constrained and put back, especially diseases in national target of healthcare.

Income
Socio-economic survey data shows that most of AP are farmers, occupies 44%, merchants 10%, jobless 1.45% the rests are in other industries. The cultivating trees are mainly fruit trees, also some crops such as: corn, sweet potatoes, and cassavas. The average income of AP is 1,500,000 VND/month.

Table 4: Households category

<table>
<thead>
<tr>
<th>Category</th>
<th>Ratio (%)</th>
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<tbody>
<tr>
<td>Rich</td>
<td>0,6</td>
</tr>
<tr>
<td>Well</td>
<td>19.9</td>
</tr>
<tr>
<td>Average</td>
<td>77.4</td>
</tr>
<tr>
<td>Poor</td>
<td>2,1</td>
</tr>
</tbody>
</table>

Infrastructure
Dong Xoai town’s power was 100%, kindergarten, elementary school 1, 2, 3, walls colleges, clinics, markets and water supply systems.
3.3. Main impact

According to the basic design, sub-projects will be conducted in the same town Mango province. Some main characteristics of the land acquisition and clearance is expressed as follows:

- Relating to land acquisition, 59 households have been affected in part to the garden and agricultural land for construction purposes.
- There are nine (09) was the need to move house (both located in the plant).
- There are 30 affected households with agricultural land, affecting over 20%;
- There are 1890 business households affected temporarily during the construction of storm drain lines and waste water.

PAP households will be compensated and supported by adequate land policy framework of the project was passed between the Government of Vietnam and WB.

 boasts Project Affected Peoples (PAP)

According to the survey of households affected by the project, is expressed as follows:

Table 5: Table of PAP

<table>
<thead>
<tr>
<th>NO</th>
<th>Construction items</th>
<th>Affected household (h)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Treatment plant construction</td>
<td>39</td>
</tr>
<tr>
<td>2</td>
<td>plant’s entrance</td>
<td>20</td>
</tr>
<tr>
<td>3</td>
<td>Booster pumping station</td>
<td>1</td>
</tr>
<tr>
<td>4</td>
<td>Rainwater and wastewater drainage sewer line</td>
<td>1,890</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>1949</td>
</tr>
</tbody>
</table>

Among the affected households, there is no minority households affected agricultural land and residential land.

 boasts Scope of land acquisition

When the project went into operation to land acquisition for construction items such as treatment plant, the road to the plant, booster pumping stations. Archives of the land can be withdrawn at the table below.

 boasts Permanent revoked land

Is the area for construction of boost pumping stations, treatment plant and plant’s entrance. The revoked area is as follows:

Table 6: Permanent revoked land for the construction of the project’s work items

<table>
<thead>
<tr>
<th>No</th>
<th>Items</th>
<th>Total revoked land m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Land for plant construction</td>
<td>82.266</td>
</tr>
<tr>
<td>2</td>
<td>Land for plant’ entrance</td>
<td>5.703</td>
</tr>
<tr>
<td>3</td>
<td>Land for boost pumping stations</td>
<td>103</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>88.072</td>
</tr>
</tbody>
</table>

- Station No.1, 2, 3 and 4 are in the ownership of the GoV, therefore clearance and compensation task will be easy, just need the agreement of direct management units.
Station No.5, treatment plant and the plant’s entrance locate in the household area therefore the clearance and compensation shall comply with regulations.

Table 7: Category of permanent revoked land

<table>
<thead>
<tr>
<th>No</th>
<th>Types</th>
<th>Total revoked land m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Agricultural land</td>
<td>85,972</td>
</tr>
<tr>
<td>2</td>
<td>Residential land</td>
<td>2,100</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>88,072</td>
</tr>
</tbody>
</table>

Temporary revoked land

Is land where the drainage system runs across, mostly on sidewalks under management on State authorities so not need to compensate but recover as the original status. The acquisition cost is estimated in the Project chapter.

Table 8: Capitulation of temporary revoked land for construction of the drainage system.

<table>
<thead>
<tr>
<th>No</th>
<th>Types</th>
<th>Total revoked land (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Area for rainwater drainage sewer</td>
<td>19.859</td>
</tr>
<tr>
<td>2</td>
<td>Area for wastewater drainage sewer</td>
<td>57.521</td>
</tr>
<tr>
<td>3</td>
<td>Area of rainwater drainage manhole</td>
<td>823</td>
</tr>
<tr>
<td>4</td>
<td>Area of wastewater drainage manhole</td>
<td>738</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>78,940</td>
</tr>
</tbody>
</table>

Total volume of temporary revoked land for drainage system construction is: 78,940m².

Thus the construction of drainage and wastewater treatment in Dong Xoai Town project affects 167,012m² land.

Table 9: Total revoked land area of the project

<table>
<thead>
<tr>
<th>No</th>
<th>Types</th>
<th>Total revoked land m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Permanent</td>
<td>88,072</td>
</tr>
<tr>
<td>2</td>
<td>Temporary</td>
<td>78,940</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>167,012</td>
</tr>
</tbody>
</table>

Number of plants under affect

Construction of wastewater treatment plant will affect to plants and crops, the number of plants is listed as follows.

Table 10: Quantity tree hoa màu bị ảnh hưởng

<table>
<thead>
<tr>
<th>No</th>
<th>Cost items</th>
<th>Unit</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Rubber tree (6 years)</td>
<td>tree</td>
<td>2,602</td>
</tr>
<tr>
<td>2</td>
<td>Eucalyptus (Diameter: from 10 to &lt; 15 cm)</td>
<td>tree</td>
<td>150</td>
</tr>
<tr>
<td>3</td>
<td>Sour sop (4 years)</td>
<td>tree</td>
<td>50</td>
</tr>
</tbody>
</table>
In project area, there is no impact to natural reserve, temple, pagoda or sensitive areas.

4. LEGAL FRAMEWORK, POLICY OF INTEREST

4.1. Policy framework

4.1.1. Legal framework

According to the policy of the People's Committee of Binh Phuoc province, reports Resettlement Plan will be summarized in accordance with existing rules in order to provide the basis for the implementation process and the basis of this report based on such policy following:

- Regulations, Decrees and Circulars of Vietnam

The Resettlement policy framework applies various laws, decrees and circulars regarding land usage in Vietnam, and WB’s policies.

- Land law dated November 26th 2009 validated from July 1st 2004. Article39: it is needed to inform the to-be-retrieved owner prior to the land acquisition, latest is ninety days to agricultural land and one hundred and eight days to non-agricultural land.
- Construction law validated from January 1st 2203 in accordance to Order of the President 26/2003/L-CTN dated December 10th 2003; compensation and removal for affected households by the site clearance for investment project.
- Decree No.16/2005/ND-CP; implementation of construction law
- Circular No.145/2007NO-BTC of the MOF regarding implementation instruction of Decree No.188/2004/ND-CP
- Decree No.182/2004/ND-CP dated October 29th 2004 regarding sanction of administrative violation in land field.
- Decree No.95/2005/ND-CP dated January 24th 2005; regulating asset ownership rights and urban residential land usage rights.
- Decree No. 08/2005/ND-CP dated January 24th 2005 regulating urban planning management.
- Decree No.197/2004/ND-CP dated December 3rd 2004 regarding compensation, support and Resettlement during the state’s land acquisition (replaced Decree No. 22/CP)
- Circular No.116/2004/NO-BTC issued on 07/12/2004 of the Ministry of Finance on guideline to carry out Decree No.197/2004/ND-CP.
- Decree 17/2006/ND-CP in order to combine and implement Land Law of 2003, Decree 187 November 2004 and Decree 197 an other Decrees regarding compensation, support and Resettlement prior to the state’s land acquisition.
- Circular No.114/2004/NO-BTC issued on November 26th 2004 of the Ministry of Finance on guideline to carry out the Decree No.188/ND-CP.
- Decree No.64/1993/ND-CP dated September 27th 1993 of the GOV regulating

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hand-over agricultural land for households to use and settle sustainably, long-term.

- Act No.34/2007/PL-UBTVQH regarding implementation democracy in communes, wards and towns.
- Decree No.172/1999/ND-CP Article 25 and complementary decree in 2009. Cultural, historical works are categorized as preserve rank, and works within the waterway protection corridor must remain originally as in regulations of the Law.
- Decree No.131/2006/ND-CP dated November 9th 2006 regulating management and usage of ODA fund (in which the GOV’s commitment is decisive and mandatory).
- Decision No.48/2008/QĐ-TTg dated April 3rd 2008 issueing general guideline to study feasibility report which using official development assistance of 5 Banks (Asia Development Bank, Agence Francaise de Developpment, Japan International Cooperation Development, World Bank, German Reconstruction Bank).
- Principles in the WB’s non-volunteer Resettlement policy. In case of difference between Vietnam’s Law and WB’s policy, the WB’s policy is applied.
- And other relative documents.

  a. Land Law 2003 issuing new regulations to land ownership:
  - The State take the highest decision to land: decide land usage purpose via making of planning, land usage plan; regulate the time limits for land usage, land handover, leasing land, land acquisition, land price.
  - The State has right to receive benefit from land through financial policies for land, in which is the right to regulate the increased value portion from land not generated by investment of the land user.
  - Land Law 2003 issues new regulations for land acquisition and compensation for land acquisition, resettlement for the land-revoked people:
  - The State implement land acquisition in cases that the State has demand to use land for national defense, security, national interests, public interests, economic development.
  - Prior to land acquisition, at least 90 days for agricultural land and 180 days for non-agricultural land, the State authority must inform to the to-be-revoked land owners the reasons of land acquisition, timetable and removal plan, master plan for compensation, site clearance, and resettlement.
  - The owners are compensated by the same usage purpose land, in case of no land for compensation, compensated by the value of LUR at the time of land acquisition decision.
  - The PPC, CPC directly under the Central establish and implement resettlement projects prior to land acquisition to compensate by accommodations, residential lands for the to-be-revoked land owners that not to be removed. The resettlement area is planned generally for projects on the same area and must possess conditions for development equal to or better the old place.
  - In case of no resettlement area, the to-be-revoked land owners are compensated by money and are preferential to buy or rent houses under possession of the State for
urban area; compensated by land for rural area, in case the LUR value of revoked residential land is higher the compensating land, the to be-revoked land owners are compensated by money for that variance.

- In case of revoked lands belong to household, individual manufacturing directly and no land for compensation for the continuous manufacture, in addition compensation by money, the revoked land owners are also supported by the State to stabilize, trained for job change, allocated new jobs.

b One of the new points in Land Law 2003 is regulations of land price.
- The regulated land price by the PPC directly under the Central is used as basis for the State manages in terms of land, in which including compensation purposes for State’s land acquisition.

c That Land Law 2003 defined principles for pricing State’s land, including:
- Close to the actual LUR transfer price on the market in normal conditions; in case of big variance to actual LUR transfer price on the market, suitable adjustment is a must;
- The adjacent parcels of land, with the same natural, socio-economical condition, infrastructure, current usage purpose, usage purpose as planning have same price level;
- Land in the contiguous area between provinces, cities directly under the Central, with the same natural, socio-economical condition, infrastructure, current usage purpose, usage purpose as planning have same price level;

b One of the new points in Land Law 2003 is regulations of land price.
- The regulated land price by the PPC directly under the Central is announced publicly on every January 1st.

c That Land Law 2003 defined principles for pricing State’s land, including:
- Close to the actual LUR transfer price on the market in normal conditions; in case of big variance to actual LUR transfer price on the market, suitable adjustment is a must;
- The adjacent parcels of land, with the same natural, socio-economical condition, infrastructure, current usage purpose, usage purpose as planning have same price level;
- Land in the contiguous area between provinces, cities directly under the Central, with the same natural, socio-economical condition, infrastructure, current usage purpose, usage purpose as planning have same price level;

d Land Law 2003 regulates: the regulated land price by the PPC, CPC directly under the Central is announced publicly on every January 1st.

e Land Law 2003 regulates clearly the field of application of the Law, in which the Term 2 Article 3 states:
- In case the international treaty signed or joined by Socialist Republic of Vietnam contains different regulations to the regulations of this Law, the regulations of international treaty are applied.

Decree 197/2004/ND-CP regulating the reality in terms of compensation, support and resettlement procedure in case the State has revoked lands. The fundamental principles are:
- Qualified households will be compensated when revoked.
- In case the affected households are not qualified the compensation conditions, will be considered for form of support.
- Compensate the affected land as form of new land with same usage purpose or if there is no land for exchange, compensation will be cash with equivalent value to the LUR at the time of acquisition.
- Financial debts attached to revoked land will be deducted in the compensation money or support money. Decree and Circular 116/2004/TT-BTC listed detail of compensation forms for users and loss types, supporting policies, regulations for individual, group resettlement, roles and implementation obligations of resettlement projects.

Decree 17/2006/ND-CP amended Decree 197/2004/ND-CP to complement some fields in the regulation of compensation, support and resettlement including:
- Request to update official price of PPC when necessary to reflect the market price to the affected assets.
- Living stabilization support for poor households not less than 3 years and not more than ten years.
- Job change and job creation support for households that lost production as well as households have to move to the resettlement area.

Decree 188/2004/ND-CP regulating method to define land price and land price range when the State revokes land as well as tax imposition on land usage and LUR transfer and State land lease. The Decree establishes the ceiling price level and floor price level of various types of land. The fundamental principle to define the land price is the actual transfer price on the market in normal conditions between the seller and the buyer, not including factors: speculation, changes in the planning, compulsory transfer or bloodline relationships.

Decree 114/2004/TT-BTC complements the details of methods (direct comparison and collecting method)

Decree 69/2009/NĐ-CP of the GOV regulating compensation’s liquidation. In case of compensation by new land or resettlement houses and there are differences in values, the resettled people get paid the variance if the compensation value is higher than the land or resettling house value, the resettled people pay the variance if the support money is lower than house or resettling land (excepts special cases). State’s supports include:
- Support to remove, disassemble items, support for resettlement when the land is revoked.
- Support for living and production, support for job change training and job creation when Agricultural land is revoked.
- Support for Agricultural land acquisition such as: orchard, pond, lake.
- Others

The PPC will state detail supporting unit price, supporting area and average residential land to calculate in accordance to the actual conditions of the local.

According to Decree 131/2006/NĐ-CP “international treaty for ODA in which Socialist Republic of Vietnam is its member with regulations of Law of Vietnam, the regulations of that international treaty are applied” (Item 2, Article 5)

- **Binh Phuoc’s regulations for Resettlement**
  - Decision No.58/2009/QD-UBND dated December 22 2009 by BP PPC regarding regulating compensation, support, Resettlement policy during the State’s land acquisition.
  - Decision No.60/2009/QD-UBND of the BP PPC regarding publishing types of land in BP area in 2010.

- **WB’s policy for non-volunteer Resettlement**

Experience from the WB shows that non-volunteer Resettlement in development project, if is inevitable, often causes economic, social and environmental threats. Which are, broken manufacturing system, pauperized people with loss of production means or income source; people have to move to new environment where their production ability are less suitable while the competition of resources is much higher; community institutions and social system are weaker, blood-relations are decentralized; culture, power of tradition, potential mutual help can be weaken or lost. Therefore, the WB’s policy is regulated in Instruction 4.12 including safety guarantee to solve and mitigate economic, environmental risks of non-volunteer Resettlement.
Principles of basic instruction for Non-volunteer Resettlement of the WB are:

a. Non-volunteer Resettlement must be evitable as much as possible, or mitigated minimum, by proposing every measure for selection during technical design process;

b. In places where non-volunteer Resettlement is inevitable, the Resettlement is needed to be perceived and implemented as sustainable development programs, needed to provide adequately investment source to help the negatively AP get the share from the project’s benefit. The AP must be consulted properly and participate in planning and implementation process of Resettlement programs.

c. The AP needs the help for their efforts to improve living condition standard, or at least, in fact, recover the previous living standard, as before the project.

The operation instruction OP 4.10 for ethnic groups requires all the projects which impacted to the ethnic groups to let them take part in and prepare the free consultancy process in advance to inform, implement socio assessment and prepare plan for ethnic groups, ensure that they will receive socio-economic benefits that fits the culture in which are gender equality and “generation’s gap”

The operation instruction OP 4.1 for cultural property ensures the preserve and seeks measures to avoid demolishing archeological, historical, religious and uniquely natural works, locations. The WB will not support projects which jeopardize to cultural properties

➢ The GOV, WB

Laws, Circular, Decree and Regulations for recent Resettlement policies of Vietnam have become more consent with WB’s Resettlement policies.

In case of differences between the GOV and the WB regarding Resettlement operation, the WB’s regulations will be implemented only. This is compliant with Decree No 131/2006/ND-CP.

The differences between laws, decrees of the WB and WB’s policies regarding Resettlement compensation, and the harmonization measure for those are as follow:

Table 11: The unity of Vietnam’s law, WB’s policy and project’s policy.

<table>
<thead>
<tr>
<th>Main issue</th>
<th>State’s law, decree</th>
<th>WB’s policy</th>
<th>Project’s policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest of the severely AP</td>
<td>Households lose over 30% agricultural land will receive interests and income recovery.</td>
<td>Removed people that lose over 20% production land</td>
<td>Removed people that lose over 20% production land</td>
</tr>
<tr>
<td>Support for business household</td>
<td>Only applied on registered businesses</td>
<td>Apply on all the businesses</td>
<td>Every registered business for production, commerce with affected income will receive help in cash for running equal to 30% of annual net revenue.</td>
</tr>
</tbody>
</table>
### Main issue | State’s law, decree | WB’s policy | Project’s policy
--- | --- | --- | ---
Compensate land as replacement cost | Decree 123/2007 (amended some terms in Decree 188/2004, defining the land price border and authorizes the PPC to decide the land price level in the local via defining price range and land prices. The allowed prices of lands must not exceed 20% in comparison with the max price level and fewer than 20% in comparison to the min price level of the land price range. | All the AP, including ones without LRUC receive compensation or support for loss as replacement cost level. | Must carry compensation cost survey to ensure compensation rate of the project to types of loss in equivalence to replacement cost updated in the Resettlement implementation time. |

#### 4.1.2. Compensation policy

Báo cáo kế hoạch tái định cư tóm tắt này được chuẩn bị dựa trên các quy định trong Khung chính sách của dự án, các quy định của Chính phủ Việt Nam và hướng dẫn của WB về tái định cư không tự nguyện. Tuy nhiên, chính sách được phê duyệt vào ngày 18/10/2004, vì vậy đã có một số thay đổi trong chính sách và hướng dẫn của chính phủ Việt Nam và Nhà tài trợ. Như vậy, báo cáo Kế hoạch tái định cư tóm tắt này sẽ được xây dựng phù hợp với các quy định trong Khung chính sách (RPF) và được cập nhật các chính sách mới và đảm bảo rằng các nguyên tắc trong Khung chính sách không thay đổi

#### 4.2. Valid standard and compensation

##### 4.2.1. Regulations of RP as follow

- Mitigate minimum the land, assets revocation; and people to be resettled.
- All AP live, merchandise, or cultivate on land to be revoked by the project before inventory record date have right to receive recovery measures enough to improve or at least maintain living standard and productivity as before the project. Lack of legitimation with revoked land won’t restrain AP to receive those interests.
- Compensation measures are supplied as follow: (i) compensate by replacement value without depreciation or depreciated by utilized materials for houses or other works; (ii) agricultural land is compensated by equal cultivatable land, suitable for AP; (iii) replace residential land (if have) with equal scale, suitable for AP; (iv) subsidize for movement and activities and (v) subsidize to recover the income sources or livelihood.
- The replacement residential-agricultural land is the nearer to the lost location the better, and suitable for AP. In case revoked lands are small lot (20% less of the total household area), compensation in cash can be applied if that is the household’s selection or without land to compensate.
- The transition stage of Resettlement need to be minimized, and the recovery measures will be supplied to AP not within 1 month before the anticipating commencement at the respective location.
- Land and assets revocation plans, recovery measures shall be implemented with the consultancy for AP to ensure the least disorder. The AP will receive the deserved interests at least 1 month before the anticipating commencement at the respective location.
4. Public services and resources need to be reserved or improved.

- Budget for revoked land, Resettlement and recovery support task need to be prepared adequately and available during implementation stages. Material sources for Resettlement and recovery need to be prepared available when requested.

- WB will not approve construction contract of any minor projects under the loan from the GOV which is not completed properly and not complies terms of approved RP for the compensation payment of that minor project and not guarantee that the recovery support is available before the commencement. The project must ensure supplying adequately interests for AP at least 1 month before the anticipating commencement at the respective location.

- Concerned utilities must ensure the design, planning, consultancy, deploying implementation RAP effectively and promptly.

- Identify mechanism of assessment report from independence monitor organization as a part of resettlement management system. The assessment of land revocation progress and final result shall be carried out independently with the implementing utility.

4.2.2. Compensation and support standard

AP that will receive the compensation are:

a. Owning a part or a whole of house, works, architectural items that are temporarily or permanently affected by the project;

b. Owning residential and/or agricultural land that are temporarily or permanently affected partially or completely by the project;

c. Businessman that are temporarily or permanently affected partially or completely by the project

d. Owning crops and trees (long-short term) that are affected partially or completely by the project.

4.2.3. Closing date of the survey

To the minor project of drainage and wastewater treatment in Dong Xoai Ton, Binh Phuoc Province the validation closing date of the survey to define the interests is considered as the completion date of the assessment survey on the affected area. The survey bases on the basic design and complete in October 2010. In case of changes in basic design adding more clearance area or reducing clearance area the volume of compensation is then re-surveyed and updated and adjust the closing date.

4.2.4. Interest

➢ Compensation policy for agricultural land: Those affected by the project will be entitled to compensation and policies and support the following:

- A common mechanism for compensation of agricultural land as compensation for land lost under the principle of exchanging land for land "has the production capacity equivalent, in the position to accept the affected people. Compensation if the land has an area smaller or lower quality land recovery, people affected will be compensated in cash equal to the difference. However, in case there is no land for compensation or if the PAP option compensation in cash, the following principles will apply:
a. **Eligible people for land compensation:**
   i. if the area lost is equal to or less than 20% of the total area of agricultural land protection, and the remaining land area sufficient to ensure economic efficiency at a minimum, households will receive cash compensation for the area revoked by 100% replacement cost, or
   ii. if the area of arable land lost over 20% of the total land area is or the remaining area insufficient to ensure economic efficiency, then, in addition to cash compensation for lost area by 100% cost replacement project for an amount of recovery support package for not less than 3,000,000 VND / household.

b. **Temporary land user or lease land for usage:**
   i. People affected will be compensated in cash an amount corresponding to the costs invested in the remaining land on earth (if any) or equivalent to 30% of land price in the market;

c. **Who do not qualify to be compensated for loss of land**
   i. Instead of land compensation, affected people will receive a grant equivalent to 30% replacement cost
   ii. For the poor and vulnerable groups including the landless, the support on the outside, people affected will be provided an additional recovery support in cash equivalent to 3,000,000 VND ensure they can at least restore or improve income levels and living conditions

Cases of affected people to use public land (about saved or protected corridor of the building) must be returned to the state when the recovery project, affected people will not be compensated for the land, but the tree will be compensated for trees and crops at market prices.

- Affected damage crops, tree fruit, tree harvesting industry will not be compensated at market prices. The tree produced during pregnancy will be compensated according to replacement price.

➢ **Policy compensation for residential land:** People affected will receive compensation as follows

- People who lose residential land, no works: Compensation for land lost cash replacement price.
- People who lose residential land with structures on land that the remaining land sufficient to rebuild the same work (The affected rearrange themselves): General mechanism for compensation for residential land recovered land is land that is located at equal quality or affected people to accept. If no land, people affected will be compensated in cash as follows:
  a. Compensation for land lost to replacement cost in cash
  b. Compensation for affected building replacement cost.
  c. If the house / building affected part, the compensation cost of repairs to restore the same or better.
  d. If the affected people to rebuild the main house, they will receive: (i) supporting no less than 500,000 VND for moving assets, things to do trimoi ... (ii) life support valued 30kg of rice equivalent per person per month for 3 months forward, and (iii) incentive schedule, if he works out and relocate affected timely project progress,
(iv) special support not less than one million VND per household for those affected group receiving social assistance.

- People who lose residential land with structures on land that is not enough remaining land to rebuild the same work (The affected people must be relocated):

  a. Affected people can enjoy one of the following methods:

  i. Be compensated with residential land with equivalent size, at which persons PAP PAP accepted and will be granted full rights to use land without paying any fees. The project will carry out or provide funding sufficient to develop basic infrastructure including roads, electricity, water supply ... at least equivalent to the old location. Or, by prior agreement with affected people

  ii. Cash compensation for entire residential land replacement cost for lost

b. Compensation for the affected work full replacement cost; and

c. Recovery support, including: (i) relocation support from 1,000,000 to 3,000,000 VND per household, (ii) life support equivalent to 30kg of rice per person per month for 6 months, (iii) reward schedule no more than 5 million VND per household for those self displaced by the project schedule proposed, and (iv) special support of not less than one million VND per household for the protection of disadvantaged groups towel or vulnerable families are enjoying the policy of social support.

- Compensation policy works and structures for construction and structures affected:

  a. Compensation in cash for the entire project is affected by the 100% replacement cost for materials and new construction standards of equal quality, regardless of their certificates of land use or building permit up or not. Sufficient funds for compensation to rebuild the project with the equivalent market price.

  b. Works if the affected part, the project will compensate the additional cost of repair, to restore the old building as or better.

  c. The compensation and assistance is paid in cash. Value without depreciation nor use deduction to utilize materials

  d. Compensation is calculated according to actual area affected, not based on area of use.

- For the grave: The compensation for graves to be relocated will include all training costs, moving, and reburial of the reasonable costs associated with the other. Compensation will be paid to each household affected.

- Tenant: The tenant to move in right now would be a funding level equivalent to 3 months rent at market prices in the region, and will be supported in place appropriate arrangements to replace.

- **Compensation policy tree crops and trees:** The tree crops and tree years of long lost years, regardless of legal status of land, compensation is paid to people who are farming, the market price for flowers color and / or replacement costs for long-term tree.

- **Policies on compensation and business income:** For people affected by the project and lost business income, the compensation mechanism would be:

  a. Cash compensation for loss of income during the transition period, equivalent to the average net income each month, at least for 3 months

  b. Compensation for the business works, means of production lost as a full
replacement cost of the work, without depreciation; and

c. If the business location to be moved, provide alternative places of business were affected people to accept, or, cash compensation for lost area under replacement cost, plus transportation to support mobile move the assets, production materials attached

➤ *Compensation for temporary impacts during construction phase:* For the land and other assets on the land temporarily affected households are entitled to the following PAP:

- For cultivable land:
  a. Compensation to a harvest of crops / trees tree full market value or replacement cost
  b. Compensation for loss of income for the following season during the project land is occupied; And
  c. Restore the land as the status quo or improving soil quality or better than without the project; And
  d. Where the project land was appropriated more than 2 years, affected people may choose to: (i) continued use of land, or, (ii) transfer of land for the project and receive compensation in cash, such as soil lost forever

- Residential land:
  a. Compensation for all property on land affected by replacement cost
  b. Restore the status quo or improve soil quality better
  - For the impact on productive land, business
    a. Compensation for loss of earnings with net income level equivalent to the monthly average, at least for 3 months.
    b. Compensation for property affected by land replacement cost.
    c. Restore the status quo or improve soil quality better.
  - Compensation for damage caused by the work of the household or the public arising from the construction process: construction contractor will quickly restore the original state or better than the damaged building, after the test work done. Under the specific provisions in construction contracts, contractors are required to be especially careful to avoid damaging property during construction. When damage occurs, forcing the contractor to request just compensation for families, groups, communities, or state agencies under the applicable compensation rate for other property damaged by the project. Furthermore, the restoration of property damaged as first quality that must be made immediately after completion of construction activities.

➤ *Compensation for damage caused by indirect effect:* This applies to people affected by land taking and resettlement sites scattered or concentrated resettlement. Affected by those two types are also affected as people directly affected by the project, so they are entitled to compensation measures and assistance similar to the other affected.

➤ *Compensation and public property affected:* In the case of public infrastructure such as schools, bridges, factories, water sources, roads, sewage systems damaged, the Project Manager will ensure that the infrastructure is restored or repaired, depending on specific cases, and the community do not pay for such costs.

➤ *Subsidies and recovery support during the transition:* People affected by the
project to rebuild main house on remaining land, or who must relocate are entitled: (1) cost transport 500,000 VND per household for those who rebuild in place and from 1 million to 3 million VND per household for those who have relocated to other places, (2) living allowance in cash equivalent to 30kg of rice per month for 3 months for the resettlement site and in 6 months for people to relocate to a new location, and (3) award no more than 5 million VND per household for those who work to dismantle process and transfer of land for the project on schedule as planned by the proposed project, (4) The resettlement site must be relocated or that group who are disadvantaged, they are currently receiving public assistance Assembly will be supported no less than 1,000,000 VND special per household affected people are entitled to rehabilitation assistance to restore living not lower than before the project, and the best is good than before. Affected people lost more than 20% of agricultural land or incomes will be restored benefits expected to 3,000,000 VND per household. This might be adjusted depending on the inflation situation.

Matric of interest, see in appendix 1: Matric of interest

5. ORGANIZING UTILITY

5.1. Institution framework

The Unit is involved in land acquisition and resettlement include:
- Binh Phuoc PPC;
- PCU;
- PSC;
- Project Steering Committee of WS&D in Urban of Binh Phuoc Province;
- Dong Xoai TPC;
- IMO

5.2. Responsibilities of organs

The terms and policies of resettlement policy framework and resettlement plans to create a legal basis for the implementation of resettlement activities in the project water supply and urban wastewater Vietnam. Council of compensation can be established at provincial and / or district level, in accordance with the provisions of the Decree 197/ND-CP/2004, if resettlement impacts of the project are significant, with 200 households heavy PAPs or more. If the resettlement impacts of the project is small, insignificant, as in 197/ND-CP/2004 Decree, may not need to set up a council for compensation. In this case, the PMU may agree with those of the PAP compensation for damages, based on the terms and principles of the Resettlement Policy Framework of the project. The following overview describes the main responsibility for resettlement work for / at each level / unit involved in the implementation of the resettlement of project

 Provincial People’s Committee (PPC)

PPC is the project executing agency, responsible for the entire sub-project implementation, including the implementation of the resettlement of the subproject. PPC is responsible for compliance with the Resettlement Policy Framework was approved by the Prime Minister of the Project, as a condition for participating in the project. PPC is the highest body authorized to approve Resettlement Plan for sub-project of the province after the draft plan approved by the World Bank and
decision making for all issues related to resettlement quarters of sub-project, including decisions about compensation unit prices and measures / levels of support for the PAP recovery. PPC is also held responsible to provide counterpart funds for compensation and resettlement.

After a detailed technical design, Quantity of affected people will be tested for fit, and will update the unit price of compensation for all types of property damage and other subsidies, survey results based on replacement price-cost implemented during the project implementation process. After approval of WB for resettlement plan of sub-project, the PPC will be responsible for directing and monitoring the implementation of this Plan, including the speedy settlement of all claims of people affected or the problem of government district / township projects.

**Project Coordination Unit (PCU)**

To overall coordination for the entire project, a Project Coordination Unit (CPU) will be established at central level. Coordinating Committee will consist of two cadres, English proficiency, along with administrative staff and support. Coordination committee responsible for overall coordination for the entire project, including contacts between the Government and the provincial People's Committee and World Bank projects. Responsibilities related to resettlement of the Project Coordination Committee are as follows:

i. Submit the draft Resettlement Plan to WB for approval, then forwarded to the provincial People's Committee for official approval

ii. Overall responsibility for the implementation of Resettlement Policy Framework and Plan of Resettlement of the Project

iii. Synthesis of the progress report on compensation and resettlement and clearance of the project submitted to the Ministry of Construction and the WB.

iv. Synthetic accounts of the project and verify the audit results and,

v. Recruitment, monitoring and supervision consultant, including recruitment and monitoring activities of the independent monitoring agency for Resettlement.

**Provincial Steering Committee (PSC)**

Provincial Project Steering Committee (PSC) on behalf of the PPC will be responsible for overall operation of the project implementation. Provincial Project Steering Committee shall consist of president / vice president of the provincial directors / deputy directors of provincial departments including the Department of Construction, Finance, Planning and Investment, Department of Natural Resources and Environment, Home president / vice president of the DPC project, president of the provincial women, and director of the Provincial Project Management (PPMU). The overall responsibility of the Provincial Steering Committee of the Project:

i. PPC appraisal the Resettlement Plan update, with the unit price of compensation is appropriate adjustments based on survey results of replacement Unit price for submission to the World Bank before to the Province for final approval

ii. Consult PPC for decisions on land recovery and allocation to serve the construction of the sub-components, including the allocation of land for the poor and vulnerable groups;

iii. Consult PPC on resettlement budget approval and ensure timely disbursement;
iv. Consult PPC on research and approval resettlement documents by PPMU and submit to PPC for approval, and

v. Advising the PPC and Provincial Project Management Unit handling and resolving complaints of affected people when the complaints were sent to the PPC and regulate the handling and resolving complaints in accordance with the appropriate channels competent.

Project Management Unit (PMU)

PPC will establish a Project Management Unit at Binh Phuoc Province Limited Company Water Supply and Drainage, responsible for the daily activities of the Project including resettlement activities. Project Management Board will include components such as technical, organizational, social and resettlement, administrative and financial accounting. Project Management Board will bear the primary responsibility for following

i. Updated resettlement plan for subproject implementation stage, when detailed technical designs, and the updated resettlement plan for the province approved;

ii. Coordinate construction project activities with activities of land acquisition and resettlement;

iii. Initiate and promote the implementation of information campaign, including drafting and issuing project information document (PIB), and consult the affected people in accordance with the guidelines of the project. This includes primary responsibility for preparation of documents, forms and other relevant documents, and may responsible for this authorization if necessary.

iv. Building mechanism of disbursement and payment of compensation and resettlement of affected people. Prepare related documents upon request;

v. Coordinate with other relevant Unit to ensure effective implementation of the Resettlement Plan Sub project and ensure compliance with the principles and objectives of the Bank. Ensure proper implementation of measures to support rehabilitation and other support activities;

vi. And ensure the disbursement of resettlement funds transfer to pay timely compensation and rehabilitation assistance to affected people. To pay compensation to affected people; and

vii. Implementation of the accounting and auditing for resettlement work. Prepare and submit regular progress reports on the status of construction projects and the implementation of the Resettlement Plan to the Provincial Project Steering Committee and the WB.

Dong Xoai TPC

TPC responsible for land and property certification, appoint members of the Compensation Committee of the town and assigned duties for this Committee.

Town level compensation unit

Council / Town Board of Compensation will be established in accordance with institutional mechanisms of each resettlement plan. Each PC will each appoint chairman and members of the Council / Board. Council / Committee of compensation will work closely with the Project Management Unit in matters relating to resettlement. President or Vice President of DPC shall hold Chairman of District
Compensation Committee. The remaining members are representatives of the departments such as Finance, Administration, Building, Planning and Investment, members of mass organizations, representatives of the affected people and members other requirements. Project Management Board will appoint a member to participate in the district compensation, unless the context otherwise requires. This committee will assist the DPC in the decision-making for issues related to resettlement. The main responsibility of the Council / Board as follows, and may not be limited to that

i. Planning and implementation of all resettlement activities of the sub-project in the district;

ii. Find the location of land suitable for individual households to move;

iii. Responsible for the detailed measurement survey, last checked the calculation of compensation plans and preparation of household synthetic compensation amount calculated and submitted to the provincial People's Committee for evaluation and approval and coordination is paying compensation to affected households or make the payment, if assigned;

iv. Established the inspection to solve claims of PAPs on policies of compensation and benefits

v. Establish, if necessary, the hamlet compensation unit and direct their activities during resettlement implementation;

vi. Pay particular attention to the needs of special groups (ethnic groups) and vulnerable people (children, elderly, households with women as head of household);

vii. Close cooperation with EMA

➢ **External Monitoring Association (EMA)**

Need to identify and hire an agency / organization, or institution, or consultants specializing in social science, to carry out socioeconomic surveys, monitoring and evaluation of the implementation plan resettlement for the project overall. Central Project Coordinating Committee on behalf of the provincial PMU, responsible for a contract with Independent Monitoring organize this. Funds for hiring an independent monitoring implementation of resettlement for the project will contribute to the sub-project based on the scale of the impact of resettlement and monitoring the workload to be taken. Independent Monitoring Agency will submit periodic reports on implementation progress and make recommendations concerning solving the problems detected

6. IMPLEMENTATION SCHEDULE

6.1. Main activities

➢ **Propagate info before designing details:** before designing details, The MOC will supply info of the project for the whole project area. Info propagation meeting will be held in affected communes to inform for the community about (i) project scale; (ii) impacts, (iii) rights for damaged properties (iv) commencement schedule with detailed designs, (iv) duties on organization, and (v) claiming mechanism. Published documents (images, pictures, booklets) about the project implementation will be prepared and published to all the affected commune in meetings

➢ **Establish compensation council/Committee:** all the provinces will establish
compensation Council/Committee at provincial, town level right after the project approval.

➢ **Training Resettlement staff:** when a compensation Council/Committee is established, all the Resettlement staff under management of the PMU, provincial/town compensation Council/Committee will be trained by the PCU with support from consultants. The training theme consists of:
  - RAP purposes;
  - Policies, regulations, and compensation rights in RAP;
  - Consultancy and info propagation;
  - Implementation steps, procedure and schedule;
  - Claiming mechanism, and,
  - Obligations and rights of individuals/organizations participate in the Resettlement.

➢ **Update replacement unit price:** during the designing details process, PPCs will update the compensation unit price as replacement price for damages and adjust subsidiary according to the inflation. This will be implemented with the consultancy of the AP and recommendations of local authorities.

➢ **DMS:** before each new stage of the project, a DMS will be carried out for each minor project after the completion of the detailed design. These surveys are the raionales for the compensation and update for new RAP. Database will be managed in computers by PPMUs.

➢ **Imposing price and compensating for the AP:** C-R Council/Committee of levels take responsibilities to impose price and prepare compensation schemes for each affected commune/town. These schemes will be verified by PPMUs and PPCs on price, quantity of affected properties, interests of the AP etc before announced to each communes for consideration and comments. All the imposing price table must be examined and signed by the AP to prove their consensus.

➢ **Compensation and support:** Compensation money and subsidiary will be paid under the supervision of DRC’s, commune goverment’s and AP’s representatives.

6.2. **Implementation plan**

Compensation-Clearance-Support Council is responsible for surveying and making document about all affected lands and works by being revoked and the data analysis process and land revocation map preperation. The implementation steps as follow:

Table 12: Implementation plan for compensation and site clearance

<table>
<thead>
<tr>
<th>No</th>
<th>Description</th>
<th>Estimated time</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Approval for compensation and clearance plan</td>
<td>10/2010</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Info propagation</td>
<td>10/2010</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>(DMS)</td>
<td>11/2010</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Planning of compensation measure</td>
<td>11/2010</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Payment of compensation cost</td>
<td>1/2011</td>
<td></td>
</tr>
</tbody>
</table>
7. INFORMATION PROPAGATION, CONSULTANCY

7.1. Objective of information propagation and community consultancy

Propagate info for the AP of the project and concerned utilities are the important part of preparation and implementation of the project. Consult with the AP and ensure their active participations will reduce the changes that generate conflicts and mitigate the risk that delays the project. This part also allows the Project to designs RAP and recovery plan as the general development plan to suites the demand and preferences of the AP, thus maximizes socio-economic efficiency and of the investment capital. The objectives of info propagation and community consultancy include:

- To ensure the authorities of the local as well as the AP’s representatives will attend to the planning and making decision process. PCU, PPMU will cooperate closely with PPC and TPC during the implementation of the project. The participation of the AP during the implementation will be prolonged by proposing each Town to invite the AP’s representatives to be the members of the Resettlement Council/Committee of the Town/Province and take part in Resettlement activities (assets assessment, compensation, Resettlement, and monitoring).

- Share all the info of items and anticipating activities of the project with the AP.

- Collect info on demand and preferences of the AP, as well as receive info on reactions of them on anticipating policies and activities.

- Ensure that the AP can be informed adequately with direct decisions that affect to their income and living standard, and that they have chances to take part in activities and decision making on issues affects directly to themselves.

- Gain the coordination and participation of the AP and the community in necessary activities for resettlement planning and implementation.

- Ensure then transparency in all activities relating land revocations, compensations, resettlement and recovery.

7.2. Information propagation and community consultancy during the project preparation stage

During the preparation of the project, the info propagation and community consultancy are to collect info to evaluate the impacts of the Resettlement and propose recommendations options. This is to mitigate or eliminate potential negative impacts of the project to the local residences and prepare in advance to cope with the spin-off may come during the implementation.

Info propagation and community consultancy may include rural quick assessment method with the participation and consultancy of the concerned parties, use technic of visiting households and affected locations, community meeting and group discussion, the socio-economic.

From the preparation stage of the project, the local government and leaders of levels of authorities in each province of the project are informed about the project, objectives and impacts. They are consulted and participate actively in discussion on development demand and preferences of their locals. The consulted households for assessment on
the capable negative impacts of the project and mitigation measures, and improving measures.

The local government is consulted on their consensus as well as commitment in Resettlement implementation policies described in the policy framework of the project, which is the policies that reflect both policy objectives of the WB and GOV.

After the approval of the project, the mass media, including Central-local TV program and the press will introduce widely about the project proposal at public spots, including info on objectives, components and activities of the project.

7.3. Information propagation and community consultancy during the project implementation stage

A. Information propagation and community consultancy

During the project implementation stage, PPMU with the support from the project consultant will undertake:

- Supply info for C-R council/Committee at all levels through training workshop. Detailed info of Project policies and procedures.
- Organize the info propagation and consultancy for all the AP during the project.
- Update the provincial unit price, and re-define land revocation scale and impacts on properties via DMS, with consultancy with the AP.
- After that, C-R council/Committee will impose price, calculate compensation right and complete the measure of calculating for properties compensation for each affected households. PPMU will present info on direct interests for the AP in the next visits to households.
- Next, properties compensation measures define the affected properties and compensation right of the households, which shall be registered by the AP to express the consensus of them to the assessment results. Any questions of the AP on the contents of the measure must be recorded at this time.
- Need to send letters/questions relating to Resettlement measures to all the removed people (a) to inform them about Resettlement measures (describes clearly about the consequence of each option), (b) ask the AP to affirm their options about the resettlement measures and their preliminary affirmation about the Resettlement area location., and (c) ask the AP to state clearly the using services such as education/healthcare and the approaching distance to those.
- Consult the AP on their expectations to the recovery support measure. This part is applies for the heavily AP and vulnerable AP. The C-R council/Committee will inform for the AP on the measures and right to receive technical support before asking them to state clearly their expectations on that recovery support.

B. Community meeting

Before designing details, organize community meeting in each affected people to complementarily inform for the AP and create chances for them to take part in public discussion about Resettlement policy and procedure. Send the inviting letters for all the AP at least 2 weeks before holding meeting at that location. The purpose of this meeting is to define the info so far and create chances for the AP to take part in discussion about concerned issues and info-definition. Along with the note letter for the AP, other communication methods must be used to inform for the AP and the mass in
general, such as poster in apparent post in the commune and town, where the AP live. Both concerned male and female members of the affected households as well as members of the community are encouraged to participate. During the meeting will explain the project, interests and right of households, and the meeting will be the chance to ask questions. These meeting will be held periodically during the period of the project.

Supply info for the AP (verbally, in drawings, and info prints). There must be extra info copy in town in the project area. Anticipating, the meetings will be in forms:

- Explain verbally or by drawings, including info prints and project design drawings to various items of the project.
- Create chance for the AP to present and get answers for questions and ideas. Encourage the AP recommend on recovery measures for the AP.
- C-R council/Committee will establish the adequate list of all the participants.
- C-R council/Committee will establish the FAQ, recommendations, comments and decisions in the info/consultancy meetings, and submit the report for all the concerned PPMU.

The AP must be informed with the following issues:

- **Project items**: this part includes the info about the location to get further info of the project.
- **Project’s impacts**: impacts on the AP that live and work in the project area, including explanation on demand of land revocation for water catchpits, rwa water pipeline, water plant, clean water reservoir, transfering or supplying pipeline system or other project items.
- **Right and compensation interests of the AP**: This part will be regulated for the AP (with inventory closing date). Must explain clearly the rights and compensation interests for various impacts to the AP, including the interests of people that lose business, jobs and income. Measure for land for land and land for moeny. Measures of re-organization and individual Resettlement, terms and interests of each measure. Recovery and project-relating-job support interests.
- **Claim mechanism and procedure**: the AP will be informed the policies and procedures of the project which designed to ensure the living standard of them at least will be recovered as before the project. Those AP will be informed that in case there are any question in any project-relating-fields, R council/Committee can help them to solve. If they have any questions to relating issues such as land revocation, compensation, Resettlement, and recovery progress, including the compensation for their damages, they have right to ask and all of their questions will be solved by the authorities. The Ap will be instructed to approach claiming procedure.
- **Participation and consultancy right**: The AP wil be informed about the participation right to the planning process and Resettlement implementation. The Ap can send representatives to Resettlement Committee of town and those ones will attend when council/Committee meets ton ensure their participation in fields on the project.
- **Resettlement activities**: all the AP will be explained clearly about the compensation calculation and compensation payment, monitoring procedure,
including interviewing some people in the affected group, removed to the Resettlement location independently/self-resstled, and preliminary info of constructino task.

- **Obligation’s utilities**: The AP will be informed the concerned organization and government levels to the Resettlement and obligation of each party, as well as name and position of State officials with Tel No, office address and work-hour.

- **Implementation rate**: the AP will be informed about the anticipating rate for main resettlement activites and will be informed that the construction will commence after all Resettlement activites finished and when the AP removed out of the project area. It must be clear that they will only move after receiving adequate compensation payment for the lost properties.

**C. compensation and recovery**

Notice letter will be sent to each affected household with time, location, and procedures to receive compensation payment. The heavily and vulnerable AP will be met directly to affirm their expectations in recovery support.

**D. Public info booklet (PIB)**

Ensure that the AP, their representatives and the local government in the project area understand properly and detailed the RAP and get informed the compensation and recovery of the project, the PCU with help from the Consultant will compose PIB, with the reference of WB. This document will be published to tall the AP in the project area. The content of the PIB as follow:

Summary description of the project, implementation rate, project’s impacts, right and interests, Resettlement and recovery policy for all types of impact; Resettlement utility, info propagation and consultancy with the AP, FAQ, claim procedure and IMO.

**E. Public announcement**

Beside the public announcement to the AP and communities, this RPF and RP must be in the PCU in Hanoi, public info centers of the province, PPMU and Town of the project.

**8. CLAIM SOLVING MECHANISM**

**8.1. Responsibility**

The agencies responsible for implementing the complaint resolution process, any questions during the implementation of site clearance compensation, including the MPC, the relevant departments, Site Clearance Compensation Board of levels, people's committees at local levels where affected by the project. Depending on the functions and duties of each level, mechanisms for dealing with complaints and questions of DPS will be defined according to legal documents issued by the State. PAPs to ensure households have the opportunity to present complaints concerning compensation and resettlement, detailed complaints procedure will be established for the project. The goal is to resolve complaints quickly for PAP households and due process. Mechanism would be simple design, easy to understand, fast and fair. By settling claims at each level of project, project implementation progress will certainly be more effective. Those whose land is recovered, if not agree with the decision on compensation, support and resettlement can complaint according to the law.
The settlement of claims for compensation decisions, support, clearance, resettlement responsible for dealing with complaints and the time for appeal and the procedures for resolution of complaints made under the provisions of Article 138 of the Land Law 2003 and Article 63, Decree No. 84/2007/ND-CP 64 October 29 years 2004 of the Government and the provisions on settlement of complaints in Decree No. 136/2006/ND-CP. However, during the pending appeal, the withdrawal of land must still abide by the decision of land recovery, land allocation and time schedule are the State agencies competent to decide. Cases settle complaints relating to administrative decisions about land management in accordance with Article 162, Decree 181/2004/ND - CP, will comply with the regulations and laws to settle complaints.

8.2. Claiming procedure

The AP send their questions about compensation right, compensation policy, compensation price, land revocation, Resettlement and other interests of recovery support programs. Questions of the specific AP are sent verbally or in documents, incase it’s verbal, the communication board will record in the first meeting with the AP. Local social organizations such as: Fatherland Front, Farmer Association, Women Association, Conciliation Team etc are mobilized to take part in actively solving claims, questions procedure of the AP. The AP will not pay administrative charges and other fees as regulations.

The procedure consists of 4 following steps:

**Step 1:** Questions, verbal-claims or documents of affected peoples about any aspects relating compensation, Resettlement or missed assets will be submitted to TPC or directly to PMB. Questions will be exchanged in unofficial meeting between CPC representatives, PMB representatives and affected peoples. Obligation of PMB is to solve issues of affected peoples within 15 days from claims received day.

**Step 2:** Within 15 days if there are no reconcile solutions or no reply from CPC about question, claims, then affected peoples have right to submit claims along with proving documents C-R Committee of the Town. The questions and claims must be solved within 1 month from the origin. C-R Committee of the Town must make decision within a half of a month from the received day.

**Step 3:** if the AP are still not contented with the solutions or any feedbacks from Compensation Committee/TPC, or representatives of it, or DPC within 15days affected peoples have rights to submit claims to the PPC. The PPC and R-C Committee will make decision within 30 days since the received day of the PPC.

**Step 4:** if the AP are still no not contented with the solutions or any feedbacks from Compensation Committee/PPC the affected peoples have rights to submit claims to the Court as regulations.

9. **MONITORING AND EVALUATION**

9.1. Monitoring

Monitoring is the continuous process of project evaluation, relating to the consent implementation schedule, the usage of the in-takes, infrastructures and services of the project. The monitoring supplies for all concerned parties continuous reflections of the implementation status. It defines the reality and successful capability and difficult spin-off as soon as possible, to facilitate to be revised timely during the project action stage.
The monitoring has 2 purposes:

- Appraise whether activities of the project are completed effectively or not, including quantity, quality and time.
- Evaluate whether these activities reach the targets and purposes of the Project or not, and the levels of them.

Implementing utilities (PPMUs and PSCs) as well as IMOs contracted by PCU will supervise, monitor frequently the RAPs implementation

### 9.2. Internal monitoring

Internal monitoring the implementation of RAP of Minor Projects is the responsibility of implementing utilities, with the support from the consultant. The implementing utilities will monitor the progress of Resettlement preparation and implementation through frequent progress reports.

Main norms for internal monitoring often are:

- Compensation payment for the PAPs as described compensation policy in RAPs.
- Implementing technical support, removal, subsidiary payment and moving support.
- Implementing the recovery for income and right of recovery support.
- Propagating publicly info and consultancy procedures.
- Paying attention to claiming procedures, existing issues that require attention in management.
- Prefering for the AP on the options.
- Coordinating and completing resettlement activities and handing over construction contract.

Implementing utilities will collect info monthly from various compensation Committees. A database of monitoring info for the Resettlement of the project will be maintained and updated monthly.

Implementing utilities submit CPU a report on the implementation status of RAP to summarize and send to the WB as the part of the quarterly-report which they have to submit to the WB. The internal monitoring reports must contain:

- The quantity of the affected households according to affected types and the component fraction of the project and the compensation payment, removal, and income recovery of each item status.
- The capital allocated for compensation payment activities and disbursed capital for each activity.
- The final result of solving claims, and any existing problem which requires legitimate authorities to solve.
- Implementation problem.
- Updated Resettlement implementation rate.

### 9.3. Independent monitoring(IM)

**Purpose** The general purpose of IM is to supply periodically assessment result and independent consideration about the result of resettlement objectives, changes in living standard and jobs, recovery of income and social basis of the AP; effectiveness, impacts and sustainability of the interests of the AP, the necessity of having more
mitigation measures, and to draw strategical lessons for policy making and planng in th future.

Reponsible utilities. According to the WB’s requirement in hiring consultant, PCU will hire the organization of monitor and evaluate independently the RAP implementation. This organization is called Independent Monitoring Organization (IMO or IMA), which is professional in socio-scientific and experienced in IM of Resettlement. IMO shall begin its work as soon as RAP gets approved.

Monitoring and evaluation criteria. The following criteria will be monitored and evaluated by IMO:

- Compensation payment:
  - Whether all the compensation money is paid adequately for the AP before land revocation;
  - Whether the adequate compensation payment is equivalent to the replacement for affected properties.

- Support people who have to reconstruct houses on the rest area, or removed people who have to reconstruct houses on the assigned area by the project.

- Support for income recovery.

- Consult and propagate publicly the compensation policy:
  - The AP must be informed and consulted adequately on land revocation, land hiring activities or location change;
  - The IMO must attend at least 1 public meeting to monitor the community consultancy procedure, spin-off during the meeting and propose measures;
  - Evaluate the awareness of the community to the implemented compensation policy and right to the AP; and
  - Evaluate the awareness in various options for the AP which regulated in RAPS.

- The AP will be monitored on the aspect of recovering manufacturing activities.

- Satisfaction level of the AP to various aspects of the RAP will be monitored and recorded. The action of claiming mechanism and the speed of claim resolution are also monitored.

- Through implementation, tendencies on living standard are monitored and investigated. Any potential problem in the living standard recovery will be reported.

9.4. Monitoring method

A. Survey on sample

It needed to have the socio-economic survey before, during, after the Resettlement implementation to compare clearly about the success/failure of the RAP. The monitor will implement on the basis of sample. The scale sample can be 100% of the removed households and heavily affected households, and at least 10 of the rest. The survey on sample shall be carried out twice each year.

This survey needs to be implemented both on men and women, the elder, and other vulnerable group. The equal representative of both men and women is necessary.

The assessment after the resettlement will be implemented from 6-12 months.
B. Database storage

The IMO will maintain a database on Resettlement info survey. This database contains files of monitoring results about the supervised households and updated base on collected info in the next round of collecting info. Implementing utilities and PCU can access properly to the compiled database.

C. Report

Require the IMO to submit the reports of discoveries during once every 6 months monitoring. These monitoring reports will be submitted to the PCU, and then PCU will submit the reports to the WB under the forms of appendix for progress report.

The report will consist of:

- A report of RAP implementation rate,
- The variance(if is) with the terms and regulations of the RAP,
- Define the existing problems and the proposed measures, by that the implementing utilities are informed about the current status and can solve problems timely; and,
- A report of the status of difficulties and issues which defined in the former report

D. Later monitoring report

The monitoring reports will be discussed in the meeting of IMO, PCU and implementing utilities, which is held right after the report submission. The later activities will be implemented on the defined difficulties and issues in reports and discussions.

9.5. Evaluation

Evaluation is the assessment on the regulated time about Resettlement impacts and gained objectives. The IMO will carry out the evaluation about the Resettlement process and the post-impacts from 6-12 months after the completion of Resettlement activities, by using questionnaires and templates used in the monitoring.

10. COST AND BUDGET

10.1. Capital source

Budget for the implementation of action plans for compensation and resettlement report will come from counterpart funds (budget from Binh Phuoc province). Binh Phuoc province will provide funding for the implementation of compensation and resettlement, and these expenses will be included in the total investment of the sub-project

10.2. Cost of compensation.

Land price for compensation calculation is the price by using purpose of the retrieved land which is recognized by the regulations of the Law at the time of land acquisition decision, which is announced on every January 1st as the GOV regulation. Non-compensation land in accordance to the land price will be changed in the land usage purpose, no compensation in accordance to land price by the actual land usage is not suitable for land usage purpose as the rule of the Law.

When the State hands over land with land usage tariff collection not via the auction of land usage right or tender of project using, leasing land; approval for compensation, support and Resettlement measure and in case the State-owned business implements capitalization choosing the land hand-over method which the
land price regulated by PPC at the time of land hand-over, land leasing, time of land acquisition decision, the time of calculating the land price into capitalized business’s value is not close to the transfer price of land usage right in the actual market in normal conditions, PPC bases on the actual transfer price of land usage right in the market to redefine the suitable specific land price.

- Delayed compensation is regulated as follow:
  
  + Delayed compensation by organs, organizations responsible for compensation; the land price at the time of compensation announced by the PPC is higher than the time of acquisition decision, the compensation applies with land price at the time of compensation liquidation; if the land price at the time of compensation is lower than land price at the time of acquisition decision, the compensation applies with land price at the time of acquisition decision;

  + Delayed compensation by the retrieved land owner, if the land price at the compensation time is lower than land price at the acquisition decision time, the compensation applies with land price at the time of compensation; the land price at the time of compensation announced by the PPC is higher than the time of acquisition decision, the compensation applies with land price at the time of acquisition decision.


Table 13: Unit price of cultivatable land for annual tree of Dong Xoai Town

<table>
<thead>
<tr>
<th>Area</th>
<th>Unit price(1000/m²)</th>
<th>Ward</th>
<th>Commune</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area 1</td>
<td></td>
<td>50</td>
<td>38</td>
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<td>Area 2</td>
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<td>36</td>
<td>30</td>
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<tr>
<td>Area 3</td>
<td></td>
<td>24</td>
<td>18</td>
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</table>

Table 14: Unit price of cultivatable land for long-term tree of Dong Xoai Town

<table>
<thead>
<tr>
<th>Area</th>
<th>Unit price(1000/m²)</th>
<th>Ward</th>
<th>Commune</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area 1</td>
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<td>55</td>
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<td>Area 2</td>
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<tr>
<td>Area 3</td>
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<td>26</td>
<td>22</td>
</tr>
</tbody>
</table>

Table 15: Unit price of aquacultural land of Dong Xoai Town

<table>
<thead>
<tr>
<th>No distinction of area, position</th>
<th>Unit price (1000/m²)</th>
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<tr>
<td></td>
<td></td>
<td>12.5</td>
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Table 16: Unit price of rural residential land of Dong Xoai Town

<table>
<thead>
<tr>
<th>Area</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Ward</td>
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<td>Area 1</td>
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<td>Area 2</td>
<td>120</td>
</tr>
<tr>
<td>Area 3</td>
<td>90</td>
</tr>
</tbody>
</table>

Table 17: Unit price of suburban land, land at the edge of main traffic axis; land at the edge of industrial zones, land at the edge of commerce-service zones of Dong Xoai Town, under management of the Central

<table>
<thead>
<tr>
<th>Area</th>
<th>Unit price(1000/m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward</td>
<td>Commune</td>
</tr>
<tr>
<td>Area 1</td>
<td>1.200</td>
</tr>
<tr>
<td>Area 2</td>
<td>700</td>
</tr>
<tr>
<td>Area 3</td>
<td>450</td>
</tr>
</tbody>
</table>

Table 18: Unit price đất ở tại đô thị của thị xã Đồng Xoài

<table>
<thead>
<tr>
<th>Class of cities</th>
<th>Class of streets</th>
<th>Unit price(1000/m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Pos. I</td>
<td>Pos. II</td>
</tr>
<tr>
<td>Class I</td>
<td>5.000</td>
<td>1.200</td>
</tr>
<tr>
<td>Class II</td>
<td>2.000</td>
<td>800</td>
</tr>
<tr>
<td>Class III</td>
<td>1.000</td>
<td>600</td>
</tr>
<tr>
<td>Class IV</td>
<td>540</td>
<td>200</td>
</tr>
</tbody>
</table>

10.3. Cost Estimation

Expenses for compensation and resettlement costs for included cost for the preparation and implementation of report: Report action plan for resettlement compensation, administrative costs and management ... and will be calculated according to the following items
- The cost of compensation for affected land and structures;
- Cost of support for vulnerable groups (family policy, female headed families, disabled, poor ...);
- Support, bonus for strictly implemented PAPs;
- Cost of DRCs and implementation staff.
- Independent monitoring costs;

Rationale for cost estimation
- Regulations in Un-willing Resettlement Policy of WB. In case there is difference between GOV’s and WB’s policy, WB’s policy shall be applied.
Most of the compensation cost is for residential land, agricultural land. Therefore, the compensation is absolutely cautious in calculating land price, both in market price and applying it to the realistic condition.

Also notice that, that preliminarily calculated cost is done before the results from Resettlement surveys. This cost will be revised in specific result reports. The estimated cost for compensation and removal must include subsidiaries, inflation.

Cost of compensation, clearance and support are preliminarily calculated as follow:

Table 19: Estimation cost for compensation, clearance implementation

<table>
<thead>
<tr>
<th>NO</th>
<th>Content</th>
<th>Value (VND)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Compensation cost for building plant</td>
<td>2,770,288,350</td>
</tr>
<tr>
<td>2</td>
<td>Compensation cost for road to the plant</td>
<td>334,464,470</td>
</tr>
<tr>
<td>3</td>
<td>Compensation cost for land of building pressure pumping station</td>
<td>150,960,000</td>
</tr>
<tr>
<td>4</td>
<td>Compensation cost for trees</td>
<td>389,341,106</td>
</tr>
<tr>
<td>5</td>
<td>Resettlement support cost</td>
<td>8,280,623,095</td>
</tr>
<tr>
<td>6</td>
<td>Compensation, Resettlement cost</td>
<td>243,381,164</td>
</tr>
<tr>
<td>7</td>
<td><strong>Total</strong></td>
<td><strong>12,169,058,184</strong></td>
</tr>
</tbody>
</table>

(View appendix)