NATIONAL POWER TRANSMISSION COOPERATION
THE NORTHERN POWER PROJECT MANAGEMENT BOARD

POLICY FRAMEWORK AND GUIDELINES FOR ETHNIC MINORITY DEVELOPMENT PLAN (EMPF)
(DRAFT)

Hanoi, January 2014
Policy Framework and Guidelines for Ethnic Minority Development Plan - Framework - TEP

Introduction
1. The National Power Transmission Cooperation (EVNNPT) is developing Efficient Transmission Project (TEP) with funding from the World Bank (WB). This project consists of three components: (i) Investment in infrastructure construction of power transmission, (ii) Development of Smart Grid, (iii) capacity building and institutional strengthening. Detail list of subprojects in all 3 components are detailed in Appendix 1

Objectives:
Investment in the construction of power transmission infrastructure in areas of key economic development of the country, including Hanoi area, Ho Chi Minh City area, the central and regional Mekong Delta to increase transmission capacity and reliability of the 500 kV grid system, increasing the capacity and reliability of connection points in the distribution system, appropriate Master Power Development Plan No. 7 of Vietnamese Government.

To enhance reliability of the system through the application of new technologies, modernization of stations to facilitate more efficient use of infrastructure and power transmission available in the future, contributing to prepare for connected segment of this much energy after suitable routine Smart grid development.

Strengthening organizational capacity, financial and operating for EVNNPT, support EVNNPT become an independent transmission unit in the power market reform, through technical assistance to improve financial management, investment, identify transmission price to ensure fully reflect costs, enhance technical capabilities and facilities to perform laboratory analysis of quality power transmission equipment.

2. In line with the World Bank’s OP 4.10 Indigenous People, this Policy Framework is developed to guide the preparation and implementation of Ethnic Minority Development Plans (EMDPs) for sub-project areas where there are ethnic minority households.

Social and Economic Information1

3. Vietnam has recently become a success story for poverty reduction. In 1993, nearly 60 percent of the population was living below the poverty line. By 2006, that figure had dropped to under 20 percent, based on Vietnam Household Living Standards Survey (VHLSS) data. However, nearly 10 million people classified as ethnic minorities (about 14 percent of population) have experienced lower rates of poverty reduction. In 2006, ethnic Vietnamese and Chinese households experienced a poverty rate of only 10 percent, while other ethnic groups averaged a 52 percent poverty rate.

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Status of Ethnic Minorities

4. Ethnic minorities in Vietnam have enjoyed better legal and political status than minority groups in many other countries in the region, or around the world. They have received many benefits as a result of government policies. They have received preferential treatment in college admission processes. Cooking oil, kerosene, and iodized salt have been provided to them at heavily subsidized rates. The government, foreign donor agencies, and many NGOs have organized numerous development and special assistance programs that targeted ethnic minorities. Very large sums of money have been invested with the intention of helping the uplands in general and ethnic minorities in particular to “catch up” with lowland areas. And yet ethnic minorities in Vietnam are still severely disadvantaged.

5. While many - probably most - ethnic minority households have better material standards of living today than they did ten or fifteen years ago, they are still not catching up with the rest of the country economically. Indeed, they are in many ways falling further behind. The poverty rate among the ethnic minorities fell marginally over the past 10 year period, from 60 percent of the population in 1993 to 16 percent in 2006 (VHLSS). As predicted by the World Bank (VDR 2004 – Poverty), ethnic minorities are among the groups that will remain poor for longer. A forward-looking estimate of the poverty rate of Vietnam put it at 21% by 2010. Around 37% of those living in poverty by then would be ethnic minority people, more than twice their share of the poor in 1993, and close to three times their share of the Vietnamese population.

6. There are many reasons for the poverty of ethnic minority groups in Vietnam. But lack of attention from the government and the Party is not one of them. Nor have they been ignored by the donor community or by NGOs. The peoples of the northern mountain region are struggling to adapt to severe stresses placed upon them from population pressure, resource depletion, and cultural dislocation resulting from decades of externally imposed change. Development of the region must concentrate on promoting the process of adaptive change, recognizing that it must be accomplished by the people themselves, and that they will inevitably have to devise many different ways of doing it.

Policy Framework

7. The main objective of the ethnic minority policy framework is to ensure that the development process fosters full respect for their dignity, human rights, cultural uniqueness and that ethnic minorities do not suffer adverse impacts during the development process and they will receive culturally-compatible social and economic benefits. The Bank's OP 4.10 on Indigenous Peoples indicates that the strategy for addressing the issues pertaining to indigenous peoples must be based on the Free, Prior and Informed Consultation of the indigenous people themselves. Thus, identifying local preferences through direct consultation, incorporation of indigenous knowledge into project approaches, and appropriate early use of experienced specialists are core activities
for any project that affects indigenous peoples and their rights to natural and economic resources.

8. The State of Viet Nam has the policy of not discriminating against indigenous peoples as showed by the presence of Ethnic People Committee in the National Assembly. Article 94 in the Constitution states that the Ethnic People Committee has the right to submit proposals, plans or related issues of indigenous peoples to the Assembly, monitor, control the implementation of national policies, development programs on various areas such as, education, health care, etc. Article 5 of the Constitution also indicates that ethnic minority people could use their own languages to reserve its cultural distinctions. In the Government of Viet Nam, directly under the supervision of the Prime Minister is the Committee of Ethnic Minorities Affairs (CEMA which is equivalent to a Ministry). Development programs are supervised by CEMA such as the poverty reduction Program 135 according to the Degree No. 135/1998/QD-TTg of the Prime Minister to promote the construction of small-scale infrastructure in poor ethnic minority villages.

9. According to the Government of Vietnam, ethnic minorities have the following characteristics:
   - An intimate understanding and long stay in the territory, land or area of their ancestors closed attachment to the natural resources;
   - Self-identification and recognized by neighboring members by their distinctive culture
   - A language different from the national language
   - A long traditional social and institutional system
   - A self-provided production system.

10. This policy framework will be applied to all of the sub-projects of TEP where applicable.

**Guidelines for Ethnic Minority Development Plan (EMPD)**

11. The guidelines seek to ensure that ethnic minorities are informed, consulted and mobilized to participate in the sub-projects to be supported by TD2/AF Project. Their participation can either provide them benefits with more certainty, or protect them from any potential adverse impacts of sub-projects to be financed by the Project. The main features of the EMDP will be a preliminary screening process, then a social impact assessment to determine the degree and nature of impact of each work under the sub-project, and an action plan will be developed if warranted. Consultations with and participation of the minority population, their leaders and local government officials will be an integral part of the overall EMDP. The EMDP’s consist of the following sections:

   (a) preliminary screening
   (b) social impact assessment
   (c) mitigation measures
   (d) development assistance
(e) project monitoring

Detail requirements for screening and social impact assessment are described in the annexes. The Project will provide a series of training to all implementers and local agencies preparing and implementing EMDPs.

**Screening**

12. All communes which are candidates for sub-Project will be visited (at the time of first consultation with communes) by a teams made up of Project Management Boards of Electricity of Viet Nam (EVN) or of the respective National Power Transmission Corporation (NPT) or project consultants. Prior to the visit, respective Project Management Boards (PMBs) will send a letters to the communes informing the commune leaders that they will be visited by the respective PMBs or project consultants which would like to discuss sub-project. The letter will request that the communes invited to the meeting have representatives of farmers and women associations, village leaders, and key staff of commune for discussion on the sub-project. If there are ethnic minorities in the commune, their leaders should be invited to the meeting as well. During the visit, the commune leaders and other participants will present their views with regards to the sub-project.

13. At this visit, the social scientists (social consultants) will undertake a screening for ethnic minority population with the help of ethnic minority leaders and local authorities. The screening will check for the following:

(a) names of ethnic groups in the commune  
(b) total number of ethnic minority groups in the commune  
(c) percentage of ethnic minority of commune population  
(d) number and percentage of ethnic minority households along the zone of influence of the proposed sub-Project.

14. If the results show that there are ethnic minority households in the zone of influence of the proposed sub-project, a social impact assessment will be planned for those areas.

**Social Impact Assessment (SIA)**

15. The social impact assessment (SIA) will be undertaken by the social consultants. The SIA will gather relevant information on the following: demographic data; social, cultural and economic situation; and social, cultural and economic impacts - positive and negative.

16. Information will be gathered from separate group meetings: ethnic minority leaders; ethnic minority men; and ethnic minority women, especially those who live in the zone of influence of the proposed work under sub-Project. Discussions will focus on sub-Project impacts, positive and negative; and recommendations for design of sub-Project. The social consultants will be responsible for analyzing the SIA, and for leading the development of
an action plan with the ethnic minority leaders, project engineers and other staff. *If the SIA indicates that the potential impact of the proposed sub-project will be significantly adverse or that the ethnic minority community rejects the project, the sub-Project will not be implemented in that locality; no further action is needed in this case.*

17. If the ethnic minority supports the sub-Project implementation an EMDP will be developed.

**Ethnic Minority Development Plan (EMDP)**

18. The action plan will consists of a number of activities and will include mitigation measures of potentially negative impacts, modification of sub-project design, and development assistance. Where there is land acquisition in ethnic minority communities, the Project will ensure that their rights will not be violated and that they be compensated for the use of any part of their land in a manner that is culturally acceptable to them. The compensation will follow the Resettlement Policy Framework of the project. An Ethnic Minorities Development Plan will include:

(1) baseline data;
(2) land tenure information;
(3) local participation;
(4) technical identification of development or mitigation activities;
(5) institutional arrangement;
(6) implementation schedule;
(7) monitoring and evaluation; and
(8) cost and financing plan.

**Project Monitoring**

19. Implementation of the EMDPs will be regularly supervised and monitored by PMBs of EVNNPT in coordination with the respective Peoples' Committees and Committees for Ethnic Minorities and Mountainous Areas at grass root level. The findings and recommendations will be recorded in quarterly reports and to be furnished to the PMBs, EVN, EVNNPT and World Bank office in Viet Nam.

20. The independent agency or agencies which would be used by the respective PMBs to undertake external monitoring and evaluation of the implementation of resettlement action plans for the Project will also be tasked with monitoring the resettlement activities for ethnic minority areas. While, the external monitoring agency will visit a sample of affected households for resettlement in each relevant province on an annual basis, it will also visit a sample of at least 10% of ethnic minority households in the project affected areas.
Schedule

21. The EMDP should have an implementation schedule that is coordinated with the sub-project implementation. Logically, social impact assessments and group meetings should be undertaken before sub-project designs are prepared. Compensation for land acquisition should be satisfactorily completed at least one month prior to start of civil work. Monitoring should take place at the recommended times during and after civil work.

Budget

22. The EMDP will include information on detailed cost of mitigation measures and other rehabilitation entitlements for ethnic minority in the affected areas. Sources of funding for the various activities and financing plans will be clearly specified in the cost tables.

Reporting/Documentation

23. The EMDPs will be prepared and submitted by PMBs to EVNNPT and then the World Bank at the same time that respective PMBs submit the sub-project feasibility study, Resettlement Plan to EVNNPT and the World Bank for review. If a PMB has many sub-projects with similar implementation schedule, an integrated EMDP report for all sub-projects will also be prepared and furnished to EVNNPT and the World Bank for review.

Implementation Arrangement

24. PMBs of EVNNPT will be responsible for the EMDP while the local authorities (People’s Committees, Committees for Ethnic Minorities and Mountainous Areas, Resettlement Committees, Women Union and Land Departments etc. at different levels) will closely coordinate with PMBs for preparing and implementing EMDP. The project social consultant will be responsible for coordinating, planning and supervising EMDP. Consultants will also be responsible for training respective PMBs, social organizations to undertake the work of consultation, screening, social impact assessment, analyses, implementation and monitoring.

Annexes:
1. Annex 1: Preliminary Screening of Ethnic Minorities
Annex 1: Preliminary Screening of Ethnic Minorities

When to do screening: At the time of the first consultation with a commune.
What information to collect: The screening will collect demographic data of ethnic minorities who live along the zone of influence.
How to collect the information: It can be obtained from ethnic leaders, village leaders and commune authorities.
Who will do the screening: Consultants
Time required: The screening of each commune will take about one day to complete.

<table>
<thead>
<tr>
<th>Province: _______</th>
<th>District: _______</th>
<th>Commune: _______</th>
<th>Subproject: _______</th>
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</thead>
<tbody>
<tr>
<td>Name of Villages, Communes along the Influenced Zone</td>
<td>Name of Ethnic Groups along the influence Zone (including Kinh)</td>
<td>No. of Ethnic Minority Households along the influenced Zone</td>
<td>No. of Total Ethnic Minority Persons along the influenced Zone</td>
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Annex 2: Social Impact Assessment

When to conduct SIA: If the screening results show that there are ethnic minority households along the zone of influence of the subproject, a social impact assessment will be undertaken.

What information to collect: The SIA will gather relevant information on the following: demographic data, social, cultural and economic situation; and social, cultural and economic impact-positive and negative-of the proposed sub-project.

How to collect the information: Information will be gathered separate group meetings with the following ethnic minority groups: 1) EM leaders; 2) EM men; and 3) EM women, especially those who live in the zone of influence.

Who will conduct the SIA: Consultants.

Time required: The SIA data collection for each commune will take about two to three days. It will take another two or three days to analyze the data and prepare the final report.

Province: _______; District: _________; Commune:_________; Subproject:_________

A. Demographic Social Cultural and Economic Situation

1. Percentage of ethnic minority households below the poverty line (according to MOLISA) ________

2. Number of ethnic minority girls attending elementary school ________

3. Number of ethnic minority boys attending elementary school ________

4. Number of ethnic minority girls attending secondary school ________

5. Number of ethnic minority boys attending secondary school ________

6. Average number of visits to the hospital by each ethnic minority household per year ________

7. Availability of water supply facility (wells, piped water, etc) in the community
   Yes _____; No_____

8. Availability of electricity in the community
   Yes _____; No_____ 

9. No. of households in community with connection to electricity ________

10. Economic information of ethnic minority community

   a) Types of natural resources in the area:

<table>
<thead>
<tr>
<th>Natural Resource</th>
<th>Check</th>
<th>Natural Resource</th>
<th>Check</th>
</tr>
</thead>
<tbody>
<tr>
<td>i. Forest</td>
<td>iv.</td>
<td>ii. Lake, river</td>
<td>v.</td>
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<tr>
<td>iii. Mineral</td>
<td>vi.</td>
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</tbody>
</table>

   b) Hệ kinh tế và nguồn sống:

<table>
<thead>
<tr>
<th>Main Activity</th>
<th>% of EM H/Holds</th>
<th>Secondary Activity</th>
<th>% of EM</th>
</tr>
</thead>
<tbody>
<tr>
<td>i. sedentary agriculture</td>
<td></td>
<td>i. sedentary agriculture</td>
<td></td>
</tr>
</tbody>
</table>
11. Tenure systems of main ethnic groups: briefly describe land ownership and tenure systems (e.g., communal ownership, private ownership, gender differences in ownership, etc.).

______________________________________________________________________
______________________________________________________________________
______________________________________________________________________

12. Social information of ethnic minority community
   a) Key social and cultural systems of main ethnic groups: e.g., group travels frequently to visit relatives in other communes; men travel alone but women do not travel alone; men stay at home while women work in the fields; boys go to school but girls are not allowed; group members intermarry with other members of other groups, etc.

______________________________________________________________________
______________________________________________________________________
______________________________________________________________________

b) Social groupings of main ethnic groups: briefly ethnic types of groupings: e.g., formal and informal leaders (such as spiritual leaders, traditional healers), formal and informal groups such as farmers, women, youth, elderly, etc.; who are the decision makers in the household? In the community?

______________________________________________________________________
______________________________________________________________________
______________________________________________________________________

B. Social, Cultural and Economic Impact

Getting views from men and women on:

1. Potential positive impacts:
   a. Potential employment during subproject construction, or increased access to employment once the subproject constructed Yes___; No_____
   Comments:______________________________________________________
   _________________________________________________________________

   b. ________________
   Comments:______________________________________________________
   _________________________________________________________________

   c. ________________
   Comments:______________________________________________________
   _________________________________________________________________

   d. ________________
   Comments:______________________________________________________
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   e. ________________
   Comments:______________________________________________________
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   f. ________________
   Comments:______________________________________________________
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   g. ________________
   Comments:______________________________________________________
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   h. ________________
   Comments:______________________________________________________
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   i. ________________
   Comments:______________________________________________________
   _________________________________________________________________

   j. ________________
   Comments:______________________________________________________
   _________________________________________________________________

   k. ________________
   Comments:______________________________________________________
   _________________________________________________________________

   l. ________________
   Comments:______________________________________________________
   _________________________________________________________________

   m. ________________
   Comments:______________________________________________________
   _________________________________________________________________
b. Increased access to electricity
Yes___; No____
Comments:__________________________________________________________
_______________________________________________________________

C. Suggestions and Recommendations for Sub-Project

1. From Men:
2. FROM WOMEN:


D. Other Comments


Annex 3: Proposed Action Plan

When to prepare action plan: Immediately after the SIA, if the ethnic minority supports for the sub-project.
How to prepare an action plan: The plan to be prepared based on the results of consultation and participation of EM groups.
What is in an action plan: It will consist of (1) legal framework (2) mitigation activities; (3) technical identification of development, (4) institutional arrangement for implementation; (5) implementation schedule; (6) monitoring and evaluation; and (7) cost and financing plan.
Who will prepare the action plan: Consultant in coordination with the commune leaders, ethnic minority leaders in consultation with the EM community and district authority.
Who will implement the action plan: The NPT and EVN PMBs, Communes and EM leaders

1. **Legal Framework:** Describe the laws of GOV applied and OP 4.10 of the World Bank.

2. **Mitigation Measures**

**Potential of negative impacts:** Identification of potentially negative impacts through consultation with EM and local authorities.

**Mitigation measures**

Information from the SIA and meetings with the ethnic minority communities will be used by the Project Engineer in preparing the design, construction schedule and construction measures for the subprojects and the estimated cost of required work. These will include:

a. Recommendations for changing line alignments, locations, construction measures and construction schedule for subprojects to accommodate needs and preferences of ethnic minorities:

b. Identify areas for particular cultural, spiritual or ecological sensitivity which should be considered in design and construction activities:

c. Develop a program for communication, information and education by the commune for the ethnic minority community in the zone of influence on electric safety, potential health and social problems.
d. Land acquisition and compensation: Where there is land acquisition in ethnic minorities, the project will ensure that their rights will not be violated and that they will be compensated for the use of any part of their land in a manner that is culturally acceptable to them. The compensation will follow the Resettlement Policy for Project Affected Person under the Project. Ethnic minority leaders will assist with consultation of affected households and with compensation activities.

3. Technical Identification of Development Assistance

The province through its regular development program will provide assistance to the ethnic minorities living in the sub-project areas, e.g., priority for those living near the influenced areas in getting employment in subproject construction and maintenance. Priority for accessing to credits of Bank for Agricultural and Rural Development in medium and long terms. Assistance for agricultural development such as land reclamation. Where the areas overlap with other World Bank financed projects, ethnic minority areas will be targeted wherever possible.

Training: The Project will provide trainings for EM in the influenced areas on training on electric safety, agricultural extension. It will also include ethnic minority leaders in training sessions on SIA, resettlement, and participatory monitoring for EMDP implementation.

Gender Assistance: Special consultation and training for women, especially female-headed households (such as, credit, agricultural extension, fertilizer use, etc.)

List proposed development assistance and schedule:

<table>
<thead>
<tr>
<th>Proposed Assistance</th>
<th>Responsible Group</th>
<th>Schedule</th>
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<tbody>
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</table>
4. Institutional arrangement

Describe about all required activities and responsible institutions

<table>
<thead>
<tr>
<th>No.</th>
<th>Action</th>
<th>Responsible institution</th>
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<tbody>
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<td>1</td>
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5. Implementation schedule

Figure out the schedule for each action

<table>
<thead>
<tr>
<th>No.</th>
<th>Action</th>
<th>Schedule</th>
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6. Monitoring and evaluation

Describe the indicators to be monitored, institution(s) responsible for monitoring, requirement for monitoring reports.

Indicators:
1. _____________________________________________
2. _____________________________________________
3. _____________________________________________
4. _____________________________________________
5. _____________________________________________

<table>
<thead>
<tr>
<th>Activity</th>
<th>Monitoring Schedule</th>
<th>Visited by</th>
<th>If completed (x)</th>
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<tbody>
<tr>
<td>1</td>
<td>Screening</td>
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<td>2</td>
<td>Conduct SIA</td>
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<td>3</td>
<td>Discuss findings of SIA with community</td>
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<td>4</td>
<td>Preparation of Action Plan</td>
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<td>5</td>
<td>Discussion with local authorities, engineer of mitigation measures</td>
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<td>6</td>
<td>Visit one month prior to construction work</td>
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<td>7</td>
<td>Visit one month after construction work</td>
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<tr>
<td>8</td>
<td>Visit six months after construction work</td>
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7. **Cost and financing plan.** Estimate cost for IPDP and financing resources.

<table>
<thead>
<tr>
<th>Proposed assistance</th>
<th>Unit cost (VND)</th>
<th>Quantity</th>
<th>Total cost (VND)</th>
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<th>Implementation cost</th>
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<td>Contingency</td>
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<td>Total cost (VND)</td>
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Annex 4: Schedule for Ethnic Minority Consultation

Note: Ethnic minority leaders and two ethnic minority representatives (one man and one woman) will form part of the EMDP planning and implementation group for each local unit.

<table>
<thead>
<tr>
<th>Task</th>
<th>Responsible person</th>
<th>Material &amp; forms</th>
<th>Week</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Inform ethnic minority commune leaders and local authorities about the sub-project</td>
<td>NPT, PMB or consultants</td>
<td>Project brochure (PMB to provide sample)</td>
<td>x</td>
</tr>
<tr>
<td>2 Conduct screening to determine types and numbers of ethnic minority households living in area of zone of influence of subproject.</td>
<td>Consultants</td>
<td>Provide Screening/EM Inventory Form</td>
<td>x</td>
</tr>
<tr>
<td>3 Request EM commune leaders, local authorities to help with completing Screening/EM Inventory</td>
<td>NPT, PMB under and EVN</td>
<td>Official letter</td>
<td>x</td>
</tr>
<tr>
<td>4 Undertake social impact assessment ethnic minority households in zone of influence/area of subproject. Conduct focus group discussions with three separate groups of ethnic minorities as part of SIA: leaders; men; and women</td>
<td>Consultants (under guidance from PMB)</td>
<td>SIA Form</td>
<td>x</td>
</tr>
<tr>
<td>5 Analyze and write up findings of SIA</td>
<td>Ditto</td>
<td>SIA Form</td>
<td>x</td>
</tr>
<tr>
<td>6 Meet EM leaders and members and discuss findings of SIA</td>
<td>Consultants</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>7 Prepare Action Plan with local authorities, ethnic minority representatives and their leaders</td>
<td>Consultants</td>
<td>Action Plan Form</td>
<td>x</td>
</tr>
<tr>
<td>8 Meet with designed Engineers to discuss feedback from the commune and use information to design and mitigation measures</td>
<td>Consultants</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>9 Send all Inventories, SIAs, Action Plans to PMB</td>
<td>Consultants</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>10 Summarize information and submit to IDA/World Bank. Important – the reports should be submitted with submission of its proposed subproject Program.</td>
<td>NPT, PMBs</td>
<td>x</td>
<td></td>
</tr>
</tbody>
</table>