DA NANG PEOPLE'S COMMITTEE
DANANG PRIORITY INFRASTRUCTURE INVESTMENT PROJECTS MANAGEMENT UNIT

DANANG SUSTAINABLE CITY DEVELOPMENT PROJECT

Consultancy Service for Environmental Impact Assessment, Environmental Management Plan and Resettlement Plan for the construction of the route from Linked Nguyen Tat Thanh road to Quan Nam - Thuy Tu urban zone in Da Nang Sustainable City Development Project

RESETTLEMENT PLAN

Prepared by:

Infra-Thangloag

September, 2012
DA NANG PEOPLE’S COMMITTEE
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RESETTLEMENT PLAN

Package: Consultancy Service for Environmental Impact Assessment, Environmental Management Plan and Resettlement Plan for the construction of the route from the Linked Nguyen Tat Thanh to Quan Nam – Thuy Tu urban zone

THE EMPLOYER
DANANG SUSTAINABLE CITY DEVELOPMENT PROJECT – PROJECT MANAGEMENT UNIT

THE CONSULTANT
THANG LONG INFRASTRUCTURE DEVELOPMENT SJC. (Infra-Thanglong)
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### ABBREVIATIONS

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<thead>
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<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CRC</td>
<td>Compensation Assistance and Resettlement Committee</td>
</tr>
<tr>
<td>DMS</td>
<td>Detail Measurement Survey</td>
</tr>
<tr>
<td>DP(s)</td>
<td>Displaced Persons</td>
</tr>
<tr>
<td>EIA</td>
<td>Environmental Impact Assessment</td>
</tr>
<tr>
<td>FS</td>
<td>Feasibility Study</td>
</tr>
<tr>
<td>LIA</td>
<td>Low Income Area</td>
</tr>
<tr>
<td>PC</td>
<td>People's Committee</td>
</tr>
<tr>
<td>SCDP</td>
<td>Sustainable City Development Project</td>
</tr>
<tr>
<td>PMU</td>
<td>Project Management Unit</td>
</tr>
<tr>
<td>RP</td>
<td>Resettlement Plan</td>
</tr>
<tr>
<td>RPF</td>
<td>Project Policy Framework</td>
</tr>
<tr>
<td>TOR</td>
<td>Terms of Reference</td>
</tr>
<tr>
<td>WB</td>
<td>World Bank</td>
</tr>
</tbody>
</table>
DEFINITIONS OF TERMS

Displaced Person(s) (DPs) are the persons whose lands are acquired involuntarily and result in:

(a) Relocation or loss of shelter;
(b) Loss of assets or ability to access such assets;
(c) Loss of income sources or means of livelihood, regardless of relocation; and
(d) The involuntary restriction of access to legally designated parks or protected areas causing adverse impacts on their livelihoods.

Involuntary Resettlement is unavoidable resettlement losses resulted by a development project in which affected people have no option but to rebuild their lives, incomes and asset bases elsewhere.

Resettlement Assistance is additional support provided to DPs who are losing assets (particularly productive assets), incomes, employment or sources of living, to supplement the compensation payment for acquired assets to achieve, at a minimum, the full restoration of living standards and quality of life.

Cut-off date is the date the project is approved and land marked. Displaced Persons and local communities will be informed of the cut-off date for each Project component, and any persons moving into the project area after that date will not be entitled to compensation and assistance under the Project.

Detailed Measurement Survey (DMS) is the surveys and/or validation of the results of the inventory of asset losses (IOL), severity of impacts, and list of DPs done earlier during the preparation of the final Resettlement Plan.

Compensation is means payment in cash or in kind to replace losses of land, housing, income, and other assets caused by land revocation to get project done.

Entitlement to Compensation and Assistance is the range of measures on compensation and assistance, comprising income restoration support, subsistent assistance, income support, relocation and resettlement support, which are owed to the DPs to restore their economic and social base depending on the type and severity of their losses.

Host community is a community in the proposed resettlement sites.

Income restoration/Livelihood improvement is the re-establishment and restoration of income sources and livelihoods of relevant DPs.

Inventory of Losses (IOL) is complete and accurate count of the people, households, land, business and other assets on the land that is affected by the project.

Land Acquisition is the process the State makes decision to acquire land use right or allocated land from users as regulated.
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relocation/ Resettlement</td>
<td>The physical relocation of DPs out of their residence and resettle in new resettlement area.</td>
</tr>
<tr>
<td>Replacement Price (Cost)</td>
<td>Cost of actually purchasing new land of equal productive value including the cost of transaction, and purchasing other assets new including the cost of materials and labor.</td>
</tr>
<tr>
<td>Replacement Cost Survey</td>
<td>The process involved in determining the replacement price of land, houses and other affected assets based on field surveys.</td>
</tr>
<tr>
<td>Severely Affected Person</td>
<td>DPs who will (i) lose 20% or more of their total productive land and/or assets (ii) have to relocate; and/or (iii) lose 20% or more of their total income sources because of the Project.</td>
</tr>
<tr>
<td>Vulnerable Groups</td>
<td>Individuals or distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of land and property recovery or resettlement specifically including: (i) female headed households with dependents, (ii) disabled individuals; (iii) households with disabled persons, (iv) households falling under the current MOLISA benchmark poverty line, (v) children and elderly households who are landless and with no other means of support, (vi) landless households, (vii) ethnic minorities</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

Introduction

The proposed SCDP project, which continue to support the upgrading and expansion of environmental infrastructure, construction of a pilot bus-rapid-transit (BRT) corridor and two critical sections of road infrastructure to facilitate future city development, aims to help Da Nang become a more sustainable city that benefits all citizens by improving urban environment and increasing urban mobility in a clean, safe, inclusive, and energy efficient manner. The project consists of four main components (as outlined as bellowed), a consolidated RAP, for the whole project is now under preparation by PIIP's PMU.

- **Component 1:** Drainage and Wastewater Improvement (US$ 116.8 million, of which IDA US$ 85.2 million).
- **Component 2:** Bus Rapid Transit Development (US$ 40.2 million of which IDA US$ 31.0 million).
- **Component 3:** Urban Strategic Roads (US$ 76.1 million of which IDA US$ 7.3 million and IBRD US$ 40.0 million).
- **Component 4:** Technical Assistance and Capacity Building (US$ 9.0 million to be financed by IDA).

Under the Component 3, two new primary roads, with a total length of about 14km will be constructed under this component. Identified as strategic roads in the City’s Master Plan, both roads will improve connectivity of urban roads, especially east/west connections to the north/south City By-Pass and national expressway network. The connection of the northern link to the Da Nang north/south City By-Pass (in which part of the proposed road called Nguyen Tat Thanh Linked road) would be the last connection of the By-Pass to the City road network, as already been agreed between the Ministry of Transport and the City.

The Nguyen Tat Thanh Linked road, with total length of 6km is partially implemented by Da Nang Government with investment from Da Nang Government, as in anticipation to the Project, for section of 2.71km, from the existing ending point of Nguyen Tat Thanh road to Quan Nam – Thuy Tu urban zone which appears to be a linked activities to the Bank funded SCDP project.

About 2.46 km of the mentioned 2.71km road section, completed site clearance and land acquisition since 2011. The remaining 250m will prepare a resettlement plan (RAP) before the Da Nang SCDP’s appraisal. Da Nang city has reached the agreement with the Bank to implement the construction as of World Bank’s policies with the regulations in the approved PIIP’s Project Policy Framework (RPF).

Therefore, this is the resettlement plan prepared for the Nguyen Tat Thanh road (with the length of 2.7km). According to the above mentioned 2.7km road section, the land acquisition in this report includes 02 parts: (i) Resettlement Plan for 57 affected HHs for the first part of the Linked Nguyen Tat Thanh road – about 250m and (ii) Due Diligence review for 212 households for the 2.46km road section (of 2.71km) which have received the compensation for the affected land.
RESETTLEMENT PLAN – The rote from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

Scope and Impact of Land Acquisition

- This RAP will consider the compensation and land acquisition activities with affected households due to the linked Nguyen Tat Thanh road subproject with the length of 250m under the Component 3, Construction of Strategic Traffic Route. This task is funded by the Da Nang City People’s Committee.

- Affected households are living in Hoa Hiep Nam ward in Lien Chieu district and Hoa Lien commune in Hoa Vang district, Da Nang city. With a total area of 21,016.2 m² including 7,988 m² of residential land with 43 affected households and 12,626 m² of agricultural land, and 402.2 m² of a public land and wasteland (managed by ward PC). The total affected households are 57 households, among them 43 households are affected significantly and required to be relocated. 14 affected households have 20% or more of their agricultural land holding to be affected by the project. Besides, parcels of land using for cemetery, community house managed by Commune PC are also affected, as means of public structure. Specific data on the effects shown in the following table.

<table>
<thead>
<tr>
<th>Main impacts</th>
<th>Unit</th>
<th>Affected Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Affected household:</td>
<td>HH</td>
<td>57</td>
</tr>
<tr>
<td>Household members</td>
<td>Persons</td>
<td>296</td>
</tr>
<tr>
<td>In which:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>+ Households whose residential lands are affected</td>
<td>households</td>
<td>45</td>
</tr>
<tr>
<td>+ Households whose agricultural lands are affected</td>
<td>households</td>
<td>14</td>
</tr>
<tr>
<td>+ Public land</td>
<td>unit</td>
<td>01</td>
</tr>
<tr>
<td>+ Households with affected shelters</td>
<td>households</td>
<td>43</td>
</tr>
<tr>
<td>2. Permanent Affected Area</td>
<td>m2</td>
<td>21,016.2</td>
</tr>
<tr>
<td>In which:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>+ residential land</td>
<td>m2c</td>
<td>7,988.0</td>
</tr>
<tr>
<td>+ agricultural land</td>
<td>m2</td>
<td>12,625.6</td>
</tr>
<tr>
<td>+ other land (public land)</td>
<td>m2</td>
<td>402.2</td>
</tr>
<tr>
<td>3 Affected house area</td>
<td>m2</td>
<td>3,732.0</td>
</tr>
<tr>
<td>4. Number of households require displacement and resettlement</td>
<td>households</td>
<td>43</td>
</tr>
<tr>
<td>5. Number of households whose agricultural land is severely affected</td>
<td>households</td>
<td>14</td>
</tr>
</tbody>
</table>

Mitigation Measures

During the process for determining the investment scale and project method, a close coordination between the technical consultant and the social consultant (Infra-Thanhlong, Da Nang Sustainable City Development Project)
The resettlement plan (the route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone) has been established to achieve the two following objectives: Promote the effectiveness of the investment project and at the same time, minimize the land acquisition of landowners.

During socio-economic survey and consultation processes of the project affected community, the project considered measures to mitigate project impacts (by means of setting up proper resettlement and compensation options and residents’ consensus towards the Project), which include the information disclosure and community meetings to introduce the Project preparation and implementation stages and activities.

Simultaneously, measures to minimize temporary impacts in the construction stage was studied and proposed to avoid or minimize the same impacts in the next stages.

**Policy Framework and Entitlement**

The basic principles for this RP preparation is: DPs shall be assisted together with their best efforts to better or at least improve their living standards, their earning capacity and productivity same as their prior living standards previous to the project. The lack of legal basis of land usage does not bar affected persons’ entitlements to the compensation and/or assistance for their economic restoration. Their affected properties shall be compensated based on “Replacement Cost”.

The cut-off date of the project is Feb 23, 2011 as the date of the project DMS completion, thus the cases arising after this date will not be compensated by the project.

**Life Restoration Program**

The living standards recovery program is an important activity of compensation and resettlement. In the project, a vocational training program, and job introduction by the Da Nang Women’s Employment Service Centre have been analyzed for consideration and proposed for projects’ affected persons.

**Institutional Arrangement**

The Project’s compensation, assistance and resettlement will be under the management of the Project Management Unit; and the City Compensation and Resettlement Committee (CRC) will be directly in charge of the implementation. Cooperation among staffs belonging to the DCRC, and the Project Management Unit, commune officers and local residential groups will also coordinate with the assigned local resettlement specialists.

**Implementation Plan**

The RAP to be completed before appraisal, and full compensation completed, is estimated for the Third quarter of 2012, before the construction starts.

**Consultation and Participation**

The Project’s resettlement policy in this resettlement plan has been prepared with the close cooperation of local authorities, community organizations, and DPs to maximize their participation in the preparation and implementation of the resettlement plan. The local authorities, community organizations and about over 30 affected households were consulted through different forms and channels of information including meetings, community consultations, in-depth interviews for typical cases and questionnaire survey for all project.
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

affected households. The information obtained in the consultations is not only useful for preparing the resettlement plan but also, to assist the definition of compensation options. Consultation shall be continuous to be carried out during the project implementation.

Monitoring and Evaluation

The implementation of the detailed resettlement plan will be monitored and examined internally by PMU’s staff. The implementation of resettlement plan will be also monitored frequently via the prepared reports and the proposals. At the same time, an independent monitoring organization will be hired to monitor the RP’s implementation and evaluate the DP’s living standards after resettlement.

Grievance and Grievance Redress

In the implementation process of the resettlement plan, grievances will be settled in accordance with the local procedure and regulations, and as stated in the RPF with arrangements seeking the participation of local authorities at all levels in charge of resolve DPs’ grievances, ensuring its processing in an adequate and timely manner DPs will not pay any administrative fees for their grievance redress.

Cost Estimate

Total estimated cost of resettlement plan 18,580,000,000 VND. This includes compensation and allowance costs for project-affected land and architectures, the income rehabilitation programs, the transition assistances, the monitoring, evaluation and administrative management and contingency costs.
INTRODUCTION

1.1 PROJECT OVERVIEW

1.1.1 Introduction

Da Nang city, with a strategic location, is considered a priority economic area, with key transport hubs for roads, railway, and domestic-international airways. It is a major socio-economic and cultural center for the country's Central region. In the regional and international context, Da Nang is a significant sea gateways region. In recent years, the city has implemented a number of projects funded by the World Bank. Particularly, in the period of 1998-2007, the Solid Waste Management and Drainage Improvement Project; and two phases of the Priority Infrastructure Investment Project (PIIP). Despite a great deal of infrastructure improvement, Da Nang has been facing particular difficulties such as flooding, and increased pollution in lakes and water resources.

The World Bank would support the proposed Da Nang Sustainable City Development Project (SCDP), responsible for furnishing the city with essential urban infrastructure in order to assist its rapid expansion.

The infrastructure by the proposed project will be concentrated in six urban districts of Da Nang as shown below.
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

Source: Da Nang PMU, Sept 2012.

Project Objective

The project aims to help Da Nang become a more sustainable city that benefits all citizens by improving urban environment and increasing urban mobility in a clean, safe, inclusive, and energy efficient manner.

As targeted platforms, project’s infrastructure investment components would include flood controlling, construction of new drainage system, waste water collection, pumping and treatment, besides investment in bus system development and the construction of new roads and bridges in the urban area.

Project Components

The project includes four components as below.

Component 1 - Environment Improvement and Key Investment in Waste Water Collection and Treatment

Improvement of waste water collection and treatment system is concentrated. For the purpose of flood controlling, the capacity of lakes and canals needs to be expanded. Drainage and wastewater - overflow dam as well as pumping stations will be provided to the urban zones in which their drainage system is direct discharge into rivers, lakes and canals. Besides, a separate sewer system will be constructed in the new development urban zones.

In this component, a new Wastewater Treatment Plant with two-tier treatment system (which has been experienced in another project) will be constructed in Lien Chieu district in order to serve the Northern area of the city. At the same time, the Wastewater Treatment Plant in Hoa Xuan, Cam Le district which is serving the Southern area of the city will be upgraded. Therefore, 04 Wastewater Treatment Plants in the city can be operated in the city.

Component 2 - Public Transport: Bus Rapid Transit System Development

Assistance to public transport development will be provided, in particular, Bus Rapid Transit system (BRT) in the city will be constructed. Currently, there are 500,000 motorbikes and 30 cars; however, the public transport is insufficient. Severe traffic congestion as in Hanoi and Ho Chi Minh City will spread over the city if there is no proposed prevention measure. BRT system aims to complete many routes of public transport lines (PT) which have been currently established.

BRT route is proposed to construct with its length of 22km from Hoa Khanh industry zone in the North-Western cities to new university zone in the Southeast, running though city center and Dragon Bridge. BRT will provide a separate lane and 26 bus stops. BRT system will also include stations, warehouses etc.

Component 3 - Construction of Strategic Urban Roads: A new system of the East-West road-linking highway

This component will provide investment fund in the strategic road network in order to stimulate modern urban road development. Besides, two main routes which link the East to the West will be established.

In the South of the city, the Avenue will be extended to 8,25km heading to the West which is from the University zone/ Highway 1A to Highway 14B. This route is 34m wide, with 6 lanes (3,75m), mid (3m) and footpaths (5m) on both sides. The route runs through flat terrain in which mostly includes agricultural land for rice cultivation. On the routes, bridges over the rivers or canals will also be provided.
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

The link road in the North of the city is proposed to be 6km long, extended towards the West from the intersection of Nguyen Luong Bang and Nguyen Tat Thanh (near the Highway 1 toll) to the Foreign traffic route in the Southern Hai Van tunnel. The route will mainly spend agricultural land with flat terrain; however, there will be a significant number of affected households due to agricultural land acquisition.

Component 4 - Capacity Strengthening of Urban Infrastructure Management

SCDP will continue activities of capacity strengthening which has been deployed in PIIP in order to assist the city to improve urban management capacity and help to establish the Public Transport Management and Controlling Office as well as Traffic Management and Controlling Center. At the same time, facilities and expertise for the new Waste Water Management and Sanitary Company will also be provided.

1.1.2 Study Scope

The construction of Linked Nguyen Tat Thanh road is anticipated to cause certain social impacts. Therefore, the RAP addressed special attention to low-income areas and vulnerable groups affected. Although the impacts are very diverse, the RAP covered detailed descriptions of impacts, benefits rehabilitation assistance considered to ensure the improvement or at least maintenance of the living standard of households as compared to their pre-condition of the project implementation. The resettlement plan report is prepared to ensure the compliance with the World Bank’s policy OP4.12 on involuntary resettlement and appropriateness with the current policies of Da Nang city.

The Nguyen Tat Thanh Linked road, with total length of 6km is partially implemented by the Da Nang Government with investment from Da Nang Government, for section of 2.71km which is a linked activities to the Bank funded SCDP project.

Involuntary Resettlement in Component 3. A section of a road in Component 3 (2.71 km Da Nang Bypass Road), is financed by the City being built in 2012, and it is a section where all of the compensation and resettlement activities (for about 2.46km out of the 2.71km of road as a whole) have been completed. Following the Bank’s policy a due diligence review was carried out to define measures to be addressed in cases with gaps between the Bank’s OP4.12 and City’s policy are identified (if any). This report is subjected to another document elaborated by the Bank in close collaboration with the Da Nang Government namely the Due Diligence Review.

In sum, the section of 2.46Km compensation has to comply with Bank’s OP 4.12 and a RAP had to be prepared by for the remaining section of 0.25km, including linked activities for two resettlement sites where people affected by the 0.25 km road section, are to be relocated, and therefore are Linked projects, according to the agreement reached during the project design with the Bank’s Safeguards Secretariat.

Therefore this RAP is prepared exclusively for the construction of the route from the linked Nguyen Tat Thanh to Quan Nam – Thuy Tu urban zone (with the length of 2.7km), with the following categories:

- The Starting Point: Km0+00 (at the intersection point of Highway 1 (Km918+732)) and the ending point of Nguyen Tat Thanh in Hoa Hiep Nam ward, Lien Chieu district.
- The Ending point Km2+715,04 (at the end of zone A of Quan Nam – Thuy Tu urban zone in Van Duong 1 village, Hoa Lien commune, Hoa Vang district).
The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

- Total length of the route is 2,715.04m

For the 2.7km road section, this report will include 2 parts: (i) Resettlement Plan for 57 affected HHs for the first part of the Linked Nguyen Tat Thanh road – about 250m and (ii) Due Diligence review for 212 households which have received the compensation for the affected land, which is implemented for the 2.46km road section (of 2.71km),

1.1.3 Main Assignments
The work scope includes (i) update the socioeconomic information (ii) prepare resettlement plan, specifically; updated the socioeconomic information; conducted a socio-economic survey in the project area was (June, 2011), and reviewed impacts and benefits of the selected investment components on the project’s targeted communities and population groups

1.2 SURVEY AND RESEARCH
During the period from 6/6/2011 to 15/6/2011, the inventory of losses (ILO), and socioeconomic survey were conducted. For the former information among all affected households was obtained. For the latter, the survey included socioeconomic questionnaires collected among 40 affected households or 65% of total affected and including detailed information on households requiring relocation. Steps involved in this research and consultations with affected communities were as follows:

- Review and close coordination with detailed design consultant to identify investment components and to map for the entire route of the Project while conduct field surveys to take measures to minimize the land acquisition and resettlement impacts (if any). => Details are shown in Chapter 2: Mitigation Measures.

- Elaboration of map on the affected areas in order to demonstrate the types/levels of impact associated with the relevant information of the socio-economic survey and asset inventory.

- Conduct an inventory of losses (ILO) including the affected land/property over (100%) households and the socioeconomic survey for 20% of partially affected households and 100% seriously affected and displaced households, thereby to establish an economic and social database report (enclosed with the resettlement plan report) => see Chapter 3 and 4 for more details: Land acquisition, resettlement and economic and social information;

- Research replacement costs by ways of collection of compensation unit price issued by Da Nang People’s Committee; collection of information on real estate transactions over the city (in or nearby the project area); collection of quotations on the properties/building materials etc. and consult people on compensation rates applied in their locality => for more details see Chapter 13: Cost Estimate for Compensation, Assistance and Resettlement.

- Organize consultations with the community and stakeholders such as unions, community representatives and affected households (applicable to all displaced and affected households). In addition, consultations with the PMU staffs have been conducted to discuss and agree the contents mentioned in the report, focusing on the investigation and survey of replacement costs and livelihood rehabilitation programs of affected households etc. => For more details see Chapter 10: Community Consultation and Participation.

DA NANG SUSTAINABLE CITY DEVELOPMENT PROJECT
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

Apart from the above statements, information on implementation organization, implementation plans, and benefit policies for affected households, resettlement arrangement and other rehabilitation policies are reflected in the following parts of the report.
MITIGATION MEASURES

2.1 OBJECTIVES

The first principle of WB’s OP4.12 guideline is to avoid or mitigate impacts on resettlement and land acquisition. In case it is not feasible to avoid such resettlement, mitigation methods and/or reasonable compensation should be applied for DPs.

As unified in the implementation principles of Da Nang SCDP, the resettlement and land acquisition should be minimized. The Designed Consultant, PIIP PMU and related authorities have made efforts to minimize impacts on land acquisition since the stage of project design and completion of the investment report; therefore, the impact scale on resettlement is limited.

Unavoidable land acquisition impacts are caused by the need of land acquisition for road construction and concentrated parks for constructing machinery located in 02 wards (Hoa Lien and Hoa Hiep Nam). Wide-range consultations between the resettlement consultant (Infra-Thanglong) and local authorities, community-based organizations and especially households, who may be affected by the project, were organized to minimize resettlement impacts. The agreed instruction principles are attempts to finalize optimal options and solutions to avoid displacement from the existing shelters.

2.2 MITIGATION MEASURES

In the project design process, the close coordination between Resettlement Consultant (hired by the PMU) and the technical team in an effort to mitigate the project impact have been made regarding the construction of Linked Nguyen Tat Thanh road and drainage system together with bridges over the canals etc., however, the impacts of displacement is unavoidable. Thereby, for impact mitigation on affected households including indirectly and partly affected households during the construction period, the following mitigation measures are proposed:

1. *Firstly*, the first action of project impact mitigation is to help households get information locations and benefits of the project as well as estimated impacts in order to establish together a suitable policy framework for minimizing impacts. On the other hand, if households are provided with full information in this stage, they will have spiritual and physical preparation for expected project impacts. The community consultancies in the whole project area were carried out to disclose (i) project information and (ii) expected impacts as well as land acquisition and resettlement compensation methods. During the disclosure and consultation meetings, many opinions were exchanged. In general, people supported the Project and hoped that it will be soon accomplished to solve the flooding situation in the area.

2. *Secondly*, the construction of road and bridge was studied and analyzed by the Technical consultant group in order to propose mitigating measures. The consultant
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

group carried out a socio-economic survey at LIAs, organized meeting, training for project wards to introduce content, principles, criteria, method, implementation time; provide knowledge, skill, and method for project implementation. Options were selected based on technical design, contribution ratio, institution, implementation organization and cooperation of local authority and local people.

3. **Thirdly,** for the box culverts - most box culverts have been studied and arranged in the middle of the road or under pavements to minimize direct impacts on households along both roadsides such as the construction of box-culverts in residential area of Lien Chieu, Hai Chau, Son Tra, Cam Le district. Accordingly, remaining impacts after the application of mitigation methods are only temporary impacts in the construction process, especially on the access to business facilities of households living on both roadsides.

In order to minimize impacts on households living along the roadsides, consultation meetings were held with households living in these wards to improve their supports on the construction process. Some temporary impacts (on traffic, business, etc.) will be minimized by the Contractor, in a close cooperation with the community, based on (i) notifying the Contractor’s construction plan so that residents can make necessary and suitable arrangements; (ii) sequencing the construction activities which should finished one by one with fencing/excavation section by section to minimize affects on traffic and business activities of households.

4. **Fourthly,** the design of the linked Nguyen Tat Thanh road, during the stage of route identification and preliminary design, an appropriate technical plan has been proposed to avoid residential areas. Avoiding impacts solve the source of adverse effects. In case of inevitable negative effects on property, adequate compensation policy and compensation value guarantying restoration of damages will be given in consistent with the project policies.

5. **Fifthly,** during construction, there will be negative impacts to the people’s living in the area, as for example as a result of construction for repairing affected houses. The technical team discussed and worked to find out mitigation measures such as to complete the construction section by section. For the materials generated in the dismantlement of the architectural works, the Contractors are requested to quickly clean-up and move them out of the area.

6. **Finally,** meetings were held with the technical group to determine locations of drainage alignments and establish criteria of impact mitigation during the construction such as setting up working safety plans (when constructing near residential areas), for making proper arrangements of materials and instruments (project sign boards, making partitions with residential areas, etc.), and preparing construction schedule to minimize temporary impacts.
RESETTLEMENT AND LAND ACQUISITION

3.1 LAND ACQUISITION SCOPE

According the proposed scope in technical design, the construction of the route from the Linked Nguyen Tat Thanh road to Quan Nam - Thuy Tu Urban Zone in Da Nang SCDP will be designed and implemented in the scope of 01 ward (Hoa Hiep Nam) and 01 commune (Hoa Lien) in 02 districts (Lien Chieu and Hoa Yang) in Da Nang city. Main features of land acquisition in the project area are described as follows:

3.1.1 Overview of Project Impacts

According to the preliminary design, the most important social impacts are as follows:

Table 10: Summary of Project Affected Persons

<table>
<thead>
<tr>
<th>Main impacts</th>
<th>Unit</th>
<th>Affected Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Affected household:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Household members</td>
<td>Persons</td>
<td>57</td>
</tr>
<tr>
<td>In which:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>+ Households whose residential lands are affected</td>
<td>households</td>
<td>43</td>
</tr>
<tr>
<td>+ Households whose agricultural lands are affected</td>
<td>households</td>
<td>14</td>
</tr>
<tr>
<td>+ Public land</td>
<td>unit</td>
<td>01</td>
</tr>
<tr>
<td>+ Households with affected shelters</td>
<td>households</td>
<td>43</td>
</tr>
<tr>
<td>2. Permanent Affected Area</td>
<td>m2</td>
<td>21,016.2</td>
</tr>
<tr>
<td>In which:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>+ residential land</td>
<td>m2</td>
<td>7,988.0</td>
</tr>
<tr>
<td>+ agricultural land</td>
<td>m2</td>
<td>12,625.6</td>
</tr>
<tr>
<td>+ other land (public land)</td>
<td>m2</td>
<td>402.2</td>
</tr>
<tr>
<td>3. Affected house area</td>
<td>m2</td>
<td>3,732.0</td>
</tr>
<tr>
<td>4. Number of households require displacement and resettlement</td>
<td>households</td>
<td>43</td>
</tr>
<tr>
<td>5. Number of households whose agricultural land is severely affected</td>
<td>households</td>
<td>14</td>
</tr>
</tbody>
</table>
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

The DPs will be fully compensated and assisted in accordance with RPF agreed between the Vietnamese Government, Da Nang city and the World Bank.

3.1.2 Affected Area

Based on the preliminary design, the construction of the road is implemented in the scope of 01 ward and 01 commune in 02 urban and rural districts. In particular:

- Lien Chieu urban district: Hoa Hiep Bac ward
- Hoa Vang rural district: Hoa Lien commune

In addition to the mentioned direct affects, the project also causes temporary impacts to over 100 households along the existing canals/ditches etc. in the construction process. These impacts primarily prevent/limit few households from indirectly and temporarily accessing their agricultural productive activities during the Project construction period as well as the traffic roads will be obstructed and scope of transport is limited.

3.2 INVENTORY OF AFFECTED ASSETS

Based on the technical design, the typical cross section (1) of Component 3: linked Nguyen Tat Thanh road - SCDP from the linked Nguyen Tat Thanh road to Quan Nam - Thuy Tu urban zone. Land to be acquired will be surveyed to determine the amount of influence and affected assets as shown below.

3.2.1 Impacts of Residential Land Acquisition

As stated above, thanks to the approach of land acquisition and resettlement mitigation in the project design stage, the number of resettled households is minimized. However, there are 43 households whose their lands will be affected, all of 43 households have to be relocated. In particular:

Table 11: Table of Residential Land Impacts

<table>
<thead>
<tr>
<th>No.</th>
<th>District</th>
<th>Project categories</th>
<th>Number of Households whose residential lands are affected (Households)</th>
<th>Affected area (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Partly affected</td>
<td>Fully affected</td>
</tr>
<tr>
<td>Lien Chieu</td>
<td>HOA HIEP NAM</td>
<td>0</td>
<td>43</td>
<td>43</td>
</tr>
<tr>
<td>Hoa Vang</td>
<td>HOA LIEN</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>SUBTOTAL</td>
<td></td>
<td>0</td>
<td>43</td>
<td>43</td>
</tr>
</tbody>
</table>

3.2.2 Affected Agricultural Land

This is the main impact of the project. Total 14 households have agricultural land affected with agricultural land with the total affected area of 13,098 m² (approximately 1.30 ha).
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

Table 12: Table of Agricultural Land Impacts

<table>
<thead>
<tr>
<th>No.</th>
<th>District</th>
<th>Project component</th>
<th>Households whose agricultural</th>
<th>Affected area (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>lands affected</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Partly affected</td>
<td>Fully affected</td>
</tr>
<tr>
<td>Lien Chieu</td>
<td>HOA HIEP NAM</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hoa Vang</td>
<td>HOA LIEN</td>
<td>0</td>
<td>14</td>
<td>14</td>
</tr>
<tr>
<td>SUBTOTAL</td>
<td></td>
<td>14</td>
<td>14</td>
<td>13.098</td>
</tr>
</tbody>
</table>

The table shows that the affected volume of agricultural land for the entire project concentrates in Hoa Lien commune, Hoa Vang district. The residents here settle in suburban residential area and have main income source from agriculture. Therefore, land acquisition will cause certain impacts on their livelihood and income resources, that income restoration program will address and which are mentioned in the next section of the report.

Thus, in addition to the compensation and assistance which conform to The World Bank’s requirements of Resettlement and Compensation as well as regulations on compensation, assistance and resettlement of the Government and Da Nang city; life restoration programs such as vocational training, vocational guiding and loans for business and production will be provided to assist households’ early adaptability with the new living environment and to improve their income.

3.2.3 Impacts on Housing

Similar to the impacts on residential land, project impacts on houses and structures are not significant, mainly on the households along the existing roads. Through surveys on affected area due to the project, the structures are almost temporary and one-floor house.

Details of impacts on houses and structures are shown below:

Table 13: Table of House Impacts

<table>
<thead>
<tr>
<th>No</th>
<th>District</th>
<th>Project component</th>
<th>Households whose residential lands are permanently affected (Households)</th>
<th>Affected area (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Partly affected</td>
<td>Fully affected</td>
</tr>
<tr>
<td>Lien Chieu</td>
<td>HOA HIEP NAM</td>
<td>0</td>
<td>43</td>
<td>43</td>
</tr>
<tr>
<td>Hoa Vang</td>
<td>HOA LIEN</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>0</td>
<td>43</td>
<td>43</td>
</tr>
</tbody>
</table>
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

3.2.4 Impacts on works and other structures

Impacts on architectural objects including auxiliary works, yards and walls are the case for households along the route in residential areas in Hoa Hiep Nam ward.

The survey results show that the most affected square was yard, alley and expect that total affected area is about 1720 m², in which total affected wall square is 1,182 m², including mainly 10cm wall. Below is Summary of Impacts on Affected Structures:

Table 14: Summary of Impacts on works and other architectural objects

<table>
<thead>
<tr>
<th>No</th>
<th>District</th>
<th>Project component</th>
<th>Affected Architectures</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Kitchen (m²)</td>
</tr>
<tr>
<td>1</td>
<td>Lien Chieu</td>
<td>Component 3: The Linked Nguyen Tat Thanh road</td>
<td>370.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>HOA HIEP NAM WARD</td>
<td>TOTAL</td>
</tr>
</tbody>
</table>

3.2.5 Impacts on Trees and Farming Products

In the route of the Linked Nguyen Tat Thanh to Quan Nam – Thuy Tu urban zone of SCDP, affected area is mainly residential zone, thus, there are not significant impacts on plants, crops and agricultural land. Regarding, trees and crops, few will be affected due to the project.
Table 15: Summary of Impacts on crops/trees

<table>
<thead>
<tr>
<th>No.</th>
<th>District</th>
<th>Project component</th>
<th>Affected crops/trees</th>
<th>Crops (rice)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Group 1 (longan, jack coconut, mango)</td>
<td>Group 2 (grapefruit, orange, guava and apple)</td>
</tr>
<tr>
<td>1.</td>
<td>Lien Chieu</td>
<td>HOA HIEP NAM WARD</td>
<td>203</td>
<td>135</td>
</tr>
<tr>
<td>2.</td>
<td>Hoa Vang</td>
<td>HOA LIEN COMMUNE</td>
<td></td>
<td>12,714,6</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td></td>
<td>203</td>
<td>135</td>
</tr>
</tbody>
</table>

3.2.6 Impacts on Other Structures

Due to the construction of the linked Nguyen Tat Thanh road, 05 graves will be required to relocate. After discussing with the local authority and the owners of the graves, an agreement has been reached: the 05 graves will be moved to the city concentrated cemetery.

Table 7: Summary of Affected Households who have land affected

<table>
<thead>
<tr>
<th>Project area</th>
<th>Affected Households</th>
<th>Residential land</th>
<th>Agricultural land</th>
<th>Impacts on business</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Partly affected</td>
<td>Totally affected</td>
<td>&lt; 20%</td>
</tr>
<tr>
<td>Hoa Hiep Nam ward</td>
<td>43</td>
<td>43</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Hoa Lien commune</td>
<td>14</td>
<td>14</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>57</td>
<td>43</td>
<td>14</td>
<td>0</td>
</tr>
</tbody>
</table>

Note: The list of public utilities (electric poles, lighting poles) and underground utilities (such as water supply pipes/ drainage pipes, communication cables, etc.) which should be relocated for the project implementation will not be included in this report.
SOCIAL ECONOMIC PROFILE

4.1 ECONOMIC- SOCIAL DATA IN PROJECT AREA

4.1.1 Geographical Location

Da Nang City locates from 15°55' to 16°14' Northern Latitude, 107°18' to 108°20' Eastern Longitude, bordering Thua Thien - Hue province on the north,bordering Quang Nam province on the west and the south, and bordering China Sea on the East. Locating in the central of the country, Da Nang city is on the north-south transport axis of road, railway,seaway and airway, away from Hanoi capital 764km on the North and away from Ho Chi Minh City 964 km on the South. In addition, Da Nang is the centre of the 4 world cultural heritages known as Hue Ancient Capital, Hoi An Ancient Town, My Son Sanctuary and Phong Nha - Ke Bang National Forest.

Within the regional and international scope, Da Nang is one of the important gateways to the sea of the Central Highlands, Laos, Cambodia, Thailand, and Myanmar to the North East Asian countries from the East-West Economic Corridor to Tien Sa Seaport. Locating on one of the shipping lines and international air routes, Da Nang has a special geographical location favorable for the rapid and sustainable development of the country.

4.1.2 Land Use Status

The natural area of Da Nang City is 128,342.24 ha, in which the project district area are as follows:

<table>
<thead>
<tr>
<th>Locations</th>
<th>Total</th>
<th>TOTAL LAND AREA</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Agriculture land</td>
<td>Non-agricultural land</td>
<td>Public land</td>
<td></td>
</tr>
<tr>
<td>In all city</td>
<td>128,342.24</td>
<td>76,722.27</td>
<td>49,154.99</td>
<td>2,464.98</td>
<td></td>
</tr>
<tr>
<td>Son Tra district</td>
<td>5,932.00</td>
<td>4,078.79</td>
<td>1,815.92</td>
<td>37.29</td>
<td></td>
</tr>
<tr>
<td>Ngu Hanh Son district</td>
<td>3,858.93</td>
<td>1,188.28</td>
<td>2,037.56</td>
<td>633.09</td>
<td></td>
</tr>
<tr>
<td>Lien Chieu district</td>
<td>7,912.70</td>
<td>4,197.32</td>
<td>3,235.72</td>
<td>479.66</td>
<td></td>
</tr>
<tr>
<td>Cam Le district</td>
<td>3,375.85</td>
<td>1,010.93</td>
<td>2,242.42</td>
<td>122.50</td>
<td></td>
</tr>
</tbody>
</table>

RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

4.1.3 Population and Employment

The current population in Da Nang city is 822,178 people, living in 56 wards/communes of 8 districts and the city population density is 640.41 people/km². The table below shows the general structure of the city population.

Table 9: Population and Employment

<table>
<thead>
<tr>
<th>Locations</th>
<th>Total</th>
<th>Classification by Gender</th>
<th>Classification by Urban and Rural areas</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In all city</td>
<td>%</td>
<td>Male</td>
</tr>
<tr>
<td></td>
<td>822,178</td>
<td>100</td>
<td>48.8</td>
</tr>
</tbody>
</table>


According to the above information, the rate of natural population increase of Da Nang city is 12.09% (2008), in recent years². Ratio of immigrant has increased rapidly. In all cities, the employed labor force is 385,764 persons, accounting for 46.5% of the city population and the unemployment rate is 5%.

Regarding the structure of labor and employment, the labor rate of 57% in the services sector accounts the highest. The labor rate in the industry and construction sector account for 33.3% and the labor rate in the agriculture and forestry sector is 9.6%.

4.1.4 Income

In 2008, total domestic product of Da Nang city is about VND 20,818 billion, in which the main income is from the services sector (accounting for 50.09%), following is the industry and construction (accounting for 45.76%) and a little income from agriculture and forestry sector (accounting for 4.15%). The average income per capita of Da Nang city estimates 25.3 million VND/person/year (equivalent to 2.1 million VND/person/month) ([Source: http://www.Da Nang.gov.vn, 12/4/2010](http://www.Da Nang.gov.vn, 12/4/2010)).

4.1.5 Education and Training

In 2008, there were a total 171 schools in Da Nang city: 100 primary schools, 50 secondary schools and the rest are high schools. In 2008, there was estimate of 153,000 students attending: 59,300 elementary schools and 59,200 secondary and 34,300 high schools. Regarding development plans, Da Nang city is planning to improve the quality of education and training, ensuring appropriate human resources with job structure, level of economic development and national defense of the city. The vocational school system, by end in 2010, approximately 45%. employment rate.

² Natural birth ratio of Da Nang city is about 1.2%
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

4.1.6 Infrastructure

Along with the process of urbanization, the economic growth in the recent years has promoted the improvement of Da Nang people’s leaving standards.

The transportation network, public services and urban infrastructure have been built and embellished, making the living conditions in the city more favorable. The planned residential area, new streets, parks, exercise yards, supermarkets, commercial centers, walking ways etc. changed city’s look and people’s well being.

The road system within and outside the city is constantly expanded with new constructions: the completion of Nguyen Tat Thanh, Dien Bien Phu, Ngo Quyen, Bach Dang, Son Tra - Dien Ngoc roads, the tunnels through Hai Van Pass, Han River bridge, Tuyen Son bridge, Thuan Phuoc bridge, which only create favorable conditions for transportation and tourism development but also changed the landscape of a busiest city in Central Vietnam.

The electric power used for the living and production of Da Nang is guaranteed by the national grid through the 500 KV north - south transmission line. Da Nang Water Supply Plant is capable for more than 80,000m³/day-night. The city is investing to build a new plant with capacity 120,000m³/day-night to raise the total capacity of water supply up to 120,000m³/day-night in the coming time. With the support of international organizations, the electricity networks are invested to meet the development need of the city.

4.2 DATA OF AFFECTED HOUSEHOLDS IN THE PROJECT AREA

The project resettlement consulting group conducted a socioeconomic survey by questionnaires and inventory of losses (IOL) for 40 directly affected households in 02 wards and commune in 02 project districts. The survey sample structure is shown as follows:

Table 10: Structure Of Socio-Economic Survey Sample In Project Area

<table>
<thead>
<tr>
<th>No.</th>
<th>District</th>
<th>Ward</th>
<th>Number of affected households</th>
<th>Number of interviewed households</th>
<th>Ratio (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Lien Chieu</td>
<td>Hoa Hiep Nam</td>
<td>43</td>
<td>33</td>
<td>78</td>
</tr>
<tr>
<td>2</td>
<td>Hoa Vang</td>
<td>Hoa Lien</td>
<td>14</td>
<td>7</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td></td>
<td>57</td>
<td>40</td>
<td>70.1%</td>
</tr>
</tbody>
</table>

Source: SES Survey, 06/2011

4.2.1 Householder Information

In total, among 40 interviewed households, 82% householders are male and 18% householders are female. Most of them are in the labor age, accounting for 77.5%; the rest is elderly, retired householders (up 22.5%). All households in the project area are Kinh people, who have been living in the locality for long time.

Regarding the education level, generally the householders living in the project area has relatively low education level, of which only 5.0% of household graduated universities and post universities; about 25.0% graduated high secondary schools; 37.6% graduated secondary schools, 25.4% graduated primary schools, 7.0% did not graduate primary schools and about 0% of householders are illiterate.
About 35% of householders main income source is from agriculture (this rate concentrates in Hoa Lien) are. Differences with above mentioned secondary data is showing the average figures for agriculture sector is at 9.6%, as compared these interviewed local people because they are suburban and agricultural based livelihood; 42.5% has the main income source form small business and service mostly in Hoa Khanh Nam); 0.6% is unemployed and the rest works in the public sector, private sector or self-employed. Although, there is rate of households doing small business and service, most of them work in Hoa Khanh market and in Lien Chieu district. The affected land is not used for business use.

4.2.2 Household Information

Demography: According to the survey of 40 households with 172 family members, which are inclusive of 83 men and 89 women distributing in 02 wards of 02 districts, each household in the surveyed area has 4.3 persons on average.

Resident status: According to the survey results, although the total number of 172 inhabitants is declared in the localities, only about 93% of them is living/staying in their families currently, the other go away for schooling or to earn for living ... This is normal in the suburbs, where the suburban life is much difficult and workers who want to find jobs and better incomes often move to the centers or big cities to live and work.

Labor: approximately 65.6% population in the project area is in the working age, which accounts for 48.6% of female laborers and 51.4% male laborers. Compared with the general rate of Da Nang city (about 46%), because the labor here mainly concentrates on agriculture and free works and many workers earn for living far away as described above, the percentage of working age people in the localities is higher than this city average rate.

Children of school age: about 20.3% of inhabitants in the project area are in the school age, which accounts for 48.6% of male and 51.4% female.

4.2.3 Income and Expenditure Data

Households’ Occupation: According to the survey results, the households’ earning focuses on certain occupations as agriculture about 35%), officers in governmental offices about 25%, free labor (20%) and small service and business (about 17.5%) and only 2.5% is unemployed.

Table 11: Households’ Incomes

<table>
<thead>
<tr>
<th>No.</th>
<th>Occupation types</th>
<th>Rate (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Agriculture production</td>
<td>35</td>
</tr>
<tr>
<td>2</td>
<td>Governmental offices</td>
<td>25</td>
</tr>
<tr>
<td>3</td>
<td>Occasional Self - Employed</td>
<td>20</td>
</tr>
<tr>
<td>4</td>
<td>Small business and service</td>
<td>17.5</td>
</tr>
<tr>
<td>5</td>
<td>Unemployed</td>
<td>2.5</td>
</tr>
</tbody>
</table>

Source: SES survey, June 2011.
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

Household Income source: The affected households have various income sources, such as from agricultural production, trade and business, employment or governmental offices etc. The number of affected households who have income source from agriculture accounts for the highest rate. Therefore, income restoration program with purpose of their livelihood recovered after their resettlement implementation (for both affected households and vulnerable), addressed in the next section of the report. At Hoa Lien commune, 100% of surveyed households has income source from agriculture, at Hoa Khanh Nam ward, the rate is 42.5%. Households with income from trading activities in markets and services accounts for the 2nd highest proportion in both areas, followed by the number of households whose earnings are from wages and free labor. Land acquisition will not affect business because business locations are in Hoa Khanh market and other markets in Lien Chieu district. For details see Table 12 below:

Table 12: Households’ income sources

<table>
<thead>
<tr>
<th>No</th>
<th>Location</th>
<th>HHs’ INCOME SOURCES</th>
<th></th>
<th></th>
<th></th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Agriculture</td>
<td>Business, Trading, service</td>
<td>Governmental Staff</td>
<td>Free Labor</td>
<td>Unemployed</td>
</tr>
<tr>
<td>1</td>
<td>Hoa Hiep Nam</td>
<td>14</td>
<td>14</td>
<td>7</td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>%</td>
<td></td>
<td>42.5</td>
<td>42.5</td>
<td>21.2</td>
<td>21.2</td>
<td>3</td>
</tr>
<tr>
<td>2</td>
<td>Hoa Lien</td>
<td>7</td>
<td>3</td>
<td>1</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>%</td>
<td></td>
<td>100</td>
<td>43</td>
<td>43</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>14</td>
<td>10</td>
<td>8</td>
<td>2</td>
<td>40</td>
</tr>
<tr>
<td>%/ total</td>
<td>35</td>
<td>17.5</td>
<td>25</td>
<td>20</td>
<td>2.5</td>
<td>100</td>
</tr>
</tbody>
</table>

Income level: In general, households in the surveyed area have average income level; there are no poor households (according to MOLISA’s criteria). The total average income of households in two communes, wards is about 28 million / year / household. Percentage of households with highest income is at 2 million to 3 million / person / month (25%), followed by the households’ income level of 500,000 VND to 1,000,000 VND and 1,500,000 to 2,000,000 VND (20%). Details of income see the table below:

Table 13: Households’ income level

<table>
<thead>
<tr>
<th>TT</th>
<th>Project area</th>
<th>INCOME LEVEL (PERSON/MONTH)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>300-500</td>
<td>500-1000</td>
</tr>
<tr>
<td>1</td>
<td>Hoa Hiep Nam</td>
<td>8</td>
<td>3</td>
</tr>
<tr>
<td>2</td>
<td>Hoa Lien</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>Ratio%</td>
<td></td>
<td>20</td>
<td>17.5</td>
</tr>
</tbody>
</table>

Source: SES survey, June 2011.

Expenditure of households: According to survey results, expenditure of households concentrates on the range from 2,000,000-3,000,000 VND per month, accounting for 30%, and
expenditure from 1,500,000 - 2,000,000 accounts for 20% and the spending level over 4,000,000 VND/month accounts for the lowest rate of 7.5%. Table 14 below shows the spending by households on a monthly basis.

**Table 14: Expenditure level of HOUSEHOLDS**

<table>
<thead>
<tr>
<th>TT</th>
<th>Project area</th>
<th>INCOME LEVEL (PERSON/MONTH)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>300-500</td>
<td>500-1000</td>
</tr>
<tr>
<td>1</td>
<td>Hoa Hiep Nam</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>2</td>
<td>Hoa Lien</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>6</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>Ratio%</td>
<td>15</td>
<td>22.5</td>
</tr>
</tbody>
</table>

Source: SES Survey, 06/2011

Regarding decision making of spending, 40% of correspondents said that wife made the main decision in family spending and 50% of that asserted that the decision depends on both wife and husband.

**Savings in the family:** Among the surveyed households, most of them believed that their income level depends much on these fluctuating prices. Generally, they cannot spend any savings, the extra-income only assist partly in spending level.

In brief, living standards in the project area are at average level with 45% of households have income level from 1,500,000 to 3,000,000. 20% of surveyed households live near the poverty line (income level from 500,000 to 1,000,000 VND/month) of household income are mainly based on agricultural activities. These HHs have main income source from agriculture.

### 4.2.4 Infrastructure

Regarding water supply, most households are using water from 03 main sources, including tap water, drilled or excavated wells, in the following ratio: tap water accounting for 75%; 7.5% of households using dwell and 17.5% using tap water. Most of households in Hoa Hiep Nam use tap water and the HHs in Hoa Lien commune use water from drilled well. The table below describes the status of water spending of households:

**Table 15: Water Source**

<table>
<thead>
<tr>
<th>No</th>
<th>Location</th>
<th>WATER SUPPLY SOURCES</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Excavated well</td>
<td>Drilled water</td>
</tr>
<tr>
<td>1</td>
<td>Hoa Hiep Nam</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>2</td>
<td>Hoa Lien</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>Ratio %</td>
<td>7.5</td>
<td>17.5</td>
</tr>
</tbody>
</table>

Source: SES Survey, 06/2011

Regarding the sanitary structures, the majority of households are using septic tanks, representing about 80%. Households using 2-compartment latrines accounts for 20%. There
RESETTLEMENT PLAN – The rote from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

is no case using public toilets or having no toilets. The table 16 below shows the status of sanitary structures used by people in the project area.

Table 16: Sanitary Situation

<table>
<thead>
<tr>
<th>No</th>
<th>Location</th>
<th>Two-compartment latrine</th>
<th>Septic tank</th>
<th>Public latrine</th>
<th>No latrine</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Hoa Hiep Nam</td>
<td>5</td>
<td>28</td>
<td></td>
<td></td>
<td>33</td>
</tr>
<tr>
<td>2</td>
<td>Hoa Lien</td>
<td>3</td>
<td>4</td>
<td></td>
<td></td>
<td>7</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>8</td>
<td>32</td>
<td></td>
<td></td>
<td>40</td>
</tr>
<tr>
<td>Ratio %</td>
<td></td>
<td>20</td>
<td>80</td>
<td></td>
<td></td>
<td>100</td>
</tr>
</tbody>
</table>

Source: SES Survey, 06/2011

The technical infrastructural structures, such as roads and social health centers, primary and secondary schools, local transport work etc, basically meet the demands of local residents.
POLICY FRAMEWORK AND ENTITLEMENT

5.1 PROJECT POLICY FRAMEWORK

5.1.1 Legal Framework

Under the instructions of Da Nang People's Committee on the implementation of the project next steps and completion of the project resettlement plan (RP) in accordance with the current regulations, making basic for the compensation of site clearance of the Project. The basis for making a resettlement plan is based on the following legal documents:

**Vietnamese Policies**: Some policies applicable for this Resettlement Plan Report are as follows:

- Amended Land Law on 26/11/2003;
- Circular No.114/2004/TT-BTC enacted on 26/11/2004 by Ministry of Finance, guiding the implementation of Decree No.188/ND-CP;
- Decree No.198/2004/ND-CP enacted on 03/12/2004 by the Government, guiding the charge of land-use;
- Decree No.197/2004/ND-CP enacted on 03/12/2004 by the Government, regulating the compensation, assistance and resettlement when the State acquires land;
- Circular No.117/2004/TT-BTC enacted on 07/12/2004 by Ministry of Finance, guiding the implementation of Decree No.198/2004/ND-CP;
- Circular No.69/2006/TT-BTC by Ministry of Finance on amendment and supplement to Circular No.116/2004/TT-BTC issued on 7th December 2004 guiding the implementation of Decree No.197/2004/ND-CP on compensation, assistance and resettlement when the State acquires land;
- Decree No.17/2006/ND-CP dated 27th January 2006 of the Government on amendment and supplementation to a number of articles of the decrees guiding the implementation of the Land Law and Decree No.187/2004/ND-CP on conversion of State-owned companies into joint-stock companies;
- Decree No.84/2007/CP dated 25th May 2007 providing additional regulations on issuing certificate of land use right, land acquisition, implementation of land use right, procedures of compensation and resettlement upon the State’s recovery of land and grievance redress about land;
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- Circular No.06/2007/TT - BTNMT issued on 15th June 2007 by the Ministry of Natural Resources and Environment guiding the implementation of Government's Decree No.84/2007ND-CP issued on 25th May 2007 regarding additional regulations on granting land using certificate, land acquisition, implementation of land using, procedures for compensation, assistance and resettlement when the State acquires land and settles complaints on land.

- Decree No.123/2007/ND-CP dated 27th July 2007 on amendments and supplements to some articles of Decree No.188/2004/ND-CP on methods of determining land prices and land price frame;


- Project policies: according to the Resettlement Policies of Da Nang PIIP.

- Other concerned documents.

Policies of Da Nang People's Committee: The current policies of Da Nang People’s Committee on the compensation, assistance and resettlement when the state acquires land are expressed, which are references for the project land acquisition and compensation as follows:

- New decision 44/2010/QD-UBND dated December 17, 2010 of Da Nang People's Committee on compensation, assistance and resettlement when the State acquires land in Da Nang city ;

- Decision 36/2009/QD-UBND dated December 24, 2009 of Da Nang People's Committee on compensation, assistance and resettlement when the State acquires land in Da Nang city.

- Decision 50/2009/QD-UBND dated December 30, 2010 of Da Nang People's Committee on amending, adding some contents of Annex and compensation, assistance and resettlement when the State acquires land in Da Nang city, promulgate together with Decision 36/2009/QD-UBND dated December 24, 2009 of Da Nang People's Committee

5.1.2 Update of Compensation Policy

This RP is submitted based on regulations of resettlement policy framework of the Project, regulations of Vietnam Government and guidelines of World Bank on Involuntary Resettlement Safeguard Policy.

Besides, with the promulgation of Government’s Decree 69/2009/ND-CP dated August 13, 2009 regulating the additional planning of land-use, land prices, land acquisition, compensation, assistance and resettlement, the Government’s resettlement policies and legal
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framework have many contents appropriate to the principles of the World Bank's policies. The updated and supplemented policies are shown in Section 5.3: Entitlement policy.

Main Gaps between Viet Nam and World Bank Policy

There are a number of ways in which the approaches of the Vietnam Government - either in policy or practice - are compatible with the World Bank guidelines. The most important compatibilities are:

- On the issue of land tenure and the legal right to compensation, the Government and World Bank approaches are compatible. Vietnam has a process whereby people without legal land rights may meet conditions of legalization and receive compensation for losses up to a rate equal to 100% of land price minus the taxes and fee for land use right registration from 15 October 1993 (Article 42, 49 and 50 of 2003 Land Law)
- Permanent residents are provided with options that include relocation to an improved site, or cash, or a combination of the two
- Resettlement sites offer not only better improved infrastructure and services but represent a higher standard of living
- Allowances are provided to help the DPs in the transition period and there is an institutional structure through which people are informed, can negotiate compensation, and can appeal.
- On the issue of land ownership and entitlement to compensation, the approach of Vietnam Government and World Bank is consistent. Government regulations allow occupied land without legal documentation can be legalized; this land can be compensated at 100% of the land but shall exclude taxes and fees for the application of land use rights from 15/10/1993. (In Article 42, 49 and 50 of the Land Law 2003).
- Compensation at replacement cost is ensured in Article 6 of Decree 197/2004/ND-CP dated December 3rd, 2004 that "...people who have land being acquired shall be compensated with land of similar land use purpose. If there is no land for compensation, cash compensation equal to land use rights value at the time of land acquisition shall be applied. If there is many differences in value, in case of compensation by new land or house, such difference shall be settled in cash" and Article 19 in the same Decree states that "...house and structure of domestic use of household or individual shall be compensated with the value of construction of new house, structures of similar technical standard".

However, with the promulgation of the 2003 Land Law and the adoption of Decrees No. 197/2004/ND-CP and No. 188/2004/ND-CP, Decree 17/2006/ND-CP, Decree 84/2007/ND-CP, and Decree 69/2009/ND-CP the policies and practices of the Government have become more consistent with WB's social safeguards policies. Nonetheless, provisions and principles which were adopted in the project will supersede the provisions of relevant decrees currently in force in Viet Nam wherever a gap exists, consistent with Decree No. 131/2006/ND-CP on ODA management. The main gaps between national policy and OP 4.12 on involuntary resettlement of the World Bank are as follows.

- The 'significance' of impact is triggered by a loss of 30 per cent or more agricultural land in Decree 197 shall be supported for life stabilization, in the RPF the trigger is a loss of 20 per cent or more of productive land, also gets this support.
- Houses and structures will not be compensated if they have been constructed without permission, constructed in contravention of a land use plan, or if they have encroached
upon a demarcated safety protection corridor. However, based on resettlement framework, all houses and structures shall be compensated 100% of new construction values.

- Decree 197 also supports businesses or economic entities or business households as only if they hold a business certificate. However, the resettlement framework supports business households without any business certificates
- 69/2009/ND-CP Decree on Aug 13, 2009 issued by the Government on regulations of land use planning, land prices, land acquisition, compensation and resettlement assistance, Section 2 Article 17 stipulates that "Assistance for stabilizing life and production and support to job transformation and job exchange in case of agricultural land acquisition";
- The requirements for consultation in the Land Law and Decree 197 are limited to “informing” DPs and seeking feedback from those affected while the resettlement framework requires direct and continuous consultations to affected households in order to meet their maximum expectation and correct requirements.

5.2 PRINCIPLES OF EGILIBILITY AND COMPENSATION

5.2.1 Objective

The policies and principles applicable to the Project are the policies of the World Bank OP/BP 4.12 and the current regulations of Vietnam keeping consistency with the OP 4.12.

The main objective of the resettlement policy framework is "to ensure all project affected persons receive the compensation respective with the replacement prices and the support policies that help them restore, improve their living standard or at least maintain their living conditions and earning capacity same as the time prior to the Project ".

5.2.2 Displaced Persons

Project displaced persons (DPs) are those who suffer from:

(i) Involuntary land acquisition resulting in:
   (a) relocation or loss of shelter;
   (b) loss of assets or access to assets;
   (c) loss of income sources or means of livelihood, whether they must move to a new residence or not; or

(ii) Involuntary restriction of access to prohibited or protected forests, resulting in adverse impacts to their means of support of the displaced persons.

5.2.3 Cut-off date

A valid time for receiving compensation and assistance for each resettlement plan is the date that the project or specific project components are formally approved and published by the functional agencies of local authorities.

People who move to the project area after this time will not be entitled to the compensation and forced to move and dismantle their properties from the acquisition area before the starting date of the Project. To support them, the Project will provide necessary means for their relocating.
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According to project study results, the cut-off date will be the date of project’s public announcement on Feb 23, 2011. Accordingly, all households living in the project area, who have land and properties after this date will not qualify for the compensation or any assistance of the Project.

5.3 ENTITLEMENT POLICY

Those who are affected by the project will be entitled to the compensation policies (compensation and assistance) in compliance with the regulations of Vietnam and WB. Project affected persons will not be considered to receive the compensation or assistance when entering the project area after the publication of the cut-off date of the project (Feb 23, 2011).

The Compensation and Resettlement Committee, for special cases (such as poor households, policy households) who are certified by local authorities, shall consider additional assistances case by case:

The compensation policy of the project is as follows:

5.3.1 Compensation Policies for Residential Land

Residential land of each family includes houses and structures serving for their living activities. The affected households will choose the mode of compensation and assistance for their affected land and structures as follows:

(i) Land users, who are eligible for the compensation of acquired land (legal and legalized land) are entitled to the payments of compensation and assistance for their area acquired either by cash payments at replacement costs, or by respective land replacement areas acceptable for them with full rights. The structures affected by land acquisition will be compensated by replacement cost (excluding salvage material, depreciation). In case, a remaining area of land, after the land acquisition, is not large enough for building houses and structures, if APs choose the compensation of the whole land (including the remaining area), they will receive a respective area of land of the same value or receive cash for the lost land by 100% replacement cost.

(ii) Land users, who are eligible for compensation for land acquisition (legal and legalized land), will be compensated at 100% of replacement cost.

(iii) Land users, who are eligible for the compensation of acquired land (legal and legalized land) but such acquired land is in dispute, shall be compensated at 100% replacement cost only when their disputes are resolved.

(iv) Land users, who are not eligible for the compensation, but who have been living in the project area since October 15th, 1993 to the project cut-off date and having no dispute on the land ownership, will be considered for the support in cash at 50% replacement cost.

5.3.2 Compensation and Assistance Policy for affected Houses and Structures as well as people whose structures are affected

This case includes houses/buildings and other assets - regardless of the conditions of ownership and use will (i) be compensated for 100% replacement cost (excluding the material advantage or depreciation, (ii) Rate of compensation is based on the actual affected area and is not based on the using area.
5.3.3 Compensation and Assistance Policies for Agricultural Land

Households using agricultural land are eligible for the compensation will give priority to the option of land by land. However, Da Nang CPC has no agricultural land fund for to allocate to HHs so the project can only compensate by cash at 100% replacement cost. The project will apply under the following circumstances:

(i) If a required land is less than or equivalent to 20% (or 10% for vulnerable) of their total agricultural landholding and the remaining part of that land meets the household’s minimum economic efficiency, the household will be compensated by cash equivalent at 100% replacement cost.

(ii) If a required land is lost 20% (or 10% for vulnerable) or more of their total agricultural landholding and the remaining part of that land does not meet the household’s minimum economic efficiency, the household will receive compensation by cash equivalent at 100% replacement cost and assistance to income restoration.

Those who are not eligible to be compensated (or illegal) will be considered to compensate at the rate of 50% or 60% of the replacement cost.

5.3.4 Compensation Policy for Graves

The compensation for displaced graves includes all costs for digging, moving, burying and others logical costs. The compensation cash will be paid to each affected household and new graveyard location will be consulted with DPs before relocating. The project will ensure that all religious rituals or costumes are respected and related costs paid.

5.3.5 Compensation Policy for Equipment

The household equipment (water tanks, electric meters ...) is affected by the project will be compensated by 100% replacement cost at market prices which do not differentiate land use right and house ownership.

5.3.6 Compensation for Crops, Plants

With regard to affected annual farm produces and perennial trees, cash compensation will be paid to DPs who are currently doing farming based on the market prices for farm produces and/or replacement costs for perennials.

5.3.7 Compensation for Temporary Effects in Construction Stage

For temporarily affected land and properties on land, project affected households are entitled to:

For residential land to be temporarily lost:

(i) Compensation for all assets on affected land according to regulated price list;

(ii) Restoring to the original condition or improving land quality.

For cultivation land to be temporarily affected:

(i) Compensation for one harvest of crops/plants fully by market price.

(ii) Indemnification for losses of income for the next crops during the time that land is occupied by the Project.
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(iii) Restoring land as the status quo or improving soil quality equal to or better than its original status before the project.

For temporary impacts on business and production:

(i) Compensation and assistance for the losses of income for production households, cooperatives of households, private enterprises in the project construction period.

(ii) Compensation for all assets on affected land by replacement costs.

Compensation for damages to household’s works or public works caused by contractors during the construction

The Contractors will diligently restore damaged structures as their original condition or better after the construction is finished.

According to the terms and conditions of the construction contracts, Contractors are required to be diligent enough to avoid damaging people’s properties during their construction. When damages occur, the contractors must compensate immediately for the right families, community groups, or state agencies under the applicable compensations to other properties damaged by the Project. Moreover, recovering damaged properties as their previous quality must be done right after completion of construction.

Compensation for affected public utilities

If some public facilities as schools, bridges, factories, water sources, roads, electricity, water supply, or drainage etc. are affected, the Project shall certify that these structures are restored or repaired for each specific case, and the community has not to pay for such costs.

Project has to minimize the impacts of land acquisition to cultural works. In case, it cannot be unavoidable, the project must take measures to resolve in each specific case. If the cultural works such as churches, temples, pagodas, shrines managed by the local government must be relocated, the CPC must decide this based on the public consultation with Committee of Compensation and Land Acquisition and Local Government as well as local people.

5.3.8 Subsidies and Assistance to Restoration

In addition to the compensation costs for affected land, property and infrastructure as stated above, DPs are entitled to other allowances, including:

Relocation support

Support transportation cost 2,000,000 VND for households moving to new areas within the same district; Support transportation cost 3,900,000 VND for households moving to new areas in other districts but within Da Nang city; and Support transportation cost 7,000,000 VND for households moving to new areas in other provinces.

Assistance for Life Restoration

Assistance for life restoration to HHs and individuals who are directly involved in agricultural production when the State acquires agricultural land including garden and pond land (except for the aquaculture land, 5% public land and the land which commune/ward PC assign the HHs/individuals for private use) will be VND 6,900 VND / m² but assistance can not exceed the area of 4,000 m²/HH.

Allowance for Job Transformation
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The support for changing job/occupation transformation for agricultural labors and HHs whose agricultural land is affected are eligible to the compensation will be provided that, their family members at the working age are trained for occupation change. The assistance level is in cash at 1.5 times higher than the agriculture land price.

HHs who are not entitled to the compensation but received assistance for affected agricultural will received allowance for job transformation according to allowance for affected land (about 50-60% of the above allowance level).

In case, HHs who have demand of vocational training, they will be assisted to participate in vocational training inside city and they do not pay for any fee (including primary, secondary school and training) for individuals who are in working age (not apply for individual who participate in course outside of city).

Support for Tenancy

Households who have their shelters affected will be assisted to rent a house in the project resettlement area. If project house is not available, they will be received assistance in cash with the amount of 1,200,000 VND/HH/month. The period of assistance will be defined as when the DPs hand over land until they receive resettlement house according to the notification of stakeholder, plus 6 months of tenancy cost in the process of house rebuilding3.

In case, above assistance is not enough for house rebuilding, these household will be receive difference (compared with actual hired cost)

Special Social Support

Poor households, who are certified by the local government as poor households, will be supported 2,000,000 VND (two million VND) per household. For those who resettle in place or move belong to the vulnerable groups and being granted with social subsidies, they will be entitled to special support no less than VND 1,000,000.

Bonus

Organizations, households, who well execute the policy of self-dismantling and transferring land for the Project on planned schedule, will be awarded:

(i) 5% of the asset compensation value (houses, structures, trees) for organizations, households whose compensation value is less than VND 50,000,000.

(ii) 8% of the asset compensation value (houses, structures, trees) for organizations, households whose compensation value is more than VND 50,000,000 but not exceeding VND 80,000,000.

(iii) The bonus level equals 50% of the general regulation but not exceeds VND 2,500,000 for affected, tents, small shops, gardens.

3 In project, transmission period is estimated about 9 months.
5.4. Entitlement matrix

<table>
<thead>
<tr>
<th>No.</th>
<th>Land Type</th>
<th>Definition of beneficiaries</th>
<th>Entitlements</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Residential land</td>
<td>Land users are eligible for compensation (both legal and legalized land users)</td>
<td>Affected people will be compensated for acquired land at 100% of replacement cost and will be allocated land plots in the resettlement area in case of displacement. Land users are not eligible to compensation (illegalized land users)</td>
</tr>
<tr>
<td>2</td>
<td>Housing/Structures and other assets</td>
<td>Regardless of the condition of ownership and using.</td>
<td>(i) Compensation for affected structures at 100% replacement cost with no deduction due to the utilization of materials or any depreciation. (ii) Compensation cost is calculated based on the actual area affected, not based on the using area.</td>
</tr>
<tr>
<td>3</td>
<td>Agricultural land</td>
<td>Affected land is less than 20% of the total area</td>
<td>Affected people will receive the compensation for acquired land at 100% of replacement cost. Land users are eligible for compensation (both legal and legalized land users)</td>
</tr>
<tr>
<td>4</td>
<td>Graves</td>
<td>Households have graves affected by the project</td>
<td>Affected people will be fully compensated in terms of transportation and burial cost and other relating costs.</td>
</tr>
</tbody>
</table>
### RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

<table>
<thead>
<tr>
<th>No.</th>
<th>Land Type</th>
<th>Definition of beneficiaries</th>
<th>Entitlements</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Affected plants and crops</td>
<td>Households have plants and crops affected by the project</td>
<td>Affected people will be compensated for their affected crops and plants according to market price or/and replacement cost.</td>
</tr>
<tr>
<td>6</td>
<td>Assistance to restoration</td>
<td>Assistance to dismantlement</td>
<td>Assisted of transportation cost of 2,000,000 VND regarding relocated households in the same district; assistance of 3,000,000 VND regarding relocated households in other districts in Da Nang city and assistance of 7,000,000 VND for relocated households in other province.</td>
</tr>
<tr>
<td></td>
<td>Assistance to life</td>
<td>Displaced people and affected people have to be relocated</td>
<td>(i) Displaced households will receive assistance budget of 30kg rice/person/month in 06 months.</td>
</tr>
<tr>
<td></td>
<td>stabilization and</td>
<td></td>
<td>(ii) Affected people have enough remaining land for rebuild house or themselves move their shelters in the same land will be assisted with 30 kg rice/person/month in 03 months.</td>
</tr>
<tr>
<td></td>
<td>production restoration</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Assistance to job</td>
<td>Affected people have agricultural land affected due to the project are eligible to compensation</td>
<td>Compensation for job transformation for agricultural laborers is from 52.500 VND/m² based on type of cultivation (1.5 x agricultural land cost: 35.000 VND/m²). - Being supported vocational training.</td>
</tr>
<tr>
<td></td>
<td>transformation</td>
<td>Affected people have agricultural land affected due to the project are NOT eligible to compensation (illegalized)</td>
<td>Compensation for job transformation for agricultural laborers is from 52.500 VND/m² based on type of cultivation (1.5 x agricultural land cost: 35.000 VND/m²). - Being supported vocational training.</td>
</tr>
</tbody>
</table>
# RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

<table>
<thead>
<tr>
<th>No.</th>
<th>Land Type</th>
<th>Definition of beneficiaries</th>
<th>Entitlements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Special social assistance</td>
<td>Displaced people who are eligible for benefits of social policy</td>
<td>An assistance fund of at least 1,000,000 VND/household will be provided as a special social assistance for life restoration.</td>
</tr>
</tbody>
</table>
|     | Bonus | Affected people due to the project have to be relocated or rebuild house in the same land. | (i) 5% of compensation cost for assets (housing, structures and plants) to organizations and households who have the compensation cost less than 50,000,000 VND.  
(ii) 8% of compensation cost for assets (housing, structures and plants) to organizations and households who have the compensation cost of more than 50,000,000 VND but can not exceed 80,000,000 VND.  
(iii) Bonus level by 50% of general regulation, but shall not exceed 2,500,000 VND for affected cottages and gardens; |
| 7   | Other supports | Assistance to relocating houses | Households who have to relocate their houses and receive land in the Resettlement Area will receive additional assistance to housing foundation with the fund of 25,000,000 VND / household |
| 8   | Assistance to life restoration for households who are required agricultural land acquisition | Assistance for life restoration for households and individuals who have agricultural land affected directly including agricultural land, ponds (except for the aquaculture, land, 5% land, land managed by the Commune/Ward PC and assigned to household/individual) is at VND 6,000 / m², but the area of maximum support can not exceed 4,000 m² / household |

Note: For the 2.7 km of Nguyen Tat Thanh: (i) 100% of households who agricultural land are acquired for project implementation have enough legal conditions for their agricultural land.  
(ii) Land acquisition for the project will not affect business activities and there is no affected household who has to rent a private house.

6 RESETTLEMENT PROCEDURES

6.1 RESETTLEMENT NEEDS

According to the survey results, there is a total of 43 HHs who require resettlement or in other words, displaced households in order to facilitate the project implementation successfully, including: construction of the Linked Nguyen Tat Thanh to Quan Nam - Thuy Tu urban zone. This route runs through 01 ward and 01 commune Lien Chieu and Hoa Vang district. 43 affected households required to be relocated, all of which are settled in Hoa Khanh Nam ward, Lien Chieu district.

6.2 EXPECTATIONS OF RESETTLEMENT OPTIONS

The resettlement for households who are entirely affected and in need of relocation is based on the following order:

- Households who are entirely affected and in need of relocation will be consulted about resettlement options and selection of resettlement sites;
- The consultation(s) will be held, with participation of 100% relocated households on the relocation alternatives and provision of basic information on the available resettlement sites, to get consensus from relocated households on the selected relocation option(s).
- Distribute land plots and/or apartments in selected resettlement areas on the principle of consultation of affected households;
- Implementation of the resettlement activities and other rehabilitation program, if any.

As a result of the survey applied to 100% of affected people and community consultations, some comments and viewpoints of local people are as follows.

Compensation and Resettlement: According to the people consulted, land acquisition and site clearance on their hometown is being carried by other projects, and many know about the procedures as well as the officers' roles in this type of procedure.

Expectations for the resettlement plan: Regarding the resettlement locations, people prefer and have requested the Project to build on-site resettlement areas (at the local precinct), as a form for mitigating impacts and the disruption to people's lives, particularly in their social lifestyles and networks.

This is the key issue of compensation cost that most households (regardless of their impact level). Regarding the resettlement area, local people prior option is to be resettled in the location nearby their current ward as away for avoiding impacts.

According to the survey result, almost all local people preferred to receive a land plot with sufficient basic infrastructure in a city's resettlement site, a small rate approximately 2.5%
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

wanted to resettled themselves. However, after consultations all DPs convened and agreed to be relocated at the same resettlement sites.

Thus, displaced households will be located in 02 resettlement sites g the Hoa Hiep 3 and the 50m cross section resettlement site. The distance from these 02 areas to their local wards/communes is about 500-1000m; hence significant relocation impacts on people’s lives would be mitigated.

6.3 DEVELOPMENT OF RESETTLEMENT SITE

6.3.1 Availability of the Resettlement Sites

According to the needs of the affected HHs, 02 suitable sites have been identified for resettlement: Hoa Hiep 3 resettlement and the site with area of 1,400m² along the Linked Nguyen Tat Thanh road to Quan Nam - Thuy Tu urban zone.

Hiep Hoa Resettlement Area 3 where land was acquired since 2011 has of 347,903 m², with a total of 575 land plots available with average square of 80 - 100m² per land plot. Affected 35 households agreed to relocate in the resettlement site.

Another resettlement site has been chosen for remaining 06 households affected by the Nguyen Tat Thanh road. This resettlement site completed the procedure of compensation and under the process of payment; in particular, affected households whose land was acquired in this area were eligible to receive compensation.

6.3.2 Resettlement Arrangement

Based on the information gathered for the RAP preparation the following are the steps arrangements defined to ensure the provision of land to the affected 43 households.

The principles of resettlement site: individuals who are eligible to the resettlement include:

a. Households who have one or less parcel of their residential land acquired will be compensated with a land plot in the resettlement site
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b. Household who have more than one parcel of a residential land affected (including the residential land and adjacent land), each parcel of residential land will be equivalent to 01 land plot but whole acquired land cannot be compensated more than 05 plots. 4

Disclosure of Resettlement Plan:

PMU will be responsible for coordinating with stakeholders to notify the resettlement and housing in the resettlement areas. The notice shall include (i) Location and scale of the land fund, resettlement home fund, area of each plot of land and apartment, land prices, resettlement house prices and (ii) List of the projected households in the resettlement areas.

Exemption Policy of Land Use Fees

The Project reduces 10% of land use fees for all cases which fully pay the land-use fee within 60 (sixty) days since the receiving date of actual resettlement land as notified by the land allocation body (exclusive of specific cases, which are separately regulated).

In-Debt Policy of Land Use Fees from the local regulation

Displaced primary or secondary households 5 with the compensation and assistance cost equal and/or below VND 200,000,000, will receive the full value of compensation to build new house and will be provided a credit of 100% land use fee.

Displaced primary or secondary households with the compensation and assistance cost which is higher than VND 200,000,000, will be eligible to receive VND 200,000,000 to build new houses. The remaining (excessive of VND 200,000) must pay for land use fee. In case, (i) if the remaining is not enough to pay land use fees, the State will provide credit for it; (ii) if the remaining money value is higher than the land use fees, households have to pay full land use fees as regulated.

If a household is eligible to receive 02 (two) or more plots in the resettlement land, they can buy on credit for the maximum 02 (two) plots including 100% cost for land use fee of the first plot and 50% for that of the second plot. The maximum debt time for land use fee of resettlement land is 10 (ten) years. Collecting debt policies are adopted based on particular regulations of the City People's Committee from time to time. Besides, the Committee of Compensation, Site Clearance and Resettlement will propose the City People's Committee for consideration of cost reduction and debt provision of land use fees for particularly difficult households.

Priority Policy of Resettlement Arrangement: The land arrangement in resettlement areas shall comply with the principles that the better condition of locations in the resettlement sites will be allocated to households whose house was in good located at the time prior to project land acquisition implementation and households who did comply with project requirement concerning to resettlement

Based on these priorities, proposed arrangements are described as follows:

4 Other specific cases will be considered and decided by Da Nang city PC, case by case.
5 Primary household means that there is only 01 family living in the house. Secondary household means there are two or more of families living in the house, and then the second one (or more) is mean secondary households. It is served as basic for allocating numbers of land plot in the project resettlement site.

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(1) Requirement of land acquisition on the frontage of Nguyen Luong Bang road: the affected households will be compensated at replacement costs in addition to other rehabilitation assistances for their residential land affected. Furthermore, they will be allocated plot of land beside the proposed road (with the distance of 33m from the Linked Nguyen Tat Thanh road side).

(2) Requirement of land acquisition in the residential zone: The PMU/RC3 will, case by case decide the allocation of land plot for relocated households in the resettlement sites.

6.4. LINKED PROJECT

According to the World Bank’s policy 02 resettlement areas are linked with the project.

6.4.1 Hoa Hiep 3 resettlement area

Hoa Hiep 3 Resettlement Site was established since 2008 and funded by the city. The Resettlement area acquired land from the middle of 2009 and the compensation was completed in 2011.

In 2011, the resettlement site began to provide land to eligible households. The planned area is 347.903m2 with the total number of 575 land plots ranging from 80 to 100m2.

The planned boundary of the Hoa Hiep 3 resettlement site:
• The North borders with the residential area at Dam Quang Trung road;
• The South borders with the field;
• The East borders with Nguyen Ba Phat road;
• The West borders with the field

The Resettlement Site was also planned with infrastructure system such as leveling, drainage system, electricity and water supply.

Regarding resettlement of the 35 project affected households, relocation will be carried out by means of grouped land plots, at their own preferred choice, with total area of 0.6 ha, defined as the resettlement site for DPs to be relocated from 0.25km section of the road.

Within the resettlement site, 16 households were affected, as their entire agriculture land was acquired as shown in the DD review of land acquisition and compensation for this resettlement site and for the 2.46 km road section. So all 16 affected DPs were fully compensated and assisted in compliance with the City’s regulation and in consistent with Bank’s regulations, and that there are not any pending legacies to be solved.

6.4.2 The resettlement site with the area of 1409m2 along Nguyen Tat Thanh and at the intersection with Nguyen Luong Bang (50m Cross Section Resettlement Site)

At the choice of relocated households, the project has arranged a resettlement area for 06 households who are living near Nguyen Luong Bang road due to the enlargement of the road surface on both sides about 50m.

The land acquisition for this resettlement site is being implemented in full compliance with the Bank’s OP4.12 and project’s RPF. During project implementation, monitoring will be
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used to confirm if there are measures to be addressed in cases where gaps between the measures adopted for compensation and those defined by the OP4.12 policy are identified.
LIVELIHOOD RESTORATION PROGRAM

7.1 OVERVIEW

When. The general purpose of this program is to restore the livelihoods of affected persons same as or higher the rate before there is the implementation of the Project, and ensure that affected people adapt to new conditions in shortest time.

For Resettlement Plan (RP) implementation, the Project Management Unit of Da Nang Priority Infrastructure Investment Project will combine with local government agencies at all levels such as the social organizations: Da Nang Women's Employment Service Center, Da Nang Employment Center etc. to conduct the operations to restore DPs’ incomes. The activities are mainly vocational training and job introduction. The specific contents, forms and schedules of implementation are shown below.

7.2 ANALYSIS OF DEMAND

According to the survey results, there are 43 households whose land/houses and other works and structures are affected, and all 43 HHs are displaced HHs. In addition, there are 14 households, whose more than 20% of agricultural land is affected. The affected HHs here mainly earn for living by agricultural works along the proposed road. However, most of local people here have more than 01 agricultural land plot. In fact, 9/24 households have 02 land plots for cultivation. The agricultural land acquisition of more than 20%, the ownership of which belongs to 01 household. Therefore, the land acquisition will not affect the livelihoods of 14 households.

According to the survey, an estimate of 35% household’s main occupations are currently agriculture, and among them, about 85% of their income recently have not depended on agriculture but from other revenue sources such as business, services and freelance and a few government staffs. In general, the affected households mostly live in the suburban area which is experiencing the urbanization process. However, the acquisition of 20% of their total agricultural area might have impacts on local people’s income.

The DPs have been consulted a through the questionnaires and community consultations, their views and opinions are shown as follows:

Expectations for life stabilization: This is an important issue because most households’ livelihoods and income are directly related to their present living locations (households along Nguyen Luong Bang road).

When asked about the project impacts, approximately 82.5% households said the project would have significant impacts on their lives. Namely, about 22.5% households would have no land for production; 25% said the project would disturb their family life; 25% said their family economics will be affected and influenced more or less.
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People living in the project area expect the project’s sources of job training or vocational orientation. Specifically, 25% wants vocational training; 27.5% needs job introduction; 47.5% have other demands, most of which is that the project will be soon implemented and provide agricultural techniques to enhance the productivity. The details of people’s expectations are shown in the following table:

Table 17: People’s Expectation for Assistances

<table>
<thead>
<tr>
<th>No</th>
<th>Location</th>
<th>Vocational training</th>
<th>Job introduction</th>
<th>Others</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Hoa Khanh Nam</td>
<td>7</td>
<td>10</td>
<td>16</td>
<td>33</td>
</tr>
<tr>
<td>2</td>
<td>Hoa Lien</td>
<td>3</td>
<td>1</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>10</td>
<td>11</td>
<td>19</td>
<td>40</td>
</tr>
</tbody>
</table>

| Ratio % | 25 | 27.5 | 47.5 | 100 |
| Priority | 1 | 3 | 2 |

Source: SES survey, 06/2011

7.3 PROPOSAL OF Livelihood restoration PROGRAM

7.3.1 Budget Source

Income restoration is critical. People with low income are those who do not have skills or opportunities to improve their earning. The resettlement program looks at possibilities and conditions for improvement of DPs’ skills and income increase. Budget for the restoration program will be taken from the city counterpart fund and is attached in the total compensation cost of the project.

7.3.2 Description of the Program

According to the survey results and community consultations, both for residential land and agricultural land affected households, the majority of households wish the assistance for vocational training and employment for their children at working age.

Vocational Training

Currently, in the city of Da Nang, two functional agencies which give vocational training and job orientation are (i) Da Nang Employment Center and (ii) Da Nang Women’s Employment Service Center.

Da Nang Women’s Employment Service Center: Through working with representatives of Da Nang Women’s Employment Service Center, we know that the organization is enrolling students in diversified job training without free for whose land is acquired by the projects in Da Nang city. The choice of career depends on the choice of people.
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

Job fields: The job training enrollment of the Center includes: Civil sewing, industrial sewing, cooking, and beauty care.

Objects: The labor includes those who enjoy the preferential policies, those who contributed to the revolutions, poor households, households whose production land is acquired and must relocate for site clearance, and labor who are ethnic minorities and disable people...

Expenditure: The level of free vocational training for elementary level is as follows:

<table>
<thead>
<tr>
<th>Job Field</th>
<th>Duration</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial sewing</td>
<td>3 months</td>
<td>1,000,000 VND/student</td>
</tr>
<tr>
<td>Civil sewing</td>
<td>4 months</td>
<td>1,400,000 VND/student</td>
</tr>
<tr>
<td>Cooking</td>
<td>3 months</td>
<td>1,100,000 VND/student</td>
</tr>
<tr>
<td>Beauty care</td>
<td>3 months</td>
<td>900,000 VND/student</td>
</tr>
</tbody>
</table>

Da Nang Employment Center: The Center is applying free vocational training program for subjects like Da Nang Women’s Employment Service Center, careers and training time are expressed as follows:

<table>
<thead>
<tr>
<th>Job Field</th>
<th>Duration</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil electricity</td>
<td>4 months</td>
<td>Free of charge</td>
</tr>
<tr>
<td>Industrial electricity</td>
<td>4 months</td>
<td>Free of charge</td>
</tr>
<tr>
<td>Industrial sewing</td>
<td>3 months</td>
<td>Free of charge</td>
</tr>
<tr>
<td>Electronics</td>
<td>6 months</td>
<td>Free of charge</td>
</tr>
<tr>
<td>Mechanics</td>
<td>5 months</td>
<td>Free of charge</td>
</tr>
</tbody>
</table>

Also, depending on the nature of each project, the projects call for the Centers’ coordination in training organization for affected households to recruit laborers to the factories and industrial parks in the region. Laborers in affected households are generally worked in the factories.

Job placement

Referring to the list of enrollees to the training courses and basing on the need of each participant, the Project Management Unit of Da Nang Priority Infrastructure Investment Project will cooperate with the vocational training centers and under the direction of the City People’s Committee to work with the industrial parks in the region to support job searching opportunities for students.

7.3.3 Institutional Arrangement

The Project Management Unit (PMU): Based on the actual needs of households, the PMU Expert Bureau will conduct detail surveys of training needs of each household then contact the training centers to organize training courses.

Vocational training centers: These centers will organize training courses for students in need and coordinate with the PMU in the job placement and introduction for them.

Households: will participate in the surveys, training courses and following guidance of the PMU and training centers.
INSTITUTIONAL ARRANGEMENT

8.1 INSTITUTIONAL FRAMEWORK

Agencies involved in the land acquisition and resettlement include:

1. Da Nang People’s Committee
2. Other relevant agencies
3. SCDP’s PMU
4. District People’s Committees
5. The City’s Compensation, Assistance and Resettlement Committee
6. Ward People’s Committees
7. Representatives of residential community and DPs;
8. And other relevant agencies...

8.2 RESPONSIBILITIES OF RELATED AGENCIES

8.2.1 The City People’s Committee

The City People’s Committee is a project management unit, which is wholly responsible for the project implementation including the resettlement activities. It is responsible for the compliance of the Resettlement Policy Framework approved by the Prime Minister as a condition for the project participation. It is the highest authority to have jurisdiction to the RP approval and to enact decisions for each issues relating the project resettlement such as compensation unit prices, support and rehabilitation measures and levels of support for DPs. It also provides guidance for concerning agencies to implement their assigned tasks.

After approving the project resettlement plan, the City People’s Committee will be responsible for directing and monitoring the plan implementation, including the rapid settlement of all DPs’ claims or problems of the local governments in the project area. The City People’s Committee is responsible to:

a) Direct related agencies, District People’s Committees of Lien Chieu, Hoa Vang and project owner, CARC to (i) prepare alternatives for resettlement site; (ii) implementation of land acquisition and compensation; (iii) reporting any rising difficulties during implementation to the Da Nang city for solutions.

b) Direct, organize, propagate and mobilize all organizations and individuals on the compensation policy and resettlement assistance.
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c) Direct the Compensation, Assistance and Resettlement Committee, departments and agencies, district/ward/commune people's committees, investors, units to carry out the site clearance.
d) Approve or devolve the approval of the compensation plan for site clearance including the value of compensation and assistance.
e) Approve and issue prices of land and property for the calculation of compensation and assistance.
f) Direct the relevant agencies to resolve complaints and denunciations of citizens on the compensation, resettlement assistance based on the authority prescribed by law.
g) Decide or decentralize the People's Committees of districts to apply the enforcement for the cases which protect against the decision of land acquisition of the State. Give instructions and punish violations in the compensation, assistance and resettlement.

8.2.2 Other Relevant Agencies

The Department of Finance is responsible for researching and promulgating compensation price to propose the City People’s Committee for approval. During the beginning stage of RP implementation, the Department of Finance will coordinate closely with the Department of Construction, Natural Resources - Environment Department, Transportation - Public Works Department, Industry Department, and district People's Committees to evaluate the applicable unit prices in RP and propose RP to the City People's Committee for revision, if necessary, to ensure that the compensation unit prices are the replacement costs at the time of compensation payment for DPs.

Department of Finance:

a) Coordinate with the concerned agencies to submit the prices of land and property to the City People's Committee for approval.
b) Evaluate the compensation, resettlement and assistance plan.
c) Check the payment of compensation, assistance and expenses for the implementation of compensation, assistance and resettlement.

Department of Natural Resource and Environment:

a) Guide the identification of land types, land areas and compensation conditions when the State recovers land.
b) Determine the impact level and scale of acquired land area, making basis for the calculating compensation and assistance for beneficiaries.
c) Coordinate with the Department of Planning and Investment, Department of Construction to submit the City People's Committee for approval of the Project scope of land acquisition.

Department of Construction:

a) Guide the determination of scale, area and legality of the construction works associated with the acquired land.
b) Evaluate the quality of houses and structures, warehouses, yards and other buildings.
c) Determine prices of houses and buildings constructed on land to calculate the compensation values and submit the City People’s Committee for approval.
d) Coordinate with other agencies to determine the locations and scales of the resettlement areas.
8.2.3 Da Nang SCDP's PMU

The Project Management Unit of Da Nang SCDP (SCDP PMU) under the control of the City People's Committee will be generally responsible for the development of the project activities as well as the resettlement activities. The management mechanism will include the technical department, financial and accounting department, and social and resettlement department. The PMU will bear the main responsibilities as follows:

a) Prepare master plan, management and monitoring (internal) the implementation of Resettlement Plan.

b) Support the City People's Committee in the evaluation and approval of land acquisition decisions enclosed with the resettlement plan updated with the compensation rates which are appropriately revised based on survey results of replacement costs.

c) Coordinate with the Committee of Compensation, Resettlement and Assistance and concerned agencies to ensure the effective implementation of the compensation and resettlement based on proposed principles and objectives.

d) Employ and monitor the consultants including the recruitment and monitoring of the independent resettlement monitoring agency.

e) Develop mechanisms for disbursement and payment for the compensation and resettlement for households affected by the project. Prepare periodical reports and essential documents for the Project.

f) Participate in resolving complaints and regulate the redress and resolving of complaints accordingly.

g) Arrange resettlement for households who must relocate and resettle.

Committee of Compensation, Resettlement and Assistance

a) Make plan or propose the compensation and site clearance plans for the preparation of project construction site, which is assigned by the City People’s Committee.

b) Directly perform the operation of compensation and land acquisition in the City. The Committee of Compensation, Resettlement and Assistance organizes the implementation of determination, inspection and conduction of the site clearance and compensation in accordance with the approved plans.

c) Coordinate with the District People's Committees, Ward People's Committees, functional departments and the PMU to perform the good site clearance.

d) Arrange resettlement for relocated HHs.

8.2.4 District People’s Committees

a) Direct, organize, propagate and mobilize all organizations and individuals on the compensation policy and resettlement assistance.

b) The District People’s Committees shall direct the district committees of compensation, resettlement and assistance to set up and implement the compensation plans.

c) Coordinate with other state departments and agencies, organizations and investors for the project deployment.

d) Settle complaints and denunciations on compensation, assistance and resettlement.
8.2.5 **Committees of Compensation and Site Clearance**

The Committees of Compensation and Site Clearance are established by the City People's Committee in the districts which are affected by the project land acquisition. Directors of the Committees are the presidents of district people's committees and the members include:

- The compensation and site clearance committees of the City's construction investment projects
- SCDPs PMU
- Department of Finance
- Department of Natural Resource and Environment
- People's Committees of districts and wards where the land is acquired
- Vietnam Fatherland Front
- Representatives of households who are affected by the land acquisition.

Responsibilities of the District Compensation Committees:

a) Assist the establishment and implementation of the compensation, assistance and resettlement plans.

b) Inspect and are responsible for calculating the compensation plan for households; prepare the general compensation estimate to submit the City People's Committee for evaluation and approval; and pay the compensation directly to affected households after receiving the compensation budget.

c) Reflect aspirations and participate in complaint redress of DPs on the compensation policy and entitlements.

d) Closely cooperate with the independent monitoring agency.

e) The committees work on the collective principle and decide based on the majority.

8.2.6 **The Ward/Commune People's Committee**

a) The Commune/Ward People's Committees are responsible for coordinating with other functional units on the certification of land and property. Reflect the people's feedback to Da Nang SCDP and the Site Clearance and Compensation Committees.

b) Carry out the investigation, survey and mobilize people to implement the site clearance. The propaganda contents include the purposes of land acquisition and policy of compensation, assistance and resettlement of the Project.

8.2.7 **Independent Monitoring Agency**

The independent monitoring can be conducted by a research institution, a university or a NGO, which is specialized in social sciences. This unit will carry out the socioeconomic surveys, monitoring and evaluating the implementation of the resettlement plan for the Project. The reports reviewing the progress, suitability of the resettlement plans and related proposals should be prepared periodically.

8.2.8 **Grievance Redress Mechanism**

The agencies responsible for complaint and inquiry redress during the site clearance and compensation are the Da Nang City People's Committee, involved departments, CRCs at all levels and local Commune People's Committees affected by the project. Depending on the
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functions and duties of each level, the mechanisms for complaint and inquiry redress of affected households will be provided under the laws.

Any questions and complaints from project affected people on the compensation entitlement, compensation policy; compensation rates, land acquisition, resettlement and other entitlements to the living recovery program will be recognized and processed by the functional units of all levels. The local social organizations as Fatherland Front, Farmers' Association, Women's Union, and reconciliation groups ... are mobilized to participate actively in the process of settling claims and questions of project affected people.

The GRM will be addressed in details in Chapter 11 of this document
9.1 MAIN ACTIVITIES

Any project includes components and main activities, including methods that ensure efficient participation of beneficiaries in the project implementation. To implement a project successfully, main activities need an implementation plan with milestones of time. This helps evaluate the implementation progress of the project components in certain times. At the beginning of the project, a plan should be made and lasted during the implementation stage to the complement stage of the Project. In a RP, main contents to be implemented from the beginning to the end of the project are:

a. Notification of the cut-off date of the statistics and compensation limit: All project affected households were fully informed the RP entitlements and policies including the validity, entitlement policies, methods and compensation rates, schedules, complaints and resolving complaints. The PMU will prepare Project Information Book (RIB) then distribute them to affected households or notices in the meetings of population groups, wards, districts or in community consultations. Besides, pamphlets, billboards, posters were also distributed to each household, pasted in public places like the ward People’s Committees, houses of culture, health centers, schools. Announcement of the project land acquisition policy, the approved project investment decision, and the approved project design ...

b. Survey of socio-economic condition in the affected areas

c. Develop a legal framework and entitlement policies for the project

d. Make plans for the development of resettlement areas

e. Develop life restoration measures

f. Implement the compensation, assistance, resettlement and life rehabilitation

g. Assess project impacts on DPs: One year after the project ends, a socio-economic survey in the project areas will be conducted to assess project impacts on the benefited community and DPs. The results of this survey will serve as a basis for assessing project impacts to the community and drawing experience lessons for the later project design and operation.

9.2 LAUNCHING STEPS

Orders and procedures for the compensation and resettlement are based on Decree 84/2007/ND-CP dated 25/5/2007 of the Government and Decision 36/2008/QD-UBND dated 24/12/2009 of Da Nang People’s Committee on the Compensation, Assistance and Resettlement Policy when the State recovers land in Da Nang city. Based on the legal basis, the organization structure and the coordination among concerning agencies as mentioned above, the main activities of the compensation and resettlement will be implemented following the below steps:
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

Step 1: Determination and Announcement of Land Acquisition Policy

The determination and announcement of land acquisition policy are based on the appraisal/inspection documents of land-use demand that the Department of Natural Resources submitted to Da Nang People’s Committee for approval. Da Nang People’s Committee issued documents on land acquisition policy or documents on investment location acceptance.

The district People’s Committees are responsible to the propaganda of land acquisition policy, land acquisition regulations, and compensation, assistance and resettlement when the State acquires land for the purposes of national defense, public benefit and economic development.

The ward/commune People’s Committees are responsible to publicize the land acquisition policy at headquarters of the ward/commune People’s Committees and at the residential areas where land is acquired and to announce the policy publicly on the communal mass media (where there are radio speaker systems).

Step 2: Preparation of Cadastral Documents for Acquired Land

Based on the document on land acquisition policy of Da Nang People’s Committee, The Department of Natural Resources and Environment directs the Registration Office of Land Use Right of the same level to prepare cadastral documents.

Revise the cadastral map suitably to the current status and abstract of cadastral map with places that already have official cadastral map or abstract of cadastral map for places that haven’t got official cadastral map;

Correct and make copy cadastral documents (cadastral books) to submit to the Committees of Compensation, Assistance and Resettlement;

Make a list of acquired land plots with the contents: number of mapping pages, number of land plots, names of land users, and square of land plots with the same using purpose.

Step 3: Appraise and Approve Compensation, Assistance and Resettlement General Plan

The Committees of Compensation, Assistance and Resettlement (CRC), with the participation of representatives of the investors, make a general compensation, assistance and resettlement plan (hereinafter referred as to the general plan) based on the available data and documents provided by the Department of Natural Resources and Environment. CRC also submit (01) set of this general plan to the Department of Finance for the evaluation and appraisal. The General Plan is inclusive of the following contents:

a. Basis for option preparation;

b. Synthetic statistics on square of all land types, land level for agricultural land, number of mapping pages, number of land plots; estimated value of assets on land;

c. Synthetic statistics on number of households, household members, laborers in the land acquisition area, which clearly specify number of job-changed laborers, number of displaced households;

d. Estimated compensation and assistance rate; estimated locations and areas of resettlement sites or resettled houses, and means of resettlement;

e. Estimate of the supporting measures for employment and job-change training plan;

f. List of the displaced works, scale of the displaced works of GOV, institutions, religious organizations and community and estimated locations to relocate these works;
RESETTLEMENT PLAN - The route from the Linked Nguyen Tat Thanh to the Quan Nam – They Tu urban zone

g. Number of relocated graves and estimation of location to relocate;
h. Cost estimation for the implementation of the plan;
i. Cost sources for the implementation of the plan;
j. Implementation progress of the plan.

Step 4: Land Acquisition Announcement

After the general plan of compensation, assistance and resettlement is approved, the CRCs are to publicize land users the reasons of land acquisition, estimations of the compensation, assistance and resettlement costs; measures of job changing and job employment, displacement time and acquired land delivery schedule, which are stated in the general plan.

Land users have rights, based on the regulations of the law, to comment, recommend or request the DRCs’ explanations for the said contents.

Step 5: Decision of Land Acquisition

Based on the project investment decision and the written instruction of the City People’s Committee on the land acquisition for the project implementation, the district People’s Committees issue land acquisition decisions in the project affected areas after twenty (20) days of the receiving date of the official decision.

Step 6: Grievance Redresses for Land Acquisition Decision

During the land acquisition, if there are complaints of the residents in the project areas, the Ward People’s Committees will transfer their opinions and letters of complaint to the competent agencies for settlement.

Competent agencies which settle the complaints should be analyzed and confirm if land acquisition is complying with the WB policy, and the project’s RPF and the GOV established regulations. The governmental agencies who issued the land acquisition decision shall make decisions on cases for cancellation of such land acquisition decision and compensate for the losses accordingly (if caused

Step 7: Inventory and Detailed List of Affected Land and Assets

The organizations in charge of compensation; assistance and resettlement are responsible for delivering forms of inventory of losses to DPs to prepare the compensation, assistance and resettlement plan.

DPs enumerate themselves and fill-in the provided form with square, land category, positions of land, number, quality of current land/ assets on acquired land, number of households members, number of labors..., propose their resettlement desires (if any) and send them to the agencies in charge of compensation, assistance and resettlement.

In addition, the replacement cost information for land, property and architectural objects shall be collected through the government agencies and reference of the local market transactions. If the market price is higher than the price offered by Da Nang People’s Committee, the City People’s Committee will request concerned agencies to update the unit price equivalent to the market value.

Step 8: Development of Compensation and Resettlement Plan

The organizations in charge of compensation, assistance and resettlement shall take price application for the compensation and assistance plan for DPs based on the detailed tables of their compensation quantity, minutes of inventory, documents on land origin, statistical list of
RESETTLEMENT PLAN – The rote from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

households members, social policy households and price units, compensation and assistance policies.

The compensation and assistance plan shall reflect sufficiently the DPs’ quantity, numbers, types, price units, ratio, remaining quality (for affected assets calculated for depreciation) of assets on the compensated land and other basis for calculation.

Step 9: Approval of Compensation Plan

After completing the compensation plans, based on the DPs’ contribution opinions, the agencies in charge of compensation will submit them to the competent authorities for appraisal and approval.

Step 10: Publicize Compensation, Assistance and Resettlement Plan

After the compensation and resettlement plans are approved by the authorized agencies, the agencies in charge of compensation and resettlement implementation are responsible to publicize the plan, including the following information: plan and time for the compensation and assistance payment and plan and time for the property removal and relocation.

Step 11: Implement Payment for Compensation, Assistance and Resettlement

Within 15 days since the approval date of the compensation and assistance plan, the concerned agencies shall conduct the payment for compensation and assistance for DPs.

Particularly, after the compensation and assistance plan is approved, the DPs will receive 80% of compensation cost. When the DPs sign on the site transferring statement, they will receive the remaining cost (20%). In brief, the DPs will relocate only after they receive full 100% of the compensation cost.

In case of resettlement, CRCs are responsible for transferring houses or land as well as providing land-use-right and house-ownership certificates for DPs prior to land acquisition.

Step 12: Site Clearance and Land Acquisition

The People’s Committees of all levels coordinate with public organizations to inform DPs in the execution of the land acquisition decision, receiving the compensation and assistance payment based on approved plans, self-dismantling the architectural objects and assets, and handing-over land in accordance with the schedule.

Along with the mentioned steps, after obtaining the approval for detailed design, the PMU shall employ resettlement experts to support the project and employ independent monitoring consultants for the monitoring of the project compensation and resettlement implementation. The resettlement consultants shall be responsible to support the PMU the internal monitoring operations and the implementation of the agencies in charge of compensation and assistance.

The independent monitoring agency shall periodically monitor the implementation of the compensation and land acquisition of the project.
9.3 IMPLEMENTATION PLAN

<table>
<thead>
<tr>
<th>Activities/time table</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
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<tr>
<td></td>
<td>6</td>
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<tr>
<td>1. Project Implementation Plan</td>
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<td>(1) Preparation of Component A</td>
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<td>(2) The Project Appraisal and Approval</td>
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<td>(3) Detail Design</td>
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<td>(4) Construction</td>
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<td>2. Compensation and Resettlement Plan</td>
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<tr>
<td>(1) Define and publicize the Land Acquisition</td>
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<td>(2) Preparation of Cadstral Documents</td>
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<td>(3) Land Acquisition Announcement</td>
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<td>(4) Survey Implementation</td>
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<td>(5) Preparation socio economic Report</td>
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<td>(6) Preparation of Resettlement Report</td>
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<td>(7) Approval of the Resettlement Plan</td>
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<td>(8) Disclosure of the Resettlement plan</td>
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<td>(9) Establishment of the CRC</td>
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<td>(10) Preparation of the Gener Compensation plan</td>
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<td>(11) Mapping</td>
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<td>(12) Community Consultation</td>
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<td>(13) Inventory of Loss</td>
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<td>(14) Preparation of Detail Compensation Plan</td>
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<td>(15) Consultation with DPS</td>
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<td>(16) Compensation Payment</td>
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<td>(17) Land Clearance</td>
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<td>(18) Relocation</td>
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<td>(19) Income Restoration Programme</td>
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<td>(20) Internal Monitoring</td>
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<td>(21) External Monitoring</td>
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<td>3. Development of the Resettlement Site</td>
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<tr>
<td>(1) Start Up</td>
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<td>(2) Selection of Resettlement areas</td>
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<td>(3) Implementation of Land Acquisition and</td>
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<td>(4) Procurement of Technical Design</td>
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<td>(5) Implementation of Technical Design</td>
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<td>(6) Approval of the Technical Design</td>
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<td>(7) Procurement of Contractor</td>
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<td>(8) Development of the Resettlement Site</td>
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6 This 2.7km road section subproject is funded by GoV budget and considered as linked activities to SCDP that the below table showing implementation schedule in the side of GoV only.

DA NANG SUSTAINABLE CITY DEVELOPMENT PROJECT
Infra-Thanglong 61/87
10.1 OBJECTIVES AND POLICIES

The major objectives of the consultation and participation are:

a) Ensure that affected people and involved parties have their voice in the making decisions of all compulsory resettlement issues related to them;

b) Minimize adverse effects caused by compulsory resettlement;

c) Avoid conflicts occurring in the process of project implementation.

It is regulated in WB’s policy that DPs shall be informed and consulted fully on the resettlement and compensation plans. Consultation for DPs is the starting point for all resettlement activities. DPs may worry about losses of subsistence means and community or worry that they are not ready for complicated negotiations on their entitlements. Participating in the resettlement plan preparation and management brings opportunities for DPs to participate in the decisions of what will affect their lives. The resettlement implementation without the community consultancy may lead to an improper and ineffective strategy. Without consultancy, DPs may protect again the project and create social difficulties to remarkably prevent the project from objective completion and even make the project cost increased. Therefore, if there is the consultation, the initial objection about project may be changed to the constructive consultation.

In Vietnam, one next step in the democracy increase at basic level is Instruction No.30-CT/TW of the Central Committee of Vietnamese Communist Party in “Construction and implementation of basic democratic regime” and Decree No.79/2003/ND-CP on this matter. The key of the legal documents is the well-known sentence: “people know, people discuss people do, people check”. Ordinance No.34/2007/PL-UBTVQH11 points out that the local authorities and communities have opinions prior to the authorized agencies’ making decision; including the establishment of compensation and resettlement plans relating to the projects and works in ward/commune areas.

Article 39, clause 2, Land law 2003 requests to open the matters relating resettlement such as reasons, land acquisition plans, relocation plans, general compensation plans, and land acquisition for DPs.

10.2 PROCESS OF CONSULTATION AND PARTICIPATION

10.2.1 Consultation during Project Preparation

Local governments and related organizations, community who are affected by the project will participate in all different stages from the planning to the implementation of the resettlement plan.
The methods of project information and public consultation may include rural participatory rapid appraisals and stakeholder’s consultation ones, using techniques of site and household visits, public meetings, group and focus group discussions and socio-economic surveys.

At the early stage of the project preparation, Da Nang local authorities and leaders of different administrative levels in each of the project areas were informed about the project proposal, its objectives and proposed activities. They were intensively consulted and actively participated in the discussions on their development needs and priorities.

In the beginning of June 2011, a socioeconomic survey and inventory of assets on a large scale was conducted in 02 districts and 02 commune and ward of the project. The survey group investigated by size about 45% affected partly households and 100% seriously affected and displaced households. The socio-economic survey covered 40 households.

In addition, the Project Management Unit of Da Nang Priority Infrastructure Investment Project with the assistance of the resettlement advisory group (Infra-Thanglong Company) conducted public consultations (group discussions with communities affected by the project) to gather such qualitative information as demographic status, income sources, compensation expectations and compensation rates, demand for vocational training and loan revolving fund.

Soon after the Project is officially approved, its purpose, components and project preparation activities being implemented will be published to the people by means of local newspapers and televisions.

**10.2.2 Consultation In Project Implementation**

In the course of the Project Management Unit of Da Nang Priority Infrastructure Investment Project with the assistance of the project consultants will undertake the following tasks:

a. Provide information on the project policies and procedures to the city CRCs and agencies and units involved in the compensation and resettlement at all levels.

b. Organize information dissemination and consultation to all affected persons during the project implementation.

c. Update the unit prices stipulated by the City, and reconfirm the scale of land acquisition and impacts on properties based on the results of detail measurement surveys (DMS) with the consultation of affected persons.

d. Then the City CRC will fix the prices, calculate compensation entitlements, and complete property compensation plan for each affected household. Da Nang SCDP will coordinate with the City CRC to publicize information on direct entitlement to affected people in the meetings and household visits.

e. Next, DPs will receive worksheets on compensation - resettlement plans to check information through the surveys, rates of compensation, assistance and confirm their choice on the compensation plans. The property compensation plans finalizes affected assets and compensation entitlements of households, which must be signed by affected persons to demonstrate the evaluated results and their consensus. Any questions of affected persons on the contents of the compensation plans must be noted and clarified.

f. Consultation of affected people about their desire for their life recovery support must be made. This will be applied for severely affected and vulnerable groups of people. The CRCs will notify affected persons the plan and entitlement to receive...
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

technical assistance before requesting them to make clear their desire on the recovery support.

Community Meetings

Right after land acquisition decisions and before detailed design, further community meetings in each ward will be launched to (i) provide additional information for affected people and (ii) create opportunity for them to draft public comments on the resettlement policies and procedures for each project affected area. All relocated households were invited to attend and give comments in the meetings.

The information and related documents will be allocated directly to those affected by the project in the meetings. The meetings are proposed to have the followings:

(a) Explain in words, pictures, drawings and other documents about the project.
(b) Create adequate opportunities for DPs to respond their questions and comments. Encourage DPs to give comments.
(c) The City CRC together with the governments of district/ward levels make a complete list of all affected people participating in the meetings.
(d) The City CRC noted all questions, comments, ideas and decisions arising from meetings and provided the information, advice and reports to the SCDP of Da Nang City.

The content of the community meetings includes information on the project components and impacts such as entitlements of affected people and compensation rates; complaint mechanism and procedures of complaint; rights to participate and the right to be consulted; resettlement activities; resettlement responsibility organization, working progress.

Public Notification

Notification letters will be sent to each affected household, clarifying the time, place and procedures for compensation payment. Severely affected and vulnerable persons will be directly met to affirm their desire on the recovery support.

Through the mass media like radio - television, newspapers combined with leaflets with simple and easy to understand contents to convey the project necessary information, the policies of State to all affected people.

Besides the public announcement for affected persons and their communities, the Resettlement Policy Framework and the Resettlement Plan should be disseminated in the public information centers of the city, in the offices of the CRCs at the project city, district and ward levels.

10.2.3 Information Disclosure

In parallel with the public announcement for affected persons and their communities, the Resettlement Policy Framework and the Resettlement Plan must be available in the offices of departments and agencies of Da Nang People's Committee, People's Committees of project district and ward, in the Info Shop in Washington DC, in the Vietnam Development Information Center (VDIC) in Hanoi and on the Web site of the PMU: http://piip.danang.org.vn..
10.3 RESULTS OF PUBLIC CONSULTATION

Before, during and after the end of the socio-economic survey and the preliminary property statistics of the DPs, the Consultant team worked and consulted with stakeholders in the implementation of compensation and resettlement consisting of government officials at ward, leaders of the residential areas and the communities.

Before conducting the research the Consultant team worked with local authorities to announce the project implementation, in general, and the implementation of the socio-economic survey and investigation of affected property, in particular, to mobilize their smooth coordination throughout the research process.

After completing the investigation, the consultancy group worked with local officials to report the investigation results and collect information relating to the compensation and resettlement in the areas, draw advantages and disadvantages and lessons learned, propose plans for the resettlement plan preparation, build an organizational system (temporarily) to monitor and continue this work in the next stage. The officials proposed to participate in the compensation activities of each project include ward presidents, cadastral officials (and urban planning officials) and some regional leaders. Name of these officials are presented in the appendix of this report.

During the period from 10/06/2011 to 14/06/2011, the consulting team conducted community consultations to inform and consult local people and community the project policies as well as the benefits that people enjoy in the Project. The specific program is as follows:

Table 116: Community Consultation Plan on Land Acquisition and Resettlement

<table>
<thead>
<tr>
<th>No.</th>
<th>Locations</th>
<th>Time</th>
<th>Content/Program</th>
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<tbody>
<tr>
<td>1.</td>
<td>LIEN CHIEU District</td>
<td></td>
<td>1. Ward People's Committee representatives introduce the goals and participants to the meetings;</td>
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<td></td>
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<td>2. PMU representatives introduce Da Nang Priority Infrastructure Investment Project;</td>
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<td>3. Introduce the works planned in the WARD;</td>
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<td>4. Propose mitigation measures;</td>
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<td>5. Proposed compensation plans: Implementation organization, implementation plans, application of unit prices;</td>
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<td>6. Discussion: 04 main issues to be discussed:</td>
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<td></td>
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<td>✓ Socio-economic condition (career/income/poverty rate/status of residence) and status of house/land possessing;</td>
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<td>✓ Impacts and mitigation measures;</td>
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<td>✓ Proposed unit prices and needs for support of life stabilization;</td>
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<td>✓ Proposed resettlement areas.</td>
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<td>2.</td>
<td>HOA VANG District</td>
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RESETTLEMENT PLAN - The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

The main contents in the community consultations made by people focus on the followings:

(i) Agree the project implementation and land acquisition plans;

(ii) Compensation plans, compensation cost should be notified prior to people, should be obtained the consent of people before the implementation, and should be consulted the public on the implementation of the land acquisition and site clearance plan.

(iii) The resettlement arrangement should be ensure that their new relocation areas will be located near the old residence of locals to avoid disruption of their life activities.

(iv) Consider and recommend life recovery programs such as assistance for business loans, vocational training and employment introduction to help their family members be adaptable to the new habitat while land for agricultural production is limited.

Opinions of households in the consultation process are recorded and synthesized in the chapters of the report. The details are referred in the resettlement and rehabilitation and earning recovery chapter of the report.

Public consultation results show that the priority peoples concern is the compensation and assistance. People expressed their expectations that the state should provide the compensation policy which give advantages to the residents. This fact is clearly described in the commune/ward, 80% of HHs expected that the project would provide an adequate compensation. The common situation of "hanging" the project had reduced local people's belief, so people expected that the project will be implemented at soonest to avoid risks when investing in the land. 95% of HHs wants to be provided favorable resettlement area to avoid disturbance in people's lives. In addition to cash compensation at the prescribed price list, people also still wanted more assistance to stabilize their lives after the project implementation.

In addition, HHs also raised many questions about the unit price and compensation system as well as assistance policy for the urban poor, the project standards for resettlement of severely affected HHs.

In summary, during public consultations, the local people focused on issues relating to relocation and resettlement. Among them, they paid attention to project progress, expected resettlement sites, resettlement options. Consultation on relocation and resettlement has been mentioned in Part 6 Resettlement Site.
11.1 RESPONSIBILITIES

The agencies responsible for complaint and inquiry redress during the site clearance and compensation are the City People's Committee, involved departments, CRCs at all levels and local People's Committees affected by the project. Depending on the functions and duties of each level, the mechanisms for complaint and inquiry redress of affected households will be provided under the laws.

To ensure DPs' opportunity to present their complaints related to the compensation and resettlement, the detailed process of complaints will be established for the Project. It aims to resolve DPs' complaints quickly and in accordance with the procedures. The mechanism is designed simply, easily to understand, quickly and fairly. By resolving complaints at each project level, the project progress will certainly be more effective. Those whose land is recovered do not agree with the decisions of the compensation, resettlement assistance can make complaints by law.


However, during the time waiting for the complain redress, DPs must comply with the decisions of land acquisition and deliver land on time and schedule decided by the state competent agencies.

The procedures of complaints against administrative decisions on land management which do not belong to the cases stipulated in Article 162 of Decree 181/2004/ND - CP are made under the provisions of the Law on Complaints and Denunciations.

11.2 COMPLAINT PROCEDURES

Any questions and complaints from project affected people on the compensation entitlement, compensation policy; compensation rates, land acquisition, resettlement and other entitlements to the life recovery program will be recognized and processed by the functional units of all levels. The local social organizations as Fatherland Front, Farmers' Association, Women's Union, and reconciliation groups ... are mobilized to participate actively in the process of settling claims and questions of project affected people.

The procedures for resolving complaints include four steps as follows:

Step 1: DPs' complaints and questions on the resettlement program or the losses which are not resolved will be firstly forwarded to the ward-level People's Committee, the city CRC or the PMU in writing or verbalization. The PMU will combine with other relevant agencies of
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

the city to resolve the complaints. The complaints should be resolved within 15 days after their receiving dates.

Step 2: Within 15 days of receiving complaints, if there is no agreement or conciliation or if affected persons do not receive any answers, they can complain to the city CRC. The complaints must be resolved within 1 month as of their original dates. The City CRC and District People's Committees should give decisions within 15 days of receipt of the complaints.

Step 3: If affected persons are not satisfied with the decisions of the District People's Committees or representatives of the District People's Committees, or the District People's Committees have no answers, affected persons can appeal to the City People's Committee. The City People's Committee in combination with representatives of the City CRC will give decisions within 30 days as of the dates of receiving complaints.

Step 4: If affected persons still do not satisfied with the decisions of the City People's Committee or the City CRC on their protests or the City People's Committee has no answers in the stipulated times, they can claim their cases to the Administration Courts to be resolved by law.

During the time waiting for complaint and even dispute redress, DPs must relocate and deliver land to the project as scheduled.

All records of complaints and redress measures will be stored in the offices of the ward People's Committees and the PMU.
Monitoring and evaluation activities take place during and after the resettlement stage to ensure that the land acquisition and resettlement are conducted in accordance with the regulations and instructions of the resettlement plans. Monitoring provides the concerned agencies with continuous reflections on the land acquisition and resettlement. Monitoring determines the reality, successful possibility and arising difficulties as soon as possible to facilitate the due adjustment in the project implementation.

The purposes of monitoring and evaluation are (i) review if the project activities are completed effectively, including quantity, quality and time, (ii) evaluate if these activities achieve the objectives and purposes, and how like the achievements.

The Project Management Unit of Da Nang SCDP, the Execution Agencies as well as the External Monitoring Consultant, who contracts with Da Nang SCDP to monitor the implementation of the resettlement activities frequently.

12.1 INTERNAL MONITORING

Internally monitoring of the implementation of the Resettlement plan (RP) is the responsibility of the SCDP’s PMU with the assistance of the Project Consultant. The SCDP’s PMU will monitor the progress of RP preparation and implementation throughout the regular progress reports.

The main monitoring indicators are:

a. Payment of compensation and assistance for DPs with different rates according to the compensation policy described in the RP;

b. Implementation relocation, and payments of allowances and relocation support;

c. Implementation of income restoration as per the defined in the entitlement

d. Activities carried out for information dissemination and community consultation; and its documentation.

e. Monitoring complaint procedures, and cases solved.

g. Monitoring, and actions taken to complete schedule of land acquisition.

12.2. EXTERNAL MONITORING

External monitoring will be conducted by a consultancy unit / research non-governmental organization (NGO) who is experienced in monitoring and assessment for the implementation of socio-economic surveys. The PMU will sign a contract with Independent Monitoring organization (-IMO). The implementation of external monitoring of the project will be funded from ODA sources for the project. Independent Monitoring Organization will report
RESESSION PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

periodically on progress of implementation and make relating recommendations to solve any emerged problem during the monitoring.

The main monitoring indicators are:

a. Payment of compensation and assistance for DPs according to the compensation policy described in the RP;

b. Implementation of technical assistance, relocation, allowance payment and relocation support;

c. Implementation of income recovery and entitlement to recovery support;

d. Information dissemination and community consultation;

e. Complaint procedures and settlement, outstanding problems that require to be solved up;

f. Monitoring of the schedule of land acquisition...

12.3. METHOD OF EXTERNAL MONITORING AND REPORT

12.3.1 Survey And Investigation

Conducting initial socio-economic surveys provided the basis for the later resettlement planning, monitoring and evaluation. Survey and investigation after and in the resettlement implementation is the basis for the assessment of the success/failure of the resettlement plan.

PRA tools will be applied in the survey. Monitoring will be based on the sample size. Scale of the survey sample may cover 100% severely affected households, and at least 20% of the remaining households.

A post-resettlement evaluation will be carried out 6 months after the completion of all resettlement activities.

12.3.2 Data Collection

The establishment of a monitoring and evaluation database is based on the data information system of the Project. The database should be included maps, diagrams, photos or records of each affected household and is updated based on the information collected in the next data collection stage. The execution agencies and Da Nang SCDP PMU can access the databases in full.

12.3.3 Reports

Internal monitoring report: The internal monitoring reports are required to prepare monthly during the implementation of compensation and land acquisition. The execution agencies will be responsible for preparing internal monitoring reports as part of a joint progress report.

The execution agencies will coordinate with the CRC to collect information and data related to the process of relocation and resettlement and report the monitoring – evaluation results. The report includes:

(a) The implementation progress of the resettlement plan (including the number of affected households by affected types and the payment progress of compensation and assistance, relocation and income recovery resources for each category). The
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

costs for the activities or for compensation payment and disbursed costs for each activity.

(b) Complaints and the results of complaint redress (if any).

(c) The issues arising in the implementation process and the solutions.

(d) Assessment of the resettlement progress and update of the work for the next stage.

Independent monitoring report: The independent monitoring reports are made every six month period during the resettlement implementation. This report reflects the following contents:

(a) Verify the results of internal monitoring.

(b) Assess if the resettlement objectives achieve, and how the income sources and living standards of DPs are restored and improved?

(c) Consider if the resettlement entitlements are appropriate for the conditions of affected households and meet the resettlement plan objectives?

(d) Evaluate the resettlement effectiveness, impacts and sustainability, proposal of necessary adjustments and lessons for the planning and developing the resettlement policy in the future.
13 COST ESTIMATE

13.1 FUNDING

The resettlement plan will cover the detailed costs of compensation and restoration assistance, resettlement costs for specific land (agricultural land, residential land etc.), types of work and other impacts. The project resettlement costs is prepared based on the updated compensation unit prices issued by the City People’s Committee, which reflect the market value of all affected properties at the compensation time.

The financial source for different activities of resettlement programs is mentioned in the table of estimation cost (Page 77). The cost for the implementation of Resettlement Plan (Cost for compensation and assistance ...) will be fully provided by the counterpart funds.

The budget for the RP implementation will be a part of counterpart fund of the Vietnamese government (from Da Nang People’s Committee). The Da Nang city will provide counterpart fund for the compensation and resettlement and this cost will be included in the total investment costs of the Project.

The PMU will disburse this fund for land acquisition, assistance and resettlement of the project through the city CRC, which will pay directly for the project affected households.

13.2 SURVEY OF REPLACEMENT COST

The method used for valuation of losses in the WB projects is based on the “REPLACEMENT COST”. In this Project, the losses consist of damages to urban land, structures and other assets. Urban land of the same area and using value should be determined by replacement costs in the consideration of the public structures and social services plus registration costs and transferable taxes. For houses associated with other structures, their value is determined by market prices of building materials to build a replacement house of the same area and quality at least, or to repair the affected structures, plus transport material costs, labor costs, bidding cost, registration fees and transferable taxes. Asset depreciation and material value that can be salvaged by affected households are not deducted.

Compensation Unit Price

For reference purpose, the Consultant collected land unit prices for land on the roadsides on the real estate market from many different sources:

- Decision 44/2010/QD-UBND December 17, 2010 of Da Nang People’s Committee regulating on land prices in Da Nang city that is used for valuation of losses for GoV funded projects during land acquisition implementation.
RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

- Information from the real estate transaction center; and Consultation with local government and households affected by the project, to identify the market prices for real land transactions in the project area.

Some unit prices of land in the project area are determined based on comparison of the two above mentioned source and the results of survey on replacement cost (through meetings with local authorities, and information from the market transactions). Specific compensation cost for local specific area are defined and proposed as follows:

Table 117: Proposed Replacement Costs For Land Compensation

<table>
<thead>
<tr>
<th>No.</th>
<th>District/ward</th>
<th>Unit prices based on Decision 44/2010</th>
<th>Coefficients</th>
<th>Proposed unit price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Lien Chieu district</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1</td>
<td>Hoa Hiep Nam Ward</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.2</td>
<td>The Frontage of Nguyen Luong Bang</td>
<td>3,330,000</td>
<td>1.1</td>
<td>3,663,000</td>
</tr>
<tr>
<td>1.3</td>
<td>Residential zone</td>
<td>334,000</td>
<td>1.0</td>
<td>334,000</td>
</tr>
<tr>
<td>2</td>
<td>Hoa Vang district</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1</td>
<td>Hoa Lien commune</td>
<td>1,300,000</td>
<td>1.1</td>
<td>1,430,000</td>
</tr>
</tbody>
</table>

Compensation Unit Prices for Structures

The feature of the houses in the project area is house grade 3 and 4, temporary house and insignificant number of solid brick houses. In addition, there are some other structures such as: Yards, gardens, living areas etc and some temporary structures. For houses associated with other structures in the project area, their value is determined by market prices of building materials to build a replacement house of the same area and quality at least, or to repair the affected structures, plus transport material costs, labor costs, bidding cost, registration fees and transferable taxes. Asset depreciation and material value that can be salvaged by affected households are not deducted.

Through the review of Da Nang’s new compensation policy for architectural works, the PMU proposed the compensation unit prices for architectural works, properties on land in the project area accordingly to Decision No.36/2009/QD-UBND on 24/12/2009 by Da Nang People's Committee in which, the unit prices of houses and structures, graves is added up 20% due to inflation and for the adaptability to the market price. The prices for architectural items and the compensation prices for trees and crops are in the attached appendix. Based on the proposed rates, the estimated cost for compensation and assistance shall be determined in the section 13.3.

During the preparation of detailed compensation profile, the authority (CRC No.3) ensures that the compensation price follows the market price. External Monitoring during the monitoring process conducted replacement cost survey and made comparison and provided specific proposals.
13.3 COST ESTIMATE

Costs for compensation and resettlement including RP preparation and implementation costs and administrative and management costs are estimated based on the following items:

- The costs for affected land and property compensation in the project area;
- The costs for the program of income restoration and special support for vulnerable groups (policy families, families deserving for the revolutions, family owned by women, disabled people, poor households etc.);
- The allowances, subsidies, bonuses for affected people to move out of the project areas as scheduled;
- The cost for recruitment of domestic resettlement specialists and independent consultant;
- Contingency cost: The new Land Law, every January, the city People's Committee will issue the unit prices of land. Experiences shows that in most cases, land prices increase gradually each year.

The detailed statistical analysis of impacts and cost estimates will be divided into categories and represented in the pages below.

Thus, the total cost of compensation, assistance and resettlement of SCDP Da Nang is VND 18,580,000,000 (in words: Eighteen billion and five hundred and eighty million VND). This cost is expected to be disbursed in 12 months, starting from quarter 1/2012 and ending in quarter 1/2013.

Breakdown of Cost Estimate for the Project Compensation and Resettlement is provided in the Appendix 2, and summary of the cost estimate is shown in the following table.

---

1 The cost for CRCs at city, districts levels and local authorities for the implementation of the RP are disbursed from the city budget, which is not included in this Item.
**RESSETTLEMENT PLAN** – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

Table 18: Summary of Compensation Cost

**Da Nang Sustainable City Development Project**

**SUMMARY TABLE OF ESTIMATED COMPENSATION COST**

<table>
<thead>
<tr>
<th>No.</th>
<th>Categories</th>
<th>Interpretation/Price</th>
<th>Amount (VND)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Land</td>
<td>Appendix 1</td>
<td>7,089,041,700</td>
</tr>
<tr>
<td></td>
<td>Residential land</td>
<td></td>
<td>6,647,145,700</td>
</tr>
<tr>
<td></td>
<td>Agricultural land</td>
<td></td>
<td>441,896,000</td>
</tr>
<tr>
<td>B</td>
<td>Civil Works</td>
<td>Appendix 2.1</td>
<td>7,324,486,000</td>
</tr>
<tr>
<td></td>
<td>Housing (m2)</td>
<td></td>
<td>6,531,000,000</td>
</tr>
<tr>
<td></td>
<td>Kitchen (m2)</td>
<td></td>
<td>119,138,000</td>
</tr>
<tr>
<td></td>
<td>Breeding facilities (m2)</td>
<td></td>
<td>7,740,000</td>
</tr>
<tr>
<td></td>
<td>Toilets (m2)</td>
<td></td>
<td>52,018,000</td>
</tr>
<tr>
<td></td>
<td>Wall (m)</td>
<td></td>
<td>98,100,000</td>
</tr>
<tr>
<td></td>
<td>Yard (m2)</td>
<td></td>
<td>510,770,000</td>
</tr>
<tr>
<td></td>
<td>Gate (units)</td>
<td></td>
<td>5,720,000</td>
</tr>
<tr>
<td>C</td>
<td>Trees, Crops</td>
<td>Appendix 2.2</td>
<td>264,472,800</td>
</tr>
<tr>
<td></td>
<td>Trees</td>
<td></td>
<td>160,250,400</td>
</tr>
<tr>
<td></td>
<td>Crops (Rice)</td>
<td></td>
<td>104,222,400</td>
</tr>
<tr>
<td>D</td>
<td>Sub-total 1</td>
<td>D = A+B+C</td>
<td>14,678,000,500</td>
</tr>
<tr>
<td>E</td>
<td>Life restoration program</td>
<td></td>
<td>1,907,917,500</td>
</tr>
<tr>
<td></td>
<td>Relocation Assistance</td>
<td>3,000,000 VND/HH</td>
<td>129,000,000</td>
</tr>
<tr>
<td></td>
<td>Support for job transformation</td>
<td>52.500 VND/m²</td>
<td>683,917,500</td>
</tr>
<tr>
<td></td>
<td>Support the poor HHs⁸</td>
<td>2.000.000 VND/HH</td>
<td></td>
</tr>
</tbody>
</table>

⁸ The poor HHs is defined as stipulated by MOLISA.
### RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Support for housing foundation</td>
<td>25,000,000 VND/ HH</td>
</tr>
<tr>
<td></td>
<td>Sub-total 2</td>
<td>F = D + E</td>
</tr>
<tr>
<td>G</td>
<td>Management cost</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>External Monitoring from Consultant (2%)</td>
<td>2%</td>
</tr>
<tr>
<td>3</td>
<td>Contingency cost (10%)</td>
<td>10%</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>H = F + G</td>
</tr>
<tr>
<td></td>
<td>Rounding</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX

VIETNAM
Social Safeguard Due Diligence Review
Danang Sustainable City Development Project (SCDP)
Da Nang, July - Aug 2012

1. Project Background

The proposed project, which continue to support the upgrading and expansion of environmental infrastructure, construction of a pilot bus-rapid-transit (BRT) corridor and two critical sections of road infrastructure to facilitate future city development, aims to help Da Nang become a more sustainable city that benefits all citizens by improving urban environment and increasing urban mobility in a clean, safe, inclusive, and energy efficient manner. The project consists of four main components outlined below:

Component 1: Drainage and Wastewater Improvement (US$ 116.8 million, of which IDA US$ 85.2 million). This component will help Da Nang further implement its wastewater management strategy to meet the wastewater and drainage improvement targets for 2030, including reducing flooding, upgrading and expanding wastewater collection systems in fast growing areas of Da Nang.

Component 2: Bus Rapid Transit Development (US$ 40.2 million of which IDA US$ 31.0 million). This component will help Da Nang develop a pilot BRT corridor - an integrated public transport system - as part of the city’s efforts to provide high quality public transport services for its citizens.

Component 3: Urban Strategic Roads (US$ 76.1 million of which IDA US$ 7.3 million and IBRD US$ 40.0 million). Two new primary roads, with a total length of about 14km will be constructed under this component. Identified as strategic roads in the City’s Master Plan, both roads will improve connectivity of urban roads, especially east/west connections to the north/south City By-Pass and national expressway network. The connection of the northern link to the Da Nang north/south City By-Pass would be the last connection of the By-Pass to the City road network, as already been agreed between the Ministry of Transport and the City. The two roads will also help facilitate the development of two new zones in the western part of the city, which according to the Master Plan are critical for accommodating urban population growth in the near to medium term, particularly for lower and middle income populations.

Component 4: Technical Assistance and Capacity Building (US$ 9.0 million to be financed by IDA). This component will help Da Nang implement a comprehensive capacity building plan (including training, focused studies, demand-driven technical assistance and mentoring, and peer learning and knowledge sharing with other cities) which will strengthen Da Nang’s institutional capacity for sustainable urban development.

Involuntary resettlement in Component 3
A section of a road in Component 3 (2.71 km Da Nang Bypass Road), is financed by the City being built in 2012, and it is a section where most of the compensation and resettlement activities (for about 2.46km out of the 2.71km of road as a whole) have been completed. Therefore a due diligence review was carried out to confirm if there are measures to be
addressed in cases where gaps between the measures adopted for compensation and those defined by the OP4.12 policy are identified (if any). For the 2.46km section already compensated and completed resettlement has to comply with the Bank OP 4.12 According to the agreement reached during the project design between the Bank and the PIIP’s, for the remaining section of 0.25km a RAP should be prepared by the Client, and a due diligence report for 2.46 km section where land acquisition have been completed should be conducted. During RAP preparation, it was confirmed that two resettlement sites where people affected by 0.25 km road section to be relocated, are linked to the project. Therefore, this report includes a due diligence review for both, the section of 2.46 km where land acquisition has been completed, and the two resettlement sites, which as mentioned above are linked to the project.

2. Assignment Objectives and Methodology

Assignment Objectives
A due diligence was conducted with the main following objectives: (i) assessment of the compensation and resettlement activities carried out for 2.46 km of the Nguyen Tat Thanh link road, which makes part of the Northern Da Nang City Link Road to be funded by Da Nang’s SCDP and; (ii) assessment of involuntary resettlement carried out in the case of SCDP linked projects namely two resettlement sites confirming the compliance with the Bank's OP4.12 Policy.

The specific tasks were (i) to verify in the field information collected concerning past compensation and resettlement activities for the 2.46 km road section, confirm its current status, and compliance with the OP 4.12 policy. This included to corroborate any missing entitlements of those defined in the RPF approved by the PIIP; (ii) to conduct a survey and focus groups discussions with related stakeholders and affected people to identify issues/problems requiring additional measures to be addressed for this road section; (iii) to conduct a due diligence review for the resettlement sites for relocated households of the 0.25 km road section and confirm if compensation and resettlement in the resettlement sites are consistent with the Bank's OP 4.12 policy objectives. In addition, confirm if there are any legacy issues to be addressed; (iv) to make recommendations based on the results of the due diligence reviews for both the road section and resettlement sites.

Methodology
Methods employed include: (i) desk review of secondary information (including project documents prepared by the GoV for the proposed sites), Bank’s proposed project documents; and (ii) interviews with relevant government officials including representatives from PIIP-PMU, resettlement committee No.3 (RC3), key informants in the project communes of Hoa Hiep Nam and Hoa Lien and other representatives from about 40 affected households; and c) field observations.

Focus of Review
The World Bank’s Social development specialists (staff and consultant), travelled to Da Nang City in July 2012, in coordination with Da Nang PIIP’s PMU local safeguard consultant to carry out the DD review. All project sites including the planned road, urban residential areas (as of Hoa Hiep 3 Resettlement Sites, Southern Nguyen Tat Thanh Road’s residential area
and Golden Hills City), and other sites linked projects, were visited and meetings and interview with key informants, affected people, PMU/RC3 staffs were held. The review confirmed that among 2.71 km for Nguyen Tat Thanh Link Road, managed by Trung Nam Company that (i) the land acquisition for section of 2.46 km (out of 2.71 km) has been substantially advanced and fully completed, requiring a due diligence review on implementation of land acquisition and compensation (shown as Section 3: Due Diligence in the map below) and (ii) for the land acquisition for the remaining section of 0.25 km (of 2.71 km) a resettlement plan (RP) in compliance with the Bank’s OP4.12 will be prepared, and (iii) an assessment of resettlement sites where project relocated households will be resettled, considered to be linked to project is also needed, (shown as Section 4: Linked Activities, in the map below)

3. Due Diligence Review

As per the information provided, the 2.71 Da Nang Bypass Road (namely Nguyen Tat Thanh link road) was established in April 2011 following Da Nang PPC’s approval on construction of the Nguyen Tat Thanh link road. Among the 2.71 km road section (with about totally 9.9 ha of agricultural land acquired), land acquisition and compensation for 2.46 km long which traverses through project land areas owned by 03 companies including Hoa Hiep 3 Resettlement Sites, Southern Nguyen Tat Thanh Road’s residential area and Golden Hills City was fully completed in 2nd Quarter of 2011. The entire land acquisition carried out by RC3 commenced in late 2010. Within the area of 2.46 km road section, 212 households were affected including 155 households in Hoa Hiep Nam Commune and 57 households in Hoa Lien Commune, primarily with agricultural land. None of them lost their residence or needed to be relocated.

Compliance with GoV regulations According to the DD review of the compensation plan(s) provided by RC3, the resettlement policy and the definition of entitlements have strictly followed Vietnamese regulations (Land Law 2003 and Decree 69/2009). The RC3 was in charge of the preparation and implementation of land acquisition for the whole road section, and assigned by Da Nang City.

Compensation funding. Funds for resettlement compensation were provided by the Trung Nam Company, which was released following the compensation/resettlement plan (in accordance with current government’s laws/regulations). The RC3 made the payments to
affected people, in accordance with the resettlement plan(s) approved by the Da Nang City, with the above-mentioned funding channeled to the Da Nang City State Treasury.

Schedule for Compensation and Relocation. The Compensation Plan for the 2.46km road section was issued and approved by Da Nang City in April 2011. The land compensation (carried out by the RC3) commenced in 2011. For the case of the 2.46 km road section area, 212 households were affected with agriculture land and no household residences required relocation. This review confirmed that to date, all affected people in the project wards of Hoa Hiep Nam and Hoa Lien were fully compensated after confirming their acceptance for the land value paid and subsequently they transferred their land to the project owner in 2011, after full compensation was paid.

Entitlements for Affected Households (AHs). The entitlements approved by Da Nang City Authorities since 2011 were the following: (i) for loss of agricultural land, affected households were offered cash compensation at replacement cost, (ii) for affected tree/crop, losses were paid at market price. Assistance and allowances to affected households as defined in GoV regulations, also considered as part of packages offered to affected households.

The proposed entitlements for affected households were thoroughly review in comparison with the project RPF\(^9\), and the gaps between the proposed project RPF and Da Nang City's regulation on land acquisition and compensation (for project clearance of agriculture land only) is shown in the table below as follows:

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\(^9\) As agreed with PMU, the existing RPF for Da Nang PIIP is applicable for this road section since newly proposed Da Nang SCDP is still under preparation.

DA NANG SUSTAINABLE CITY DEVELOPMENT PROJECT
## RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

### Table 21: Gaps between Da Nang City's Regulation and the project RPF

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Compensation on Agriculture Land</td>
<td>All land users are eligible for compensation will be paid in cash for the acquired land at 100% replacement costs, regardless of their portion of total land lost. (Article 16)</td>
<td>Land users are eligible for compensation (legal and legalizable land users): + The affected land is less than 20% of the total land area: DPs will be paid in cash for their acquired land at 100% replacement cost. + The affected land is 20% or more of the total land area: DPs will be (i) paid in cash for their acquired land at 100% replacement cost and supported in providing subsistent allowance and training jobs. (see footnote 2) or (ii) provision of replacement agriculture land</td>
<td>Agriculture land is not available, therefore cash compensation at replacement costs was provided</td>
</tr>
<tr>
<td></td>
<td>Land users are not eligible for compensation will be supported in cash for acquired land at least 60% replacement cost. (Article 16)</td>
<td>+ Land users are not eligible for compensation (illegal land users): DPs will be supported in cash for their acquired land at 50% or 60% replacement cost.</td>
<td></td>
</tr>
<tr>
<td>2. Affected farm produces and trees</td>
<td>Persons affected by the project will be compensated for their damaged crops at price stipulated by provincial authority and/or market prices. (Article 32)</td>
<td>Persons affected by the project will be compensated for their damaged crops at market prices and/or replacement costs.</td>
<td></td>
</tr>
<tr>
<td>3. Temporary impacts in the construction stage</td>
<td>Not considered in Da Nang Cities regulation</td>
<td>DPs whose agricultural land temporally affected (i) Compensate for 1 affected crop of farm production or trees at full market prices (ii) Compensate for losses of income for the next</td>
<td>Gap on the local regulations was addressed. All affected person was</td>
</tr>
</tbody>
</table>

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10 In case, the remaining land is not economically viable, and as requested by the DPs, the remaining land will be completely acquired and compensated, plus to other regulated rehabilitation supports for their living recovery

DA NANG SUSTAINABLE CITY DEVELOPMENT PROJECT
Infra-Thanglong
## Key Issues

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Allowance for Living Rehabilitation</td>
<td>DP whose agricultural land is affected with 30% or more are eligible for the compensation. Households, individuals with 30% of their agricultural lands acquired will be received living rehabilitation allowance, as follow: (i) Affected households between 30% and 70% of their agricultural lands acquired will be assisted for living stabilization for all household’s members for 6 months if they do not have to be relocated and for 12 months if they have to be relocated. (ii) Affected households with more than 70% of their agricultural lands acquired will received allowance of living stabilization for all household’s members for 12 months if they do not have to be relocated. Allowance level for a person is defined in cash equivalent in 30 kg of rice per month (rice price at market price).</td>
<td>Not mentioned</td>
<td>compensated at, fully in compliance with the Bank’s policy. All affected person was compensated fully in compliance with the Bank’s OP 4.12.</td>
</tr>
<tr>
<td>Supporting for Living Rehabilitation for those of agriculture producing households</td>
<td></td>
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</tr>
</tbody>
</table>

**DA NANG SUSTAINABLE CITY DEVELOPMENT PROJECT**

Infra-Thanhlong 82/87
## RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

<table>
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<tbody>
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<td>(1)</td>
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<td></td>
<td>at VND 6,000 per m², for area limited to 4,000 m² per households.</td>
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<tr>
<td>5. Support for Occupation Change</td>
<td>DPs whose agricultural land is affected by the project are eligible for the compensation is supported in cash equal to 1.5 times of value of the compensated agriculture land area¹¹ but not exceed the quota of local agriculture land. The vocational training support for agricultural labor ranges from 2,000-15,000 dong/m² depending on the types of farming. In case, households need a vocational training, they will be admitted to a vocational center in the province and are exempted from tuition fees for such training course (including level of primary, secondary training and vocational college) for those in the working age (not applicable for those who enroll for a vocational training outside the province).</td>
<td>Land users are eligible for compensation (legal and legalizable land users): support for occupation change for agriculture producer is from 2,000 to 15,000 dong/m².</td>
<td>All affected person was compensated fully in compliance with the Bank’s OP 4.12 policy</td>
</tr>
<tr>
<td></td>
<td>DPs whose agricultural land is affected by the project are not eligible for the compensation (illegalized) are supported for their agricultural land, the support levels of occupation change are applied</td>
<td>Land users are not eligible for compensation (illegal land users): is calculated based on supporting level of acquired land.</td>
<td>All eligible affected households were compensated and assisted in full</td>
</tr>
</tbody>
</table>

¹¹ The support rate is calculated at VND 35,000 per m² multiplied with 1.5 time equal to VND 52,500 per m²

DA NANG SUSTAINABLE CITY DEVELOPMENT PROJECT
Infra-Thanglong

83/87
### RESETTLEMENT PLAN – The route from the Linked Nguyen Tat Thanh to the Quan Nam – Thuy Tu urban zone

<table>
<thead>
<tr>
<th>Key Issues</th>
<th>Da Nang City's Regulation</th>
<th>Project's RPF</th>
<th>Gap Analysis</th>
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<tbody>
<tr>
<td>(1)</td>
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<tr>
<td></td>
<td>respectively for land by 50% or 60% of the above stated support levels.</td>
<td></td>
<td>compliance with the Bank’s OP 4.12</td>
</tr>
</tbody>
</table>

### DA NANG SUSTAINABLE CITY DEVELOPMENT PROJECT
Infra-Thanglong 84/87
The route from Linked Nguyen Tat Thanh road to Quan Nam – Thuy Tu Urban Zone

**Temporary Impact during Construction Stage:** The provision of compensation for temporary impacts is not considered as of Da Nang City's regulation on land compensation. During DD it was confirmed that, among the affected households there are 17 households, who were indirectly affected in the Hoa Hiep 3 Resettlement area by the Extended Nguyen Tat Thanh road, had not been compensated. After discussions held with affected persons the Da Nang City competent authorities, including road management, they agreed to provide compensation. As a result, the Da Nang City approved and provided assistance of 6,000VND/m² for income restoration of these 17 affected households.

**Threshold of Eligibility for Living Rehabilitation Allowance:** This allowance was not required by the project’s RPF, but makes part of GoV’s regulation. According to the regulation the threshold for this allowance eligibility is 30%. Taking into account that project affected households lost almost all their agricultural land, all were eligible for this allowance and had received the allowances accordingly. Therefore, the project complied with the government and Bank’s regulations.

**Consultations:** the DD confirmed that there were four rounds of community meetings where consultations were conducted among affected people. In the meeting compensation plan(s) were disclosed in the communal public area. Before carrying out the inventory of loss, all of 212 affected households (AH) were informed about the schedule and series of activities enabling them to participate and confirm the records of the inventory. The AHs were also informed about the compensation policy and scheduled implementation plan. The comments, feedback and recommendations from AHs were gathered during consultation meetings and brought for the city’s consideration in the compensation plan(s).

**Grievances Redress Mechanism.** A grievance system was established in the project communes and solves complaints raised by affected AHs regarding all land acquisition aspects, compensation, and resettlement issues. RC3 staff provided instructions as to how submit complaints at district/commune levels. According to the records in the project area some complaints included compensation payments, inaccuracy of land measurement, and claims on evaluation of structures and crops losses. The DD confirmed that all claims posed by affected households were addressed and solved by the RC3 as defined by the GoV’s norms, and in cooperation with the project communes authorities I, having all settled by the end of 2011.

During the DD the review of all the documentation and according to the information gathered in the interviews with the local authorities in charge and AHs, it was confirmed that, there is no longer pending legacies to be solved concerning any of the aspects of compensation. All affected people accepted the prices paid for land and other assets affected.

**Livelihood Restoration Plan (LRP):** Affected households have been provided with support, assistance and allowances as part of the compensation plans, according to the GoV norms and regulations, consisting of living stabilization allowance, vocational training allowance, and other special allowances for those who fall under the category of poor and vulnerable affected people.

**Monitoring.** Land acquisition and site clearance of the SCDP related projects conducted compensation and resettlement assistance financed by the governmental budget or/and private budget; and conducted internal monitoring and followed the rules and regulations stipulated for these cases. Also the external monitoring, as part of external monitoring assignment under Da Nang PIIP will be carried out to ensure that the land acquisition and resettlement in compliance with the Bank’s requirement mentioned in OP4.12.
RESETTLEMENT PLAN - The route from Linked Nguyen Tat Thanh road to Quan Nam - Thuy Tu Urban Zone

While interviewed and discussed, affected households expressed their support to the road project implementation and believed that this project will bring benefits to them and other neighboring areas as well thank to improved urban roads and increased urbanization process. They also stated that the impact is quite marginal on poor valued agricultural land, and they hope find the employment opportunities from the project construction.

In sum, the DD review confirmed that by 2nd quarter of 2011, 100% of the total affected households (212 households within the 2.46km road section area, out of 2.71km Nguyen Tat Thanh link road) had been fully compensated, and that there are not any legacy issues of land related to acquisition and resettlement. The compensation was made by the city government, and in accordance with the government's laws and regulations then. The livelihoods of affected households were fully restored and for affected households interviewed the compensation was an opportunity for them to diversify and improve their income sources. However, it is requested that additional packages should be done for further improvement of temporary impact's supports during the forthcoming construction stage.

4. Linked Activities: resettlement sites

As above mentioned, in the 2.71km road section constructed by Da Nang City, land clearance for about 2.46km road section has been completed and the land acquisition for the remaining 0.25km road section is to be prepared by the RC3. As agreed, a resettlement plans (RP) for this section funded by the city has been prepared and subjected of another instrument where all the Ban’s policy requirements for a RP preparation are observed. Resulting from this section's 0.25km land clearance, there are about 64 households to be affected, including 41 households in need of relocation.

As planned, there would be thirty five (35) households resettling in Hoa Hiep 3 resettlement site and other six (06) households to be relocated in new concentrated resettlement site with 50m cross section nearby/along one side of the project proposed road (namely 50m cross section resettlement site), which are linked projects as per the Bank’s policy.

Therefore as mentioned above, the DD carried out an assessment of these resettlement sites linked projects as follows:

Hoa Hiep 3 Resettlement Site was established since 2008s funded by the City with 25.59ha, which land acquisition implementation was commenced in mid-2009 by RC3. The compensation plan iDMS entitlements and cost estimates for compensation were prepared and approved by Da Nang City by May 2009 and the implementation of compensation was fully completed by 2011. So far, the construction is underway and to be ready for the households to move in by the end of this calendar year. Regarding resettlement of the 35 project affected households, relocation will be carry out by means of grouped land plots, at their own preferred choice, with total area of 0.6 ha, defined as the resettlement site for DPs to be relocated from 0.25km section of the road.

Within the resettlement site, 16 households were affected, and their entire agriculture land was acquired The DD review was carried out for land acquisition and compensation of this resettlement site as the one done for the 2.46 km road section. It was confirmed that all 16 affected DPs were fully compensated and assisted in compliance with the City’s and Bank’s regulations and there are not any pending legacies to be solved.

The 50m cross section resettlement site along Nguyen Tat Thanh link road is developed under Da Nang City’s master plan in 2011. Land acquisition includes 1,400m212 affecting 14 households to relocate at site.

12 This 1,400m2 is acquired using both for relocation of the 06 affected households by road project and the 14 households to relocate at site.
RESETTLEMENT PLAN - The route from Linked Nguyen Tat Thanh road to Quan Nam – Thuy Tu Urban Zone

households, and be completed by the end of this fiscal year. It is agreed with the PMU that the land acquisition for this 50m section is will be implemented in full compliance with the Bank's OP4.12 and project's RPF. Monitoring will be used to confirm if there are measures to be addressed in cases where gaps between the measures adopted for compensation and those defined by the OP4.12 policy are identified.

5. Conclusions and Recommendations

Based on information provided by the PMU, RC3 and the two project communes, team's interviews with different stakeholders, including affected households, commune representatives, field observations, and interviews with affected people the concluding aspects of the DD are as follows:

For 2.46km road section out of project proposed 2.71km section, land acquisition was carried out by the RC3 since late 2010. The DD review in July 2012 confirmed that the implementation of the resettlement, compensation and assistance plans, processes are in compliance with the Government’s laws and regulations and are in compliance with the Bank’s OP4.12 based on the review of the criteria as mentioned above. Additional packages for further improvement of temporary impact's supports during construction stage are approved. The DD confirmed that there are not any pending legacy issues on land related acquisition and resettlement of affected people.

Regarding to linked activities, (i) Hoa Hiep 3 resettlement site linked project's land clearance commenced at the same time of the above mentioned road section. Implementation of the land acquisition and compensation is fully completed in compliance with the Government’s laws and regulations and are in consistency with the Bank’s OP4.12; (ii) the 50m cross section resettlement site's land clearance with 14 affected households, compensation and resettlement is being implemented to be in compliance with the Bank’s OP 4.12 and project RPF. In sum, the DD review of the documentation, information gathered in the interviews with the local authorities and people affected confirmed that no grievance is pending to be solved. All affected people accepted the prices paid for land and other assets affected.

Based on the review findings the recommendation for the project is to continue with semi-annual external monitoring, by means of site visits and interviews with the affected households and preparation of a detailed update report to see whether the RPF objectives have been achieved and to check if the affected household's livelihood is restored. In addition, monitoring during finalization and completion as per the approach defined in the Project's RPF requirements, should be carried out, for the section of 50ms where the compensation and resettlement activities have not been completed yet.