THE SOCIALIST REPUBLIC OF VIETNAM
MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT
CENTRAL PROJECT OFFICE

MEKONG DELTA WATER RESOURCES PROJECT

Feasibility Study

Annex II

Resettlement Action Plan (RAP)

December, 1998

HASKONING B.V. CONSULTING ENGINEERS AND ARCHITECTS
in association with
EUROCONSULT and DELFT HYDRAULICS
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<tr>
<td>BRTL</td>
<td>Ba Rinh Ta Liem (Sub-project)</td>
</tr>
<tr>
<td>CPC</td>
<td>Commune People's Committee</td>
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<tr>
<td>CRC</td>
<td>Commune Resettlement Committee</td>
</tr>
<tr>
<td>DARD</td>
<td>Department of Agriculture and Rural Development (Province)</td>
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<tr>
<td>CPO</td>
<td>Central Project Office</td>
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<tr>
<td>DMS</td>
<td>Detailed Measurement Survey</td>
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<tr>
<td>DPC</td>
<td>District People's Committee</td>
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<tr>
<td>DRC</td>
<td>District Resettlement Committee</td>
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<td>EMDP</td>
<td>Ethnic Minority Development Plan</td>
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<td>GOVN</td>
<td>Government of Vietnam</td>
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<tr>
<td>HH</td>
<td>Household</td>
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<tr>
<td>IMC</td>
<td>Irrigation Management Company</td>
</tr>
<tr>
<td>LURC</td>
<td>Land Use Right Certificate</td>
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<tr>
<td>MARD</td>
<td>Ministry of Agriculture and Rural Development</td>
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<td>MDWRDP</td>
<td>Mekong Delta Water Resources Development Project</td>
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<tr>
<td>MOF</td>
<td>Ministry of Finance</td>
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<tr>
<td>MPI</td>
<td>Ministry of Planning and Investment</td>
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<tr>
<td>OM-XN</td>
<td>O Mon Xa No (Sub-project)</td>
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<tr>
<td>OD 4.30</td>
<td>World Bank, Operational Directive 4.30</td>
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<td>PAP</td>
<td>Project Affected Person</td>
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<td>PAF</td>
<td>Project Affected Family</td>
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<tr>
<td>PIB</td>
<td>Public Information Booklet</td>
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<td>PRA</td>
<td>Participatory Rural Appraisal</td>
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<tr>
<td>PPC</td>
<td>Provincial People's Committee</td>
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<td>PRC</td>
<td>Provincial Resettlement Committee</td>
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<tr>
<td>QLPH</td>
<td>Quan Lo Phung Hiep (Sub-project)</td>
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<tr>
<td>RAP</td>
<td>Resettlement Action Plan</td>
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<tr>
<td>R&amp;R</td>
<td>Restoration and Rehabilitation</td>
</tr>
<tr>
<td>RS</td>
<td>Resettlement Sites (Group sites or sites of individual choises)</td>
</tr>
<tr>
<td>SIQ</td>
<td>Sub-project Implementation Office</td>
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<tr>
<td>SMT</td>
<td>South Mang Thit (Sub-project)</td>
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<tr>
<td>TN</td>
<td>Tiep Nhat (Sub-project)</td>
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<tr>
<td>VPC</td>
<td>Village People's Committee</td>
</tr>
<tr>
<td>VRC</td>
<td>Village Resettlement Committee</td>
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</table>
LOCATION MAP OF THE STUDY AREAS

CAMBODIA

GULF OF THAI LAND

SOUTH CHINA SEA

CAMBODIA

GULF OF THAI LAND

SOUTH CHINA SEA

GHI CHU.LEGEND

- National Frontier
- Provincial Road
- District Borderline
- Sub-project & region boundary.
MON XA NO-SUBPROJECT
DISTRIBUTION OF PROJECT AFFECTED HOUSEHOLDS
PHÂN BỘ CÁC HÓA BI ÂNH HƯỞNG BỞI ĐƯỢC AN

LEGEND

1. Sluices
1.1 Primary sluices
1.2 Secondary sluices

II Canals
II.1 Cau Nhiem canal
II.2 Rach Tra canal
II.3 1200 canal
II.4 Thay Ky canal
II.5 Ba Con canal
II.6 4000 canal

III Embankment
III.1 Xa No canal
III.2 O Mon canal
III.3 Can Tho river
III.4 Cai Lon river

GHI CHỮ

LEGEND

Existing embankment
Embankment to be upgraded
Embankment proposed
Canals to be upgraded
New canals
Existing canals
Provincial boundary
National road
Small road
The Socialist Republic of Vietnam  
Mekong Delta Water Resources Project  
(Resettlement Action Plan)  
Executive Summary

Project Background

1. To continue its efforts to alleviate poverty and develop the Mekong Delta, particularly in areas where the incidence of poverty is higher, the Government of Vietnam (GOVN) is seeking IDA support for the proposed project. The project will cover five subproject areas, totaling 535,000 ha (about 14% of the Delta). Most of the project area is currently under agriculture. The project population is about 2.3 million. The project objective is to increase agricultural production, reduce rural poverty, and improve living conditions in the project area, and to support strengthening of institutional framework for sustainable water resources monitoring and management in the Delta as a whole.

2. Currently, a large part of the project area suffers from moderate/severe saline water intrusion, which makes freshwater unavailable during the dry season, and from flooding and inundation due to poor drainage during the wet season. These conditions constrain local agricultural production and limit cropping intensity to a single traditional crop or two crops with depressed and unstable yields, and consequent low farm incomes. The project adopts the approach of integrated water resources planning and management, and includes improvement and rehabilitation of irrigation, drainage, saline water intrusion control, and flood protection structures; provision of drinking water and improved sanitation; support for community participation in water delivery; improvement of local transport; and institutional strengthening for water management.

3. **Project Benefits.** The main benefit of the project would be an increase in income from agriculture. The project would facilitate multiple cropping in areas that are now limited to a single wet season crop or two crops with unstable yields. As shown in the table below, with the project, an average farm of 1.25 ha would have increase in incomes ranging from 60% to 396% over the without-project situation.

| Net Financial Benefits from Increased Cropping (Average Farm Size 1.25 ha) |
|---|---|---|---|---|
| Cropping | US$/year | Cropping | US$/year | US$/year | % |
| Seasonal Rice | 229 | Double Rice | 625 | 396 | 173 |
| Seasonal Rice | 229 | Triple Rice | 1137 | 908 | 396 |
| Seasonal Rice | 229 | Double Rice/Corn | 1002 | 773 | 337 |
| Seasonal Rice | 229 | Sugarcane | 609 | 380 | 166 |
| Double Rice | 625 | Triple Rice | 1137 | 512 | 82 |
| Double Rice | 625 | Double Rice/Corn | 1002 | 377 | 60 |

4. In addition to increases in agricultural income, there will also be on-farm and off-farm employment generation, protection of property through flood protection, and improvement from provision of clean water supply and better sanitation as a result of the project. The project would
thus significantly improve income and living standards of people in the project area, except for a very small number whose lands and/or houses may be acquired for project works and who may choose self-relocation out of the project area. The project will also proportionately benefit ethnic minorities: about 20% of project area households are Khmer and Hoa people.

**RAP Preparation**

5. In order to mitigate the adverse impact of land and other asset acquisition (both temporary and permanent), the GOVN started to prepare this Resettlement Action Plan (RAP) in October 1997. The RAP is based on relevant Vietnamese laws and Bank Operational Directive (OD) 4.30 (Involuntary Resettlement), and incorporates the results of many consultations with stakeholders, including the project affected families (PAF). A development plan for ethnic minorities to be affected by the project was also prepared as part of RAP.

**Socioeconomic Survey**

6. Socio-economic surveys were carried out on subprojects at an early stage of RAP preparation in mid-1997. Since early 1998, the census and inventory have registered, for each PAF, names, settlement, ethnicity, occupation, and detailed categories of losses (land holding, house structures, trees, wells, graves, etc.). The census also recorded PAF’s attitude towards the project and relocation options. For all PAF, the door-to-door census and inventories were conducted jointly by the Central Project Office (CPO), subproject implementation office (SIO), MARD’s design companies, and provincial and district resettlement units.

7. Though economic growth in the Delta is progressing rapidly, there are pocket areas in the Delta where farmers are among the country’s poorest. Among the 20 districts in the project area, 12 have higher poverty rates than the Delta average, and in 3 districts poverty is higher than for the average of the country. The Delta is densely populated and linear settlement along canals and waterways is common, creating a typical ribbon development pattern.

8. Over 93% of the PAF are farmers. The remaining are seasonal labores, traders and officers. Among the farmers, around 83% hold a land use right certificate (LURC). The remaining are in the process of applying for LURC. The absence of a LURC does not bar any PAF from compensation entitlement. The socio-economic survey and the participatory rural appraisal (PRA) field consultations did not reveal any illegal farmers farming in the project area. Land holdings average 1.2 ha per household. Incomes of farming households are, in general, from farming, livestock rearing, business and, to a smaller extent, forestry and fishery.

**Resettlement Impact**

9. **Census and Inventory.** As part of RAP preparation, a full census of the affected population and detailed inventory of all affected assets and PAF were completed in February 1998 for OMXN, OLPH and SMT subprojects; in April 1998 for BRTL and TN subprojects; and in November 1998 for the new secondary canals. The census and inventory were conducted jointly by MARD, DARD, provincial governments, design institutes, district administration and communes and village leaders. An elaborate database has been established where the census and inventory data has been stored.

10. **Land Acquisition and Affected Families.** As a result of the project—rehabilitation of existing main, primary and secondary canals; completion of structures; construction of new...
secondary canals; and improvement of canal embankment (in total, 2,633 km of canals, 188 structures and 433 km of embankment)—the requirement for land acquisition will total 3,960 ha, of which 70% (2,745 ha) will be occupied temporarily during construction and 1,217 ha will be permanent losses to water bodies and infrastructure. Land and other asset acquisition under the project will affect 34,004 families, representing 8% of the population in the project area. However, only 1655 families (less than 5% of the total PAF) would need to be relocated. The remaining 32,349 PAF will lose their assets partially, and will not be displaced.

11. A total of 20,520 PAF will be affected by losses of agricultural land. The majority of them will lose small strips, averaging 5% of their current agricultural land holding. Only 1,343 PAF (4% of PAF) will lose more than 20% of their agricultural land holding, and many of them are expected to be displaced (para. 12).

12. There are overlaps among PAF losing both part of their agricultural and part of their homestead lands. A total of 15,619 PAF will be affected by losses of their homestead land and of part of their home structures, averaging 10% of their current homestead land holding. Of these, 5,532 PAF will rebuild the affected part of their houses, but 1,655 PAF will each have less than 100 m² of homestead plot remaining after land acquisition, and will be expected, therefore, to opt for relocation, mostly within their current village or commune (see para. 19).

Mitigation Measures

13. Throughout project preparation, special efforts were devoted to avoid, wherever possible, displacement of people and to minimize the number of PAF. Preliminary engineering design was optimized in canal and embankment alignment, layout, alternative locations, by-passes and technical parameters to minimize land and other asset acquisition. Suggestions from the affected people and village and commune committees were taken into consideration to reduce the adverse impact. The above measures have resulted in a significant reduction of the number of PAF, especially the potential relocatees (due to alternative location of embankments, ditches and sluices). The original layout of new canal systems was adjusted, wherever possible, which reduced the number of PAF by nearly 1.500. The same effort and adjustments to designs will be made during project implementation to minimize the adverse impact on PAF.

Resettlement Policy

14. **Policy Framework.** The RAP was prepared on the basis of relevant Vietnamese laws and regulations (especially Decree 22/CP, effective in May 1998) and World Bank OD 4.30. Significant improvements in the country's resettlement policies and practices have occurred recently. Promulgation of Decree 22/CP is the latest attempt by GOVN to protect the rights of citizens adversely affected by implementation of infrastructure works. This RAP is subject to approval by MARD and ratification by the Prime Minister to ensure that it is legally enforceable.

15. **Principles.** The objective of the RAP is to mitigate the adverse impacts of land and other asset acquisition, and improve or at least restore/maintain the livelihood of PAF. The following principles are laid down in the RAP:

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1 The word "Resettlement" used in this document refers to compensation and rehabilitation for land and other asset acquisition as well as relocation of project affected people.
• The rehabilitation package will consist of land-for-land or cash options and rehabilitation assistance. Priority will be given to land option. Cash can only be provided at the request of the affected people.

• Compensation for affected structures will be paid at replacement cost without any depreciation or deductions for the salvaged building materials. The calculation of rates will be based on affected area and not usable area. Compensation for affected crops and trees will be in cash at market value. Compensation rates will be reviewed on an annual basis to assess their adequacy for replacement at current market value.

• The affected farmer whose land holding is reduced by 50% is entitled to selling the remaining plot to the project at replacement cost if he requests.

• Those PAF who have less than livable size (100 m²) of land remaining are entitled to either of two relocation options, i.e. group relocation or self-relocation.

• Community consultation and participation will continue during RAP implementation. The previous level of community services and resources will be maintained or improved.

• Financial resources for RAP implementation will be made available by GOVN, as and when required.

15. Categories of Affected Families. The census and socioeconomic survey have identified the following categories of PAF:

• Farmers with permanent land use rights (LURC).

• Farmers with temporary land use rights.

• Farmers with leased land use rights.

• People losing part of their residential land.

• People losing (part of) their house. They are further categorized into legal owners with permission to build the structures, illegal owners who built structures without permission, and tenants who have leased the building from owners.

• Business owners with permanent rights to use the affected land.

• Business owners with temporary rights to use the affected land.

• Business owners with no rights to use the affected land.

• Landless families living on or along the embankments.

16. Resettlement Measures. The cut-off date of eligibility for entitlement will be the dates of completion of the census (February 10, 1998 for OMXN, QLPH and SMT; May 1 for BRTL and TN; and November 10, 1998 for the new secondary canals). People who legally acquired land and other assets after the cut-off date will also be entitled to full compensation as legal PAF.

17. In accordance with the resettlement policy developed for this project, resettlement measures have been developed for the above categories of affected people with broadly four packages—cash compensation, land-for-land, rehabilitation, and relocation. (1) The cash package includes cash compensation for crops and trees at market prices and cash compensation for lost land and structures at 100% of replacement cost. (2) The land-for-land package includes replacement of land of equivalent productive capacity. (3) The rehabilitation package includes subsistence allowance, training for one family member in current or new occupation, training allowance, agricultural extension services, and farm inputs to increase productivity on remaining land. (4) The relocation package includes options for (a) group/government organized resettlement or (b) self-relocation. The group resettlement package includes land-for-land compensation of full title to a standard size plot of land on a government identified resettlement site, which will be serviced with electricity, water, drainage, access and internal road, and with access to services (health, education, etc.). The self-relocation package includes: i) cash
compensation for the land and structures: ii) a rehabilitation package; iii) a special income rehabilitation allowance to provide for loss of income during the transition period; and iv) assistance from DRC to locate possible site and purchase land for resettlement.

18. **Entitlements.** The entitlements for main categories of PAF are summarized below:

**Agricultural Land Loss:**
- Farmers with permanent use rights who lose less than 20% of landholding are entitled to cash compensation (package I in para. 17).
- Farmers with permanent use rights who lose more than 20% are considered seriously affected, and are entitled to: i) cash compensation for trees and crops (package 1); ii) replacement land of equivalent productive capacity or, at the request of PAF, cash compensation for lost land at 100% of replacement cost (package 1 or 2); and iii) rehabilitation (package 3). The same entitlement applies to farmers who lose less than 20% of their land but have holdings of 0.05 ha or less, because of economic viability consideration.
- Farmers with temporary use rights, who lose less than 20% are entitled to: i) cash compensation for trees and crops (package 1); and ii) cash assistance for affected land corresponding to 30% of replacement cost of the affected land or cash assistance to cover for lost income from affected land for the remaining lease period.
- Farmers with temporary use rights, who lose more than 20% are entitled to: i) cash compensation for crops and trees (package 1); ii) full title to land equivalent to 30% of the affected land area, or, at the request of PAF, cash equivalent to 30% of the replacement cost of the affected land (package 1 or 2); iii) rehabilitation (package 3); and iv) cash assistance to cover for lost income from the land for the remaining period of the lease. The same entitlement applies to farmers who lose less than 20% of their land but have holdings of 0.05 ha or less.
- Farmers with lease rights who lose less than 20% are entitled to cash compensation for crops and trees, and for lost income from the affected land for the remaining lease period.
- Farmers with lease rights who lose more than 20% are entitled to: i) cash compensation for crops and trees (package 1); ii) rehabilitation (package 3); and iii) land for land compensation of equal area or equivalent productive capacity on a similar lease basis if available, or cash assistance to cover for lost income from the land for the remaining period of the lease. The same entitlement applies to farmers who lose less than 20% of their land but have holdings of 0.05 ha or less.

**Residential Land Loss:**
- Users of affected residential or commercial land whose remaining plot is larger than the standard liveable plot size are entitled to: i) cash compensation (package 1); ii) rehabilitation (package 3); and iii) repair costs for the partially affected structures.
- Users of affected residential or commercial land without sufficient remaining legal or legalizeable area are entitled to group or self-relocation (package 4).

**Structure loss:**
- **Legal** owner of the affected structure is entitled to compensation at 100% of the replacement cost, including the materials and labor of the affected structure (package 1).
- **Illegal** owner of the affected structure is entitled to compensation equivalent to 80% of the replacement cost and the rehabilitation package equivalent to the balance 20%.
- **Tenant** of the affected structure is entitled to 6-month rent allowance and assistance from local authorities in finding new rental accommodation.
Details of the entitlements of different categories of PAF, including those who are temporarily affected, are in Chapter 4 of the RAP.

19. **Relocation.** The minimum livable homestead size for a PAF has been defined as 100 m², based on which the number of PAF in need of relocation has been determined. The 1,655 PAF, who are expected to be displaced, are scattered over 500,000 ha of project area in six provinces, 20 districts, over 180 communes and over 700 villages/hamlets, all along (or over) the densely distributed canals. In nearly 94% of these villages, the number of PAF to be displaced is either none or less than 10. Very few villages would have between 20-40 PAF. In order to do detailed resettlement site planning, MARD project offices and concerned provincial departments carried out in October/November 1998 a door-to-door survey of and consultation with each of the 1,655 PAF, presenting the two relocation options, i.e. group resettlement at the government organized resettlement sites or self-relocation at PAF’s own choice. The project provinces also identified available land at 11 locations totaling 340 ha for group resettlement, and informed the potential relocatees about these sites. All 1,655 PAF expressed their preference for self-relocation in a signed document, as they wanted to remain within their existing communities and benefit from the project. The preference of the PAF is consistent with past experience in the project area and in the Delta where majority of people preferred self-relocation to areas where they had relatives or acquaintances.

**Participation and Consultation**

20. Consultation with and participation of stakeholders have played an important role in the preparation of RAP. Consultation with potential project beneficiaries and PAF took place during preparation of the feasibility study through the Participatory Rural Appraisal (PRA) process and extensive consultation meetings, workshops, sample field interviews and surveys, and farm house visits. The PRA process focused on disseminating project information, identifying the degree of impact, and obtaining input from stakeholders to make necessary adjustments in engineering design to mitigate land acquisition impact. It provided a valuable feedback from PAF, and served as a good base for the formulation of RAP. There is full endorsement of the project from stakeholders, as they expressed their strong desire for the project to help increase agricultural production.

21. In the RAP, a two-phased strategy has been designed for further information dissemination and consultation with the affected people and other stakeholders. The RAP contains an elaborate information campaign and consultation strategy with clear objectives, specific activities, methodologies and procedures. Prior to the start of the subproject works, information regarding project scope and impact would be disseminated through provincial television, newspapers, and district/village announcement systems. This would be followed up by commune and village meetings organized by commune peoples committee and farmers’ union. Consultations with each PAF would be held again at the time of the detailed measurement survey. The above process has largely been practised by the provinces in the irrigation schemes already developed. Under the proposed project, this process would be strengthened.

**Grievance Redressal Mechanism**

22. To ensure that PAF’s grievances and complaints are addressed in a timely and satisfactory manner, RAP includes a grievance redress mechanism, covering redress channels, procedures and time frame of redress. The appeal process will be publicized among all affected people through public information campaign.
Organizational Framework

23. The GOVN has set up a multi-level organization to implement the RAP. CPO under MARD has the overall responsibility for project implementation and will be guided by the Project Steering Committee, chaired by the Minister of MARD. It will approve and allocate RAP budget, supervise RAP progress and report to MARD/GOVN and IDA. CPO, the implementation agency for the ongoing IDA Irrigation Rehabilitation Project, has gained considerable experience on IDA resettlement policies. SIO would monitor and supervise the day-to-day activities of RAP implementation, coordinate with civil works schedule, and manage the subproject budget. It has supervised resettlement activities in numerous Government irrigation projects in the area, working with resettlement authorities at various administrative levels. In all six provinces, Resettlement Committees have been established at provincial, district and commune/village levels to guide, coordinate and implement the resettlement activities in their respective jurisdictions. They are chaired by the Chairman or Vice-Chairman of the respective People's Committees (PC) at every administrative level. Provincial Resettlement Committees (PRC) will work under the policy guidance of Provincial PC, which will periodically confirm compensation rates used in their perspective provinces. DRC and DPC will be responsible for carrying out the day-to-day RAP activities, including detailed measurement surveys, public information campaign, signing of protocols with PAF, compensation payment, and assistance to resettlement and rehabilitation activities. They will report monthly to PRCs. CPC and CRC will assist DRC in commune or village level activities.

Implementation Schedule

24. Detailed implementation schedules for resettlement have been developed in accordance with the construction schedules of the civil works. Civil works under the project are planned to start in late 1999. The first two years of the project will include canal rehabilitation works and structures. The construction of the new secondary canals will not start until the third year. RAP implementation will start as soon as it is approved by the GOVN. Institutional arrangements have already been put in place. Budget for 1999 has been approved by GOVN. SIOs have started organizing resettlement activities. CPO is planning a series of training for provincial and local staff.

Cost and Budget

25. The total cost of RAP implementation is estimated at about US$22.5 million, including 10% contingencies. The cost is based on the census, inventories, entitlement package and the compensation rates reflecting current replacement cost. The rates will be regularly reviewed and updated so that compensation reflects current replacement costs. The total budget includes compensation, rehabilitation allowances, cost of relocation, skill training for PAF, staff training, equipment, DMS, external monitoring and administration. Although the cost of resettlement sites has not been specifically included in the budget, since all potential relocatees have expressed their preference for self-relocation (para. 19), the contingency item ($1.90 million) is sufficient to cover the cost of resettlement sites if a significant number of relocatees changed their preference during RAP implementation to group relocation at Government organized sites. Eleven resettlement sites have already been identified (para. 19) to cover this scenario, although the scenario is not expected to occur.
Monitoring

26. Regular monitoring of RAP implementation will be conducted through internal and external monitoring. For internal monitoring by CPO, monitoring indicators will include payment, coordination of resettlement and civil works, functioning of consultation and grievance redressal procedures, distribution of building material, house construction, technical assistance, removal to new site, employment generation through project implementation and priority of PAF for positions offered, and provision of training and credit facilities to PAF. A database will be maintained and updated quarterly. CPO will submit to IDA progress reports every six months. External monitoring will be by an independent agency, in line with the draft Terms of Reference included in the RAP. The agency will monitor and evaluate the above main indicators through review of documents, sample surveys, and PAF interviews. It will maintain a monitoring database, and periodically evaluate the trends of living standards and level of satisfaction of PAF. It will submit evaluation reports to CPO, who will then forward them to IDA every six months for review.

Ethnic Minority Development Plan (EMDP)

27. About 19% of project population are from Khmer group. Of the total PAF, 25% are Khmer, including 267 Khmer families who would need relocation (16% of total relocatees). No cultural sites or structures (such as temples) will be affected by land acquisition. Relatively speaking, the Khmer living within the project area enjoy a higher standard of living compared to those living near the coast. This is attributed to better agricultural and market opportunities, and similarity between the Khmer and the Kinh in agricultural practices. But on average the Khmer are poorer than the Kinh.

28. In accordance with IDA requirement, the EMDP was prepared as an integral part of RAP, based on extensive PRA consultations with the Khmer and participation of Khmer officers in project planning and design. During the socio-economic survey and detailed inventory of PAF, ‘ethnicity’ was kept in view while disseminating information relating to the project, identifying the degree of impact, and making necessary adjustments of engineering design to mitigate land acquisition impact. There is full endorsement of the project from Khmer farmers. The PRA provided useful feedback and a good base for the formulation of the RAP and EMDP.

29. The EMDP is to ensure that the ethnic minorities benefit from the project investment and that adverse project impact is mitigated with proper and culturally compatible measures. The project will generate significant agricultural benefits and improve living standards of the Khmer (see paras. 3 and 4, and table on page 1 for details). This is because the majority of the Khmer are growing single rice and they are expected, with the project, to move to double rice and some to double rice and corn. Thus, they would be the very group that the major part of the project benefit would go to. EMDP will supplement the above benefits through: (i) training of the Khmer farmers to enable them to utilize and enjoy the land and water resources improvement created by the project; (ii) a set of programs to ensure that the Khmer fully participate in the decision-making process during implementation; and (iii) rehabilitation measures consistent with the cultural sensitivity and identity of the Khmer families affected by land acquisition. In particular, for Khmer PAF relocatees, maximum care will be taken to ensure that they are resettled within or near their own community in accordance with their custom, e.g., in clusters around their place of worship. Special activities to meet the needs of the Khmer PAF include: distributing public information booklets in Khmer language; printing Detailed Measurement Survey forms and protocols in Khmer language; including Khmer officials in District
Resettlement Committees where the Khmer group forms a sizeable population, and in the teams of property assessment, rate negotiation and compensation, etc. Technical assistance will be provided for PRA to identify implementation related ethnic issues and for supervision of EMDP. Project staffing and the team for external monitoring will also have provision for Khmer needs. The EMDP is estimated to cost USD 589,500, which has been included in the overall project cost.
1. THE PROJECT

1.1 Project Objectives

The proposed Mekong Delta Water Resources Development Project (MDWRDP) continues implementation of the Delta Master Plan, which aims to support national development goals, regional growth of the Delta and surrounding areas, and rural-urban balance. The project objective is to increase agricultural production, reduce rural poverty, improve living conditions in the project area, and facilitate sustainable water resources development and management in the Mekong Delta.

1.2 Project Description

Project Area. In the Mekong Delta, a unique feature of canals is that the same channels and waterways that provide water for irrigation during the dry season also serve as drains during the wet season. The hydraulics is controlled by tidal waves. The project is designed around the core approach of integrated water resources improvement - including irrigation, drainage, flood protection, saline water intrusion control, navigation, rural water supply, and agricultural support. It will cover five subproject areas with a total area of 535,000 ha (about 14% of the Mekong Delta in Vietnam). The subprojects South Mang Thit (SMT; 225,680 ha), Quan Lo Phuong Hiep (QLPH; 178,900 ha), Ba Rinh-Ta Liem (BRTL; 31,000 ha) and Tiep Nhat (TN; 54,000 ha) are in the eastern part of the Delta. The O Mon-Xa No subproject (OM-XN; 45,430 ha) is in the center of the Delta. The SMT Sub-project covers a large part of Tra Vinh province and a small part of Vinh Long Province. The QLPH Sub-project covers a part of Can Tho province and a very small segment of Kien Giang Province. The two subprojects, BRTL and TN, are all in Soc Trang.

Project Intervention. The project area is at present affected by moderate/severe saline water intrusion and, as a result, lacks of fresh water during the dry season; and by waterlogging and inundation during the wet season. OM-XN also suffers from shallow flooding.

An important objective of the subprojects in the eastern part of the Delta is to exclude salinity intrusion by building sluice gates on waterways entering areas that are currently agricultural lands. This will create a fresh water environment that will allow crops to be grown in the dry season. The project would allow multiple cropping in areas that are now limited to a single wet season crop or to unstable two crops. Without the project, farmers on large areas are at present limited to a single wet-season rice crop. With the project, there will be a considerable increase in double cropping of rice and also some increase in the triple cropped area. Farmers will also have the opportunity to grow upland crops in the dry season as an alternative to rice. The OM-XN subproject is located above the saline line in the central part of the Delta where freshwater is available all year round. Most secondary and tertiary canals already exist. But annual flooding and inundation...
create local conditions such that they severely hamper local population from increasing agricultural productivity and living standards. Its main aim there is to provide flood protection and drainage. With the project, the living conditions of local population would be improved, the yield is expected to increase and production more stable. In some part of the project area, double cropping could shift to triple.

In summary, the project would support integrated water resources development through improving irrigation, drainage, flood protection, and salinity intrusion control. In all of the subprojects, IDA credit will support completion and rehabilitation of irrigation and drainage infrastructure to better water control to promote agricultural intensification and diversification. Existing main, primary and secondary canals will be improved and related structures built to provide for more rapid and effective drainage, increased flushing capacity of canals for acidity, and for control of saline water intrusion. Some new secondary canals and related structures will be built to enhance water delivery, and tertiary canals will be built where necessary to facilitate on-farm development. Existing embankments that protect land from flooding or high tidal waves will be upgraded, extended and improve to serve, in some locations, also as rural roads to improve rural transport.

In total, the project will improve and rehabilitate 2,633 km of primary and secondary canals, including construction of new secondary canals of 467 km; 188 sluices; 65 km access road; and extending or build 368 km of embankments and 112 bridges.

Table 1.1 Works Under the Project

<table>
<thead>
<tr>
<th>Items</th>
<th>Units</th>
<th>SMT</th>
<th>OM-XN</th>
<th>OLP</th>
<th>BRTL</th>
<th>TN</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Sluices</td>
<td>#</td>
<td>13</td>
<td>3</td>
<td>2</td>
<td>6</td>
<td>13</td>
<td>37</td>
</tr>
<tr>
<td>Primary Canals</td>
<td>km</td>
<td>305</td>
<td>113</td>
<td>33</td>
<td>90</td>
<td>541</td>
<td></td>
</tr>
<tr>
<td>Embankment</td>
<td>km</td>
<td>87</td>
<td>114</td>
<td>-</td>
<td>20</td>
<td>147</td>
<td>368</td>
</tr>
<tr>
<td>Embk. Culverts</td>
<td>#</td>
<td>-</td>
<td>27</td>
<td>-</td>
<td>40</td>
<td>295</td>
<td>362</td>
</tr>
<tr>
<td>Bridges</td>
<td>#</td>
<td>71</td>
<td>-</td>
<td>16</td>
<td>25</td>
<td>112</td>
<td></td>
</tr>
<tr>
<td>Access Roads</td>
<td>km</td>
<td>50</td>
<td>15</td>
<td>16</td>
<td>5</td>
<td>65</td>
<td></td>
</tr>
<tr>
<td>Boat Landing</td>
<td>#</td>
<td>22</td>
<td>27</td>
<td>5</td>
<td>13</td>
<td>67</td>
<td></td>
</tr>
<tr>
<td>Boat Lifts</td>
<td>#</td>
<td>96</td>
<td>32</td>
<td>2</td>
<td>21</td>
<td>151</td>
<td></td>
</tr>
<tr>
<td>Secondary Sluices</td>
<td>#</td>
<td>1,361</td>
<td>95</td>
<td>335</td>
<td>113</td>
<td>188</td>
<td>2,092</td>
</tr>
<tr>
<td>Secondary Canals</td>
<td>km</td>
<td>2,377</td>
<td>441</td>
<td>719</td>
<td>440</td>
<td>486</td>
<td>4,463</td>
</tr>
<tr>
<td>Tertiary culverts</td>
<td>#</td>
<td>1,666</td>
<td>95</td>
<td>448</td>
<td>146</td>
<td>278</td>
<td>2,633</td>
</tr>
<tr>
<td>All canals</td>
<td>km</td>
<td>109</td>
<td>35</td>
<td>2</td>
<td>8</td>
<td>34</td>
<td>188</td>
</tr>
<tr>
<td>Sluices</td>
<td>#</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The project would provide clean water to a rural population that does not have quality water supply for drinking and domestic uses, and support community participation in water delivery. The targeted population would be poor farmers and rural population living in remote or scattered small villages and hamlets. The project will also include support for sanitation and safe water awareness campaigns and hamlet-level participatory hygiene education to improve hygiene behaviours and increase effective demand for safe human waste disposal. The
The project will provide seed money to set up revolving funds for construction of basic household-level sanitation facilities.

The project would support farm participation in water management, especially in tertiary canal system development and maintenance, water fee collection, and management of commune level water supply systems; improved O&M through establishment or strengthening of Irrigation Management Companies; better cost recovery through water fee collection; etc. It would finance improvement water quality and flow monitoring networks, studies of hydraulic modelling to better operate the sluices. It would also support the establishment of an appropriate institutional framework for improved water resources planning, management and monitoring.

Detailed description of the project components can be found in the main feasibility study report.

1.3 Socio-Economics

Economic growth in the Mekong Delta is outpacing progress dating from the early nineties. Land allocation, infrastructure development and market liberalisation have created an enabling environment in which Mekong Delta farmers have rapidly grasped opportunities for increasing production and incomes. Rice production has tripled from 4.7 million tones in 1980 to some 15 to 16 million tones in 1997. The number of pigs increased from 1.8 million heads in 1990 to 2.5 million heads in 1996.

Although the Mekong Delta as a whole is not the poorest region in Vietnam, there are pocket areas in the Delta where the farmers are among the country's poorest people. The percentage of families experiencing food shortage during lean periods is estimated at 17, 20 and 23 for Can Tho, Bac Lieu and Tra Vinh provinces respectively. Literacy rate, poor drinking water supply conditions, hard living conditions caused by constant floods, and inadequate rural electrification and transport all compare unfavourably in the country. The majority of the rural population has no organised water supply. Although the UNICEF supported hand-pump and well programs have had very positive impact on rural population, a large number of rural people still depend on storage of rain water in earthen cisterns. Depleted stocks at the end of the dry season make that people use water from the canal exposing themselves to water-borne diseases.

A large part of the project area is relatively poor compared to other areas in the Delta. Among the 20 project districts, 12 have higher poverty rates than the average of the Delta, and in 3 districts poverty is higher than for the average of the country. These estimates are based on data from the IFPRI study "Mapping Poverty and Agro-Ecological Potential in Vietnam" (1998), which assesses poverty based on a comprehensive set of indicators, including household expenditures, household size and composition, education and ownership of assets. Another poverty report by the GOVN (1998) shows that the project covers 6 of the 8 poorest districts in the Delta that are also among the poorest in the country.
POPOPULATION

The total project population is about 2.3 million, of which 52% is female (Table 1.2). Farmers constitute 76% of the households. The population is young with 44% below the age of 15. The main ethnic minority group, the Khmer people, forms 19% of the project population, especially in the SMT, BRTL and TN areas. The Hoa minority forms less than 2%.

Table 1.2 Population in the Project Area

<table>
<thead>
<tr>
<th>Project Area</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>SMT</td>
<td>1,131,247</td>
</tr>
<tr>
<td>OM-XN</td>
<td>236,243</td>
</tr>
<tr>
<td>QLPH</td>
<td>574,854</td>
</tr>
<tr>
<td>BRTL</td>
<td>130,842</td>
</tr>
<tr>
<td>TN</td>
<td>198,278</td>
</tr>
<tr>
<td>Total</td>
<td>2,271,464</td>
</tr>
</tbody>
</table>

SETTLEMENT

Ribbon development and settlement, stretching over tens of kilometres, is a typical feature in the Mekong Delta. Historically the population first settled on the slightly higher terraces, and later on the levees along the rivers. These areas are still the most densely populated. With the excavation of the canals over the last century, people started to settle along the canal banks, creating a typical pattern of ribbon settlement for the Delta.

There has been considerable migration into the Delta from the Central Highlands or from the Red River Delta for many years. An increase in inter-Delta migration of, predominantly landless, families in search of seasonal labour or a suitable place for fishing or trading is gradually replacing the migration flow of families into the Mekong Delta.

KHMER

Khmer account for 11% of the total population in QLPH, 22% in SMT, 1% in OM-XN, 29% in BRTL and 42% in TN (Appendix II). Khmer have retained their own culture in the Delta area. Khmer have a strong group cohesiveness, which centres on Theravadan Buddhism. This is reflected in the Khmer settlement pattern—more in concentrated villages around temples. The Khmer practise mainly agriculture (over 90%). The remainder is engaged in commerce and others. Education levels are in general lower than the majority Kinh, so are income levels. A more detailed assessment is given in the Ethnic Minority Development Plan in Appendix II.
EMPLOYMENT AND INCOMES

The total labour force in the project area is estimated at 40% of the population. There is severe under-employment in the project area.

Variations in landholding have similar patterns in all subprojects except BRTL (Table 1.3).

<table>
<thead>
<tr>
<th>Subproject</th>
<th>OM-XN</th>
<th>QLPH</th>
<th>SMT</th>
<th>BRTL</th>
<th>TN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average (ha)</td>
<td>1.2</td>
<td>1.6</td>
<td>1.1</td>
<td>1.4</td>
<td>1.5</td>
</tr>
<tr>
<td>&lt; = 0.75</td>
<td>57</td>
<td>63</td>
<td>42</td>
<td>37</td>
<td>62</td>
</tr>
<tr>
<td>0.75 - 1.5</td>
<td>28</td>
<td>25</td>
<td>38</td>
<td>27</td>
<td>25</td>
</tr>
<tr>
<td>1.5 - 2.5</td>
<td>11</td>
<td>9</td>
<td>15</td>
<td>20</td>
<td>9</td>
</tr>
<tr>
<td>&gt; 2.5</td>
<td>4</td>
<td>3</td>
<td>5</td>
<td>16</td>
<td>4</td>
</tr>
</tbody>
</table>

Source: OM-XN: Rice Research Institute. Other: adjusted inventory samples

A gradually emerging land market is rapidly changing equality in the pattern of landholdings and the percentage of landless farmers is increasing accordingly. Presently the percentage of farmers without land is estimated at 14% for the Can Tho - Ca Mau region, and perhaps higher for the Tra Vinh area.

Incomes of farming households are in general a composite of farming, livestock, rearing, business and, to a smaller extend, of forestry and fishery. For example, in OM-XN¹, farm income includes rice production as 60%, other crops as 4%, animal husbandry as 5%, off-farm activities (such as renting out as hired labour, machinery rent, property rent) as 13%, and non-farm activities (such as business, handicraft production, transport and services) as 18%. In other sub-project areas, the importance of rice production is likely to be even less.

In OM-XN, 85% of the households are farmers, and farm household incomes average USD1,850 per year for an average of 1.2 ha². Because of under-employment in the project area, farmers also work as hired labour, fishermen, or contractor with own machines. Occupations of the remaining 15% of households include business, transport and handicraft.

In QLPH, 95% of households are farmers and only 5% of the households are engaged in non-agricultural occupations, such as industry and business. The household income for farmers is about USD1,400 for an average of 1.7 ha. Paddy production provides the main source of this income. Fruit production and poultry rearing are also important income sources. Khmer incomes are lower in general. The SIWP survey shows Khmer annual farmer’s family incomes at USD925. Among the farmers 80% hold a LURC. The remaining 20% have applied for temporary LURC.

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³ Social and Environmental Study Update, SIWRP, November 1997.
In SMT, average landholdings are smaller than in the other Sub-projects and incomes correspondingly lower.

WOMEN

There is no doubt that recent decades have seen an improvement in the status of women in the country. Several laws - including the 1992 Constitution of the Socialist Republic of Vietnam, various Council of Ministers Resolutions, the law on Marriage and the Family, and the Law on Labour Safety - contain clauses aimed at the protection of women. The impact of Doi Moi (reform) on women has been both positive and negative. It has given women more economic freedom and opportunities. Women have shared the improvements in health, education and the economic growth, and have access to national family planning programs.

Most women in the Delta remain employed in agriculture. Only a small number of women have moved into non-agricultural occupations. Wage inequality is still common. According to VLSS (Vietnam living standard survey), female wages in Vietnam are on average 70% of male wages.

There is also reason to believe that the real workloads of women have increased. More than before, males leave the household for lengthy periods to seek off-farm employment, adding to the burden of women left behind. Rural women’s lives involve much work; on average they work for 12-14 hours per day as compared to 10 hours for men. This is particularly a feature following land allocation, emergence of the market economy and rural mechanisation.

The literacy rate among rural women in the Mekong Delta is markedly lower than among men. Insufficient education makes for continuation of the cycle of hard work and early marriages. Women in rural families usually manage the family budget. But without better access to education and credit programs, women’s status will remain behind that of men.
2. SCOPE OF RESETTLEMENT

The definition of "resettlement" used in this document refers to land and other asset acquisition, compensation, and relocation of project affected people.

During project preparation for IDA financing, CPO and the Sub-Institute for Water Resources Planning (SIWP) carried out a social and environmental survey study (May-September, 1997). The study indicated that land and other asset acquisition under the project could result in a significant number of PAF's, although the actual impact on PAF's varies. Consequently, a land acquisition assessment was carried out (November 1997). Based on the above preliminary survey results, at the request of IDA, MARD continued preparation of the RAP, including detailed PAF's census and inventories to determine the exact impact on PAF's. International consultant teams from Haskoning and local teams from HEC-2 Hydraulic Design Institute and several other agencies assisted in carrying out PAF surveys and RAP preparation (September 1997 - November 1998).

2.1 Mitigating Measures

Throughout project preparation, attention was given to protecting the interests of people who may be adversely affected by the project. Efforts were made to avoid, wherever possible, displacement of people and to minimize the number of PAF's and the impact on PAF's.

Changes in engineering designs to adjust structural layouts, bypasses and alternative locations were made to minimize the need for acquiring land and structures and to reduce negative impacts on PAF's. The following adjustments in engineering design have been made:

- Where existing primary canals need to be enlarged at locations of densely populated areas, temples, graveyards or main factories, a bypass canal has been designed.
- Where disposal of excavated or dredged soil directly along the canal banks would cause people to be moved as is usually the case in the current construction practice, alternative construction methods shall be applied.
- Where secondary canal sluices will be constructed, the sluices will be located more inland to minimize disturbance of people's houses and property, without affecting the project concept.
- Where embankments for flood protection will be built or extended, they will be located, to the extent possible, behind homestead/orchard areas along canals. This is particularly the case in the northern part of the OMXN subproject. At present, floor levels of houses along these canals are in general above flood level. Soil for the embankment will be taken from existing
small drainage ditches already running behind the orchards. Apart from providing material for construction of the embankment, the widened ditches also can play an important role in irrigation and drainage of the areas now being supplied through tertiary canals connected to the main canals.

The original layout of new canal systems has been adjusted wherever possible to reduce the number of PAF’s by nearly 1,500. During implementation and the final design of canal layouts, beneficiaries at commune and hamlet levels will be consulted to further adjust the locations. This will also increase stakeholder participation, and result in a clear understanding of the project impact, both positive and adverse on the stakeholders.

The above efforts and adjustments to detailed design will continuously be made during project implementation to minimize further the adverse impact on PAF’s.

2.2 Survey and Inventories of PAF’s

The inventory format received from IDA was slightly adjusted for use in the project. An instruction manual for the surveyors was written by the national resettlement expert of CPO in local language. Training courses for the surveyors were organized in HCMC and Can Tho prior to the survey and inventories.

The detailed inventory of project affected families for OM-XN, QLPH and SMT was undertaken by HEC-2 in January/February 1998. HEC-2’s 43 surveyors formed 20 field survey groups and teamed up with commune leaders or VPC members. The inventory was completed on schedule on February 10, 1998. An additional census and inventory was undertaken for BRTL and TN and completed on 15 April, 1998.

The full inventory and survey of PAF was undertaken by SIOs for the 467 km of new secondary canals in October-November 1998. SIOs, together with DARD, provincial, district and commune authorities, carried out the inventory using the same inventory form, to keep the consistency of data analysis. HEC-2 provided detailed engineering designs and alignments for the new secondary canals on maps of scale 1:5000. SIO formed over 50 teams of 3-4 members per team, with representatives of SIO, Provinces and Communes.

2.3 Resettlement Impact Analysis

Land Acquisition. The main adverse impact of the project is related to land acquisition, both temporary impact during construction and disposal of construction materials, and permanent due to occupation of land by irrigation structures or enlargement of canals and embankments. The project works will require acquisition of 3,962 ha of land along more than 3,000 km of canals and embankments. About
70% of the land (2,745 ha) will constitute temporary losses and the remaining 1,217 ha constitute permanent losses mainly to water bodies and infrastructure.

Project Affected Families. Land and other asset acquisition under the project will affect 34,004 families, representing 8% of the population in the project area. However, only 1,655 families (less than 5% of the total PAF) would be relocated, in most cases, within their current village or commune. The remaining 32,349 PAF will lose their assets partially, and will not be displaced.

PAF Composition. Over 93% of the PAF’s are farm households (Table 2.1). The definition of “farmer” is a person, who as head of a household, stated in the interview survey during the RAP inventory that the household’s main source of income is derived from on-farm and off-farm agricultural activities. The remaining 7% are engaged in non-farm activities, such as traders, skill laborers and officers.

<table>
<thead>
<tr>
<th>Occupation</th>
<th>PAF</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farmers</td>
<td>31,760</td>
<td>93.4</td>
</tr>
<tr>
<td>Laborers</td>
<td>1,564</td>
<td>4.6</td>
</tr>
<tr>
<td>Traders</td>
<td>442</td>
<td>1.3</td>
</tr>
<tr>
<td>Officers, etc.</td>
<td>238</td>
<td>0.7</td>
</tr>
<tr>
<td>Total</td>
<td>34,004</td>
<td>100</td>
</tr>
</tbody>
</table>

The census and the socio-economic survey have identified the following categories of PAF’s under the project (entitlements to each categories are given in Chapters 3, 4):

a) Farmers losing less than 20% of their agricultural land holdings.
b) Farmers losing more than 20% of their agricultural land holdings.
c) Businesses of which part of the land is to be expropriated.
d) Businesses of which structures are affected by sluice or road construction but which can reorganize at the same location.
e) Businesses of which structures are affected and which have to relocate.
f) Landless families living along embankments and who have to relocate.

Impact. The detailed numbers of PAF’s as the result of each structure (canal or sluices) are given in Appendix VIII, with the construction schedule. Overall, the average permanent loss of agricultural land holding of all PAF’s is 5%, and that of homestead land holding is 10%. Therefore, although the total number of PAF’s is substantial, most PAF’s will only be marginally affected (both temporarily and permanently) by the project’s canal digging, enlargement, and sluice construction.

The “threshold” for cash compensation has been established at “20% of the agricultural land holding”. 1,343 PAF’s (4% of PAF’s) will lose more than 20% of their agricultural land, while 1,932 PAF’s will lose more than 20% of their homestead land. In total 3,004 PAF’s will lose more than 20% of their land.
(including 271 PAF who will lose more than 20% of both agricultural land and homestead area).

The 1,343 PAF’s, who will lose more than 20% of their agricultural land, will be given the option land-for-land of equivalent productive capacity, or compensation in cash at replacement cost, plus rehabilitation assistance. The same will apply to farmers losing less than 20% of their agricultural land, if their remaining holding is very small—0.05 ha or below.

Government regulations require the minimum liveable size of residential area to be at least 100 $m^2$, otherwise PAF’s are expected to be relocated and receive a full package of compensation. 1,655 PAF belong to this category and are expected to opt for relocation. They were given the option to relocate to a resettlement site, or to receive compensation for their homestead area at replacement costs and move to a location of their own choice with the assistance of DPC. In addition, they also qualify for rehabilitation assistance (Chapter 4). In order to proceed with resettlement site planning, the SIOs and concerned provinces carried out a household-by-household consultation of all the 1,655 PAF’s to ascertain the PAF’s’ preference for the resettlement options. All PAF’s unanimously expressed the wish to find, with the help of the DPC, a residential plot in the hamlet or village in which they are presently residing (see Chapter 6.4 and Appendix V for details).

Those PAF’s, whose remaining plot is larger than the threshold of 100 $m^2$, will not be displaced and will need to reorganize their houses within their own existing plot. 5,532 PAF’s belong to this category and will be compensated for the loss of the house structures and are entitled to rehabilitation and support programs provided by the RAP.

Farmers in the Delta area have permanent or temporary land use rights or use leased land. The socio-economic survey and the participatory rural appraisal (PRA) field consultations did not reveal any illegal farmers farming in the project area. The inventory shows that 83% of all farmer PAF’s possess a LURC. The percentage differs: in OMXN, it is 97%, and in SMT it is 78%. However, absence of a LURC does not constitute illegality. It means that the farmer has not applied for a LURC for various reasons. Unoccupied or unallocated land is scarce in the project area.

The socio-economic survey did bring out illegal shop owners, who were covered by the census and whose property was inventoried. Illegal status is not an obstacle to entitlements. A full entitlement package has been developed for their livelihood restoration.

Major businesses, such as boat building companies or rice depots, located along the canals and embankments, will not be affected, as sluices or canals have been designed circumventing such businesses. Businesses to be affected are small shops or food-stalls located on the waterfront or on places where sluice construction is
planned. Often, farmers' wives tend the shops and stalls on land used by their families, or by landless people. No cultural structures such as temples will be affected.

There are 160 PAF’s who are farmers with agricultural activities as the main source of income and who will lose less than 20% of their original reported agricultural landholding of less than 0.05 ha. This group of farmers could face economic viability issue of continuing cultivation on very small plots. These farmers would receive rehabilitation assistance in addition to cash compensation. For this group, details of land acquisition impact can only be worked out during analysis of the DMS. During the DMS more information will be collected from this group to ascertain that collected data during the inventories correctly represents their landholding and main source of income to determine their eligibility for rehabilitation assistance.

2.4 Sub-project Impact

Subproject impact is summarised in Table 2.3. The impact of the project varies according to the structures planned. Construction of dikes and dredging and/or widening of canals will have a limited or marginal impact as farmers lose small strips of land. Construction of sluices has more substantial impact because in a few cases sizeable parts of homesteads will be affected.

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1. Smallholder farmers having less than 0.75 ha land rely for only about 40-45% of their total household income on on-farm activities. Off-farm and non-farm incomes are far more important for them. Cuu Long Rice Research Institute, O Mon, Can Tho survey, 1995/1996.
Table 2.3 PAF by Subproject

<table>
<thead>
<tr>
<th>Subproject</th>
<th>Land acquisition ha</th>
<th>Permanent relocation ha</th>
<th>Perma-</th>
<th>% of PAF</th>
<th>Relocation</th>
<th>Re-organise</th>
<th>Farmer (ha)</th>
<th>Khmer PAF</th>
</tr>
</thead>
<tbody>
<tr>
<td>SMT</td>
<td>1,399</td>
<td>402</td>
<td>997</td>
<td>6,444</td>
<td>715</td>
<td>2,216</td>
<td>98%</td>
<td>33%</td>
</tr>
<tr>
<td>CMXN</td>
<td>324</td>
<td>285</td>
<td>39</td>
<td>4,869</td>
<td>269</td>
<td>447</td>
<td>97%</td>
<td>1%</td>
</tr>
<tr>
<td>QLPH</td>
<td>1,091</td>
<td>218</td>
<td>873</td>
<td>5,840</td>
<td>192</td>
<td>1,119</td>
<td>97%</td>
<td>1%</td>
</tr>
<tr>
<td>BRTL</td>
<td>684</td>
<td>165</td>
<td>519</td>
<td>4,279</td>
<td>232</td>
<td>1065</td>
<td>96%</td>
<td>49%</td>
</tr>
<tr>
<td>TN</td>
<td>465</td>
<td>146</td>
<td>319</td>
<td>2,572</td>
<td>247</td>
<td>665</td>
<td>97%</td>
<td>42%</td>
</tr>
<tr>
<td>Total</td>
<td>3,963</td>
<td>1,216</td>
<td>2,747</td>
<td>34,004</td>
<td>1,655</td>
<td>5,532</td>
<td>94%</td>
<td>25%</td>
</tr>
</tbody>
</table>

SMT: 80% of PAF have LURC whilst the remainder of the PAF’s is awaiting processing of the LURC. Implementation of the project will affect most PAF’s only marginally by permanent loss of a very small part of their land and a temporary loss caused by spoil deposit. In many cases this spoil soil deposit is welcomed as it enables PAF’s to build a house or plant trees on higher ground. Where sluices or bridges are constructed the impact will be more severe. Whilst Khmer in the coastal areas of Tra Vinh tend to be poor and often landless, this is not the case in the project area. Khmer constitute a majority among the PAF’s along the Ham Giang canal and the Vam Buon canal and their landholdings there are larger than average.

QLPH: The project will in general have a limited resettlement impact except the areas where the primary sluices are to be constructed. There is a group of 250 families living south of the QLPH area, whose houses may be potentially flooded because of the occasionally high water level in the Ca Ma – Bac Lieu Canal. This is due to the ongoing construction (1998) of sluices which are required for QLPH subproject. To protect the interest of these PAF, they have been inventorized as part of the RAP.

2.5 Project Benefits

It should be noted that all the PAF’s under the project are also the targeted beneficiaries of the project. Benefits for the population as a whole in the project area are substantial. A large part of the project area currently suffers from saline intrusion, a lack of freshwater and flooding. The main benefit of the project would be an increase in cropping intensity through available freshwater and better control of drainage. The agricultural intensification and diversification will increase farm income for the PAF’s. In some areas, farmers will shift from a single wet season rice crop to double rice cropping. In other areas, they would move from double cropping of rice to triple cropping of rice or two rice crops plus one upland crop, such as corn and vegetables. In addition, the area under semi-perennial and perennial crops such as sugarcane and fruit trees would also be expected to increase with the project.

There are also benefits such as greater and easier mobility and accessibility resulting from the construction of bridges and roads and dredging and/or widening...
of shallow canals, and greater security because the construction of sluices and embankments offer protection from annual floods. Indirect benefits would accrue from processing, marketing and distribution of increased agricultural production; sustainable management of the Delta's water resources; and delivery of more efficient irrigation services.

Table 2.3 indicates that, with the project, an average farm of 1.25 ha would have an increase in income in the range of 60% to 396% over the without-project situation.

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Seasonal Rice</td>
<td>229</td>
<td>Double Rice</td>
<td>625</td>
<td>396</td>
</tr>
<tr>
<td>Seasonal Rice</td>
<td>229</td>
<td>Triple Rice</td>
<td>1137</td>
<td>908</td>
</tr>
<tr>
<td>Seasonal Rice</td>
<td>229</td>
<td>Double Rice/Corn</td>
<td>1002</td>
<td>773</td>
</tr>
<tr>
<td>Seasonal Rice</td>
<td>229</td>
<td>Sugarcane</td>
<td>609</td>
<td>380</td>
</tr>
<tr>
<td>Double Rice</td>
<td>625</td>
<td>Triple Rice</td>
<td>1137</td>
<td>512</td>
</tr>
<tr>
<td>Double Rice</td>
<td>625</td>
<td>Double Rice/Corn</td>
<td>1002</td>
<td>377</td>
</tr>
</tbody>
</table>

In addition, training programs for PAF's will open opportunities for them for off-farm or non-farm employment, to be created by the project. The project will also enhance farmers' participation in water management through formation of water user groups.

Finally, the deposit of spoil is generally warmly welcomed in the project area, as it is general fertile soil and will enable the PAF's to rebuild their houses, fruit tree beds and vegetable gardens on higher ground, and also allows them to obtain approval from the authorities for modification of the registered land use from rice land into orchard.

During the resettlement survey and inventories, surveyors estimated that 80% of all families interviewed welcome the implementation of the project, provided that compensation is adequate.

2.6 Lessons Learned

Over the last decade extensive experience has been gained in Vietnam with resettlement in a variety of projects. Laws and decrees have been issued to address various aspects of resettlement in land tenure, legal status and support measures. Government policy as regards resettlement is almost fully compatible with the IDA policy. The promulgation of Decree 22/CP on 24 April 1998 brings the Government policy closer to meeting the requirements of IDA OD 4.30.
A small resettlement sample survey conducted in the project area in January - February 1998 indicated that the most important issues for the PAF's were: (i) timely payment of adequate compensation; (ii) careful preparation and planning of the resettlement program; and (iii) timely and full information dissemination and its resettlement consequences.

Until recently, resettlement resulting from civil works undertaken in the subproject areas was implemented according to Vietnam Government law and regulations. Compensation payments were made and supplementary benefits in terms of food support and a transport allowance were provided. In general, the provision of information was inadequate or fragmented and no monitoring or evaluation was systematically undertaken. Nevertheless, compensation was felt by project affected people as adequate as is described in the Socio-economic and Environmental Survey of the SMT area: "...in general, the compensation is satisfactory and is not opposed by people who have lost land. The other properties besides land are also compensated satisfactorily based on the local government price frame. The people who have to move to a new place for resettlement not only get the compensation for the properties lost but also are given the allowance for movement and settlement. All the allowances are paid in accordance with the house structure, the moving distance and the total members in the household...".

For the OMXN area, the report states: "...Resettlement of the people in the Mekong Delta in general and in the OMXN area in particular is not seen as complicated. The people who lived in the project sites had to move to a new place only a short distance away not far from their original villages. Generally they have good conditions for living after moving to their new place, as well as good transportation and good cultivation conditions...".

As detailed by SIO in their documents, complaints regarding technical errors were addressed by the District Resettlement Committee, and complaints about procedures by SIO. Appeals can be made, or were made, to DPC and then PPC.

Both the need to implement resettlement activities according to OD 4.30 and the Decree 22/CP are well understood by the project staff of CPO and SIOs. Previously, district authorities had undertaken the major resettlement activities with SIO providing funds and administering complaints. The role of District Resettlement Committee remains equally important, but SIO's will play a more active role under the proposed project (see Chapter 7). The District Resettlement Committees will include representatives of PAF's. A detailed project description has been prepared containing information on objectives, scope, land requirements and expected consequences for civilians, and has been dispatched to local authorities at district, village and commune levels.
3. ELIGIBILITY AND LEGAL FRAMEWORK

3.1 Eligibility

Project affected families (PAFs) included in this RAP are families who at the date of completion of the inventories resided in the project area and who on account of this Project, or any of its components, sub-projects or part thereof, would have an adverse impact on their: (i) standard of living adversely affected; (ii) right, title or interest in any house, or interest in or right to use any land (including premises, agricultural and grazing land) or right in annual or perennial crops and trees or any other fixed or movable asset, acquired or possessed temporarily or permanently; and (iii) businesses, occupation, place of work or residence or habitat temporarily or permanently. An “Affected Person” (PAP) means collectively all persons who qualify as an Affected Person. PAP’s, who possess land and structures, legally acquired after the cut-off date, will also be entitled to full compensation as legal PAP’s in accordance with the provisions of the policy in the RAP.

Further, for purposes of eligibility for compensation, PAPs of a household will be considered members of a family only when entered in the family booklet issued by District Police. Under one house roof, there are possibly more than one household, the number of households will be based on number of booklets issued before the cut-off date.

The cut-off date of eligibility for entitlement will be the dates of completion of the census: i) February 10, 1998 for OM-XN, QLPH and SMT; ii) May 1 for BRTL and TN; and iii) November 10, 1998 for the new secondary canals. People who possess land and other assets that are legally acquired after the cut-off date will also be entitled to full compensation as legal PAF.

3.2 Legal Versus Illegal Project Affected Persons

The conditions affecting PAPs legal rights to use land or build structures and subsequently their entitlements for compensation are described as follows:

(i) Agricultural Land:

The census and the socio-economic survey did not reveal any encroachers farming in the project area. Three categories of PAPs have been identified as regards their legal status on the use of agricultural land. These are:
Legal PAPs with permanent land use rights:

PAPs have rights to use land permanently when they hold a land use right certificates (LURC) issued by the district authority which is the relevant authority to grant rights to use land. These PAPs have full title to the land and will be compensated as such. This category of PAPs will also include those who are in the process of obtaining permanent land use rights and who have documents to prove as such. Such families have applied for a permanent LURC, and pending issuance of the LURC, the People’s Committee has issued a temporary certificate. It usually takes several years before a LURC can be issued. In the meantime the land users are considered as legal occupants with the same rights as permanent legal occupants and compensated as such.

In addition, those PAPs, who possess either temporary or leasehold rights to land but who meet the Gov.’s criteria to be legalized as permanent users, will be entitled to compensation as PAP with permanent land use rights.

Criteria for eligibility for compensation of temporary and leasehold users into permanent users include i) those who occupied the land under stable conditions since the cut-off date for entitlement as PAP, ii) when there is no dispute on the land in question, and iii) the local authorities can confirm the conditions related to the above criteria.

However, all the families who acquire assets legally and those who build structures with due permission of the local authorities after the specified cut-off date would also be entitled to compensation as legal PAP in accordance with the policy of this RAP.

Legal PAP’s with temporary rights to use the land:

This includes PAP’s who occupy land temporarily allocated to them by the commune. They possess written permission from the commune to use a particular piece of land for an unspecified, but renewable, period of time, which is generally understood to be 5 years. Temporary users pay taxes on their crops but do not pay any user fees. These families may or may not have other pieces of land with permanent land use rights. This category of PAP does not meet the criteria for legalization.

Compensation for these temporary PAP’s for the loss of their temporarily allocated land is stipulated in Article 9 of Decree 90/CP which makes provision for compensation for lost temporary use land in the form of land allocation of up to 30% of the affected land area or cash up to 30% of the value of the affected land. However, under the RAP, the entitlements of these non-legalizable temporary users will be increased through rehabilitation measures to meet objectives and principles of livelihood rehabilitation.
Legal PAP's using leased land:

This category of PAP include those in possession of land leased from the commune authorities on the basis of a signed contract, and who pay the user fee and land taxes. Agricultural and forestry land leases are usually for a minimum period of 5-20 years and a maximum of 50 years, and may be leased for as long as 70 years with permission from the Prime Minister. PAP’s with leased land who cannot meet the criteria for legalization will be classified as PAP’s with temporary land use rights but not legalizable.

Compensation for loss of leased land is stipulated in Article 4 of Decree 90/CP which provides for compensation based on the value of the land and the remaining time of the lease. Under the RAP the entitlements of such PAP’s will be increased through rehabilitation measures to meet the objectives and principles of resettlement under the RAP.

(ii) Residential or commercial land:

Three categories of PAPs have been identified, under which the legal status on the use of residential or commercial land can be assessed. These include:

Legal PAP’s with permanent land use right:

This includes PAP’s who have rights to use land permanently on the basis of LURC issued by the district authority, which is the relevant authority to grant rights to use land. This category of PAP’s has full title to the land. In addition, this PAP’s will also include those possessing temporary or leasehold rights to residential or commercial land and who meet GOV’s criteria to be legalizable as permanent users and entitled to compensation as PAP’s with permanent land use rights.

Requirement for legalization to permanent land use rights include criteria’s as follows:

i) In rural areas PAP’s must have occupied the land under stable conditions since the cut-off date for entitlements.
ii) There must be no dispute on the land in question; AND
iii) The local authorities can confirm the condition related to above criteria.

This category will also include PAP’s who are in the process of obtaining permanent land use rights certificates and are issued temporary LURC while waiting for the permanent certificates.

Legal PAP’s with temporary land use rights:

This category of PAP’s include those having rights to use land temporarily with a written permit issued by the local authority and who do not meet the legalization criteria as users with permanent rights. These PAP’s will be entitled to rehabilitation entitlements.
Illegal PAP’s with no right to use land:

Illegal PAP’s include those who have constructed their houses over the waterway and cannot be legalized. These PAP’s will not be entitled to any compensation for affected commercial and/or residential land. However, they will be considered entitled to compensation for their structures and rehabilitation assistance for restoration of incomes and living standards.

(iii) Structures:

Legal right to build structures:

Four sub-categories of PAP’s are envisaged which can be considered to have legal rights to build a structure. These include:

a) PAP’s with written permission (LURC in rural areas) or a building permit in urban areas issued by the relevant authority. In rural area PAP’s with legal rights to use the land have automatic right to build structures while in urban area right to use land is not sufficient and a building permit must be obtained for structure/house.

b) PAP’s who are in the process of obtaining permanent LURC by the relevant authority and have the documents to prove that are considered as having legal right to build structures.

c) PAP’s with verbal permission from the commune to build structures provided this can be validated by local authorities as legalizable according to the provisions of Article 10 of Decree 60 which provides for the issuance of ownership certificates in urban areas in the absence of any or sufficient eligible documentation.

d) PAP’s who obtained ownership certificates or legalized certificate for their houses or structures from the time of the inventory to the implementation date of project, issued by Provincial or District People’s Committees.

They will be entitled to full compensation at replacement cost of their structure, without depreciation. In case the structure is only partially affected, compensation will be made for the affected part and additional cash payment will be made for repairs to the remaining part.

No right to build structures:

PAP’s who have built their structures without permission will be entitled to compensation for affected illegal (partly or fully) structures at 80% of the replacement cost without depreciation and for rehabilitation assistance to make up for the remaining 20% to restore living standards and incomes. However, PAP’s who have been issued legalized certificates for their structure before the implementation date of the project, will be considered to enjoy legal right under category (d) above in accordance with the policy.
3.3 Resettlement Acts and By-laws

In recent years the GOV. has formulated several rules and regulations to protect the interests of displaced persons. Relevant acts and by-laws that govern various aspects of land acquisition and resettlement include the following:

- The Land Law 14 July 1993
- Decree on Land Compensation No. 186/HDBT 31 May 1990
- Decree 45/CP 03 Aug 1996
- Decree 97/CP and 90/CP 17 Aug 1993
- Decree 60/CP 05 July 1994
- Decree 64/CP 15 Sept 1994
- Decree 22/CP 24 April 1998

A full description of relevant articles and provision of acts and by-laws is given in Appendix I of the RAP.

3.4 World Bank’s Operational Directive 4.30

The basic guiding principle of the World Bank’s policy on Involuntary Resettlement (OD 4.30) is that the affected people should be “assisted in their efforts to improve their former living standards, income earning capacity, and production levels, or at least to restore them”. OD 4.30 further stipulates that absence of legal title to land can not be considered an obstacle to compensation and rehabilitation privileges. All persons affected by the project, especially the poor landless and semi-landless should be included in the compensation, resettlement and rehabilitation package.

3.5 RAP Principles

This RAP is built around the objective that all PAFs, regardless of their legal status, will be assisted in their efforts to restore and improve their living standards and compensation for lost assets must be made on the basis of replacement cost without depreciation and without deduction for salvage materials. The RAP contains the policy and the implementing instrument as regards regulation of land acquisition, compensation, resettlement and rehabilitation of PAFs under the Project.

With the promulgation of Decree 22 CP of April 24 1998, the Government has issued legislation regarding resettlement, which approaches the principles of World Bank OD 4.30. The policies retained in this RAP, in compliance with World Bank policies on Resettlement, supersede the provisions of relevant decrees currently in force in Vietnam wherever a gap exists. The RAP is to be approved by the Prime Minister and by MARD; by such endorsement, the Government confirms that this RAP is legally enforceable and its implementation will comply with Bank policies and directives.
4. RESETTLEMENT POLICY

4.1 Main Principles of Resettlement

Preparation of the RAP for this Project is based on Vietnamese legislation governing resettlement and rehabilitation of people and World Bank’s OD 4.30 concerning “Involuntary Resettlement”. Main principles of the RAP:

i) Minimize adverse impacts of the Project.

Considerable attention has been paid during the technical design stage of the Project and various design parameters of the project have been modified to minimize adverse impacts of land and other asset acquisition and the number of households that would need to be relocated by the Project (Chapter 2).

ii) Improvement or at least restoration of incomes, living standards and productive capacity of PAF.

The compensation policy encompassing compensation for all types of affected assets and rehabilitation measures as suggested in the RAP, ensures that all the PAP’s would be able to improve or at least restore their productive capacity, incomes and living standards to the pre-Project levels.

Where the PAP’s are not eligible for full compensation for their affected assets due to the tenurial conditions, they are provided with rehabilitation assistance package to enable them to replace their losses and to carry out productive activities with minimum disruption, thus improving or at least restoring the standards of living.

Specific measures to ensure restoration of incomes and living standards of PAP’s include compensation for lost assets based on:

a) land for land of equivalent productive capacity and at location suitable and acceptable to PAP’s wherever available; or

b) at the request of the PAP and based on informed- options, cash compensation in place of land-for-land, or a combination of the two; or

c) a fully developed residential plot at the resettlement site for PAF’s to be relocated, with long-term tenure security and of an area equal to the one of the plots but not less than 100 m² or 60 m² (rural and urban area respectively) to those PAP’s who are going to be severely affected (see Section 4.3 (d)) and are entitled to relocation.
In addition to the compensation package specified above, PAP's would also be provided with rehabilitation assistance to ensure restoration of incomes and living standards (see Section 4.4).

iii) Compensation at replacement cost.

Compensation for all types of affected assets, including agricultural and residential land, commercial structures and other fixed assets, will be paid at replacement cost (including material and labor at current market prices) without any depreciation or deductions for the salvaged building material. This will ensure that the PAP's are able to reconstruct their houses and other structures of better quality or at least to the same standard as before.

iv) Community participation and consultation.

Preparation of RAP and its implementation is to be carried out with full participation of and consultation with the affected households and their representatives. Intensive public consultation has been exercised in the preparation of RAP. People's preferences and choices have been duly taken into consideration in the selection and planning (Chapters 2 and 5). This participation will be continued during implementation of RAP. PAFs will also have a well-defined venue for redressal of their grievances. The public information campaign and consultation programme is detailed in Chapter 5.

4.2 General Resettlement Entitlements

Compensation for affected land will be with land of equal productivity as a priority, or, if sufficient land is not available, a combination of land of such characteristics plus cash representing the replacement cost of the balance of the land not compensated in land, plus non-land-based strategies built around opportunities for employment or self-employment.

Compensation for temporarily affected land will be in cash representing at least the market value of crops lost during the period of loss (under this project, the period is expected to be mostly 6-12 months). Maximum period for compensation is 2 years.

Compensation for affected structures will be made at replacement cost for houses and other structures, without depreciation and without deduction for salvageable materials. Repair costs will be provided to PAP's who reorganize and whose structures are partially affected.

Compensation for affected crops and forest produce will be in cash at market value.
Compensation for affected graves will be in cash at replacement cost for all costs of excavation, movement and reburial of graves.

Compensation for affected public infrastructure, if any, will be in cash at replacement cost of removal and relocation.

Compensation for private wells will be in cash at replacement cost or a replacement well if requested by the PAF’s.

Allowances will be provided to assist with subsistence costs during the transition period and to cover the cost of transporting construction materials and personal belongings of PAP’s relocating to new sites.

Rehabilitation measures to ensure restoration of income levels will be provided, such as:

- Training in new or current occupations and subsistence allowance during the training period.
- Priority for project-related employment.
- Additional special allowances for lost income for severely affected PAP’s.

Secondary PAP’s: Household affected by acquisition of land for resettlement sites, if any, and related access roads will be considered as PAP’s with the same entitlements as other PAP’s.

The previous level of community services and resources will be maintained or improved.

The resettlement transition period will be minimized.

Institutional arrangements will ensure effective and timely design, planning, consultation and implementation of the RAP.

Financial and physical resources for RAP implementation will be made available as and when required.

Effective and timely supervision, monitoring and evaluation of RAP implementation will be carried out.

### 4.3 Detailed Resettlement Entitlements

The Project will acquire land for the following purposes:

1) construction of sluices;
2) dredging and/or widening of canals; 
3) other structural works (embankment protection, bridge improvement or construction etc.); and 
4) movement of construction equipment and spoil soil deposit.

The acquisition of land will adversely affect PAP's assets and impact their incomes derived from affected land. The affected peoples will be compensated for lost assets and provided with rehabilitation assistance to ensure improvement, or at least restoring of their living standards and income to pre-Project level. This section outlines compensation and rehabilitation entitlements for each category of affected persons and it is also summarized in Table 4.2. The following categories of land will be affected: arable land, and rural residential and/or commercial land (with and without structures thereon). PAP's will be entitled to compensation or rehabilitation assistance according to their tenure status and severity of impact due to asset loss.

(a) Loss of Arable Land

The RAP policy applies to three categories of PAP's losing agricultural land; (i) PAP's with permanent land use rights; (ii) PAP's with temporary land use rights; and (iii) PAP's with leased land use rights. There are no PAPs illegally using agricultural land. However, the entitlement policy matrix does include provision of compensation for this category of PAFs.

Basic principle:

1) Priority will be given by communes to ensure all PAP's have full title to at least the commune allocated amount of land as provided for by Decree 64/CP.
2) Land for land will be distributed directly to PAP's by commune authorities wherever available. All other compensation and assistance will be disbursed by PRC's and DRC's directly to the PAP's. Compensation in cash will be provided only on the informed request of the PAP's.

Entitlement:

1) **PAP's with permanent land use rights:**

This category includes PAP's who have permanent land use rights certificates (LURC) as well as PAP's who meet the criteria for permanent land use rights and will, therefore, be issued with permanent LURC in due time.

PAP's who are marginally affected (which is defined as those PAP with losses equal to or less than 20% of landholdings) will be entitled to:

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The Vietnam Land Law requires communes to preserve 5% of land for public uses and infrastructures.
The Socialistic Republic of Vietnam / MARD / CPO
Mekong Delta Water Resources Development Project

- Cash compensation for crops and trees at market price, AND
- Cash compensation for acquired land at 100% of replacement cost.

However, PAPs, whose major source of income comes from agriculture and who lose less than 20% of their agricultural landholding of 0.05 ha or less, will be considered severely affected and will receive rehabilitation assistance in addition to the cash compensation:

- Cash compensation for crops and trees at market prices;
- Cash compensation for acquired land at 100% of replacement cost;
- Rehabilitation package (subsistence allowance, training for one family member in current or new occupation and training allowance, agricultural extension services, and farm inputs to increase productivity on remaining land); AND
- Selling the remaining plot to the project at replacement cost, if they so desire.

PAP's who are severely affected (which is defined as those PAP with losses more than 20% of landholding) will be entitled to:

- Cash compensation for crops and trees at market prices;
- As a priority, land for land of equivalent productive capacity at location acceptable to the PAPs wherever available; OR
- At the informed request of the PAP's, cash compensation for lost land at 100% of replacement cost; AND
- Rehabilitation package (subsistence allowance, training for one family member in current or new occupation and training allowance, agricultural extension services, and farm inputs to increase productivity on remaining land).
- If the plot is reduced to less than 50 per cent, the PAP is entitled to selling the remaining plot to the project at replacement cost.

2) PAP's with temporary land use rights (but unlegalizable):

PAP's who are marginally affected will be entitled to:

- Cash compensation for crops and trees at market price; AND
- Cash assistance for affected land corresponding to 30% of replacement cost of the affected land; Or
- Cash assistance to cover for lost income from affected land for the remaining lease period.

However, PAPs, whose major source of income comes from agriculture and who lose less than 20% of their agricultural landholding of 0.05 ha or less, will be
considered severely affected and will receive rehabilitation assistance in addition to the cash compensation:

- Cash compensation for crops and trees at market prices;
- Cash assistance for affected land corresponding to 30% of replacement cost of the affected land; Or
- Cash assistance to cover for lost income from affected land for the remaining lease period; AND
- Rehabilitation package (subsistence allowance, training for one family member in current or new occupation and training allowance, agricultural extension services, and farm inputs to increase productivity on remaining land).
- Selling the remaining plot to the project at replacement cost, if they so desire.

PAP's who are severely affected are of two types:

a) PAP's who have full title to land more than or equal in area to the commune allocation will be entitled to:

- Cash compensation for crops and trees at market price;
- Full title to land equivalent to 30% of the affected land area and a rehabilitation package (subsistence allowance, training for one HH member in a current or new occupation and a training allowance, agricultural extension services, farm inputs to improve productivity on the farming land); OR
- Cash equivalent to 30% of the replacement cost of the affected land and a rehabilitation package (subsistence allowance, agricultural extension services, and farm inputs to improve productivity on the remaining land); AND
- Cash assistance to cover for lost income from the land for the remaining period of the lease.

b) PAP's who have no other agricultural land than the one acquired or they have less than the commune allocation under Decree 64/CP will be entitled to:

- in addition to the above;
- full title to replacement land up to the commune allocation amount.

3) PAP's with leased land use rights (but unlegalizable):

PAP's who are marginally affected will be entitled to:

- Cash compensation for crops and trees at market price; AND
- Cash compensation for lost income from affected land for the remaining lease period.
However, PAPs, whose major source of income comes from agriculture and who lose less than 20% of their agricultural landholding of 0.05 ha or less, will be considered severely affected and will receive rehabilitation assistance in addition to the cash compensation:

- Cash compensation for crops and trees at market prices;
- Cash compensation for lost income from affected land for the remaining lease period.; AND
- Rehabilitation package (subsistence allowance, training for one family member in current or new occupation and training allowance, agricultural extension services, and farm inputs to increase productivity on the remaining land).
- Selling the remaining plot to the project at replacement cost, if they so desire.

PAP's who are severely affected are of two types:

a) PAP's who have full title to land more than or equal in area to the commune allocation will be entitled to:

- Land for land compensation of equivalent productive capacity at location acceptable to the PAP's on a similar lease basis if available; OR
- Cash assistance to provide for lost income from affected land for the remaining time of the lease; AND
- Cash compensation for loss of crops and trees at market price; AND
- Rehabilitation assistance package.

b) PAP's who have no other agricultural land than the one acquired or they have less than the commune allocation under Decree 64/CP will be entitled to, in addition to the above, full title to replacement land up to the commune allocation amount.

(b) Loss of Residential or Commercial Land Without Structures Built Thereon: (With Sufficient Remaining Area to Reorganize)

Basic principle:

This policy applies to the users of residential or commercial land acquired for the project works, without structures on their land.

Entitlements:

1) Legal users of affected land with permanent use rights or temporary use rights (but legalizable)
PAP's will be entitled to compensation in cash at 100% of the replacement cost of the affected land.

2) Legal users of affected land with temporary use rights (but unlegalizable)

PAP's will be entitled to cash assistance equivalent to 30% of the replacement cost of the affected land. No need for additional assistance because land lost has no structures and no productive purpose.

(c) Loss of Residential or Commercial Land With Structures Built Thereon: (With Sufficient Remaining Area to Reorganize)

This policy applies to the users of residential or commercial land with structures and with sufficient remaining legal (or legalizable) area to reorganize. However, if, due to the shape of the remaining plot, it is not possible to reorganize, the PAP's will be entitled to relocation (see (d)). This policy includes PAP's who have temporary LURC or lease land for the remaining land but meet the criteria for permanent use and are legalizable. These will be issued permanent LURC in due time and will be entitled to reorganize.

Criteria to reorganize:

1) PAP's who have permanent use rights to at least the standard plot size of legal remaining land shall reorganize on their remaining land. PAP's who have less than the standard plot size of remaining permanent legal land will be entitled to relocation (see (d)).

2) Illegal PAP's and PAP's with temporary rights who cannot legalize their land use right are not permitted to reorganize. They have to relocate and are entitled to relocation packages (see (d)).

3) PAP's may prefer to remain on less than the standard size area in order to maintain social and economic relationships and income from economic activities. Only in exceptional cases, they will be permitted to do so after approval of the PRC's and provided that (i) the structures are not affected or only marginally affected, (ii) it is not possible to acquire adjoining land to make up for the shortfall, (iii) the decrease is not more than 10% of the minimum allowable size, and (iv) reorganization at present location is considered important to minimize adverse impact on the incomes and living standards of PAP's. In such cases the PAP's will be provided with cash compensation for the difference between the area of the remaining plot and the standard minimum allowable area at replacement cost.

4) PAP's who are allowed to reorganize, will reorganize with permanent LURC issued to them in case PAP's had not obtained it yet.

Entitlements:
PAP’s who reorganize will be compensated at 100% of replacement cost for land lost.
Reorganized PAP’s will be entitled to rehabilitation measures such as subsistence allowance, training and training allowance for one household member in a current or new occupation if their income is affected, and repair costs to repair the partially affected structures.

(d) Loss of Residential or Commercial Land With Relocation:
(Without Sufficient Remaining Area to Reorganize)

This policy applies to the users of residential or commercial land and without sufficient remaining legal or legalizeable area on which to reorganize (less than 100 m²). PAP’s who do not have remaining permanent legal or legalizeable land will be entitled to relocation.

Basic principle:

Conversion fees of agricultural land to residential land when agricultural land is acquired for resettlement sites, will not be paid either by PAP’s or by the Project. To enable PAP’s to restore their living standards, incomes and productive capacity, the Government will identify potential resettlement site locations and develop the sites, if PAFs choose to move to these government organized sites. Priority will be given to enable PAP’s with businesses at their former locations to re-establish their businesses at their new locations.

If resettlement sites are to be developed, the Project will disburse funds to the DRC’s to pay the construction enterprise or company in charge of providing the serviced resettlement sites. This amount will include the provision of all services (water supply, power supply, drainage, etc.) and the preparation of the site (land filling, grading, access and internal roads).

PAP’s who have temporary or no rights to the affected land and who must be relocated belong to the following categories:

1) PAPs who have other government-allocated land for the same use within the commune will not be entitled to land for relocation; they will be entitled to rehabilitation assistance;
2) PAPs who have no other residential or residential/commercial property will be entitled to a standard size residential plot of land (100 m²) plus rehabilitation assistance, and
3) PAPs who have a commercial property affected and have no other commercial property will be entitled to a standard size commercial plot of land (14 m²) plus rehabilitation assistance. In this way, all PAP’s will be assured of permanent use rights to a minimum size plot of land on which they can continue the same activities as at the affected property. PAP’s who are
not entitled to land will be entitled to rehabilitation assistance to restore living standards.

To enable restoration of living standards for PAP's who are allowed to reorganize on less than the standard plot size, these PAP's will be entitled to special rehabilitation assistance of cash equivalent to the replacement cost of the difference in area between the standard liveable plot and the remaining area on which they reorganize. Payment will be made at replacement cost.

Entitlements:

1) Legal PAP's with permanent use rights to the affected land:

PAP's with permanent user rights will be entitled to:

a) a site with an assessed value equal to or greater than the value of the land they formerly occupied. If the assessed value of the new site is greater than the assessed value of their current property, the difference will not be collected from the PAP's.

Relocated PAP's whose former land area was larger than the largest plot in a resettlement site will receive cash compensation at replacement cost for the difference, or

b) cash compensation at 100% of replacement cost for legal land acquired.

The PAP could choose:

Relocation to a group resettlement site:

- Land for land compensation of full title to a standard size plot, on a group/government organized relocation site, (for residential or residential and commercial = 100 m²; and for commercial only = 14 m² ) of land of the same quality (or better) as the affected land and for their remaining legal land (not less than the minimum standard plot size);
- Sites will be serviced with electricity, water, drainage, access and internal road, and will provide the same access to services (health, education, market) as at the former location, either on site or in the vicinity; OR

Self relocation:

- Cash compensation at replacement cost for their legal affected land area and for their remaining legal land if they prefer to make their own arrangements for relocation; AND
Rehabilitation assistance including training for one HH member in a current or new occupation, subsistence, transportation and training allowances; AND
- PAP's who had business at their affected location and who are entitled to relocation, will be entitled to a special income rehabilitation allowance (US$ 100) to provide for loss of income during the transition period (Chapter 9).
- Assistance from District Resettlement Committee to locate possible plots and to purchase land for resettlement.

2) Legal PAP’s with temporary rights to use the affected land and not legalizable as permanent:

a) PAP’s who have temporary rights to use the affected land and have other government allocated land for the same use in the same commune will not be entitled to any land allocation and shall return to the already allotted land, but will be entitled to cash assistance for their affected land acquired at 30% of the replacement cost of the total acquired land.

b) PAPs who have temporary rights to use the affected land and if they do not already have other government allocated land within the commune for the same use purpose will be entitled to:

- Relocation to a group resettlement site:
  - (same as the previous section)

Self relocation:
- At the informed request of PAP's, cash assistance at 30% of the replacement cost of the affected land if PAP’s prefer to make their own arrangements for relocation; AND
- Cash assistance equivalent to 100% of replacement cost for structures
- A rehabilitation package (training and allowance for one HH member and subsistence, transport); AND
- PAP’s who are entitled to relocation and who have business affected will be entitled to a special income rehabilitation allowance (US$ 100) to provide for loss of income during the transition period.
- Assistance from District Resettlement Committee to locate possible resettlement site and to purchase land for resettlement

3) Illegal PAP’s with no rights to use the affected land and not legalizable:

PAP’s who have no rights to use the land acquired and no legal or legalizable land remaining will be entitled to one of the following options:

- Relocation to a group resettlement site:
- (same as the previous section)

Self-Relocation:

- PAP’s will be entitled to cash assistance equivalent to the actual cost of a plot in resettlement site in addition to compensation at replacement cost for their structures.
- A rehabilitation package (training and allowance for one HH in a new or current occupation and subsistence, transportation).
- PAP’s who are entitled to relocation and who have business affected will be entitled to a special income rehabilitation allowance (US$100) to provide for loss of income during the transition period.
- Assistance from District Resettlement Committee to locate possible resettlement site and to purchase land for resettlement

(e) Loss of Structures

This policy applies to structures located in the area acquired. Three categories of PAP’s can be distinguished:

a) Legal owners with permission to build the structures;
b) Illegal owners who built structures without permission;
c) Tenants who have leased the building from owner.

Basic principles:

1) Compensation or assistance for all affected structures will be made at replacement cost including materials and labor.
2) Compensation or assistance will be provided in the form of building materials, cash or combination of the two. The type and amount of building materials or cash will be determined in accordance with the lost property. No deduction will be made for depreciation or for salvageable materials.
3) The calculation of rates will be based on affected area and not useable area.
4) PAP’s with partially affected structures will receive, in addition to the compensation amount for the affected structure, cash assistance to cover the full cost of repairing the structures.

Entitlements:

1) Legal owner of the affected structure:

Fully affected structures:
PAP's who built the affected structures with permission will be entitled to compensation at 100% of the replacement cost, including materials and labor of the affected structure. There will be no deduction made for depreciation or for salvageable materials. Compensation will be reimbursed in the form of cash, materials, or a combination of the two.

Partially affected structures (PAP's reorganized):

- Partially affected structures will be compensated for the affected part and additional cash payment will be made to cover full cost of repairing the house.

2) Illegal owner of the affected structure:

Fully affected structures:

- Illegal owners, who built the affected structures without permission, will be entitled to compensation equivalent to 80% of the replacement cost of the materials and labor. There will be no reduction made for depreciation for salvageable materials. The balance of 20% will be made up through rehabilitation measures.
- Compensation will be reimbursed in the form of cash, building materials or a combination of the two.

3) Tenant of the affected structure:

Tenants not able to continue to live under the present agreement with the owners will receive 6 months rent allowance and assistance from local authorities in finding new rental accommodation. Owners of the structures should be compensated according to the legal status of their structures.

(f) Independent Shop Owners

Basic principle:

This policy applies to owners of shops (retail, food stall, grocery etc.) who conduct a business in a shop (partially) affected by the project but whose residence is in another place. The shop is affected property.

There are three categories of independent shop owners:

1) shop owner with permanent rights to use the affected land
2) shop owner with temporary rights but not legalizable to use the affected land.
3) shop owner with no rights to use the affected land (illegal PAP).
Independent shop owners who have no remaining land are entitled to relocation at the group resettlement site or assistance from District Resettlement Committee and Communes to locate new site for business.

Entitlements:

1) Legal shop owners who have permanent rights to use the affected land:

PAP's will be entitled to one of the following options:

Relocation to a group resettlement site:

- Land for land compensation of full title to a plot of land on a group resettlement site of the same area and quality as the area lost (minimum 14 m²) on the site suitable for restoring business; if there are enough PAP's in a commune, the site could be a market site;
- Sites will be serviced with electricity, water, sewerage, access with internal road, and provide the same access to services (health, education, market) as at the former location, either on site or in the vicinity; OR

Self relocation:

- Cash compensation at replacement cost for their land lost if they prefer to make their own arrangements for relocation,
- Assistance from District Resettlement Committee and communes in identifying individual resettlement sites
- PAP's will be entitled to compensation for their structures according to the legal status of the structures.
- Normal rehabilitation measures (training and allowances for one HH member in a new or current occupation such as training to enhance business skills and transport, subsistence).
- PAP's will be entitled to a special income rehabilitation allowance (US $ 100) to provide for lost income during the transition period.

2) Legal shop owners who have temporary rights to use the affected land (not legalizable as permanent).

PAF's will be entitled to one of the following

Relocation to a group resettlement site:

- Land for land compensation of full title to a 14 m² plot of land on a group resettlement site, the site must be suitable for restoring business; if there are enough PAPs in a commune, the site could be a market site;
Sites will be serviced with electricity, water, sewerage, access with internal road, and will provide the same access to services (health, education, market) as at the former location, either on site or in the vicinity; OR

Self relocation:

- At the informed request of PAPs cash assistance at 30% of the replacement cost of the effected land if PAPs prefer to make their own arrangements for relocation;
- PAP's will be entitled to compensation or assistance at the replacement cost for their structures according to the status of the structures;
- PAPs will be entitled to a special income rehabilitation allowance (US $100) to provide for lost income during the transition period;
- Rehabilitation measures (training and allowance for one HH member in a new or current occupation and transport, subsistence);
- Assistance from District Resettlement Committee in identifying individual resettlement sites;

3) Illegal shop owners with no rights to use the land:

a) PAP’s who have other Government-allocated commercial or residential/commercial land within the commune will not be entitled to another plot of land, but will be entitled to a special rehabilitation package (of 100 US$ plus an allowance) to restore living standards and income of an additional 100 US$.

b) PAP’s who have no other Government-allocated commercial or residential land within the commune will be entitled to one of following options:

Relocation to a group resettlement site:

- Full title to a 14 m² plot of land on a group resettlement site, the site must be suitable for restoring business; if there are enough PAP’s in a commune, the site could be a market site;
- Sites will be serviced with electricity, water, sewerage, access with internal road, and will provide the same access to services (health, education, market) as at the former location, either on site or in the vicinity; OR

Self relocation:

- At the informed request of PAPs, cash assistance in an amount representing the actual cost of the shop plot at a resettlement site land to make their own arrangements for relocation to restore business.
- Assistance from District Resettlement Committee in identifying individual resettlement sites.
All illegal shop owners will be entitled to assistance at 80% replacement cost for their structures; plus a rehabilitation package to restore income (training for 1 HH member in a new or current occupation and transport, subsistence and training allowances); and will be entitled to a special income rehabilitation allowance (US $ 100) to provide for lost income during the transition period.

(g) Loss of Standing Crops and Trees

Annual plants:

- Compensation for standing crops will be paid by DRC's to HH who cultivates at the full market value of the affected crops, regardless of the legal status of the land.

Perennial plants:

- Compensation for perennial plants will be paid by DRC's to HH who owns at the full market value of the affected plants, regardless of the legal status of the land.
- If the plants are not yet ready for harvest, compensation will include the total costs of initial investment and care until the time of land acquisition.
- In the case of perennial plants that can only be harvested once, compensation will be paid for the total costs of initial investments and care calculated until the time of land acquisition.
- Compensation will be in cash.

Individual trees:

- The tree type, diameter and productivity will determine compensation rates. Compensation shall be provided for trees located in the area required by the project.
- Trees located in the affected area will be cut down and compensated to owners.
- Only private owners shall be compensated for trees. Compensation will be paid to the owners by the DRC's. The trees belonging to the State will not be compensated.
- Compensation by cash.

(h) Loss of Public Infrastructure and Other Assets

Graves:

The level of compensation for movement of graves will be made for all costs of excavation, movement and reburial. Compensation in cash will be paid by DRC's to each affected family.
Public infrastructure:

High and low tension electrical lines, communication lines crossing waterways with sub-standard clearances will be improved in requested clearances, materials will be either re-used or replaced at replacement cost if it is not possible to re-use power stations, sewage and drainage culverts; then those will be substituted at replacement cost.

Compensation will be paid directly by the Project to the relevant agencies responsible for moving and re-building the infrastructure.

4.4 Economic Rehabilitation

Virtually all households affected by this Project are dependent on land-based income from agriculture. There is a small number of landless people deriving their income from seasonal labor, fishing and odd jobs who live along waterways where enlargement or embankment protection will take place, and a still smaller group of those are shopkeepers.

This section presents the rehabilitation measures that will be implemented to ensure that incomes and living standards of the PAP's affected by Project-related land acquisition and other asset are restored or improved (Table 4.1).
Table 4.1: Allowances for PAP's

<table>
<thead>
<tr>
<th>APPLICATION</th>
<th>DEFINITION OF ENTITLED PERSON</th>
<th>ALLOWANCE</th>
<th>IMPLEMENTATION ISSUES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Materials transport allowance</td>
<td>Relocating PAP's</td>
<td>All relocating PAF's are entitled to assistance (USD 77 to 231) from DRC's to transport household affected, salvaged and new building materials to RS.</td>
<td>At the time of compensation, allowances will be adjusted to account for inflation.</td>
</tr>
<tr>
<td>2. Transition subsistence</td>
<td>Reorganizing and Relocating PAF's</td>
<td>All reorganizing and relocating PAF's are entitled to subsistence allowance during transition period at USD 30/month for 3 months for reorganizing HH and for 6 months for relocating PAF.</td>
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</tr>
<tr>
<td>3. Training allowance</td>
<td>PAF to be relocated or reorganized and</td>
<td>One member of age 15 - 35 of each HH to be relocated or reorganized will be entitled to follow a training course at an institute approved by the Project at a maximum cost of 100$ and for a maximum period of 3 months.</td>
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</tr>
<tr>
<td>4. Training subsistence</td>
<td>Participating in training course</td>
<td>All PAF's participating in training courses are entitled to $30/month subsistence allowance during training (maximum 3 months).</td>
<td></td>
</tr>
<tr>
<td>5. Special income rehabilitation allowance for shopkeepers relocating</td>
<td>PAF who have business and are to be relocated</td>
<td>PAF's are entitled to $100 cash payment of a special rehabilitation allowance to provide for loss of income during the transition period.</td>
<td></td>
</tr>
<tr>
<td>6. Relocation incentive</td>
<td>Relocating PAF's</td>
<td>All relocating PAF's who dismantle their structure and relocate on time in accordance with the resettlement schedule as issued by the Resettlement Committee may be entitled to an incentive allowance of maximum USD 385.</td>
<td>A relocation bonus of 7 USD for each relocation family is included in the estimate.</td>
</tr>
</tbody>
</table>

Note: a/ RS = resettlement site (either group/government organized relocation site or destination of a self-selected choice)
### Table 4.2: Entitlement Matrix

<table>
<thead>
<tr>
<th>TYPE OF LOSS</th>
<th>APPLICATION</th>
<th>DEFINITION OF ENTITLED PERSON</th>
<th>COMPENSATION POLICY</th>
<th>IMPLEMENTATION ISSUES</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Arable land</td>
<td>a.1 Less than 20% of total landholding to be acquired (marginal impact on household income and living standards)</td>
<td>a) Legal user of affected land with permanent land rights, and temporary or leasehold user who provides supporting documents that will be legalized before compensation as a permanent land user</td>
<td>- cash compensation for crops and trees at market price, AND - cash compensation for acquired land at 100% of replacement cost.</td>
<td>The approach taken is restoration of income loss.</td>
</tr>
<tr>
<td></td>
<td>b) Legal user of affected land with temporary land rights (unlegalizable).</td>
<td></td>
<td>- Cash compensation for crops and trees at market price; AND larger of the following: - (a) cash compensation for affected land corresponding to 30% of the replacement cost of affected land; OR - (b) cash assistance for lost income from the affected land for the remaining lease period.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) Legal user of affected land with lease land rights (unlegalizable).</td>
<td></td>
<td>- cash compensation for crops and trees at market price; AND - cash assistance for loss income for the remaining lease period.</td>
<td></td>
</tr>
<tr>
<td>TYPE OF LOSS</td>
<td>APPLICATION</td>
<td>DEFINITION OF ENTITLED PERSON</td>
<td>COMPENSATION POLICY</td>
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</tr>
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<td>-------------</td>
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</tr>
<tr>
<td>Arable land</td>
<td>a.1.2 Acquisition of less than 20% of total agricultural land holding of 0.05 ha or less; and major source of income is farming</td>
<td>a) Legal user of affected land with permanent land rights, and temporary or leasehold user who provides supporting documents that will be legalized before compensation as a permanent land user.</td>
<td>cash compensation for crops and trees at market price; cash compensation for acquired land at 100% of replacement cost; AND Rehabilitation package (subsistence allowance, training for one family member in current or new occupation and training allowance, agricultural extension services, and farm inputs to increase productivity on remaining land); Selling the remaining plot to the project at replacement cost, if the PAF desires.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>b) Legal user of affected land with temporary land rights (unlegalizable).</td>
<td>Cash compensation for crops and trees at market price; Cash compensation for affected land corresponding to 30% of the replacement cost of affected land; or cash assistance for lost income from the affected land for the remaining lease period; AND Rehabilitation package (subsistence allowance, training for one family member in current or new occupation and training allowance, agricultural extension services, and farm inputs to increase productivity on remaining land); Selling the remaining plot to the project at replacement cost, if they desire.</td>
<td></td>
</tr>
<tr>
<td>TYPE OF LOSS</td>
<td>APPLICATION</td>
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</tr>
</tbody>
</table>
|              |             | c) Legal user of affected land with lease land rights (unlegalizable). | - cash compensation for crops and trees at market price;  
- cash assistance for loss of income for the remaining lease period; AND  
- Rehabilitation package (subsistence allowance, training for one family member in current or new occupation and training allowance, agricultural extension services, and farm inputs to increase productivity on remaining land)  
- Selling the remaining plot to the project at replacement cost, if they desire. | 
Table 4.2: Entitlement Matrix (continued)

<table>
<thead>
<tr>
<th>TYPE OF LOSS</th>
<th>APPLICATION</th>
<th>DEFINITION OF ENTITLED PERSON</th>
<th>COMPENSATION POLICY</th>
<th>IMPLEMENTATION ISSUES</th>
</tr>
</thead>
</table>
| Arable land  | a.2 More than 20% of total land holding. (severe impact on household income and living standards.) | a) Legal user of affected land with permanent land rights, and temporary or leasehold user who provides supporting documents that will be legalized before compensation as a permanent land user. | • Cash compensation for crops and trees at market price;  
  (a) full title to land of equal productivity acceptable to PAP's, in the same or surrounding communes if available; OR  
  (b) cash compensation for lost land at 100% replacement cost at the informed request of PAP's; AND  
  Rehabilitation package (subsistence allowance, training for one family member in current or new occupation and training allowance, agricultural extension services, and farm inputs to increase productivity on remaining land); OR  
  If the plot is reduced to less than 50%, the PAP is entitled to selling the remaining plot to the project at replacement cost. | The approach taken is restoration of income loss. Priority will be given to land compensation of equal area and productivity within the same or surrounding communes. Cash in lieu of land will be offered only if land is unavailable or at the informed request of the PAP. |
|              |             | b) Legal user of affected land with temporary land rights (unlegalizable). | a) PAP's who have full title to land more than or equal in area to the commune allocation will be entitled to:  
  • Cash compensation for crops and trees at market price; AND  
  (a) full title to land equivalent to 30% of the affected area; AND a rehabilitation package (subsistence allowance, training for one family member in current or new occupation and training allowance, agricultural extension services, and farm inputs to increase productivity on the farm land); OR  
  (b) cash equivalent to 30% of the replacement cost of the affected land; AND a rehabilitation package (subsistence allowance, training for one family member in current or new occupation and training allowance, agricultural extension services, and farm inputs to increase productivity on the farm land); OR  
  (c) cash assistance to provide for lost income from the land for the remaining period.  
  b) PAPS who have no other agricultural land than the one acquired or they have less than the commune allocation under Decree 64/CP will be entitled to, in addition to the above, full title to replacement land up to the commune allocation amount. | Priority will be given by communes to ensure all PAP's have at least the commune allocated amount of land as provided for by Decree 64/CP. |
<table>
<thead>
<tr>
<th>TYPE OF LOSS</th>
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<tbody>
<tr>
<td>c)</td>
<td>Legal user of affected land with lease land rights (unlegalizable).</td>
<td>a) PAP's who have full title to land more than or equal in area to the commune allocation will be entitled to: Cash compensation for loss of crops and trees at market prices; Land for land compensation of 30% of the affected area of equivalent productive capacity satisfactory to the PAP's on a similar lease basis if available; OR Cash equivalent to 30% of affected area at replacement cost to provide for lost income from affected land for the remaining lease period; AND Rehabilitation package (subsistence allowance, training for one family member in current or new occupation and training allowance, agricultural extension services, and farm inputs to increase productivity on the farm land).</td>
<td>Priority will be given by commune to ensure that all PAP's have at least the commune allocated amount of land as provided for by Decree 64/CP.</td>
<td></td>
</tr>
<tr>
<td>Temporary loss</td>
<td>Loss of use of the land for a period of less than one year</td>
<td>Legal user of affected agricultural land</td>
<td>Cash compensation for loss of crops at market prices</td>
<td></td>
</tr>
</tbody>
</table>

MDWRDP, Feasibility Study Update
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<tr>
<th>TYPE OF LOSS</th>
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</tr>
</thead>
<tbody>
<tr>
<td>(b) Residential and/or commercial land (without structures built therein)</td>
<td>Loss of residential or commercial land due to the project works</td>
<td>Legal land user with permanent rights or temporary rights (will be legalized as a permanent land user before compensation)</td>
<td>PAP's will be entitled to cash compensation for land at 100% of replacement cost of the land.</td>
<td>PAP's who have leases and are unlegalizable as they do not meet the criteria, will be assisted as temporary (30%).</td>
</tr>
<tr>
<td>(c) Residential and/or commercial land (with structures built therein)</td>
<td>Loss of residential or commercial land. With remaining legal residential and/or commercial land sufficient to reorganize (at least equal to 100 m² in rural area)</td>
<td>a) Legal user of affected land with permanent use rights.</td>
<td>(a) cash compensation for land acquired at 100% of replacement cost; (b) reorganization on remaining legal land behind the SL and issued with LURC in due time; (c) A rehabilitation package (training for one person in each HH if income is affected, and subsistence and training allowance); AND (d) Repair cost to re build the house front if structures partially affected.</td>
<td>In exceptional cases, permission may be given to PAP's to organize on their remaining legal land in area less than the standard, with approval of PRC’s. PAP’s will be entitled to a special rehabilitation allowance to ensure restoration of living standards (equivalent in value to the difference in land area between the standard plot size and the remaining area on which PAP is reorganizing, at the rate of replacement). PAP are also entitled to repair costs for partially demolished structures.</td>
</tr>
</tbody>
</table>
### Table 4.2: Entitlement Matrix (continued)

<table>
<thead>
<tr>
<th>TYPE OF LOSS</th>
<th>APPLICATION</th>
<th>DEFINITION OF ENTITLED PERSON</th>
<th>COMPENSATION POLICY</th>
<th>IMPLEMENTATION ISSUES</th>
</tr>
</thead>
<tbody>
<tr>
<td>(d) Loss of residential or commercial land (with structure)</td>
<td>PAP's has remaining permanently legal or legalizable residential and/or commercial land less than 100m²</td>
<td>a) Legal PAP's of the affected land with permanent use rights.</td>
<td>Group Relocation: Full title to a plot of land in fully serviced group resettlement site according to the determined standard sizes (PAP's losing an area greater than the plot in RS will receive compensation in cash for the difference); OR Self Relocation: At the informed request of the PAP cash in lieu of land at replacement cost and PAP's will make their own arrangements for relocation; Relocating PAP's will be entitled to a rehabilitation package (training for one HH member in new or current occupation, and subsistence, transport, training allowances, government assistance to locate new land). PAP's who have their business affected will be entitled to a special income rehabilitation allowance (USD 100 per household) to provide for loss of income during the transition period. Re-organization: Only in exceptional cases permission may be given to PAP's to organize on their remaining legal land in less than standard area, with approval of PRC's. PAP's will be entitled to a special rehabilitation allowance to ensure restoration of living standards (equivalent in value to the difference in land area between the standard plot size on a RS and the remaining area on which PAP is reorganizing, at the rate of RS land). PAP also entitled to repair costs for partially demolished structures.</td>
<td>PAP's relocated</td>
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<td>PAP's reorganized</td>
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</tbody>
</table>
### Table 4.2: Entitlement Matrix (continued)

<table>
<thead>
<tr>
<th>TYPE OF LOSS</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Residential or commercial land (continued)</td>
<td>less than 100m² (same as above)</td>
<td>b) Legal PAP's of the affected land with temporary use rights</td>
<td>1. PAP’s who already have been allocated a property in the commune for the same use purpose as the affected property will not be allotted any more land and shall have to return to the already allotted land, but will be provided with cash equivalent to 30% of the replacement cost of the total acquired land. PAP’s who have no other government - allocated land of the same use purpose in the commune will be entitled to: Group Relocation: Full title to a fully serviced group resettlement site of standard sizes and provided with sufficient cash at replacement cost to develop their own infrastructure and services (access road, water, electricity, landfill); OR Self Relocation: At the informed request of PAP’s, cash equivalent to 30% of the replacement cost of their lost land, and make their own arrangements for relocation; AND • PAP’s will be entitled to compensation or assistance for their structures according to the legality of their structures; AND • PAP’s will be entitled to a rehabilitation package (training for one III member) and subsistence, transport and training allowances; AND • PAP’s who had business at their affected location and who must relocate are entitled to a special income rehabilitation allowance ($100).</td>
<td>Temporary land users who have a permit to build a structure will be entitled to 100% compensation as owners of a legally built structure; For commercial land a standard plot area of 14m² will be provided.</td>
</tr>
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</table>

MDWRDP, Feasibility Study Update
### Table 4.2: Entitlement Matrix (continued)

<table>
<thead>
<tr>
<th>TYPE OF LOSS</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Residential or commercial land (continued)</td>
<td>less than 100m² (same as above)</td>
<td>ci) PAP's has no rights to use the affected land and no legal remaining land (unlegalizable).</td>
<td>PAP's will not be entitled to reorganize if they do not have legal or legalizable land, but will be entitled to the following: 1. PAP's who have other government allocated land of the same use purpose in the commune, will not be entitled to a plot of land, but will be entitled to a special rehabilitation package of $100 for residential or residential/commercial land affected; PAP's who have no other government allocated land of the same use purpose in the same commune, will be entitled to one of the following: Group Relocation: Full titled to a plot of land of standard size in a fully serviced group resettlement site; OR Self Relocation: PAP's who prefer to make their own arrangements for better business potential, will be entitled to cash payment in lieu of a fully serviced resettlement site plot. AND • In addition, reorganizing PAP's will be entitled to 80% of the replacement cost of their structures, AND • A rehabilitation package (training for one HH in a new or current occupation and transition, transportation and training allowances), • PAP’s who have their business affected will be entitled to a special income rehabilitation allowance of USD 100 per household • Government assistance in locating and purchasing new land.</td>
<td>PAP's who are occupying land illegally and temporarily and do not meet the criteria for legalization as permanent users will only be entitled to a plot allocation if they are not already in possession of government allocated property of the same use purpose within the commune. For commercial land a plot of 14 m² and for residential commercial land a plot of 100 m² will be provided.</td>
</tr>
<tr>
<td>TYPE OF LOSS</td>
<td>APPLICATION</td>
<td>DEFINITION OF ENTITLED PERSON</td>
<td>COMPENSATION POLICY</td>
<td>IMPLEMENTATION ISSUES</td>
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<tr>
<td>Structures</td>
<td>a) Legal owner of the affected structure.</td>
<td>PAP's with legal right to build the affected structure will be entitled to compensation at 100% of replacement cost of the affected structure, including material, cash or a combination of the two. No deduction will be made for depreciation or for salvageable materials. Partially affected structures will be compensated for the affected part at replacement cost and additional cash assistance will be made to cover the cost of repairing the house.</td>
<td>In rural areas, right to use land implies right to build a structure</td>
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<td></td>
<td>b) Illegal owner of the affected structure.</td>
<td>PAP's without legal right to build the full-affected structure will be entitled to compensation equivalent to 80% of replacement cost of the affected structure in material, cash or a combination of the two. No deduction will be made for depreciation or for salvageable materials. The balance 20% will be made up through rehabilitation assistance.</td>
<td>PAP's who have no right to use land cannot have a permit to build a structure on that land.</td>
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<td></td>
<td>c) Tenants of leased affected structure</td>
<td>Tenants of structures will be entitled to 6 months rent allowance and assistance in finding alternate rental accommodation</td>
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</table>
Table 4.2: Entitlement Matrix (continued)

<table>
<thead>
<tr>
<th>TYPE OF LOSS</th>
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<th>COMPENSATION POLICY</th>
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</thead>
<tbody>
<tr>
<td>(f) Independent shop owners</td>
<td>Shops located in the area of embankment strengthening or canal digging or widening (with residences at a different location).</td>
<td>a) Legal owner of the shop with permanent rights to use the affected land.</td>
<td>PAP's will be entitled to:</td>
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<td></td>
<td>1. Group Relocation: Full title to a plot of land equivalent in area to their former plot (minimum 14 m²) in fully serviced group resettlement site suitable to restore business and income; OR</td>
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<td>2. Self Relocation: Cash compensation in lieu of land at replacement cost and make own arrangements for relocation.</td>
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<td>• PAP's relocating will be entitled to special income rehabilitation assistance of $100 to provide for income lost during the transition period.</td>
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<td>• PAP's relocating will be entitled to compensation or assistance at replacement cost for affected structure according to the legal status of the structures.</td>
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<td></td>
<td>• Normal rehabilitation measures (training/allowance for one HT in a new or current occupation such as training to enhance business skills, and transport, subsistence).</td>
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<td></td>
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<td></td>
<td>• Government assistance in locating and purchasing new land for resettlement.</td>
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Table 4.2: Entitlement Matrix (continued)

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<tr>
<th>YPE OF OSS</th>
<th>APPLICATIO N</th>
<th>DEFINITION OF ENTITLED PERSON</th>
<th>COMPENSATION POLICY</th>
<th>IMPLEMENTATION ISSUES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Independent shop owners continued</td>
<td>b) Legal owner of the shop with temporary land use rights</td>
<td>1. PAP's who have other allocated residential/commercial or commercial land in the commune, will not be entitled to another plot of land, but will be entitled to rehabilitation assistance of cash equivalent to 30% of the replacement cost of the affected land to restore living standards and income. PAP's who have no other allocated residential land only and no commercial land in the commune, will be entitled to one of the following options: Group Relocation: Full title to a plot of land of 14 m² on a fully serviced group resettlement site suitable to restore business and income; OR Self Relocation: At the informed request of PAP's, cash equivalent to 30% of the replacement cost of the lost land and make own arrangements for relocation. 2. PAP's relocating are also entitled to special income rehabilitation assistance of $100 to provide for lost income during the transition period. 3. In addition, PAP's are entitled to compensation or assistance for affected structures at replacement cost according to the legal status of the structure, AND 4. Rehabilitation package (transport, subsistence and training allowance and training for one HH member in a new or current occupation).</td>
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</tr>
<tr>
<td>TYPE OF LOSS</td>
<td>APPLICATION</td>
<td>DEFINITION OF ENTITLED PERSON</td>
<td>COMPENSATION POLICY</td>
<td>IMPLEMENTATION ISSUES</td>
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</tr>
<tr>
<td>Independent shop owners (continued)</td>
<td>c) Illegal owner of the shop with no land use rights</td>
<td>1. PAP's who have other government allocated residential/commercial or commercial land in the commune, will not be entitled to another plot of land, but will be entitled to a special rehabilitation allowance of $100 to restore living standards. PAP's who have no other government allocated commercial land in the Commune, will be entitled to one of the following options:</td>
<td>Group Relocation: Full title on a fully serviced group resettlement site (14m²) suitable to restoring business and income; OR Self Relocation: Cash assistance in lieu of a 14 m² fully serviced Resettlement site plot if PAP's prefers self relocation to re-establish Business.</td>
<td>Assistance equivalent to 80% of the replacement cost of their structure; AND A rehabilitation package to restore income (training for one HH member in a new or current occupation, and transportation, subsistence and training allowances). PAP's are also entitled to special income rehabilitation assistance of $100 to provide for lost income during the transition period.</td>
</tr>
<tr>
<td>TYPE OF LOSS</td>
<td>APPLICATION</td>
<td>DEFINITION OF ENTITLED PERSON</td>
<td>COMPENSATION POLICY</td>
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<tr>
<td>Additional PAP's</td>
<td>PAF's outside project area affected by higher water level</td>
<td>Legal user with permanent or temporary use rights and illegal land user</td>
<td>The same policies will apply as for other land acquisition. In addition, if PAP's have to be relocated temporarily during RS development. They will be entitled to a subsistence allowance and accommodation during temporary relocation.</td>
<td></td>
</tr>
<tr>
<td>Additional PAP's</td>
<td>PAP's affected by spoil soil deposit land temporarily unusable</td>
<td>Legal user with permanent or temporary use rights</td>
<td>Same policies will apply as for other land acquisition.</td>
<td></td>
</tr>
<tr>
<td>Graves</td>
<td>Graves located in the area acquired</td>
<td>Household who owns the graves</td>
<td>PAP will receive full compensation for loss of crops at market rate during full period of settling of spoil soil.</td>
<td></td>
</tr>
<tr>
<td>Private wells</td>
<td>Wells located in area acquired</td>
<td>Household who owns the well</td>
<td>PAP's are entitled to cash compensation for all costs of excavation, movement and reburial.</td>
<td></td>
</tr>
</tbody>
</table>

Table 4.2: Entitlement Matrix (continued)
5 PUBLIC INFORMATION, PARTICIPATION, CONSULTATION AND GRIEVANCE REDRESSAL MECHANISM

5.1 Public Information and Participation

The guidance of Q.D 4.30 and the application of Decree 22/CP will improve resettlement implementation as regards information dissemination, organization and management, adequacy of compensation payments, provision of rehabilitation and support services and monitoring and evaluation. Particularly information is a crucial element in any resettlement program.

Information dissemination to, consultation with, and participation of affected people and involved agencies reduce the potential for conflicts, minimize the risk of Project delays, and enable the Project to design the resettlement and the rehabilitation program as a comprehensive development program to suit the needs and priorities of the affected people. The objectives of the Public Information Campaign and PAP consultation program are as follows:

- To share fully information about the proposed Project, its components and its activities, with the affected people.
- To obtain information about the needs and priorities of the affected people, as well as information about their reactions to proposed policies and activities.
- To obtain the cooperation and participation of the affected people and communities in activities required to be undertaken for resettlement planning and implementation.
- To ensure transparency in all activities related to land acquisition, resettlement and rehabilitation.

To use Khmer language in information material and during meetings in districts where more than 20 percent of PAF is Khmer. Two phases can be distinguished in the public information campaign and PAP participation: Participation during Preparation (Phase I) and Participation during Implementation (Phase II). In order to enhance ownership and ensure local input to the design of the proposed project, a participatory approach has been applied during the feasibility study. Among the methods used were Participatory Rural Appraisal (PRA) and extensive consultations with stakeholders at provincial, districts and commune levels, in the form of planning meetings, workshops, field and household visits, farmer interviews, and social surveys. The purpose was to inform the communities and assess their perception of the project. The feedback from these consultations provided the basis for several adjustments to the engineering design and the formulation of the RAP to mitigate the adverse impacts caused by e.g. the requirements for land under the project.
The PRA was carried out during September 1997 - February 1998 and focused on commune and village level participation and consultations. The objectives were:

(i) to enhance participation of communes in project preparation, provide feedback on their needs, constraints and the opportunities they perceive; and

(ii) to obtain grass-root information on how irrigation and agricultural support at tertiary canal and on-farm levels should be improved.

The process consisted of conducting PRA fieldwork through village meetings, household interviews, and PRA workshops in the subproject areas of selected communes and villages by local and international social experts who all speak Vietnamese. The communes were selected for the PRA fieldwork on the basis of cropping patterns (single, double, non-paddy); non-paddy activities such as fish/shrimp farming; presence of potential adverse impact; and ethnic composition (significant Khmer presence).

The box below presents a summary overview of the problems and feedback identified during the PRA, with the responses of the project. The majority of farmers interviewed expressed appreciation for the project.

During project implementation the initiated participatory process would be continued. The process will build on the one being practiced by the provinces in the irrigation schemes already developed. Under the proposed project, this process would be formalized and further strengthened. PRA will be used to focus on getting feedback from PAF on their living standards and level of satisfaction. Prior to the start of subproject works, information regarding the scope of the project and its impact would be disseminated through the media such as provincial television, newspapers, and district/village announcement systems. This would be followed up by commune and village meetings organized by commune Peoples Committee and Farmers’ Union. Consultations with individual PAFs would take place on the basis of the detailed measurement survey. A grievance system would need to be in place for complaints and special attention would need to be given to development of targeted programs for the Khmer PAFs.

Both phases in participation comprise a number of distinct activities, which will be carried out in sequence:
<table>
<thead>
<tr>
<th><strong>PRA Feedback</strong></th>
<th><strong>Project Response</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Need for capital investment in agriculture (including irrigation and drainage development and flood protection) in the project area.</td>
<td>Design/feasibility study aims to improve water delivery, flood protection, prevent saline water intrusion, and improve of rural water supply.</td>
</tr>
<tr>
<td>Strong request by farmers for tertiary level control structures.</td>
<td>The structures were included as part of the project financing.</td>
</tr>
<tr>
<td>Early implementation and completion of the irrigation systems.</td>
<td>Preparation was accelerated, in parallel to the process of feasibility study.</td>
</tr>
<tr>
<td>Farmers should take part in the management of tertiary irrigation.</td>
<td>Farmers would participate in formulation of tertiary development plans; be responsible for tertiary earthworks and participate in O&amp;M of irrigation systems. IMC would provide training to farmers.</td>
</tr>
<tr>
<td>Issues related to problematic rural water supply and women's health were strongly expressed during consultations with women's groups.</td>
<td>A rural water supply and sanitation component was included, addressing the need for clean water and sanitation with participation of women's unions.</td>
</tr>
<tr>
<td>In QP subproject area, not all shrimp farmers welcomed freshwater farming, especially in the severe acid areas. Some farmers would loose large income as the result of the project.</td>
<td>This area, where shrimp farming is practiced, was taken out of the project, after the issue was raised by a substantial number of local farmers.</td>
</tr>
<tr>
<td>Need for capital investment in agriculture (including irrigation &amp; drainage development and flood protection in the project area).</td>
<td>Locations of embankments and sluices were modified to minimize negative impact to people's life. A RAP in line with IDA policy, including the provision of compensation at replacement cost without depreciation, was prepared as part of the feasibility study.</td>
</tr>
<tr>
<td>Lack of knowledge and vocational skills for PAF.</td>
<td>Included in RAP, vocational training of PAF's choice would be provided for one person from each PAF.</td>
</tr>
<tr>
<td>Lack of off-farm jobs.</td>
<td>Not directly addressed. Increased agricultural production in the project area is expected to increase off-farm employment opportunities.</td>
</tr>
<tr>
<td>Unclear division of responsibilities and management of irrigation waters.</td>
<td>Included an institutional strengthening component to assist in improving participatory management of water resources.</td>
</tr>
<tr>
<td>Emerging of “new” style farmer water groups and cooperatives in some subproject area.</td>
<td>The project would support farmer groups, training in water management and techniques to operate and maintain the tertiaries. Support for strengthening, training and legal registration of farmer groups would be provided under the annual tertiary development plan (TDP).</td>
</tr>
<tr>
<td>Lack of information regarding planning.</td>
<td>A continued PRA during project implementation is envisaged for formulation of TDP. Information campaign would be carried out (see RAP).</td>
</tr>
<tr>
<td>Khmer minority group.</td>
<td>Project information will be provided to Khmer communities in Khmer language.</td>
</tr>
<tr>
<td>Landlessness is said to increase due to the emerging land market.</td>
<td>Not addressed. Almost all land is allocated with LURC. A Rural Development Strategy is being prepared by GOVN and IDA, including policy measures to secure access to land.</td>
</tr>
<tr>
<td>Lack of access to credit.</td>
<td>Not addressed. An IDA rural finance project and a rural development strategy (being prepared by GOVN and IDA) will include policy measures to reduce distortions in rural credit market.</td>
</tr>
</tbody>
</table>
Phase I: Information campaign and PAP & agency consultation during resettlement planning and RAP preparation

Activity 1: Information dissemination by CPO to resettlement committees and local authorities during RAP preparation, and consultation of PAF about options for land-for-land or cash compensation and proposed policies and activities.

Activity 2: Media campaign prior to land demarcation and DMS.

Information to the general public in the Project area will be given by radio, TV, newspaper, posted public notices. The contents of the media campaign will include:

- a description of Project components, the content and schedule for the land demarcation and DMS, and
- a request for PAP's to prepare their eligibility documents to show the DMS Team.

Activity 3: Information dissemination and PAP consultation during DMS.

Two sub-activities are envisaged at this stage:

Activity 3a: Letter of information to PAP's. At the time of DMS each PAP will be given a letter of introduction about the Project. The letter will contain explanation of the following:

- Project description,
- Objective and contents of the survey,
- Documents required to show the status of PAP's' affected land and structures, and;
- Grievance procedures.

Activity 3b: This will include the distribution of Public Information Booklet (PIB) to all PAP's and consultation. During DMS, each PAP will be fully informed about resettlement options (reorganization on remaining land, relocation to a fully developed resettlement site or to an individual site with cash assistance to enable the PAP to develop the necessary infrastructure/services), and will be asked to declare their preferred option according to their eligibility. Detailed contents of the public information booklet are described in Section 5.3.

Activity 4: Following DMS and data analysis, the PRCs will hold meetings with provincial, district and commune representatives at which the following information will be presented:
i) Project components.
ii) Proposed policies and procedures including proposed resettlement strategies,
iii) A summary breakdown of impacts within their particular Project area,
iv) The implementation schedule.
v) Roles and responsibilities of the responsible committees and agencies.

The resettlement committees will be consulted about:

i) their opinions about the information given,
ii) their opinions about resettlement strategies in their particular area and land availability, and
iii) identification of land for individual and group relocation.

Phase II: Information campaign and consultation during resettlement implementation:

Activity 1: Information dissemination and training

After the loan agreement is signed, CPO staff will provide information to resettlement committees at all levels in training workshops. PAP representatives will participate in the workshops. Detailed information will be given on Project policies and implementation procedures.

Activity 2: DMS follow-up visit to each household to distribute Assets Compensation Form in which the PAP’s compensation entitlement is recorded, to obtain PAP’s signature of agreement or record initial grievances, and inform and consult with PAP’s about resettlement and training preferences.

After the loan agreement has been signed and provincial unit prices established, the PRC/DRC would apply prices, calculate compensation entitlement and complete the Assets Compensation Form for each affected household. The following information will then be presented to PAP’s individually during the DMS follow-up visit to each household:

- The Assets Compensation Form showing the household’s affected assets and compensation entitlement. PAP’s will be required to sign the Assets Compensation Form to indicate their agreement with the assessment. If the PAP’s have complaints about the contents of the form, they will be recorded at this time.
- A letter/questionnaire about resettlement options and resettlement sites will be given to all PAP’s entitled to relocate (i) to inform about resettlement options and specific proposed resettlement option and specific proposed resettlement site options, (ii) to request PAP’s to confirm their choice of resettlement option and their preliminary confirmation of resettlement site
location, and (iii) to request PAP's to indicate services such as education/health/markets that they are currently using and their current distance from such services. This letter will provide the PAP's with sufficient information to make informed choices. The following types of information will be provided for each alternative RS location:

- A map of the district showing the precise location of alternative sites, including the commune and, if necessary, the distance from the waterways.
- A description of the services to be provided at the RS.
- The distance to the nearest school, medical clinic and other community facilities.
- Where the selected site(s) may not provide good commercial opportunities, identification of nearby market areas or other locations where PAP's may establish their businesses.
- A clear explanation of the consequences of choosing each option.
- Consultation about PAP's' preferred training options: For those PAP's eligible for training, that is PAP's who choose to relocate or whose income levels and living standards will be adversely affected through reorganization, the authorities will inform them of their entitlement for training one family member in a current or new occupation, before asking them to make a preliminary preferred training option.

Activity 3: Public meeting

A public meeting to provide additional information to PAP's and an opportunity for open discussion about R&R policies and procedures.

Activity 3a: Letter of Invitation to a public meeting after the DMS follow-up visit. The letter and notices will contain the following information:

- The time and location of the meeting
- Who can attend the meetings? Both men and women from affected households will be encouraged to attend as well as other interested community members.
- What will the meeting be about? The meeting will explain details about (i) the Project, and (ii) about households' rights and entitlements. There will be opportunities to ask questions.

Activity 3b: The public meeting. Detailed information about the Project will be presented to the PAP's at public information/consultation meetings at the commune level. The meetings will follow the following format:

- Explanations will be given verbally and in visual format, to include written information and drawings of the proposed design of project works.
- Adequate opportunities will be provided for PAP's to respond with questions and comments. PAP's will be encouraged to contribute their ideas for PAP rehabilitation options.
- The DRC will establish a complete list of all PAP's present at the meetings.
- The DRC will make a complete record of all questions, comments, options and decisions that arise during the information/consultation meetings, and present a report of all meetings to MDWRD.
- Relevant information will be given to the PAP's at the meetings (verbally and graphically, and on printed information sheets). Extra copies of the printed information sheets will be available at commune/district offices throughout the Project. Information about the following will be given to the PAP's:

**Project components**

- PAP's will be informed about the Project components (widening of waterways, deposit of spoil soils) and the places where they can obtain more detailed information about the Project.

**Project impacts**

- Impacts of the Project components on the people living and working along the waterway, road or sluice to be dug or constructed.
- Explanation will be given to the PAP's about the need for land acquisition.

**PAP's rights and entitlements**

- Definition of a Project affected family (with the cut-off date).
- The process of legalization for PAP's who do not possess official documentation will be explained, once the criteria have been established.
- PAP's will be informed about the criteria for legalization, who is entitled to apply for legalization and how.
- The rights and entitlements for different categories of PAP's, including the entitlements for those losing business, jobs and incomes.
- Options for land-for-land and cash.
- Options for reorganizing, group and individual resettlement, and provisions and entitlements to be provided for each.
- Provisions of development resettlement site plots with legal title and access to public facilities.
- Entitlements for rehabilitation assistance (training, advice on which credit institutions will entertain requests from PAP's for credit assistance on a priority basis).

**The grievance mechanism and the appeals process**
- PAP's will be informed that Project policies and procedures will be designed to ensure their before-Project living standards are restored.
- PAP's will also be informed that if there are any confusions or misunderstandings about any aspects of the Project, the commune or district resettlement committee can help resolve problems. If they have complaints about any aspect of the land acquisition, compensation, resettlement and rehabilitation process, including the compensation rates being offered for their losses, they have the right to make complaints and for their complaints to be heard.
- PAP's will be explained access to grievance redressal procedures.

Rights to participate and be consulted

- The PAP's will be informed about their right to participate in the planning and implementation of the R&R process.
- The PAP's will be represented on commune resettlement committees and the PAP's representative will be present whenever commune/ district/ provincial committees meet to ensure their participation in all aspects of the Project.

The PAP's will be consulted about the following particular issues:

i) their preferred resettlement option according to their entitlement;
ii) the choice and design of resettlement sites;
iii) training and preferences for training in current or new occupations for all PAP's who will be or have been relocated, and for reorganized PAP's who will be or have been relocated, and for reorganized PAP's whose income levels and living standards are adversely affected

The PAP's will be explained the following activities:

- Compensation calculation and compensation payment.
- Monitoring procedures (which will include interviews of a sample of PAP's)
- Reorganization.
- Resettlement site planning and development; discussion of the proposed site(s).
- Relocation to an individual location.
- Preliminary information about physical works procedures.

Organizational responsibilities

- The PAP's will be informed about the organizations and levels of Government involved in resettlement and the responsibilities of each, as well as the names and positions of the Government officials with phone numbers, office locations and office hours if available.
Implementation schedule

- The proposed schedule for the main resettlement activities will be given to the PAP’s.
- PAP’s will be informed that physical works could start only after the completion of all resettlement activities and clearance from the Project area.
- PAP’s will be informed that they will be expected to remove only after the full payment of compensation for their lost assets.
- Implementation schedule and chart will be provided to Resettlement Committees at all levels.

Activity 4: Information to PAP’s about compensation payment

A letter of notification will be sent to each PAP with the time, location and procedures for compensation payment.

Activity 5: Public meeting for resettlement sites

Information to PAP’s in a public meeting and consultation about resettlement site location and preliminary planning design.

Activity 5a: Letter of invitation to a public meeting. PAP’s entitled to relocate and who have made application to go to a particular resettlement site through the letter/questionnaire in Activity 1 above, will be invited to a public meeting about resettlement site location and design. The letter will contain the following information:
- The time and location of the meeting.
- Who can attend the meeting? Men and women from the households who have declared their interest in going to a particular RS.
- What will the meeting be about: (i) to present designs for resettlement sites chosen during the previous consultation by letter/questionnaire and follow-up meetings, for the selection of resettlement site locations; (ii) to consult PAP’s about their opinions about the suitability of the sites and the layout; and (iii) their willingness to move to the site.
Activity 5b: The public meeting.

The consultation meetings will include the following:

- The alternative site plans will be presented clearly with maps to facilitate PAP understanding of the site location and proposed layout.
- The advantages and disadvantages of the site location will be presented thoroughly to the PAP's, including design options for services, infrastructure, public facilities and livelihood potential that might be available on the site or in the vicinity.
- The PAP's will be given sufficient opportunity during and after the meeting to ask questions, and receive answers before they express their agreement with the design and willingness to move to the site.
- Questionnaires and application forms that PAP's are asked to complete during the meeting will contain clear questions and will permit PAP's to respond freely; if necessary, PAP's will be permitted to take the forms home and to return them later, at a specified time, to the DEC/CEC offices.
- The selection of a resettlement site and design will be based on agreement of a significant majority of PAP's, that is 70% or more.
- The opinions of the PAP's will be taken into account in finding suitable solutions for the remaining minority of PAP's who find the site and/or design to be unsuitable for their needs.
- The minority of PAP's who do not opt for the site will be consulted for their reasons and appropriate alternative solutions found to meet their needs. These alternatives might include (i) separate options for conducting business, (ii) and alternative site for some of the remaining PAP's if there are enough in one area, or (iii) individual resettlement.
- If no site alternative is accepted by a significant majority of PAP's or if, for other reasons, a site location proves to be unacceptable, the process of RS selection will repeat the steps of (i) providing information to PAP's about a proposed location, (ii) consulting all PAP's eligible to relocate, (iii) ensuring that a significant majority agrees to the choice of a new RS location, and (iv) finding suitable solutions for the remaining minority of PAP's.

Activity 6: Consultation with PAP's to confirm preferences for training

PAP's will be contacted personally to confirm their preferences for training in current or new occupations for all PAP's who will be or have been relocated, and for reorganized PAP's whose income levels and living standards are adversely affected.
Activity 7: Public meeting for plot allocation at RS

Public meeting to inform and consult PAP’s about resettlement site plot allocation, RS construction, house construction and technical assistance for house construction.

Activity 7a: Letter of invitation to a public meeting.

When land filling starts on a particular RS construction all PAP’s entitled to go to that RS will be invited to a public meeting for plot allocation. Notification of the time and place of the meeting will be sent to all PAP’s who have made application to go to the resettlement site at least one week in advance. The notice to PAP’s will identify the priority groups and other criteria for plot allocation and explain procedures for a pottery if necessary. PAP’s should all be represented at the meeting, either the head of household or, in the absence of the head, the appointed representative of the head.

The letter will contain the following information:

- The time and location of the meeting
- Who can attend the meeting? Both men and women from the affected households will be encouraged to attend.
- The plot allocation process by the DRC. PAP’s participation in the selection of their housing plot location and, if necessary, a lottery process to distribute plots to PAP’s with the same priority and/or entitlement will facilitate their acceptance of the results of the process.
- Explanation about the priority groups for plot allocation i) PAP’s with commercial/business activities and ii) the poor.

Activity 7b: Public meeting:

The plot allocation meeting will be organized to review with PAP’s the criteria and procedures, and to permit sufficient time to clarify any question which the PAP may have. At the plot allocation meeting the PAP’s will be informed about:

Date to take possession of their plots,
  i) Deadline for dismantling their structures and moving.
  ii) Compensation in full to be paid to PAP’s prior to their displacement from the present location, and
  iii) Stipulation, if any, about house construction on their new sites.
- PAP's will be advised of the availability of credit assistance and procedures for application if they wish to do so.
- The PAP's will be informed specifically of the procedures for issuance of land use right certificates by the Provincial Cadastral Department.
- PAP's will also be informed of the projected date that LURC will be issued.
- PAP's will be consulted and informed about the timing of house construction on resettlement sites, relocation to the resettlement sites and coordination with the beginning of physical works.

**Activity 8:** Information to commune authorities, PAP's and the general public about resettlement site construction:

There will be coordination and cooperation between PRC/DRC/CRC to ensure all levels and the general public fully understands the schedule and procedures for resettlement site construction, and to ensure all legal formalities have been followed.

**Activity 9:** Information to the general public and PAP's about the beginning and on going schedule for physical works

The SIos will notify the general public along the affected sections of waterways about the schedule for physical works.

**Activity 10:** DRC/CRC office hours for PAP consultation about resettlement issues. PAP's will be informed of the time and location, which will also be posted at DRC/CRC offices.

### 5.2 Public Information Booklet

To ensure that the PAP’s, their representatives and the local Governments of the affected areas fully understand the details of the resettlement program, and also are informed about the compensation and rehabilitation packages applicable to the Project a Public Information Booklet (PIB) will be prepared by CPO, in consultation with the World Bank, and will be distributed to all PAP’s in the Project area during the Phase I of public information and consultation. The PIB is envisaged as a small (2-3 pages), easy to read information leaflet. General contents of the PIB will include the following:

1) Brief description of the Project
2) Types of impacts
3) Basic Compensation Policy and Entitlements
4) Implementation Schedule, and
5) Grievance Redressal Mechanism
5.3 Grievance Redressal Mechanism

People's grievances and complaints on any aspect of the land acquisition, compensation, and resettlement will be addressed in a timely and satisfactory manner and all possible avenues must be available to PAP's to air their grievances in a well defined grievance redressal mechanism to be established in the Project.

It is important that all PAP's are aware of the established procedures for the proposed grievance redressal mechanism. Detailed procedures for redressal of grievances and the appeal process will be publicized among all PAP's through an effective public information campaign.

Content of grievances:

PAP's can lodge their complaints relating to any aspect of the compensation entitlements, compensation policy, rates, land acquisition, resettlement and entitlements relating to rehabilitation assistance programs.

The complaints by the PAP's can be lodged verbally or in written form but in case it is lodged verbally, the committee, to which it is lodged, will write it down in the first instance of its meeting with the PAP's. PAP's will be exonerated from paying any legal fee. In addition, PAP's lodging complaints and appeals to District Court will be provided with free legal representation.

Grievance procedures:

A four-stage procedure for redressal of grievances is proposed; this includes:

a) Complaints of PAP's on any aspect of compensation, relocation or unaddressed losses shall in first instance be lodged verbally or in written form to Commune People's Committee. The complaint can be discussed in and informal meeting with the PAP and the Chairman of the Village People's Committee. A representative of the MDWRD resettlement board and Property Evaluation Committee will also be present. It will be responsibility of the Commune Peoples Committee to resolve the issue within 15 days from the day it is received.

b) If no understanding or amicable solution can be reached or no response from the Commune Peoples Committee is received by the PAP's within 15 days of registry of complaint, he/ she can appeal to the District Peoples Committee. The PAP's will be heard in person by the Vice-Chairman of the District Peoples Committee (District Peoples Committee) in the presence of representatives of MDWRD Resettlement Board and the District Resettlement Committee, and will be invited to produce documents which support his/ her claim.
The complaint must be lodged within two months of registering the original complaint. The District Peoples Committee will provide the decision within one month of registering the appeal.

c) If the PAP is not satisfied with the decision of the Provincial People's Committee or its representatives or in the absence of any response by the District Peoples Committee and PRC the PAP can appeal to the Provincial People's Committee.

The Provincial People's Committee together with representative of PRC and CPO will provide decision on the appeal within 30 days from the day it is received by the Provincial People's Committee.

d) If the PAP is still not satisfied with the decision of the Provincial People's Committee and PRC on its appeal or in absence of any response from the Provincial People's Committee within the stipulated time, PAP in last resort, may submit its case to the District Court.

All grievance procedures, including those at the District Court will be free of charge to the PAF's.
6. IMPLEMENTATION ACTIVITIES

6.1 Valuation of Assets

PAP’s in the Project areas will be compensated for lost assets on the basis of replacement cost (land, structures) or market rates (crops) depending on the type of loss. To ensure that the rates paid reflect actual current replacement costs, a two-prong approach has been proposed. Firstly, the compensation rates will be continuously evaluated and updated to reflect current market rates through the project period. Secondly, a monitoring mechanism has been established to monitor and review the adequacy of compensation rates. The RAP contains a set of unit rates. These rates were calculated on the basis of the rates received from the provinces and also took into account current market rates as required by Decree 22/CP. These rates will be reviewed and updated on an annual basis during the course of project implementation to ensure that the payment reflect replacement costs.

Every province will establish its own pricing for land and structures during the course of project implementation. Each province will establish a new list of prices for structures and lands which reflect replacement costs. Unit prices for structures must be for affected area and not usable area. CPO and Independent Monitoring Agency (IMA) will review these lists. Once validated, these prices will be used for compensation for the project.

Prices for structures will be established based on official construction cost which include costs for management, labor, materials, equipment, taxes and profit and are approximately 30% higher than market prices. Construction costs for structures are currently based on “useable area”. Compensation rates in this Project will be based on “affected area” not “useable area”. The provincial price lists for structures will be updated quarterly by the provincial Department of Construction to reflect changes in the cost of labor and materials.

Compensation rates for land required for the Project will be decided by the local authority.

The principles for valuation are summarized as follows:
- Land compensation rates will be established through market investigation and transaction record. Land rates will be reviewed carefully to ensure payment of replacement costs.
- Compensation for partly affected structures will be determined by multiplying the lost percentage of the structure by the construction price (cost of building material and labor) of an equivalent new structure.
- In case of very low remaining value of the affected structure or if the remaining structure is not suitable for reconstruction the PAP will receive additional compensation to a maximum of the construction price of an equivalent new structure.
Compensation for the movement of graves includes all expenditures for exhumation, movement and reconstruction to its original state.

Compensation for annual crops and for aquaculture is equivalent to the average production over the last three years multiplied by the market price for agricultural and fishery products at the time of the calculation of the compensation.

Compensation for trees includes total investment cost plus production cost from the time of its planting to the expropriation. In case this cost cannot be determined, the compensation will be calculated on the basis of the type, age and productive value.

### 6.2 Mechanism for Judging the Adequacy of Compensation

To ensure that actual compensation rates reflect current replacement costs, the IMA will monitor and review the level of provincial compensation prices for land and structures for replacement cost. In the event that the IMA finds prices are not equivalent to replacement cost, the provinces will be advised to issue necessary revisions.

If the provinces do not agree to the advised changes, representatives of the Government’s Pricing Commission, General Department of Cadastre and Ministries of Construction and Finance will be called upon to intervene.

**Methodology for verification of replacement cost:**

**Structures:**
The IMA, assisted by the provinces will carry out the following activities to evaluate if provincial prices enable PAP’s to rebuild their affected structures:

1) **Meet with provincial authorities of construction to identify:**
   - How prices are established by provincial authorities for the project (source of prices, which part of the prices is for materials or labor, updating prices, etc)
   - Whether the provincial prices are equivalent to replacement cost for affected area or not.

2) **Consult with house owners who have built their own structures to identify:**
   - Where they bought materials type of shops (private or state-owned), distance of transport, sources (local, foreign) and the costs of various materials;
   - Who built the structures (owner or contractor) and whether used hired labor or their own labor to rebuild their houses.

3) **Meet with contractors specialized in residential building in each province to consult some cost estimates in order to identify:**
   - Costs of materials and labor;
   - Costs of different types of houses according to different categories;
- Validation of provincial prices (cost per m2 floor per each category).

Assessment of compensation for affected assets will be based on the principle of replacement cost. The prices per m2 for different category of structures will be based on the total affected area of a structure and not on the basis of the useable area.

**Land:**
To evaluate if provincial prices of land correspond to replacement cost, the IMA assisted by the provinces will investigate the following issues:

- How prices are established by provincial authorities;
- The recent land use rights transfer on land in urban and rural areas;
- Determine that the prices paid to PAP's are sufficient or not to purchase the same quality and quantity of land.

**Crops and trees:**
The market prices for various crop categories, including standing crops such as rice, and for perennial plants or trees will be investigated in the seven provinces to work out the average market price (AMP) and assess whether the compensation in less or greater than AMP.

**A venue of grievance redressal:**
If PAP's are not satisfied with the level of prices determined for the Project, they will have a venue to redress their grievances through the procedure publicized in public information campaign and outlined and detailed in Section 5.

### 6.3 Measurement of Affected Land and Structures and Compensation Payments

Once the specifications for sluice construction and canal digging - or enlargement have been finalized, District Task Forces will undertake the task of updating the information collected earlier through detailed measurement surveys on the degree and scale of impact on land and structures. The Task Force will include at least 2 representatives of PAP's from the respective commune, selected by the PAP's themselves, and a representative of the project office.

The PAP's will be informed in advance about day and timing of the survey. Heads of PAP's will be present during the survey and sign the document in which the losses are recorded. This document will contain information on the rate and exact nature of the compensation and outline the appeal procedure open to the PAP's. The choice of the PAP's regarding resettlement recorded earlier will be reconfirmed. A copy of the document will be issued to the head of the PAP's. A second original copy will be placed in a bank chosen by CPO.

The inventory and estimated cost for compensation would be reviewed by SIO and approved by MARD's Construction & Investment Department. MARD would then allocate budget to SIO based on the DMS. SIO would transfer funds for
compensation to the PRCs, which through district and communal level authorities, would visit each PAF to pay the compensation due and get a receipt, a copy of which would be submitted to SIO for payment tracking. Payment shall be made no later than one month before the land or structure is actually affected.

6.4 Resettlement Site Planning

The minimum liveable homestead size for PAF has been defined by the Project at 100 m\(^2\), according to government regulations. The number of PAP's in need of relocation has been calculated on the basis of this definition. There are 1,655 PAFs that need to be relocated. These PAF are scattered over 500,000 ha of project area in six provinces, 20 districts, over 180 communes or over 700 villages/hamlets, all along (or over) the densely distributed canals of about 3,000 km. In nearly 94% of the villages, the number of PAF to be displaced is either none or less than 10. Very few villages would have between 20-40 PAF to be relocated.

Past experience in the project area, as well as in the Delta, has indicated that in this type of linear impact, where the whole village or commune does not need to be displaced and unlike the case in reservoir development, the majority of people preferred self-relocation to nearby areas, mostly within the same commune and village, where they have relatives or acquaintances.

However, to protect the interest of PAF, the government offered alternative packages for their resettlement, i.e. group resettlement at the government organized resettlement site and self-relocation.

In order to do detailed resettlement site planning, a survey was first needed to ascertain how many PAF or the magnitude of the PAF group who would opt for government organized relocation, so that subsequent site planning and design can be prepared, in terms of roads, water, electricity facilities. MARD project offices and concerned provincial departments carried out a door-to-door survey and consultation for each of the 1,655 PAF, presenting the two relocation options, i.e. group resettlement at the government organized resettlement sites or self-relocation at PAF's own choice. The detailed compensation policy for the above two options is provided in Chapter 4.

Resettlement site identification. On request of MARD/CPO, the affected provinces identified 11 resettlement sites, totalling 336.5 ha. These lands are currently state owned and located within the project provinces. Tra Vinh proposed 3 locations in the villages of Hiep My, Long Hiep, Ngoc Bien, and Phong Thanh. Vinh Long submitted plans for two sites in the Vung Liem System and near Tra Om. Can Tho presented sites in Dinh Mou, Ba Dam-Truong Xuan and Truong Long Tay-Chau Thanh. Soc Trang proposed to house relocated families in clusters along canals in the Rang Ren, the Bet Trang and the Ba Xam. The Kien Giang and Bac Lieu provinces did not propose resettlement sites as the number of PAF to be relocated in their respective territories is 20 and 16, respectively, living in 6 villages, and the
relocatees are expected to be accommodated easily within their current villages. Details of the proposed sites and maps are presented in Appendix V.

PAF preference consultation. In order to conduct resettlement site planning, and on request of MARD/CPO, officials of the Sub Departments of Agriculture and Rural Development (DARD) and the District Administration undertook a door-to-door consultation regarding preferences of PAF for the relocation options. DARD organized one or more teams of 2 persons per district consisting of a DARD official and representative of the Village People Committee or in the case of Tra Vinh Province, a representative of the Irrigation Management Company (IMC). The project (CPO and the Consultant) provided the teams with a detailed list of PAF to be relocated for each district. The list had been reformatted to record the preferences of each household for relocation and the signature of the PAF. The basic site information provided to the PAF included: name and location of the potential sites, illustrated by sketch map of the sites; size in total hectare to accommodate those relocatees who opt to go to these government organized sites; availability of basic facilities (such as drinking water supply, roads, electricity, canals, etc.), and general information about land type. Each household was shown maps with resettlement sites marked and explained the socio-economic infrastructure to be created.

All the PAF (100%) opted for self-relocation in their present village with assistance from the District Peoples Committee. Responses cited all pertained to the desire to maintain social cohesion e.g. wanting to remain near family and neighbours, keeping the children in the same school or retain present employment or the type of business. Each family indicated preference on the form and signed. The signed lists are kept by the project office (CPO).

Therefore, although the detailed compensation policy for group resettlement is provided in Chapter 4, this scenario is unlikely to occur under the project. However, the total cost of RAP implementation has included 10% contingencies (Chapter 9). Although the cost of resettlement sites has not been specifically included in the budget, as all potential relocatees have expressed their preference for self-relocation, the contingency item (US$1.90 million) is sufficient to cover the cost of resettlement sites if a significant number of relocatees changed their preference during RAP implementation to group relocation at Government organized sites. Eleven resettlement sites have already been identified to cover this scenario, although the scenario is not expected to occur.
7 INSTITUTIONAL AND ORGANIZATIONAL FRAMEWORK

7.1 Resettlement Organization in Government and Project Levels

The GOVN has set up a multi-level organization to implement the RAP. The Central Project Office (CPO) in the Ministry of Agriculture and Rural Development (MARD) has overall responsibility for implementation of the project and this RAP. It will be guided by the Project Steering Committee, chaired by the Minister of MARD, and consisting of the leaders of the project provinces, and representatives from the Ministry of Finance and from the Ministry of Planning and Investment. CPO, the implementation agency for the on-going IDA Irrigation Rehabilitation Project, has gained considerable experience on IDA resettlement policies. CPO will approve and allocate RAP budget, supervise RAP progress, coordinate at the central government level, and report to MARD/GOVN and IDA.

The Sub-project Implementation Office (SIO) appointed by MARD to each Sub-project would monitor and supervise the day-to-day activities of RAP implementation, coordinate with civil works schedule, and manage the subproject budget. It has supervised resettlement activities in numerous Government irrigation projects in the area, working with resettlement authorities at various administrative levels. SIO will work in close collaboration with the local authorities involved in implementation of resettlement and land compensation. Its functions include planning, coordination of implementation, and financial control, information exchange and inter-agency liaison, internal inspection and monitoring.

District Resettlement Committees will carry out the resettlement and land compensation within the areas of their responsibility under the supervision of the SIO.

These entities will be in charge of organizing the various tasks implied by the resettlement and land compensation programmes, including PAF identification, socio-economic surveys, provision of information to PAF’s and administration of all compensation-related matters.

In fact, the SIO has mostly a supervisory responsibility and has exercised this task competently and in accordance with the existing legal framework. The envisaged training programme for SIO and Provincial and District Resettlement Committees coupled with adherence to O.D 4.30 and the application of Decree 22/CP will further strengthen the performance of SIO 418 and SIO 419. The training programme prepared by CPO is shown in Appendix VII.

People's Committees:

The RAP will be implemented by the PCs at two levels (district, village) under the guidance, assistance and monitoring of PRC. The People’s Committees as top administration at various levels have governmental administrative responsibilities within their territory.
Provincial People's Committee (PPC):

- establishing provincial resettlement committees and appointing head of district resettlement committee with assigned responsibilities and tasks, appointing members of Provincial Resettlement Committees and its chairman.
- signing contract with PRC running Provincial Resettlement Committees based on cost estimate approved by CPO and MARD.
- issuing the policies of relocation and compensation rates and subsidiaries and other directives and instructions of resettlement and compensation applied to the project in their territory.
- approving compensation estimates submitted by District Resettlement Committees.
- acquisition and allocation of land for Project
- allocating land plots to relocated families and issuing land use right certificates (land titles).
- task assignment for districts, villages/communes in province.

District People's Committee (DPC):

The DPCs are the main implementing monitor who will decide the productivity of detailed compensation and resettlement works. DPC's are assumed to:

- appoint members of District Resettlement Committee, its chairman and assign functional tasks for DRC.
- appoint heads of village resettlement team as required.
- certify land use right applications of PAP's and their property title.
- sign contract with PRC for running District Resettlement Committee based on operating cost estimate approved by CPO.
- reimburse to VRC and DRC operating costs.

Village/Commune People's Committee (VPC):

- appoint members working in village resettlement team and team leader to work in DRC's task forces
- sign compensation documents of PAP's
- receive operation fund allocated by DPC.
- PAP's information and consultation, PAP's meeting arrangement.

7.2 Responsibilities of Resettlement Committees

Provincial Resettlement Committee (PRC) responsibilities:

In all 6 project provinces, Resettlement Committees have been established at provincial, district and commune/village levels to guide, coordinate and implement the resettlement activities in their respective jurisdictions. The PRC shall be responsible for:
- coordinating, scheduling, supervising and monitoring RAP activities in respective provinces.
- drafting compensation rates (to be applied to PAP’s in the province concerned) and submitting them to the Project Steering Committee for review by MARD, and issuance.
- drafting special shortened procedure for land use right and property title issuance for relocated families.
- holding regular meetings to assess progress and modify activities whenever needed.
- preparing professional training schedule for project affected adults including, particularly in-home manufacturing programme for women.

District Resettlement Committee (DRC) responsibilities:

- carrying out DMS, document and complete survey sheets for compensation (land, property, trees and crop lost) for all affected families.
- checking and signing compensation documents before forwarding them to RC.
- data base management of PAP’s, calculation of compensation entitlement.
- assist PAFs in locating new land for resettlement
- applying to PPC for land use right certificates for relocated families.
- training resettlement in villages.
- scheduling resettlement activities and reporting regularly (monthly, bi-monthly) to PRC on progress and issues pending.

Village/Commune Resettlement Committee (VRC) responsibilities:

- arranging meetings with PAP’s to communicate policies of compensation and compensation rates of PPC’s.
- working with DRC in DMS and documentation.

7.3 Staffing of Resettlement Committees

Resettlement Committees at every administrative level (provincial, district and village) will be chaired by the Chairman or Vice-Chairman of respective People’s Committee with assistance of secretarial office and permanent and optional members:

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<thead>
<tr>
<th>Head</th>
<th>Secretarial office</th>
<th>Permanent member</th>
<th>Optional member</th>
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<tbody>
<tr>
<td>1) Provincial level: Provincial Resettlement Committee</td>
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<td></td>
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<tr>
<td>Chairman or Vice-Chairman of PPC</td>
<td>Secretary Chief of PPC (1)</td>
<td>- Representatives of Provincial Departments of Transport (1) - Construction (1) - Cadastre (1)</td>
<td>Representatives of Provincial Department of Social Welfare and Veterans, investment and planning, finance.</td>
</tr>
<tr>
<td>2) District level: District Resettlement Committee</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Chairman, or Vice-Chairman of DPC (1)</td>
<td>Two secretaries of DPC (2)</td>
<td>- Representative of District Offices of Cadastre (1) - Construction (1) - Finance (1)</td>
<td>Representatives of District Offices of Transport (1) Social Welfare and</td>
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MDWRDP, Feasibility Study Update
### 7.4 Agency Responsible for External Monitoring

An agency specialized in social sciences will be contracted by CPO to undertake external monitoring and periodic assessment of resettlement activities. The Independent Monitoring Agency (IMA) will issue periodic reports on RAP implementation and make recommendations concerning issues pending. It has been agreed with CPO that the monitoring organization will also assume responsibility for training of SIO and Provincial and District Resettlement Committees (details and TOR for IMA see Chapter 10).

### 7.5 Reporting

CPO will meet regularly with the PRC’s and DRC’s to discuss progress of RAP implementation and problems encountered. Progress reports shall specifically include conventional issues emanating from any aspect of RAP implementation. CPO and the RC’s shall address these issues without delay and formulate guidelines for the District Task Forces as and where required (see Chapter 10 for details).
8. SCHEDULING

8.1 Implementation

At the beginning of preparation of the feasibility study, the implementation period was expected to be three years. A preliminary implementation schedule for civil works e.g. canal dredging or excavation, embankment and sluice construction for the project is presented in Appendix III, which shows the inventory results of the number of PAF affected under each engineering structure.

Given the substantial number of PAF under the project, IDA and the GOVN agreed that the implementation period of the project be extended to five years, instead of three years. All new construction of secondary canals will start only from year-3. Therefore, a year-by-year RAP annual plan will be firmed up during implementation, based on the construction schedule shown in the main feasibility study.

By September 30 each year, starting 1999, CPO will prepare: (i) an irrigation subproject-based RAP Implementation annual plan for the following year, prepared in accordance with the RAP, which includes the number of PAFs to be affected, detailed measurement surveys, valuation of assets, estimated cost, budget allocation, preparation of resettlement sites where necessary, and a time-table to implement such plans prior to commencement of works; and (ii) a RAP implementation progress report and an assessment report by an independent monitoring agency of the resettlement work done in the previous year.

The early start of actual implementation is facilitated by the fact that Provincial Resettlement Committees are in place in all provinces concerned. SIO's have been adequately staffed and trained, and have gained experience in implementing resettlement activities under various Government programs. CPO has obtained extensive experience in IDA resettlement policy under the on-going IDA credit: Irrigation Rehabilitation Project.

The implementation will follow a standard timetable of 6 months in which resettlement activities must be completed prior to the start of construction of a canal or a structure. This timetable includes activities as shown below:

<table>
<thead>
<tr>
<th>Time frame Activities</th>
<th>Month 1</th>
<th>Month 2</th>
<th>Month 3</th>
<th>Month 4</th>
<th>Month 5</th>
<th>Month 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Public Meetings</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Detailed Measurement Survey</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payment of Compensation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relocation</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8.2 Indicative Activity Schedule

The indicative activity schedule for RAP implementation is shown in the schedule on the next pages.
## 8.2 Indicative Implementation Schedule

<table>
<thead>
<tr>
<th>Activity</th>
<th>Resp.</th>
<th>1998</th>
<th>1999</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>I</td>
<td>II</td>
<td>III</td>
<td>IV</td>
<td>I</td>
</tr>
<tr>
<td><strong>A Preparations</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Preparation of DMS Workplan</td>
<td>PRC</td>
<td>IV</td>
<td></td>
<td></td>
<td></td>
<td>I</td>
</tr>
<tr>
<td>2 Printing of Project Information leaflets</td>
<td>PRC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Preparation of training plans and information campaign</td>
<td>PRC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Consultations with PPCs for organization and staffing</td>
<td>PRC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Briefing of PPC, DPC, VPC on DMS Workplan</td>
<td>PRC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Training of Districts and Village res. officers in DMS and H&amp;H</td>
<td>IMA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7 Inf. Campaign on Project, DMS, R&amp;R to PRCs, DRCs and PAPs</td>
<td>PRC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 Adjust and finalize DMS plan as appropriate</td>
<td>PRC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>B Pilot Campaign: DMS implementation in 3 pilot areas</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 Training of RC officials</td>
<td>IMAP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 Inf. Comp. on Project and DMS to DRCs, VRCs, PAPs and media</td>
<td>PRC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11 Meetings between DRCs/VRCs and PAPs on comp. principles and impl. proc</td>
<td>PRC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 Demarcation and DMS, data base computerization</td>
<td>DRC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13 Review of collected material (sheets) from pilot DMS</td>
<td>PRC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14 Assessm. of pilot DMS drafting of official comp. policies direct. and pricing (CPDP)</td>
<td>PRC/PPC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15 PPC promulgates CPDP</td>
<td>PPC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16 Estimation of comp. per PAF, tabulation of comp. cost per</td>
<td>DPC/PRC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17 Consultation between VRCs and PAF on comp. Finalization of comp. Document</td>
<td>VRC/PRC</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18 Workshop with DRC’s and VRC’s on lessons learned from pilot campaign</td>
<td>PRC/IMA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19 MARD approval of compensation document</td>
<td>CPO</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20 Compensation implementation</td>
<td>DRC</td>
<td></td>
<td></td>
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---

**MDWRDP, Feasibility Study Update**

*Annex II, Resettlement Action Plan, December 1998*
<table>
<thead>
<tr>
<th>Activity</th>
<th>Resp.</th>
<th>1998</th>
<th>1999</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>I</td>
<td>II</td>
<td>III</td>
<td>IV</td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**C Subproject Campaign**

1. Training of RC officials
2. PIC, distribution of DMS worksheets to DRCs, VRCs, PAPs; newspaper publications
3. Meetings between DRC's/VRC's and PAPs on procedures and comp. principles
4. DMS implementation; database computerization
5. Calibration of collected DMS sheets
6. Assessment of DMS, works, drafting of official CPDP
7. PPC's promulgate CPDPs
8. Estimation of comp. per PAF. Totalization of comp. cost per commune, district, prov.
9. Consultation between VRC's and PAFs on compensation levels
10. Workshop on results of compensation works and social fact findings

**D Resettlement and Rehabilitation planning**

11. Identification of PAF to be relocated
12. Identification of available land
13. Consultations with PAFs to be relocated
14. Planning of training and employment programmes for PAF to be relocated
15. Consultations with Independent Monitoring Agency

**E Compensation and relocation**

16. Inf. of comp. Amount per PAF to villages and communes for PAF's consultation
17. Finalization of compensation document to MARD for approval
18. Compensation to PAFs
19. Relocation of PAF
20. Treatment and solving of grievances
21. Monitoring and Evaluation

/1 Lang The canal, canal 4000, O Mon canal embankment

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MDWRDP, Feasibility Study Update
9. RESETTLEMENT COST

The RAP summary cost is shown in Tables 9.1. The detailed cost breakdown by subproject and by province is also presented below.

9.1 Definitions

Unit rates. Only for purposes of cost estimate, a list of unit rates has been prepared and used (Section 9.2). These rates are based on previous rates received from the provinces, but updated taking into account of the recently adopted Government Decree 221/CP, which enables payment at replacement cost. The mechanism to determine the compensation rates for replacement and for the annual update thereof is given in Section 6.1.

Compensation for trees. The time frame allocated for the inventory and the format used for recording of losses did not allow for registering species of each tree of PAF. Hence it was decided to group trees in three categories: Category 1 was valued at 100,000 VND/tree and included mango, coconut, cashew, longan, sapodilla, jack fruit, and tamarind. Category 2 was valued at 60,000 VND/tree and included orange, lemon, apple grape, fruit, custard apple, papaya and guava. Category 3 was valued at 20,000 VND and included banana, bamboo, tam vong, ter mo, nipa palm, sugar cane, water lemon, and lotus seed. This methodology has provided the project with a realistic required amount of compensation for trees. A precise registration of each species will be made in the Detailed Measurement Survey (DMS).

Subsistence allowance. A PAF to be relocated shall, for a period of 6 months, receive a cash allowance equal to 30kg of rice of average price per month per family member. A unit rate of USD180/PAF is used (based on a family of six persons and a market price for rice of 2,200 VND per kg). A PAF who has to reorganize their home should be entitled to subsistence allowance for a period of 3 months.

Transportation allowance. A PAF relocating within the province is entitled to a minimum allowance of 1 million VND to a maximum of 3 million VND. As all PAF opted for self-relocation and are expected to move within their current village or commune, USD77/PAF is used in the budget estimate for transport facilities or cash.

Relocation bonus. A special income rehabilitation allowance of maximal 5 million VND will be given to a PAF who will need to dismantle their house and vacate their premises. This is to provide for loss of income during the transition period. A bonus of USD77 per PAF is used in the budget estimate.
Vocational Training for PAF and Income Generation Assistance. One member of each PAF, who will have to either relocate or to reorganize their houses, is eligible for a vocational skill training at an estimated cost of USD100 per PAF member. The project implementation offices will encourage that 30% of the training allowances be given to women.

Staff Training. Training budget for project staff on property assessment, negotiation and compensation policy will be provided. Consistency in approach and uniformity in procedures and formats will foster understanding of the resettlement activities by PAF. Cost of training for resettlement implementation teams has been estimated at USD10,000 per province.

Detailed Measurement Survey. DMS for each PAF will have to be undertaken. The cost for DMS is estimated at USD10/PAF.

Office equipment. 6 PC’s and 6 printers will be provided to the provincial resettlement committees.

Preparation of Resettlement Sites. Since all potential relocatees have expressed their preference for self-relocation (Chapter 6.4), resettlement site preparation is not specifically included in the budget estimate. But a 10% contingency (US$1.9 million) is provided in budget estimate, and is sufficient to cover the cost of resettlement sites if a significant number of relocatees changed their preference during RAP implementation to group relocation at Government organized sites. Eleven resettlement sites have already been identified to cover this scenario, although the scenario is not expected to occur.
### 9.2 Unit rates for compensation

<table>
<thead>
<tr>
<th>No.</th>
<th>Items</th>
<th>Unit</th>
<th>Unit rate 1000 VND</th>
<th>Unit rate USD&lt;sup&gt;1&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Permanent structures</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1</td>
<td>House grade 1</td>
<td>m²</td>
<td>1000</td>
<td>83</td>
</tr>
<tr>
<td>1.2</td>
<td>House grade 2</td>
<td>m²</td>
<td>900</td>
<td>75</td>
</tr>
<tr>
<td>1.3</td>
<td>House grade 3</td>
<td>m²</td>
<td>880</td>
<td>73</td>
</tr>
<tr>
<td>1.4</td>
<td>House grade 4</td>
<td>m²</td>
<td>550</td>
<td>46</td>
</tr>
<tr>
<td>1.5</td>
<td>Temporary Structures</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>1.5.1</td>
<td>Sheet metal roof</td>
<td>m²</td>
<td>220</td>
<td>18</td>
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<tr>
<td>1.6</td>
<td>Wood frame</td>
<td>m²</td>
<td>160</td>
<td>13</td>
</tr>
<tr>
<td>1.7</td>
<td>Thatch</td>
<td>m²</td>
<td>60</td>
<td>8.3</td>
</tr>
<tr>
<td>1.8</td>
<td>Animal house</td>
<td>m²</td>
<td>40</td>
<td>8.3</td>
</tr>
<tr>
<td>2.</td>
<td>Land (87 CP)</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>2.1</td>
<td>Homestead</td>
<td>m²</td>
<td>10.0</td>
<td>0.78</td>
</tr>
<tr>
<td>2.2</td>
<td>Permanent loss</td>
<td>m²</td>
<td>0.65</td>
<td>0.05</td>
</tr>
<tr>
<td>2.3</td>
<td>Agriculture</td>
<td>m²</td>
<td>5.0</td>
<td>0.39</td>
</tr>
<tr>
<td>2.4</td>
<td>Shrimp pond</td>
<td>m²</td>
<td>0.65</td>
<td>0.05</td>
</tr>
<tr>
<td>2.5</td>
<td>Perennial crops forestry</td>
<td>m²</td>
<td>5.0</td>
<td>0.38</td>
</tr>
<tr>
<td>3.</td>
<td>Agnc. Products/trees</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>3.1</td>
<td>Paddy</td>
<td>Ha</td>
<td>4000</td>
<td>307</td>
</tr>
<tr>
<td>3.2</td>
<td>Coconut</td>
<td>Tree</td>
<td>160</td>
<td>12.5</td>
</tr>
<tr>
<td>3.3</td>
<td>Mango</td>
<td>Tree</td>
<td>250</td>
<td>19.5</td>
</tr>
<tr>
<td>3.4</td>
<td>Orange</td>
<td>Tree</td>
<td>60</td>
<td>4.5</td>
</tr>
<tr>
<td>3.5</td>
<td>Longan</td>
<td>Tree</td>
<td>100</td>
<td>7.5</td>
</tr>
<tr>
<td>3.6</td>
<td>Sapuche</td>
<td>Tree</td>
<td>100</td>
<td>7.5</td>
</tr>
<tr>
<td>3.7</td>
<td>Banana</td>
<td>Tree</td>
<td>5</td>
<td>0.4</td>
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<td>3.8</td>
<td>Custard apple</td>
<td>Tree</td>
<td>2</td>
<td>2.3</td>
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<tr>
<td>3.9</td>
<td>Tamarind</td>
<td>Tree</td>
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<td>5.8</td>
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<td>3.10</td>
<td>Eucalyptus</td>
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<td>3.11</td>
<td>Papaya</td>
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</tr>
<tr>
<td>3.12</td>
<td>Nipapain</td>
<td>m²</td>
<td></td>
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<td>3.13</td>
<td>Melaleuca</td>
<td>Tree</td>
<td></td>
<td>0.02-0.11</td>
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<tr>
<td>4.</td>
<td>Other structures</td>
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</tr>
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<td>4.1</td>
<td>Stone tomb</td>
<td>Unit</td>
<td>800</td>
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<td>4.2</td>
<td>Earthen tomb</td>
<td>Unit</td>
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<td>27</td>
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<td>4.3</td>
<td>Drying area</td>
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<td>Well</td>
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<td>4.4.2</td>
<td>Dug</td>
<td>Unit</td>
<td>1000</td>
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<tr>
<td>4.5</td>
<td>Cement pipe</td>
<td>M</td>
<td>15</td>
<td>1.1</td>
</tr>
<tr>
<td>4.6</td>
<td>Cement sluice</td>
<td>Unit</td>
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<tr>
<td>4.7</td>
<td>Wooden sluice</td>
<td>Unit</td>
<td>2000</td>
<td>154</td>
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</tbody>
</table>

<sup>1</sup> 13,000 VND = 1 USD
### Table 9.1 Cost Estimate for Compensation, Rehabilitation and Implementation

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Quantity</th>
<th>Unit price</th>
<th>IDA</th>
<th>GOV</th>
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<tbody>
<tr>
<td></td>
<td>USD</td>
<td>USD</td>
<td>USD</td>
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</tr>
<tr>
<td>Compensation (Land, Structure &amp; Crops Losses)</td>
<td>US$ separate cost tables</td>
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<td>Rehabilitation</td>
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<tr>
<td>Subsistence Allowance</td>
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<tr>
<td>PAF relocated</td>
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<td>1,655</td>
<td>180</td>
<td>297,900</td>
<td>297,900</td>
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<tr>
<td>PAF reorganized</td>
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<td>5,532</td>
<td>90</td>
<td>497,880</td>
<td>497,880</td>
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<tr>
<td>Transportation Allowance</td>
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<td>77</td>
<td>127,435</td>
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<tr>
<td>Relocation Bonus</td>
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<td>77</td>
<td>127,435</td>
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<tr>
<td>Sub-total Compensation/Rehabilitation</td>
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<td></td>
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<td>18,976,908</td>
<td>18,976,908</td>
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<tr>
<td>Income Generation Assistance/PAF Training</td>
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<td>718,700</td>
<td>718,700</td>
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<td>PAF training/income generation assistance</td>
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<td>100</td>
<td>718,700</td>
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<td>Implementation</td>
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<td></td>
</tr>
<tr>
<td>Office equipment</td>
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<td></td>
<td></td>
<td>10,920</td>
<td>1,080</td>
<td>12,000</td>
</tr>
<tr>
<td>Detailed measurement survey (DMS)</td>
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<td>34,004</td>
<td>10</td>
<td>340,040</td>
<td>340,040</td>
<td></td>
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<tr>
<td>Training of task forces</td>
<td>US$</td>
<td></td>
<td></td>
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<td>60,000</td>
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<tr>
<td>Administration (above items)</td>
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<td></td>
<td></td>
<td>100,538</td>
<td>100,538</td>
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<tr>
<td>Total Base Cost (US$)</td>
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<td></td>
<td></td>
<td>1,069,660</td>
<td>19,138,526</td>
<td>20,208,186</td>
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<tr>
<td>Contingencies</td>
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<td>1,897,691</td>
<td>1,897,691</td>
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<td>(including contingency provision for relocation sites)</td>
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## MEKONG DELTA WATER RESOURCES PROJECT
### RESDILEMENT ACTION PLAN

Distribution of the Budgets

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<tr>
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<th>2000</th>
<th>2001</th>
<th>Grand Total</th>
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<td><strong>SOUTH MANG THIT</strong></td>
<td>5,379</td>
<td>1,856</td>
<td>3,929</td>
<td>11,164</td>
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<td><strong>O MON - XA NO</strong></td>
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<td>6,000</td>
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<td><strong>BA VINH TA LIEM</strong></td>
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<td><strong>TEP NHAT</strong></td>
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### Sub-Projects

#### Year 1999

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<th># of hire</th>
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<th>Compensation</th>
<th>Allowances</th>
<th>Sub total</th>
<th>Training</th>
<th>PAF</th>
<th>Eq. + Srv</th>
<th>Adminstration</th>
<th>Phys.</th>
<th>Monitoring</th>
<th>Total Cost</th>
</tr>
</thead>
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<tr>
<td><strong>SOUTH MANG THIT</strong></td>
<td>5,379</td>
<td>1,856</td>
<td>1,104</td>
<td>1,486</td>
<td>874</td>
<td>2,218</td>
<td>2,037,656</td>
<td>347,304</td>
<td>5,151,299</td>
<td>209,400</td>
<td>90,820</td>
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#### Year 2000

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<th>Sub total</th>
<th>Training</th>
<th>PAF</th>
<th>Eq. + Srv</th>
<th>Adminstration</th>
<th>Phys.</th>
<th>Monitoring</th>
<th>Total Cost</th>
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<td>957</td>
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<td>347,304</td>
<td>5,151,299</td>
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<td>90,820</td>
<td>27,268</td>
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<th>Training</th>
<th>PAF</th>
<th>Eq. + Srv</th>
<th>Adminstration</th>
<th>Phys.</th>
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<td>90,820</td>
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### Grand Total

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<th>Training</th>
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<th>Eq. + Srv</th>
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End of chapter 9
### MEKONG DELTA WATER RESOURCES PROJECT
#### RESETTLEMENT ACTION PLAN

**Compensation Sheet - By Sub Project**

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<thead>
<tr>
<th>Descriptions</th>
<th>Unit Price in USD</th>
<th>South Mang Thn Quantity</th>
<th>O Mon - Xs No Total</th>
<th>Quang Lu Phung Hap Quantity</th>
<th>Be Nhia To Lian Total</th>
<th>Teg Nhah Quantity</th>
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**Grand Total**

- 6,053,374
- 3,341,019
- 3,036,801
- 2,945,141
- 2,678,628
- 17,826,358

*end of chapter 9*
## Compensation Sheet - By Province

### MEKONG DELTA WATER RESOURCES PROJECT

#### RESETTLEMENT ACTION PLAN

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<th>Descriptions</th>
<th>Unit Price</th>
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<th>Kien Giang</th>
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<td></td>
<td>In USD</td>
<td>Total</td>
<td>Quantity</td>
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<td>Quantity</td>
<td>Total</td>
<td>Volume</td>
<td>Quantity</td>
</tr>
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<td></td>
<td>m2</td>
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<td>Agricultural land</td>
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<td>Houses lost m2</td>
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<tr>
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10 MONITORING

Regular monitoring of RAP implementation will be conducted by MARD/CPO and IDA, as well as by an independent external monitoring agency.

10.1 Internal Monitoring

CPO with the assistance of SIO and supervision consultant teams, will be responsible for internal monitoring of RAP implementation.

Monitoring Indicators: CPO will regularly monitor the following main items:

1) Payment of compensation to PAF in the various categories, according to the compensation policy in RAP,
2) Co-ordination and completion of resettlement activities and commencement of civil works,
3) Public information dissemination and consultation procedures,
4) Adherence to grievance procedures,
5) Distribution of building material, house construction, technical assistance, payment of subsistence and transport allowance as described in RAP,
6) Employment generation through project implementation and priority of PAF for the options offered,
7) Provision of training to PAF entitled for such rehabilitation assistance.

Staff for conducting internal monitoring:

The staff of SIO and CPO will carry out the internal monitoring activities. They will collect information every six months from the PRC’s and DRC’s. A database of resettlement monitoring information about the project will be maintained. The database will be updated quarterly.

Reporting:

CPO will submit to IDA a monitoring report on the progress of implementation of the RAP every six months.

10.2 External Monitoring (Indicative Terms of Reference)

In accordance with IDA requirements for consultant procurement, the CPO will hire an independent monitoring agency (IMA) for evaluation of RAP implementation. Appointment of such an agency will be a condition of IDA Credit effectiveness.

Monitoring and evaluation indicators: The following indicators will be monitored and evaluated regularly by the IMA:
a) Payment of compensation:
   i) full payment to be made to all affected persons sufficiently before land acquisition; adequacy of payment to replace the affected assets;
   ii) the compensation for affected structures should be equivalent to the replacement cost of materials and labour based on standards and special features of construction and no deduction made for depreciation or value of salvageable materials;

b) Coordination of resettlement activities with construction schedule
   i) the completion of land acquisition and resettlement activities on any section of the canal should be completed at least one month before the start of physical works.

c) Public consultation and awareness of compensation policy
   i) PAF should be fully informed and consulted about land acquisition, leasing and relocation activities;
   ii) the monitoring team should attend at least one public consultation meeting each month to monitor public consultation procedures, problems and issues that arise during the meetings, and solutions that are proposed.
   iii) public awareness of the compensation policy and their entitlements among the PAP’s will be assessed;
   iv) assessment of awareness of various options available to PAP’s as provided for in the RAP.

d) Structure construction
   i) the timing of house construction should be monitored to determine length of construction period;
   ii) the quality of house construction should be monitored to determine whether a temporary or permanent structure is built;
   iii) delivery, distribution and use of construction materials should be monitored.

e) Restoration of economic activities
   i) affected persons should be monitored for restoration of productive activities.

f) Provision of training
   i) training should be provided for one member of each eligible affected family who will be relocated, if the family chooses to opt for training;
   ii) the kind of training will depend on the preference of the affected person and the availability of a training course;
   iii) information should be provided on options for obtaining post-training credit assistance obtainable from local credit institutions such as the Vietnam Bank for Agriculture;
   iv) training should be provided within three months of the date of relocation.
g) Level of satisfaction

i) the level of satisfaction of PAF with various aspects of the RAP will be monitored and recorded;

ii) the operation of the mechanisms of grievance redressal and speed of redressal of grievances will be monitored.

h) Standard of living

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

Monitoring methodology:

Data sources

The information will be checked from three sources:

- CPO, S10
- Local Commune, District and Provincial Resettlement Committees
- Affected persons (PAFs, PAPs)

Sample surveys

To verify the quantitative aspects of implementation, sample surveys of various types of impacts will be conducted based on the internal monitoring reports.

Data collection methods

Data and information will be gathered through:

- Questionnaires, to be personally administered.
- Direct interviews with affected households
- Specific focus group interviews aimed at identifying the specific problem issues related to groups such as self-employed persons with businesses, farmers, and workers. Affected by loss of job, tenants affected by loss of place of residence, women heads of households, etc.
- Community meetings to discuss problem issues and identify solutions.

Data analysis

Data and information collected will be analyzed by affected area, resettlement sites, levels of compensation, timing of impact, and type of impact.

Data base storage

The IMA will maintain a database of resettlement monitoring information that will be updated every three months. It will contain certain files on each affected
household and will be updated based on information collected in successive rounds of data collection. All databases compiled will be fully accessible by SIOs.

**Reporting:**

A progress report will be prepared and submitted to CPO by the last day of every three month, to be attached as an Appendix to the Project Progress Report to IDA. The report should contain:

i) a report of progress of Project resettlement implementation;

ii) deviations, if any, from the provisions and principles of the RAP;

iii) identification of problem issues and recommended solutions, so that CPO is informed about the ongoing situation, and can resolve problems in a timely manner; and

iv) report progress on the follow-up of problems and issues identified in the previous report.

**Follow-up to monitoring reports**

The monitoring reports will be discussed during a meeting between the IMA and CPO held immediately after the submission of the report. Necessary follow-up action will be taken based on the problems and issues identified during reports and follow-up discussions.

The IMA will also organize the training for SIO’s, provincial, district and commune level officials involved in the implementation of RAP, and representatives of PAP’s.