RESETTLEMENT PLAN

COMPONENT 1: FLOOD CONTROL, DRAINAGE AND WASTEWATER COLLECTION; AND COMPONENT 5: REVOLVING FUND FOR HOUSEHOLD SANITATION AND SCHOOL SANITATION PROGRAM

Infra-Thanglong

SEPTEMBER 2010
RESETTLEMENT PLAN

COMPONENT 1: FLOOD CONTROL, DRAINAGE AND WASTEWATER COLLECTION; AND COMPONENT 5: REVOLVING FUND FOR HOUSEHOLD SANITATION AND SCHOOL SANITATION PROGRAM

THE EMPLOYER
QUY NHON CITY ENVIRONMENTAL SANITATION PROJECT MANAGEMENT UNIT

THE CONSULTANT
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COMPONENT 1: FLOOD CONTROL, DRAINAGE AND WASTEWATER COLLECTION; AND COMPONENT 5: REVOLVING FUND FOR HOUSEHOLD SANITATION AND SCHOOL SANITATION PROGRAM

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**ABBREVIATIONS**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>CRC</td>
<td>Compensation and Resettlement Committee.</td>
</tr>
<tr>
<td>CPRGS</td>
<td>Strategy of Poverty Alleviation and Comprehensive Growth</td>
</tr>
<tr>
<td>DD</td>
<td>Detail Design</td>
</tr>
<tr>
<td>DONRE</td>
<td>Department of Natural Resource and Environment</td>
</tr>
<tr>
<td>DPI</td>
<td>Department of Planning and Investment</td>
</tr>
<tr>
<td>EA</td>
<td>Environment Assessment</td>
</tr>
<tr>
<td>EIA</td>
<td>Environment Impact Assessment</td>
</tr>
<tr>
<td>EMP</td>
<td>Environmental Management Plan</td>
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<tr>
<td>FDI</td>
<td>Foreign Direct Investment</td>
</tr>
<tr>
<td>GOV</td>
<td>Government of Vietnam</td>
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<tr>
<td>IDA</td>
<td>International Development Association</td>
</tr>
<tr>
<td>LIA</td>
<td>Low Income Area</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
</tr>
<tr>
<td>DP(s)</td>
<td>Project Affected Person(s)</td>
</tr>
<tr>
<td>PFS</td>
<td>Pre-Feasibility Study</td>
</tr>
<tr>
<td>PMU</td>
<td>Project Management Unit</td>
</tr>
<tr>
<td>FCIR</td>
<td>Work Construction Investment Project</td>
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<tr>
<td>RP</td>
<td>Resettlement Plan</td>
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<tr>
<td>RPF</td>
<td>Resettlement Policy Framework</td>
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<tr>
<td>RoW</td>
<td>Right of Way</td>
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<tr>
<td>TOR</td>
<td>Term of Reference</td>
</tr>
<tr>
<td>WB</td>
<td>World Bank</td>
</tr>
<tr>
<td>WWTP</td>
<td>Waste Water Treatment Plant</td>
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</table>
DEFINITIONS OF TERMS

Displaced Person (DP)  Term used in OP 4.12 of the World Bank. Means any person or persons, household, firm, private or public institution that, on account of changes resulting from the Project, will have their or its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (including residential, commercial, agricultural, forest and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement.

In the case of a household, the term affected household includes each member residing under one roof and operating as a single economic unit, who is adversely affected by a project or any of its components.

Impacted communities  The impacted communities by the project including:

(i) Communities impacted by land acquisition, whether anybody will be relocated or not;

(ii) Communities will be receiving relocated households, so called “host communities”.

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

Cut-off date  The date of completion of inventory of losses during preparation of the RP. Displaced Persons and local communities will be informed of the cut-off date for each Project component, and that anyone moving into the Project Area after that date will not be entitled to compensation and assistance under the Project.

Detailed Measurement Survey (DMS)  Means the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of DPs earlier done during the preparation of the final RP.

Entitlement  Means the range of measures comprising compensation, assistance, including income restoration support, transfer assistance, income substitution, relocation support and resettlement which are due to the DPs, depending on the type and severity of their losses, to restore their economic and social base.
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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</thead>
<tbody>
<tr>
<td>Host community</td>
<td>Means the community already in residence at a proposed resettlement site.</td>
</tr>
<tr>
<td>Income restoration/Livelihood improvement</td>
<td>Means the re-establishment and improve of sources of income and livelihood of relevant DPs.</td>
</tr>
<tr>
<td>Inventory of Losses (IOL)</td>
<td>Means the process of identification, location, measurement and valuation of replacement cost of all fixed assets that will be recovered or adversely affected by or as a result of the project. These include, (without limitation or being an exhaustive list) lands used for residence, commerce, agriculture, ponds; dwelling units, stalls and shops, other structures, such as fences, tombs, wells; trees with commercial value, sources of income and livelihood. It also includes the assessment of the severity of the impact of land and property on the affected assets and the severity of impact to the livelihood and productive capacity of DPs.</td>
</tr>
<tr>
<td>Land recovery</td>
<td>Means the processes by which all or part of land and property owned, possess, occupies or uses, are compulsorily recovered or otherwise acquired from an individual, household, firm or private institution by the State or are acquired by agreement.</td>
</tr>
<tr>
<td>Relocation/Resettlement</td>
<td>Means the physical relocation of a DP from the DP’s pre-project place of residence and/or business.</td>
</tr>
</tbody>
</table>
| Replacement Cost | Means the amount calculated before displacement which is needed to replace an affected asset without deductions for depreciation, salvageable materials, taxes, and/or costs of transaction as follows:  
  (i) Productive land (agricultural, fishpond, garden, forest) based on market prices that reflect recent land sales of comparable land in the district and other nearby areas, and in the absence of such recent sales, based on productive value;  
  (ii) Residential land based on market prices that reflect recent sales of comparable houses and residential land in the district and other nearby areas, and in the absence of such recent land sales, based on sales in other locations with similar attributes;  
  (iii) Houses and other related structures based on current market prices of materials and labor neither depreciation nor deductions for salvaged building materials plus fees for getting the ownership papers;  
  (iv) Standing crops equivalent current market value of the crop at the time of compensation;  
  (v) Perennial crops and trees, cash compensation equivalent to current market value given the type, age and productive value (future production) at the time of compensation. |
### RESettlement Plan – Components 1&5

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>(vi) Timber trees</td>
<td>The price that would currently be paid for the trees on the nearest market based on the diameter of each tree at breast height.</td>
</tr>
<tr>
<td>Replacement Cost Survey</td>
<td>The process involved in determining the replacement cost of land, houses and other affected assets based on surveys.</td>
</tr>
<tr>
<td>Severely Affected Person</td>
<td>DP who will lose 20% or more of their total productive land and/or assets, have to relocate; or lose 20% or more of their total income sources due to the Project.</td>
</tr>
<tr>
<td>Vulnerable People</td>
<td>Individuals or distinct groups of people that might suffer disproportionately or face the risk of being further marginalized by the effects of land and property recovery or resettlement. Includes: (i) female headed households with dependents, (ii) disabled individuals; (iv) households with disabled persons, (v) households falling under the current MOLISA benchmark poverty line, (vi) children and elderly households who are landless and with no other means of support, (vii) landless households, (viii) non-integrated ethnic minorities.</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

Introduction
1. This Resettlement Plan (RP) is developed for Components 1&5, Contract Package QN6.20.1A, Phase 2 - Quy Nhon City Environmental Sanitation Subproject. The RP will include the results of socio-economic survey (SES); detailed measurement survey (DMS); methods to determine replacement costs (unit prices), actual compensation rates and specific entitlements; descriptions of resettlement site and rehabilitation programmes (if do); implementation schedule and cost estimations for the whole Component 1&5.

Land Acquisition Scale and Impacts
2. As designed, the project scope will include the construction of rainwater/wastewater drainage alignments, pumping stations in 16 wards of the Quy Nhon City. However, in terms of land acquisition and site clearance, the land taken by the Project is occurred only in three (03) wards of Ghenh Rang, Quang Trung and Dong Da. Total number of DPs is 28 households (with 108 persons), of which 09 households are severely affected and must be relocated. The socioeconomic surveys show that all DPs are Kinh and not any ethnic minority is affected by the Project that Indigenous People (OP/BP 4.10) is not triggered.

Measures to Minimize Land Acquisition
3. During the project preparation, a close co-ordination between Technical Consultant (VIWASE) and Social Safeguard Consultant (Infra-Thanglong) were established to gain two (02) project targets: (i) to promote the effectiveness of the investment project and (ii) minimize the land acquisition.
4. During the process of socio-economic survey and consultation of the project affected community, the Consultant Team took measures to minimize project impacts (by means of setting up proper resettlement and compensation alternatives and residents’ consensus towards the Project), which include the propaganda and community meetings to introduce the basis project information and the roles of residents during the project preparation and implementation stage as well. Simultaneously, a mitigation plan of temporary impacts in the construction stage was studied and proposed to avoid or minimize the same impacts in the next stages.

Policy Framework and Entitlement
5. The basic principle applied for the RP preparation is that the DPs shall be assisted together with their best efforts to better or at least improve their living standards, their earning capacity and productivity is same as to those in pre-project period. The lack of legal status of land use does not bar the DPs from the entitlements of compensations and/or allowances for their economic restoration. Their affected properties shall be compensated based on “replacement costs”.
6. According to results of the Project study, the Project cut off date is the time of completing inventory of losses, which is 30th September 2009. Accordingly, all households with arising land and property after this date will not eligible to receive any compensation and supports of the project.
Rehabilitation Program

7. The Rehabilitation Program is one of the important activities in the implementation process of compensation and resettlement. Some programmes are introduced in the project as vocational training, credit... which help DPs, especially relocated DPs improve their living condition after resettlement process. However, due to insignificant impact on residential and agriculture land that there is no household affected with 20% agricultural land or more, so there will not be any separate rehabilitation programme proposed.

Institutional Arrangement

8. The Resettlement Committee (RC) of Quy Nhon City is responsible for conducting DMS, pricing, compensating and land clearance, in which PMU is one of standing members, vice Chairman of Quy Nhon City takes charge as Chairman of the RC, other members are representatives from Department of Finance, Department of Natural and Environmental Resource, Department of Construction, Quy Nhon City Departments and related Ward PCs.

Implementation Plan

9. The RP will be implemented and completed before the construction of the project works. As estimated, DPs will be compensated and displaced since December 2010.

Consultation and Participation

10. The project entitlement policy in this resettlement plan has been developed with the close cooperation of local authorities, local community-based organizations, and project affected persons to maximize their participation in the RP formation and implementation. The local authorities, local community-based organizations (CBOs), and all relocated DPs were surveyed by questionnaires. Separately in the consultation meetings, all households in the affected area participated to get the project information, project impacts and propose their recommendations to plan for their new living arrangement. The information obtained in the consultations is not only useful for completing the resettlement plan policy but also assists for setting up of compensation options in the implementation process.

Monitoring and Evaluation

11. The implementation of the detail resettlement plan will be monitored and examined internally by the RC and PMU. At the same time, an independent monitoring organization will be employed to monitor the RP implementation and evaluate the DP’s living standards after resettlement.

Grievance Redress

12. In the RP implementation, the complaints will be resolved based on the procedures approved in the Project Resettlement Policy Framework (RPF). The local authorities at all levels and project staffs will resolve DPs’ complaints fairly and quickly. They will not pay any administrative fees for their grievance redress.

Cost Estimation

13. The total cost estimate from the implementation to completion of the RP is about VND 6.3 billion. This includes compensation and allowance costs for project-affected land and architectures, the income restoration programs, the transition assistances, the monitoring, evaluation, administrative management and contingency costs.
INTRODUCTION

1.1 OVERVIEW

1.1.1 Background

1. The population of the Vietnamese cities is increasing rapidly. The provision of the infrastructures, especially the drainage, wastewater collection and treatment, solid waste management has not been prioritized and the establishment and operation of these systems is lagging behind the pace of urbanization growth. This leads to the harmful effects on human health and environment and hinder the economic development.

2. In this circumstance, the Government of Vietnam has called for the aids from sponsors for implementing the environmental sanitation projects. The World Bank is currently supporting Ho Chi Minh City Environmental Sanitation Project and the Three City Environment Sanitation Project. Both projects focus on the restoration of primary drainage systems (that usually includes combined drainages), sewerage collection (that usually includes culvert box), treatment systems, proposals to improve households' sanitation (small loans for building septic tank) and in some cases improving the solid waste management system. Hence, the Vietnamese Government has requested for a project in three cities of Nha Trang, Quy Nhon and Dong Hoi. The project is named the Coastal Cities Environmental Sanitation Project (CCESP). Quy Nhon City Environment Sanitation Project is one of the three (03) subprojects stated above. Some major contents of Quy Nhon City subproject are as follows:

3. Project Objective: The main objectives of the Project are to improve the urban environment sanitation in order to minimize harm to human health and environment, at the same time, to contribute to improving the urban landscape and economic development. The specific objectives of the Project focus on the following activities:

   (i) Completing the rainwater drainage system to control drainage and water-logging.
   (ii) Improving the environment sanitation by construction and development of wastewater collection and treatment system (including hospital wastewater).
   (iii) Building capacity of waste collection and transportation, and sanitary landfill.
   (iv) Strengthening capacity, equipment and facilities for management and maintenance of the drainage system, increasing ability of solid waste management, training and improving expertise quality, and building capacity, organizational structure and legal system;
   (v) Contributing to improving and developing infrastructure, creating beautiful urban landscape to meet the City's development demand.
4. Project Scope. The Project is implemented on the entire urban area of Quy Nhon city (16 wards) and Phuong Mai Peninsula (3 communes in the Peninsula are Nhon Hoi, Nhon Ly, and Nhon Hai). The area of the city is 216.44 km² (including 3.5 km² of Nhon Chau island commune), in which the urban area is 145.31 km².

5. Project Scale. The components and investment allocation of Quy Nhon City Environmental Sanitation Subproject is presented in the table below:

<table>
<thead>
<tr>
<th>Components</th>
<th>Phase 1</th>
<th>Phase 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flood control, rainwater/wastewater drainage</td>
<td>8,915,547</td>
<td>12,097,805</td>
</tr>
<tr>
<td>and collection</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wastewater treatment plant</td>
<td>0</td>
<td>10,938,500</td>
</tr>
<tr>
<td>Solid waste management</td>
<td>265,000</td>
<td>5,166,000</td>
</tr>
<tr>
<td>Resettlement</td>
<td>3,272,545</td>
<td>17,100</td>
</tr>
<tr>
<td>Working fund for households' and schools'</td>
<td>287,280</td>
<td>331,720</td>
</tr>
<tr>
<td>sanitation</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>12,740,372</strong></td>
<td><strong>28,551,125</strong></td>
</tr>
</tbody>
</table>

Source: The PMU

6. Investment Components in Phase 2. The works planned to build in Phase 2 of the Project will step the ones designed and implemented in Phase 1. The scope of work will be in accordance with the preliminary proposals of the Pre-Feasibility Study (PFS) which was approved in January 2006. The total investment for Phase 2 is US$ 28,551,125 (twenty eight million, five hundred fifty one thousand, one hundred and twenty five dollars), including the following items:

**Component 1: Water Flood Control, Rainwater Drainage and Wastewater Collection**

The additional investment for the combined drainage systems and separate waste water systems will continue the works conducted in Phase 1, including: Building a new network of the primary and secondary drainage, in the city center; setting up wastewater pipelines, combined culvert and pumping stations in the north and south of the city center; setting up the wastewater pipelines and pumping stations in Tran Quang Dieu road; dredging Bong Hong lake; improving the drainage canal of Tieu hamlet; improving the existing joint secondary and tertiary culverts; new construction of tertiary pipelines and connection ends to households in the whole city.

Continuing the additional investment for the general and specific wastewater drainage systems implemented in Phase 1.

**Component 2: Wastewater Treatment Plants**

Two wastewater treatment plants will be designed as follows: (i) near Phu Hoa Lake, serving the south of the city and the coastal area of Quy Nhon bay and, (ii) near Bau Lac Lake, serving the residential areas in Tran Quang Dieu ward in the west of the city. The pre-feasibility study estimated the required powers as shown in table 3 below:
Table 2: Capacity of Wastewater Treatment Plants

<table>
<thead>
<tr>
<th>Name of Plants</th>
<th>2010</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phu Hoa Lake Wastewater Treatment Plant</td>
<td>4,282</td>
<td>14,875</td>
</tr>
<tr>
<td>Bau Lac Lake Wastewater Treatment Plant (on the west)</td>
<td>950</td>
<td>8,208</td>
</tr>
</tbody>
</table>

Component 3: Solid Waste Management

In the PFS, the estimated quantity of solid waste generating in Quy Nhon city up to 2020 will be:

<table>
<thead>
<tr>
<th></th>
<th>Year 2010</th>
<th>Year 2020</th>
</tr>
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<tbody>
<tr>
<td>Domestic waste (kg/person/day)</td>
<td>1</td>
<td>1.2</td>
</tr>
<tr>
<td>Rate of collection (%)</td>
<td>80</td>
<td>90</td>
</tr>
<tr>
<td>Proposed industry waste (tons/hectare/day)</td>
<td>0.5</td>
<td>0.5</td>
</tr>
<tr>
<td>Domestic and industry waste (tons/day)</td>
<td>490</td>
<td>790</td>
</tr>
</tbody>
</table>

A new landfill in Long My will be built and part of the available landfill will be closed; they will build a new factory and transferring stations at the workshop of the URENCO, the transfer stations of solid waste, the existing collection points, 03 public toilets in the urban area, and purchase equipment and facilities for the solid waste collection.

Component 4: Resettlement

The investment components will be carried out to provide and divide land into plots for housing construction and carry out the resettlement for people affected by the Project in Quy Nhon city. The proposed number of affected families is estimated from 150-200 households. Up to now, the land acquisition for building a resettlement area in the south bank of Dinh river of Nhon Binh ward has been completed.

Component 5: Revolving Fund for Households' and Schools Sanitation

The structures to improve public sanitation will be installed in approximately 10 kindergartens, primary and secondary schools. The structures to improve school sanitation will include designing, newly building or repairing the toilets for kindergartens, primary and secondary schools in Quy Nhon city. This program will succeed the sanitation program started in Phase 1. The number of schools benefited from the program will be decided through the discussion with relevant agencies in the city.

In Phase 2, the National Consultant (VIWASE) will review and determine the approach of the proposals of the FS and Phase 1 Investment Project to establish a revolving fund for household sanitation in Quy Nhon. This will include: Defining the institutional arrangement, financial resource needs and requirements of the initial capital and any technical assistance needed to borrow the loans.
1.1.2 Scope of Works

7. The investment components for Components 1 & 5 are described as follows:

**Component 1 - Control of Flood, Wastewater Drainage And Collection**
- Building a primary culvert network for rainwater drainage and transferring wastewater into the pumping stations through the separated wells in discharging locations.
- Dredging Bong Hong Lake; renovation of Tieu hamlet drainage channel to improve the rainwater drainage efficiency when it rains.
- Construction of sewage pumping stations, separated outlet wells of waste outlet, pipe casing/lifting alignments to gather and transport wastewater to treatment plants to prevent wastewater directly discharging into the water sources and causing environment pollution.
- Construction of manholes to connect status culverts and construction of new culvert to manage and increase capacity of the drainage system.
- Upgrading manholes to collect rainwater with covers to prevent bad smell.
- Improving the current system of secondary, tertiary sewage to meet the requirements of hydraulic calculations.
- Building a new tertiary pipeline connecting households' sanitation facilities to strengthen control and collection of wastewater.

**Component 5: Working Fund For Households' And Schools' Sanitation Programme**
- Working fund for building households' hygienic latrines: Review to propose the Working fund for household sanitation including institutional development, financial need, and provision of technical support.
- School sanitation program: Designing toilet facilities, upgrading about 10 kindergartens/preschools, primary and secondary schools in the city. The number of schools benefited from the program will be discussed with the relevant agencies.

1.1.3 Main Assignments

8. The assignment objective includes researches and evaluations of activities implemented in Phase 1 and making Resettlement Plan, thereby the main objective of this assignment is to reduce the involuntary resettlement. Main principles to prepare the RP report are:

(i) Reducing land acquisition and resettlement and;

(ii) Carrying out the compensation and resettlement to ensure the living standards of project affected persons higher than or at least same as their previous living standards before the project implementation.
1.2 SURVEY AND INVENTORY

9. During the period from 24/8/2009 to the end of 30/9/2009, the resettlement consultant team (Infra-Thanglong) conducted a socio-economic survey and inventory of project affected land/assets. As a result, (i) about 100% of severely affected persons (approximately 9 households) and over 25% of project affected households participated in the socioeconomic survey and (ii) 100% households were processed in asset inventory and (iii) 26 households participated in the community consultations.

10. In addition, the project information booklets have been prepared and delivered to households during the survey, whereby they understand the project basic information and benefits and therefore consent to the project implementation. The information concerning activities of information dissemination, sociological surveys, asset inventory, community consultation and the results of socio-economic survey as well as inventory and measurement of affected assets are shown in the following section (Section 3.1) of the report.
MITIGATION MEASURES

2.1 OBJECTIVE

11. The first principle of the policy framework agreed by WB is to avoid or mitigates impacts on resettlement and land acquisition. If such mitigation is not feasible, satisfactory measures to compensation, assistances should be applied for the project affected persons.

12. As unified in the implementation principles of the Coastal Cities Environment Sanitation Project, the resettlement and land acquisition should be minimized. Design Consultant, Quy Nhon ESP-PMU and related authorities have made efforts to minimize impacts on land acquisition since the initial stage of project design and completion of investment report; therefore, the impact scale on resettlement is limited.

13. In the component I, the impacts on land acquisition is unavoidable because it is necessary to upgrade and build Tieu Village ditch and other drainage routes in the ward of Quang Trung, Dong Da and Ghenh Rang. Accordingly, wide-range consultations between the resettlement consultant team and local authorities, community-based organizations and especially households, who affected by the project, were organized to minimize resettlement impacts. The agreed instruction principles are attempts to finalize optimal options and solutions to avoid moving residents from their existing shelters.

2.2 PROPOSAL OF MITIGATION MEASURES

14. During the project design, the resettlement consultant closely cooperated with the technical consultant in an attempt to minimize project impacts, thereby, by the method of setting culverts under the existing roads, project affected persons and permanent land acquisition are not necessary. Households will only be temporarily affected during the construction period. The number of temporarily affected households accounts for big proportion of those mentioned in this RP. For the newly-built works or improvement of Tieu Village ditch, Bong Hong culvert, regardless of many mitigation methods, there will be unavoidable affects on parts of houses. Therefore, in order to minimize impacts on these families, including households whose houses are partly or indirectly affected during the construction, the resettlement consultant team took the following mitigation methods:

(i) Firstly, the first action of project impact mitigation is to help households get information of project locations and interests as well as its estimated impacts in order to establish together
a suitable policy framework for minimizing impacts. On the other hand, grasping information right from this period, households will have spiritual and material preparation for the impacts expected in the construction. The resettlement consultant team conducted public consultations over the project sites to (i) publicize project information and (ii) publicize some projected impacts, land acquisition and resettlement measures. After the project information, many opinions were exchanged. In general, local people supported the Project and hoped that it will be soon executed to solve the flooding situation in the area.

(ii) Secondly, most culvert alignments is studied and put into a deviation on the road to minimize direct impacts on households living along the road sides, that basically only effect on households living in one side of road. Other impacts after applying the mitigation measures are only temporary in the construction process, especially on accessing business facilities of households living on the road sides. In addition, according to the dimensions of pipe culverts/box culvert/opened ditches estimated in the project area, the right of way (ROW) to be acquired for road alignments ranges from 5-6m while the road existing width is about 6-6.5m. However, in order to minimize impacts on households living on road sides, the resettlement consultant team consulted with households living in these wards to encourage their supports for the construction process. Some temporary impacts (on traffic, business, etc.) will be minimized by the Contractor though a close cooperation with the community, based on (i) notifying the construction plans in order that residents can make necessary and suitable arrangements; (ii) the construction should be finished one by one with fence/soil excavation for section by section to minimize affects on traffic, business and production of households.

(iii) Thirdly, the upgrading of the open ditch of Tieu Village is studied and proposed to mitigate impacts by means of box culvert (combined culvert) and walkway construction, whereby basically the Project only affects some households who have works/architectures occupying the corridor of existing ditch.

(iv) Finally, the resettlement consultant team held meetings with the technical team and PMU to determine locations of drainage alignments together and establish impact mitigation criteria during the construction such as setting up working safety plans (when constructing next to residential areas), properly gathering materials and instruments (sign boards, partitions with residential areas, etc.), and construction schedule to minimize temporary impacts.

15. Thank to the proposed mitigation measures, in the technical detailed design stage, the detailed mitigation options will be reviewed and proposed more detailed in accordance with the design of each component and location of the project area.
RESETTLEMENT PLAN – Components 1&5

3.1 SCOPE OF LAND ACQUISITION

3.1.1 Overview

This resettlement plan report is prepared for Components 1&5, Phase 2 of Quy Nhon City Environmental Sanitation Project, in which (i) Components 1 includes the construction of rainwater/wastewater drainage alignments and sewage pumping stations; most of the culverts are located under the roadway, only some raw sewage alignments and pumping stations have impacts on site clearance and resettlement, (ii) Separately, Component 5 has no impacts on land acquisition because the sanitation works is designed locating in the school campus. According to the technical design, the Project will be implemented in 16 wards. However, the land acquisition is only deployed in the area of three (03) wards, including Ghenh Rang, Dong Da and Quang Trung.

Component 1 will affect total 28 DPs (inclusive of 26 households and 02 organizations), of which 9 households has to be relocated:

(i) Tieu Village ditch: Tieu Village ditch (also known as Phu Hoa canal) locates upstream of Phu Hoa lake. Phu Hoa channel is 1.382m long, rising from an end of the primary culvert alignment, Ly Thai To (near T-junction Hoang Van Thu - Ly Thai To), running parallel with Xuan Thuy Street (the first section) and Road 24 (the second section). The upgrading of this ditch will affect eight (08) households living along the existing ditch and one (01) Organization (namely Quang Trung Ward People’s Committee). The main impacts are on trees (mostly are eucalyptus trees) and architects that encroachment closed to the ditch corridor (mostly are secondary works) and there is no case to be removed.

(ii) The raw sewage alignment runs from Pumping Station No.7 to Factory IB: wastewater collecting culvert goes through Peninsula 1A, 1B North of Ha Thanh river in Dong Da ward with the dimension of D315mm, total length L = 2338m. It will impact one (01) household that has to relocate for the project implementation.

(iii) Bong Hong culvert: a culvert alignment with the dimension of 4m wide and about 500m long in the Zone No.3, 4, 5 in Ghenh Rang ward will be constructed. It will affect one (01) Organization (namely Ghenh Rang Ward People’s Committee) and seventeen (17) households, including eight (08) households affected with residential land and nine (09) households with agriculture land impacted; of which eight (08) households1 have to relocate for the project implementation.

1 Among the 08 relocated DPs, 05 houses are built on the agriculture land (for vegetables) or public land (graveyard).
The detail information on clearance of land and assets and number of displaced households (DPs) are summarized in the table following:

<table>
<thead>
<tr>
<th>Main Impacts</th>
<th>Unit</th>
<th>Affected Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Displaced Persons (DPs):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Household members</td>
<td>households</td>
<td>28</td>
</tr>
<tr>
<td>In which:</td>
<td>Persons</td>
<td>108</td>
</tr>
<tr>
<td>+ Households whose residential lands are affected</td>
<td>households</td>
<td>17</td>
</tr>
<tr>
<td>+ Households whose agricultural lands are affected²</td>
<td>households</td>
<td>9</td>
</tr>
<tr>
<td>+ Other land (People’s Committee Management)</td>
<td>PC</td>
<td>2 (PCs)</td>
</tr>
<tr>
<td>+ Households whose houses are affected</td>
<td>households</td>
<td>9</td>
</tr>
<tr>
<td>2. Affected Area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Of which:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>+ Residential Land</td>
<td>m²</td>
<td>1,236</td>
</tr>
<tr>
<td>+ Agricultural Land</td>
<td>m²</td>
<td>2,150</td>
</tr>
<tr>
<td>+ Other Land (Public Land)</td>
<td>m²</td>
<td>8,378</td>
</tr>
<tr>
<td>+ Affected House Area</td>
<td>m²</td>
<td>406</td>
</tr>
<tr>
<td>3. Number of households to be relocated</td>
<td>households</td>
<td>9</td>
</tr>
<tr>
<td>4. Number of households whose agricultural land is severely affected (more than 20%)</td>
<td>households</td>
<td>Nil</td>
</tr>
<tr>
<td>5. Number of household whose shop-store or business is affected</td>
<td>households</td>
<td>Nil</td>
</tr>
</tbody>
</table>

The project location and its scope of land acquisition are shown as follows (see the next page)

---

¹ The DPs are both impacted with agricultural and residential land, so the number of DPs who affected with agricultural land and residential land are overlapping.
RESETTLEMENT PLAN – Components 1&5

GENERAL PLAN OF DRAINAGE SYSTEM QUY NHON CITY

QMN.20.1A - QUY NHON CITY ENVIRONMENTAL SANITATION PROJECT
Infra-Thaanglong 19
RESETTLEMENT PLAN – Components 1&5

Table 3: Number of Project Displaced Households

<table>
<thead>
<tr>
<th>No.</th>
<th>Components of work</th>
<th>Residential Land Impact</th>
<th>Agriculture Land Impact</th>
<th>Public Land</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Marginally Impact</td>
<td>Severely Impact</td>
<td>Marginally Impact</td>
</tr>
<tr>
<td>A. 1</td>
<td>Flood Control, Drainage and Wastewater Collection</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. 1.1</td>
<td>Rainwater drainage alignment</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>A. 1.2</td>
<td>Secondary drainage alignment</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>A. 1.3</td>
<td>Replacement of manholes</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>A. 1.4</td>
<td>Tieu Village ditch</td>
<td>9</td>
<td>8</td>
<td>-</td>
</tr>
<tr>
<td>A. 1.5</td>
<td>Upgrading Bau Sen Lake</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>A. 1.6</td>
<td>Bong Hong culvert</td>
<td>18</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>A. 2</td>
<td>Wastewater drainage alignment</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>A. 2.1</td>
<td>The raw sewage alignment runs from Pumping Station No. 7 to Factory 1B</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>B. Component 5: School Sanitation Program</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>28</td>
<td>13</td>
<td>4</td>
</tr>
</tbody>
</table>

3.1.2 Affected Land

18. There are total 11,764 m² of lands will be affected permanently. The details are as follows:

- **Residential land**: it is estimated 1,236 m² of residential land will be affected by the Project. Structures on the acquired residential land mainly include houses, yards, auxiliary works (refer Table 4); Of which, there are 09 relocated DPs including 08 relocated DPs impacted by Bong Hong culvert and 01 relocated DPs impacts by raw sewerage pipeline run from Pumping Station 7 to Wastewater Treatment Plants 1B.

- **Agricultural Land**: it is estimated 2,150 m² agricultural land will be affected by the project. This area of agricultural land is mainly recovered to build culverts in Ghenh Rang ward and upgrade Xom Tieu canal (refer Table 4).

- **Public Land**: Aside from residential land of households, the Project will affect the 8,378 m² public land. This land is expected to recover for upgrading Tieu Village Ditch and is currently managed by the People’s Committee of Quang Trung ward (refer Table 4).

Summary of land including residential land, agriculture land, public land is described as Table 4 belloved:
### Table 4: Summary of Acquisition Land Areas

<table>
<thead>
<tr>
<th>No.</th>
<th>Components of work</th>
<th>Residential Land</th>
<th></th>
<th></th>
<th></th>
<th>Agriculture Land</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th>Public Land</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Impact</td>
<td></td>
<td></td>
<td></td>
<td>Impact</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Marginally</td>
<td>Severely</td>
<td></td>
<td></td>
<td>Marginally</td>
<td>Severely</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Impact</td>
<td></td>
<td></td>
<td></td>
<td>Impact</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.</td>
<td>Component 1: Flood Control, Drainage and Wastewater</td>
<td>TOTAL</td>
<td>11,764</td>
<td>537</td>
<td>699</td>
<td>678</td>
<td>1,472</td>
<td>8,378</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Collection</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A.1 Rainwater drainage alignment</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A.1.1 Primary drainage alignment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A.1.2 Secondary drainage alignment</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A.1.3 Replacement of manholes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A.1.4 Tieu Village ditch</td>
<td></td>
<td>8,292</td>
<td>100</td>
<td></td>
<td>8,192</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A.1.5 Upgrading Bau Sen Lake</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A.1.6 Bong Hong culvert</td>
<td></td>
<td>3,262</td>
<td>437</td>
<td>589</td>
<td>678</td>
<td>1,472</td>
<td>186</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A.2 Wastewater drainage alignment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A.2.1 The raw sewage alignment runs</td>
<td></td>
<td>110</td>
<td>110</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>from Pumping Station No. 7 to Factory 1B</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A.2.2 Pumping station</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

19. For the area stated in the above table, agricultural land and public land in Ghenh Rang ward, is mainly affected by the construction of culverts in Bong Hong residential area, and another area is affected by land acquisition for construction of Tieu Village ditch. However, this area is mostly public land because the ditch has been acquired for upgrading and dredging its bed. The volume of work proposed in the project focuses on upgrading sidewalks and street lights, so the affected land area of each household is not much, except some households are occupying the corridor of ditch banks.
3.1.3 Affected Properties

20. In Project Component 1, Phase 1, the impacts on properties and architectural works such as auxiliary works and breeding facilities are shown in the following table:

Table 5: Summary of Acquired Properties and Architectural Works

<table>
<thead>
<tr>
<th>No.</th>
<th>Components of work</th>
<th>Acquisition area of Architectural Works (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>House</td>
</tr>
<tr>
<td>A</td>
<td>Component 1: Rainwater drainage, flood control, and wastewater collection</td>
<td></td>
</tr>
<tr>
<td>A.1</td>
<td>Rainwater drainage alignment</td>
<td></td>
</tr>
<tr>
<td>A.1.1</td>
<td>Primary drainage alignment</td>
<td></td>
</tr>
<tr>
<td>A.1.2</td>
<td>Secondary drainage alignment</td>
<td></td>
</tr>
<tr>
<td>A.1.3</td>
<td>Replacement of manholes</td>
<td></td>
</tr>
<tr>
<td>A.1.4</td>
<td>Tieu Village ditch</td>
<td>0</td>
</tr>
<tr>
<td>A.1.5</td>
<td>Upgrading Bau Sen Lake</td>
<td></td>
</tr>
<tr>
<td>A.1.6</td>
<td>Construction of culverts (Bong Hong area)</td>
<td>334</td>
</tr>
<tr>
<td>A.2</td>
<td>Wastewater drainage alignment</td>
<td></td>
</tr>
<tr>
<td>A.2.1</td>
<td>The raw sewage alignment</td>
<td>72</td>
</tr>
<tr>
<td>A.2.2</td>
<td>Pumping station</td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>Component 5: School sanitation program</td>
<td></td>
</tr>
</tbody>
</table>

21. According to the volume of affected properties and architectural works in the above table, the main impacts are due to the construction of culverts in Bong Hong residential area, Ghent Rang ward. Separately, the raw sewage running from Pumping Station No.7 to IB factory affected one household who must relocate. No cultural and religious works are impacted by the Project.
### 3.1.4 Affected Trees/Crops

22. In Project Component 1, Phase 2, the impacts on trees and crops are shown in the following table:

Table 6: Summary of Acquired Area of Trees and Crops

<table>
<thead>
<tr>
<th>No.</th>
<th>Components of work</th>
<th>TOTAL</th>
<th>Affected Tree (tree)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Fruit trees</td>
</tr>
<tr>
<td>A</td>
<td>Component 1: Rainwater drainage, flood control, and wastewater collection</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.1</td>
<td>Rainwater drainage alignment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.1.1</td>
<td>Primary drainage alignment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.1.2</td>
<td>Secondary drainage alignment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.1.3</td>
<td>Replacement of manholes</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>A.1.4</td>
<td>Tieu Village ditch</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.1.5</td>
<td>Upgrading Bau Sen Lake</td>
<td>400</td>
<td>1,300</td>
</tr>
<tr>
<td>A.1.6</td>
<td>Construction of culverts (Bong Hong area)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.2</td>
<td>Wastewater drainage alignment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.2.1</td>
<td>The raw sewage alignment running from Pumping Station No.7 to Factory 1B</td>
<td>110</td>
<td></td>
</tr>
<tr>
<td>A.2.2</td>
<td>Pumping station</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>Component 5: School sanitation program</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

|     | TOTAL | 410   | 2,000   |

23. As mentioned above, the number of trees affected by the Project is relatively large, of which timbers are mostly eucalyptus grown in Bong Hong residential area and along Tieu Village ditch.
3.2 SOCIO-ECONOMIC INFORMATION

3.2.1 Demographic Characteristics

24. **Population:** Total surveyed households in the project affected area are 176 households with 676 people in 03 wards: Dong Da, Quang Trung and Ghenh Rang, of which 312 are male and 364 are female.

In term of population scale in the project area, on average each household has 3.84 people, which proves that the type of family in the project area is mainly nuclear families (with only two generations: parents/children living in a household), the traditional family with three generations of grandparents/parents/children appears much in the project area wards.

25. **Resident Status:** As the survey result, there is total 150/176 households living in the existing addresses after 15/10/1993, accounting for 85%, and 21 households living before 15/10/1995, accounting for 15%. There are many households moving to Tieu Village ditch area from 2003 as it is a new urban area. Other cases mainly encroach on the grave area (cemetery) in Ghenh Rang ward.

26. **Income:** According to the survey results, main incomes of households focus on such careers as free labor, seasonal labor (making up 45.9%), others (retirement, housework making up 28.9%), and government employment (making up 25.2%). In terms of main career structure in the project area, the number of households raising livestock, aquaculture and small industries accounts for relatively low rate, namely, the breeding households are 1.7%; aquaculture households are 5.1% and small industry households account for 4.5%. In general, most households living in the project area make money from freelance jobs and government employments with average and unstable income. Other jobs (agriculture, aquaculture, animal husbandry and trade) with more stable income are not much.

27. According to the survey results, 171 households out of 176 investigated households disclosed their income information, accounting for 97.1%. The results show that households' income in the project area mainly fluctuates from VND 2-3 million per household per month (making up 65.4%), the next ranges from VND 3-5 million per household per month (accounting for 31.1 %), over 5 million per month is 2.2%, and under VND 1.5 million (under the poverty line) is 1.3 %, equivalent to 3 households.

28. **Households’ Expenditure:** According to the survey results, only 170/176 investigated households provided information on their spending (accounting for 96.7%), in which the highest spending is from VND 1-3 million per month (accounting for 62.4%), the next is the spending less than VND 1 million per month (accounting for 24.7%), the spending from 3-5 million per month and over 5 million per month account for 6.5% and 6.4% respectively.

Regarding who decide the expenditure in families, 56.6% of interviewees said the wives give the final decisions and 21.0% made of both wives and husbands, 10.9% made of children and 11.5% made of husband.

Footnote: The initial number of surveyed households is selected based on 2 options, upgrading Bong Hong Lake and building box culverts, however, the culvert model is later applied in the Project, it minimized impacts on households significantly. This social economic report does review on the large scale of the Project.
29. **Households’ Savings:** Among the surveyed families, 61 households said they have monthly savings (accounting for 11.8%), in which 48 households save less than VND 1 million per month (accounting for 78.7%), 11 households save VND 1-2 millions per month (accounting for 18.0%) and 02 households save more than VND 2 million (accounting for 3.3%).

30. **Education:** The levels of educational achievement and illiteracy among surveyed household heads are summarized in the following: (i) the dominant characteristic of educational achievement is that most of household heads (about 90%) had secondary and high school education degree and (ii) no illiterate household heads were found in the project area, all household heads can read and write.

31. **Gender and Vulnerable Group.** The survey results show that almost all women in the project area work as civil servant and/or housework, and there is no gender inequality situation in the project area.

32. **Ownership of Consumer Goods:** According to the survey results, in general, the living accommodations of households in the project area are relatively sufficient and comfortable. On average, in the whole project area, 92.8% households have televisions, 71.3% households have motorcycles, 62.4% households have table telephones, and 63% households have VCD players. Regarding fans, one average, one household has three electric fans.

3.2.2 **Land Use Status**

33. Regarding land use status, most of the surveyed households are title to the land. Regarding the legal status of affected land, the survey data shows that 85.7% households said their land is legally and 14.3% households answered their land can be legalized.

34. The investigation results in the project area show that the purpose of house using is mainly for living (making up 85.7%), both for living and trading is 14.3%, of which 75.4% is level 4-houses and 25.6% is temporary houses.

3.2.3 **Living Conditions**

35. In general, the wards/communes in the project area have relatively stable and guaranteed living conditions. The percentage of households using clean water supplied by the State with separate water meters accounts for the high rate of 88.1%. Next, the percentage of households using clean water from the other households accounts for 6.9%. Finally, the rate of using drilled wells/dug wells is 5.0%.

36. On power use, 91.3% of households are using State electricity grid for living activities, the number of households using power from other sources accounts for a very low rate (9.7%) (Gas, cells/batteries, generators ...)

37. On health care for individuals and their families, no households in the area take care this service properly; most households said only when they get sick, do they go to hospital for treatment; 168/176 households (accounting for 95.4%) said they never go for health checked periodically. In wards/communes in the project area, periodic health check every year for members of family seems unfamiliar and less popular; the survey data shows that only 4.6 % households said that they go to doctors periodically every 6 months or maybe less.
4.1 LEGAL FRAMEWORK

4.1.1 Legal Documents

38. The following legal documents are bases for the preparation of RP:

**Policies of Vietnam Government:** Some main policies applied in this RP are defined and listed as follows:

- Land Law passed by National Congress on 26th November 2003;
- Government's Decree No. 181/2004/ND-CP dated 29th October 2004 on the implementation of Land Law;
- Government's Decree No. 197/2004/ND-CP dated 3rd December 2004 on compensation, assistance and resettlement when land is acquired by the State;
- Government's Decree No. 17/2006/ND-CP dated 27th January 2006 on amendments and supplements to some articles of Decree guiding the implementation of Land Law;
- Government's Decree No. 84/2007/ND-CP issued on 25th May 2007 on supplementary regulations on granting land use certificate, orders and procedures for compensation, assistance and resettlement when the State acquires land and settling complaints on land;
- Government's Decree No.69/2009/ND-CP dated 13 August 2009, regulating additional planning of land use, land prices, land acquisition, compensation, assistance and resettlement;
- Document No.840/TTg-CN dated 06 June 2006 by the Prime Minister, approving the Resettlement Policy Framework of The Coastal Cities Environmental Sanitation Project;
- Decision No.02/2010/QD-UBND dated 22 Feb 2010 by Binh Dinh People's Committee, promulgating the compensation, assistance and resettlement policy when the State acquires land in the province (updated at the moment of compensation implementation);
- Decision No.37/2007/QD-UBND dated 31 October 2007 by Provincial People's Committee on promulgating the compensation unit prices for damages of houses, structures, tombs, trees, farm produces when the State acquires land in the province; and Decision No.20/2008/QD-UBND dated 23 May 2008 by the Provincial People's Committee on regulating the adjustment rate of unit prices of houses and structural works.
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in Decision No.37/2007/QD-UBND dated 31 October 2007 (updated at the moment of compensation implementation);
- Decision No.49/2009/QD-UBND dated 17 December 2009 by Provincial People’s Committee on promulgating prices of land types in Binh Dinh province in 2010 (updated at the moment of compensation implementation);
- Other concerned documents.

4.1.2 Project Policy


40. To resolve some differences, resettlement policy framework for environmental sanitation project in coastal cities was established in August 2005 promulgating following policies applied to the subprojects of Coastal Cities Environmental Sanitation projects, Phase 2:

- All DPs shall be entitled to compensation or assistance for loss of property, income and their business and provided with appropriate recovery measures to improve or at least restore the living standards, incomes and production capacity as before the project;
- Surveys on replacement prices will be conducted to ensure the compensation price of land in all cases of damage is equivalent to updated replacement price at the compensation time.
- Compensation is fully paid in accordance with replacement cost for all affected works, housing without depreciation deduction and acquired materials.
- All affected business households are entitled to support.
- Severely DPs, including households losing more than 20% of agricultural productive land, will receive recovery assistance.
- The external monitoring and evaluation on the implementation process of resettlement plan will be conducted by an independent monitoring organization.

Main Gaps Between Viet Nam And World Bank Policy

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

- On the issue of land tenure and the legal right to compensation, the Government and World Bank approaches are compatible. Vietnam has a process whereby people without legal land rights may meet conditions of legalization and receive compensation for losses up to a rate equal to 100% of land price minus the taxes and fee for land use right registration from 15 October 1993 (Article 42, 49 and 50 of 2003 Land Law);
- Permanent residents are provided with options that include relocation to an improved site, or cash, or a combination of the two;
Resettlement sites offer not only better improved infrastructure and services but represent a higher standard of living;

Allowances are provided to help the DPs in the transition period and there is an institutional structure through which people are informed, can negotiate compensation, and can appeal;

Compensation at replacement cost is ensured in Article 6 of Decree 197/2004/ND-CP dated December 3rd, 2004 that “…people who have land being acquired shall be compensated with land of similar land use purpose. If there is no land for compensation, cash compensation equal to land use rights value at the time of land acquisition shall be applied. If there is many differences in value, in case of compensation by new land or house, such difference shall be settled in cash” and Article 19 in the same Decree states that “…house and structure of domestic use of household or individual shall be compensated with the value of construction of new house, structures of similar technical standard”.

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

The ‘significance’ of impact is triggered by a loss of 30 per cent or more agricultural land in Decree 197, in the RPF the trigger is a loss of 20 per cent or more of productive land/assets;

Houses and structures will not be compensated if they have been constructed without permission, constructed in contravention of a land use plan, or if they have encroached upon a demarcated safety protection corridor. However, they will be supported up to 80 per cent of their value or compensation rate if they have been built on land that is ineligible for compensation;

Decree 197 recognizes businesses or economic entities DPs as only if they hold a business certificate (i.e. excludes non-registered businesses);

Decree 197 recognizes DPs losing employment only on a permanent basis (i.e if they are made redundant) and only if the DPs has an employment contract and is employed by a business or economic entity holding a business certificate;

Under Decree 197, assistance for occupational change and job creation is only provided to DPs engaged directly in agricultural production and in cases where more than 30 per cent of their agricultural land is affected;

The requirements for consultation in the Land Law and Decree 197 are limited to “informing” DPs rather than providing information and seeking feedback from those directly affected; and

These gaps were approved by GOV for a waiver as in the project RPF.
4.2 ELIGIBLE CRITERIA AND COMPENSATION

4.2.1 Principles

43. Basic principles applied to the preparation of this Resettlement Plan are: existing compensation, assistance and resettlement policies of Binh Dinh PC and in accordance with Resettlement policy framework of Costal Cities Environmental Sanitation project approved by Prime Minister on Decree 840/Ttg-CN dated 06/6/2006. In case of differences between policies of Government and the Worldbank, which policy provides more benefits for DPs will be selected.

44. The DPs must be "supported with their efforts to improve living standards, income generation and production capacity compared with the situation before the project or at least same as the living standard before the Project implementation. The lack of legal basis of land use does not prevent DPs from entitlement for compensation and/or support for economic recovery. Lost property must be compensated on the basis of Replacement Price.

4.2.2 Project Displaced Persons (DPs)

45. The DPs are those who are affected by:

(i) Involuntary land acquisition which leads to:
   (a) Involuntary relocation to other places or accommodation loss;
   (b) Loss of properties or accessibility to properties;
   (c) Loss of income or means of living, regardless whether they have to relocate to new accommodation or not; or

(ii) Involuntary limit of accessibility to forests which is clearly legal or protected, which has negative impacts on their life’s sources.

4.2.3 Cut off Date

46. According to results of the Project study, the Project cut off date is the time of completing inventory of losses, which is 30th September 2009. Accordingly, all households with arising land and property after this date will not eligible to receive any compensation and supports of the project.

4.3 ENTITLEMENT POLICY

4.3.1 Compensation Policy for Productive Land

47. Because the shortage of agriculture land fund for compensation on the basis of "land for land" arrangements of equal productive capacity, satisfactory to the DP, that DP whose agriculture land affected will be entitled to compensation on cash as following
(a) Legal and legalizable land users:

a. if the portion of the land to be lost represents less than 20% of the total landholding area, and the remaining land is still a viable economic holding, cash compensation for the lost area at full replacement cost will be provided to the DP.

b. if 20% or more of a household’s agricultural land is acquired, then in addition to cash compensation at full replacement cost for the lost area (or for the entire affected plot if the remaining area of the plot is not economically viable), the Project will provide further rehabilitation allowances (refer to Para. 56 - 63).

c. For agricultural/pond/garden land in urban areas, in addition to compensation at replacement costs, households will be supported by 30-50% of average land prices in the areas where such land is recovered (this support area does not exceed 5 times of the limit standard of local allocation).

(b) Users with temporary or leased rights to use land:

a. if the portion of the land to be lost represents 20% or less of the total area of the land currently used by the DPs, they will be compensated at the amount corresponding to the remained investment in the land or 30% of land replacement cost.

b. if more than 20% of the land area currently used by the DPs is acquired, then the priority to compensate by other land of temporary use rights, or, in request of DPs or if there is no available land to compensate ‘land for land’, the cash compensation will be applied at the amount corresponding to the remained investment in the land or 30% of land replacement cost.

If the value of remained investment is greater than 30% of its replacement cost, the Resettlement Committee will review the case by case and adjust accordingly.

(c) Land Users Without recognized Rights to Use Land

a. In lieu of compensation for land, the DPs will receive an assistance corresponding 50% of land replacement cost.

b. For poor and vulnerable, severely affected farmers, including landless, as priority, allocation of arable land equal per capita arable land in commune as regulated by Decree 64/1993/CF, OR, if there is no land available for allocation or, on the DPs' request as informed choice, in addition to above, a rehabilitation/training assistance will be provided to ensure the DPs are able at least to restore or improve their income levels and living standards, (refer toPara. 56 - 63).

48. In case when the affected persons utilizes the public land (of Right of Way or in protection areas of hydraulic works), that subjects to be recovered under the project, with conditions to return, on request, the land to the Government, they (DPs) will not be compensated for this public land, but will be compensated for crops and trees at full market prices.

4.3.2. Compensation Policy for Residential Land

49. DPs are entitled to compensation as follows:

(a) DPs losing residential land without structures built thereon: Compensation for loss of land in cash at replacement cost.
(b) DPs losing residential land with structures built thereon and the remaining land is sufficient to rebuild on (reorganizing DP):

The DPs will be compensated on cash as follows:

a. Compensation for loss of land in cash at (i) replacement cost to the legal land users; (ii) the amount corresponding the remained investment on the land to the users having no legal land use rights.

b. Compensation for affected structures at full replacement cost.

c. If house/structure is partially affected, addition to the compensation for the affected part repairing cost to restore it to former or better conditions.

d. If DPs have to rebuild the main house, they will receive: (i) transportation allowance (ii) subsistence allowance; refer to Para 56 - 63.

(c) DPs losing residential land with structures built thereon and without remaining land sufficient to rebuild on (relocating DP): They are entitled to:

(1) Compensation for the land as follows:

(i) The DPs, who have legal or legalizable rights to the affected land, can opt to one of the followings:

a. The provision of replacement residential land of equivalent size, at a location acceptable to the DPs with full land title without any payment; plus an amount of cash sufficient to develop basic infrastructure, including access road, access to electricity and water supply, drainage, which at least are equal to existing conditions at the former location, OR these facilities will be provided/developed by the project.

OR, on request as the DP's fully informed choice,

b. Cash compensation for entire residential land at full replacement cost, plus cost for infrastructure investment.

(ii) The DPs, who do not have legal or legalizable rights to the affected land, are entitled to compensation as follows:

a. Regarding the DPs who already have residence somewhere else in the same ward/commune where they are affected, the project will provide an assistance amount corresponding the remained investment on the land, or equal 30% of land replacement cost.

b. Regarding the poor or vulnerable DPs and households who have no other residential land in the same as their affected ward/commune, the project will provide (i) a residential plot of minimal size at a common resettlement sites (RSs), with full titled to the land or, (ii) on request of DPs, as their informed choice, an assistance amount corresponding 60% of the replacement cost for them to rearrange relocation by themselves.

(2) Compensation for affected structures at full replacement cost; AND,

(3) Rehabilitation allowances, including (i) transportation allowance and (ii) subsistence allowance (refer to Para 56-63).

4.3.3. Compensation Policy for Loss of Houses/Structures

50. DPs losing houses and/or other structures will be entitled to compensation as follows:
**Loss of Houses and other Structures:** DPs losing houses and/or other structures will be entitled to:

(i) Compensation in cash for all affected structures at full replacement cost for materials and labour, regardless of whether or not they have title to the affected land or permission of construction of the affected structure. The amount must be sufficient to rebuild the new house/structure with the same technical conditions as the former one. No deductions will be made for depreciation or salvageable materials.

(ii) Compensation for affected part if the house/structure affected a part, plus costs to restore the remaining part of the affected house/structure.

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

_Tenants_, who have leased a house for residential purposes will be provided an assistance equal to remaining renting contracted value, but not exceeds renting value for three months, and transportation allowance for moving assets, as well assisted in identifying alternative accommodation.

**Removal of Graves:** compensation for the removal of graves will be provided for all costs of excavation, relocation, reburial and other reasonably related costs. Compensation in cash will be paid to each affected family.

### 4.3.4 Compensation for Loss of Standing Crops and Trees

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

### 4.3.5 Compensation Policy for Loss of Income and/or Business/Productive Assets

52. In fact, there is not any loss of income or business. If in case that DPs losing income and/or business/productive assets as a result of land acquisition, the mechanism for compensating will be:

(i) cash compensation for the loss of income during the transition period, equivalent average monthly net income at least for three months;

(ii) if business' or productive assets are affected, cash compensation for lost business structure/assets at full replacement cost, without depreciation;

(iii) if the business has to be relocated, then, a provision of alternative business site of equal size and accessibility to customers, satisfactory to the DP, or, in cash for business affected area at replacement cost, plus transportation allowance to remove movable attached assets.

There is not any waged labor working in affected business households, so compensation policy for laborers who are working for affected business household is not applicable.

### 4.3.6 Temporary Impact during Construction

53. For temporary loss of land and properties, DPs are entitled to follows:

(a) **For arable land that will be temporarily affected:**

(i) Compensation for one harvest of crops/trees at full market prices.
(ii) Compensation for loss of net income from subsequent crops that cannot be planted for the duration of project temporary use, AND
(iii) Restoration of land to its previous or better quality by providing measures to improve land quality in cases of land being adversely affected or acidified, AND
(iv) If the duration of project’s use the land exceeds more than two years, then the DPs have option to: 1) Continue using land, OR, 2) “Give it to the Project and be compensated as permanent loss”

b) For temporary loss of residential land
(i) Compensation for all affected movable properties at full replacement cost.
(ii) Restoration of land to its previous or better quality.

(c) For temporary impact on business (in case):
(i) Compensation for temporary loss of income, equivalent an average monthly net income at least for three months.
(ii) Compensation for all affected movable properties at full replacement cost.
(iii) Restoration of land to its previous or better quality.

(d) For damages caused by contractors to private or public structures:
(i) Damaged property will be restored or compensated by contractors immediately, after happening, to its former condition.
(ii) Under their contract specifications, the contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages do occur, the contractor will be required to pay compensation immediately to affected families, groups, communities, or government agencies at the same compensation rates that shall be applied to all other assets affected by the Project. In addition, damaged property will be restored immediately to its former condition.

4.3.7 Secondary DPs
54. This applies to those affected by development of group resettlement sites or construction of project works. All secondary DPs are likely to be affected in similar ways as primary ones, they will be entitled to compensation and rehabilitation assistance in accordance with the same respective provisions for all other DPs.

4.3.8 Compensation for Loss of Community Assets
55. In cases where community infrastructure such as schools, bridges, factories, water sources, roads, sewage systems is damaged, PMUs will ensure that these would be restored or repaired as the case may be, at no cost to the community.

4.3.9 Allowances and Rehabilitation Assistance during Transition Period
56. Transportation Allowances.
(i) DPs who have to relocate will be supported: (i) 3,400,000 VND/per household for DPs whose house's code equivalent in N1 to N4 category; (ii) 1,700,000 VND/per household for...
DPs whose house's code or other works are equivalent in N5 to N14 category, and; (iii)
For household who relocate main house on their remaining land (rebuild main house on
their remaining land and not have to be relocated) will be entitled 50% of the above
mentioned item.

(ii) For relocating of accommodation and telephone line, television and internet cable will be
received allowance for relocating and installation: (i) 300,000 VND per household for
telephone line; (ii) 500,000 VND per household for television cable; and (iii) 500,000
VND per household for internet line.

(iii) The DPs who register for permanent residence in project ward or register for temporary
residence, have contract for house renting (certificated by Ward/Commune PC), these houses
are not owned by State, when State acquire land and have to be relocated, will be received
allowance equivalent in remaining value of house rent contract and will be entitled
transportation allowance for relocation to new place and arrange new hired house suitably.
Allowances are same with relocating DPs.

(iv) Organizations that have enough legal procedure and have affected land and asset when State
acquired land and have to be relocated will be received allowance of relocation, transportation
and installation relocated machine, equipment, assets.

57. Subsistence Allowance: Reorganizing DPs, who have to rebuild main house on remaining
land, and relocating DPs are entitled to subsistence allowance equivalent 30 kg of rice/person/month for 3 months if they have to remove (rebuild house) on the remaining land, and
for 6 months if they remove to a new site;

58. Allowance for House Renting: DPs who have houses relocated will be supported for house
renting of 3,400,000 VND/per household during transition period. (in fact, the project's
resettlement site in Nhon Binh Commune have been already now).

59. Allowance for families under the preferential treatment policy: Families of martyrs,
wounded and sick soldiers, heroes of the people’s armed forces and labor, and families who
sacrificed to the Revolutions and have to be relocated, in addition to allowances mentioned in
Regulation will receive an allowance, as follow:

(i) Household whose three relative persons and more are revolutionary martyr; households
have heroic Viet Nam Mother; households have ¾ wounded soldier will be received
3,400,000 VND/per household;

(ii) Household whose 2 relative persons or households have 2/4 wounded soldier will be
received 2,600,000 VND/per household.

(iii) Household whose 1 relative person or households have 3/4 wounded soldier, 4/4 wounded
soldier, families who sacrificed to the Revolutions, veteran revolution family; family who
only have retired man (not have person working); families who have lack of man power,
ilness, the old and weak and the poor who certificated by local authority will be received
1,700,000 VND/per household;

(iv) Families who receive other social allowance of State will be received 1,700,000 VND/per
household;

Codes mentioned in detail in Decision No 37/2007/QD – UBND, dated 31/10/2007 of Binh Dinh PPC promulgating
compensation price unit on affected house, architect, grave, crop and trees when State acquire land in Binh Dinh
province, in which (i) N1-N4 category is equivalent to House Grade 3 (as with national standard) and (ii) N5-N14
category is similar to House Grade 4.

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In case of families who have many policy objects will be received highest allowance.

60. Allowance for the Poor: Household, individual who are the poor regulated by State policies when State acquire land will be entitled, as follow: (i) 6 million VND/ per household for building house; and (ii) allowance for poverty elimination during 84 months (07 years). Allowance level is equivalent 20kg of rice/ per person/ a month (rice price at market price); the allowance is defined one time and comes from project compensation cost.

61. Allowance for Living Rehabilitation. DP with 20% of their agricultural lands acquired will be received living rehabilitation allowance, as follow:

(i) Affected households with from 20% to 70% of their agricultural lands acquired will be assisted for living stabilization for all household’s members for 6 months if they do not have to be relocated and for 12 months if they have to be relocated; in case of moving to the place where is weak or severely weak socio-economic conditions will be received allowance of 24 months.

(ii) Affected households with more than 70% of their agricultural lands acquired will be received allowance of living stabilization for all household’s members for 12 months if they do not have to be relocated and for 24 months if they have to be relocated; in case of moving to the place where is weak or severely weak socio-economic conditions will be received allowance for 36 months.

(iii) Allowance level for a person is defined in cash equivalent in 30 kg of rice per month (rice price at market price), the number of family is defined at the moment of plan making.

62. Allowance for Vocational Training and Job Creation: DPs whose agriculture land impacts (except for those who agricultural land are located in residential area or garden land, pond in a residential areas will be provided allowance in cash at 2 times of agricultural land price for the acquired area which is not over the quota of agricultural land; And, in case families are in need of training, apprentices, they shall be admitted to vocational training establishments in the province and are exempt from tuition fees for the training courses for those in the working age

4.3.10 Bonus

63. Affected household, who relocates their affected assets, crops, and hands over their affected land in time and meets the requirements of subproject owner will be awarded from 600,000 to 3,000,000 VND, depending on the type of architecture and time of handing over their land.

6. There is no case that affected with 20% agriculture land or more of their agricultural land holding, so the allowance will not be applicable in this project.
5.1 DEMAND ANALYSIS

64. According to investigation data, the total number of DPs that need to be relocated for the success of the project's implementation is 09 households, including:

- **Raw Sewage Alignment from Pumping Station No.7 to Factory IB:** One (01) household needs to be relocated for the installation of wastewater collection sewers from new urban area to factory IB. This household is at Group 46, Area No.9, Dong Da ward.

- **Sewerage in Bong Hong Residential zone:** Tentatively, eight (08) households should be relocated to install the sewer line. These households consists of 03 legal relocated DPs whose house built on the legal residential land and 05 legalizable relocated DPs whose houses built on the graveyard that is under Ghenh Rang ward's management.

65. Thus, according to the plan, PMU will arrange them to relocate to the project resettlement site or existing resettlement areas, if required in the city to arrange resettlement for such relocated households.

5.2 PUBLIC CONSULTATION

66. The resettlement implementation for these relocated households is carried out in the following process:

- Relocated households are consulted on resettlement areas;
- Detailed design of the resettlement area is publicized;
- Land lots and/or apartments in resettlement areas are allocated on principles of consulting DPs;
- Households are relocated to resettlement areas, then rehabilitation programme are applied.

67. According to the results of public consultation with affected households, most households (91.9%) choose to move to resettlement area. In Ghenh Rang area, while consulted the people agree to move to the resettlement area. In order to ensure the effectiveness of project implementation to improve the flooding situation and environmental sanitation conditions in the area, relocated households agreed to comply with guidelines of the project.
5.3 RESETTLEMENT AREA DEVELOPMENT

5.3.1 Resettlement Areas

68. Area for resettlement site approved by Binh Dinh PPC is located in Nhon Binh resident areas with an area of 4.1 ha (41,080m²). The technical design has completed in phase 1, and the construction is now in progress. According to allocation plan, (already adjusted according to approved Decision No. 4469/QD-UBND of Binh Dinh Province), the 4.1 ha resettlement area in Nhon Binh can be allocated to 150 relocated households, which meets the project’s demand.

5.3.2 Resettlement Arrangement

69. Until now, the number of households in need of resettlement of Environmental Sanitation Project - Quy Nhon City is shown as follows:
   + Component I, Phase I: no resettlement;
   + Wastewater treatment plant CEPT (including two items 1B and 1C): 114 households in total need to be relocated to construct the plant;
   + Resettlement Area (secondary impact): 09 households in need of resettlement are affected by the construction of the resettlement area, Nhon Binh ward of the project. They have all been relocated to The West Resettlement Site, Vo Thi Sau Road, Nhon Binh Ward.

70. Thus, the total number of households were committed to arrange in the resettlement area are 114 households, that means the number of land plots left in Nhon Binh Resettlement site, or still availability is 36 plots. Therefore, it is sure that there is enough land plots in project resettlement site to arrange for nine (09) households relocated by the Component No. 1&5. In other word, all 09 relocated households will be arranged to resettle in the project resettlement site.

71. Apart from determining relocated households on the basis of acquired land area, when considering resettlement, some criteria for resettlement determination are necessarily included (i) Households whose land are wholly acquired or the remaining area is not enough for living; (ii) Households with application for resettlement land, and (iii) Households which do not have any other place to live.

72. After determining relocated households and resettlement locations, ESP-Quy Nhon PMU will review and arrange resettlement lots drawing programs based on their needs for their resettlement house in the land allocation application form for resettlement; accordingly the determination of resettlement lots for each affected household will be done promptly.
6.1 OVERVIEW

73. Rehabilitation programme plays an important role in the implementation of RP when DPs lose business bases, jobs and other income sources regardless of the fact that they lose their houses or not. However, those who lose houses and income sources are objects of highest risks in the project. When the project has negative impacts on local residents, they may get poorer or run out of power sources for life settlement. They may lose land, jobs, houses, be separated from community and may be suffered from diseases, lack of food, lose use rights to public assets and be at risk of involving in social evils, for example social disorder even theft and crime. Thus, rehabilitation measures are the core of the implementation of RP and should be paid due attention. The rehabilitation measures are designed with the consultation in large scale of DPs. The objective of this programme is to recover livelihoods of all DPs to the same level as that before the project implementation or better and to ensure that DPs will adapt to the new living conditions as soon as possible.

74. Income rehabilitation is counted as an important part in the consideration of accessibility to livelihoods and economic improvement of the DPs. This aims to enhance skills or create job opportunities for poor households and vulnerable households.

75. To implement next steps of the RP, the ESP-PMU in Quy Nhon city will coordinate with local authorities at levels and social organizations such as Women union... to take actions for income restoration to all DPs.

6.2 DEMAND ANALYSIS

76. According to survey results, 28 DPs in total suffer from impacts on resident land/ houses and other architectural objects, (including households whose agricultural land is affected because they built houses on the agricultural land), of which 09 households need to be relocated for the implementation of the project. The DPs mainly live along Tieu Village channels banks or next to proposed culvert alignments of the project. These DPs earn their living mainly by free business activities and some of them are staff members. Most of their houses are 4th grade (temporary) houses with rather small area ...

77. According to consultation results, these households have not determined their demands and desires when their land is affected/ acquired by the project. However, they basically have the
following opinions: (i) support households to maintain their life; (ii) provide them loans for house improvement (for partly-affected households) and (ii) support them with job introduction and skill training (for households whose land is fully acquired) to enable them to soon get familiar with new living conditions (in project resettlement areas).

78. Basically, above demands of local residents are in compliance with criteria/principles of the project. However, because the number of households suffers from project impacts on land recovery and resettlement is not so significant, relocated DPs are promptly arranged in the project resettlement site and it is difficult to set up a separate comprehensive and/or large-scale community assistance programme. Thus, this assistance programme in combination with loan programme of project under Component 5 will be made, with credit provision for their house rebuilding adequately.

79. Furthermore, there is no household affected with 20% agricultural land or more, so there is not any separate rehabilitation programme proposed.
INSTITUTIONAL ARRANGEMENT

7.1 RESPONSIBILITY OF ORGANIZATIONS

80. Resettlement action implementation will involve many organizations and agencies at national, provincial, city/district and ward/commune level; however, Binh Dinh PPC shall take the general responsibility. Organizational structure for compensation, assistance and resettlement of Component No. 1&5 are presented as follow:

7.1.1 Management Agencies

81. Binh Dinh PPC is the most powerful agency at provincial level. PPC shall take charge of establishing and directing Appraisal Council in accordance to the implementation demand of the Project. PPC shall be responsible to:

- Appraise and approve RPs after obtaining WB’s approval for final draft versions;
- Approve land acquisition and allocation for the project;
- Make final decision and issue compensation unit price, assistance level, allowance and assistance policies for DPs and affected vulnerable groups according to approved RPF and RP;
- Direct the coordination of related agencies and provincial departments to implement compensation and resettlement in accordance with approved RP;
- Provide sufficient budgets for resettlement activities;
- Ensure that resettlement activities of the project – Phase 2 are implemented in compliance with approved RPF and RP.... And ensure the objectives of RP to be implemented after shortcomings are found out through internal monitoring or independent monitoring during process of RP implementation.

7.1.2 Implementing Unit

PMU of Environmental Sanitation Project – Quy Nhon city

82. PMU - Quy Nhon city is the agency in charge of RP implementation. Their responsibility includes:
• On behalf of PPC to implement and monitor the implementation of all RP activities in the project scale under the management of PPC and sign contract on the implementation of some;

• Plan, coordinate and generally monitor resettlement programmes;

• Update and/ or prepare RPs in accordance with approved RP and PF, then submit to PPC and World Bank for approval prior to the implementation of approved RP;

• Guide all resettlement activities of the city and ward/commune, follow the policies and guidance of the Resettlement Plan of the project;

• Establish procedures/model process on information strategy and organize relevant consultation such as monthly notice to communities on project activities. Coordinate with other component and other agencies engaged in RP, implement and monitor RP;

• Check and consult Municipal PC on compensation unit price of land and other assets, coordinating with relevant agencies of province based on principles of this RF;

• Set up land acquisition and allocation and submit to the Provincial People's Committee for approval.

• Coordinate, monitor and follow the implementation of resettlement actions in the province;

• Guide and monitor the process of detailed measurement and inventory, finalize compensation plans, prepare summary tables of compensation to submit to PPC for approval;

• Establish liaison regime to ensure suitable technical and logistical assistance for agencies in charge of compensation and resettlement implementation;

• Establish database standards on DPs of each Component as well as for the whole project;

• Establish internal monitoring implementation procedures to supervise the compliance with project policies;

• Establish monitoring coordination procedures between the contractor and local community and ensure quick determination and compensation for impacts on public and private assets during construction;

• Select, monitor and implement following recommendations of independent monitoring agency;

• Establish procedures for quickly implementing necessary adjustment methods and grievance redress;

• Coordinate in providing works related to project for affected people (consulting contractors about employment opportunities for local residents, information for affected persons about opportunities and measures to grasp those opportunities);

• Acquire and hand over land to construction units;

• Closely coordinate with independent monitoring agency; and

• Periodically report to WB on resettlement actions.
Quy Nhon Municipal PC
83. Quy Nhon City People's Committee is responsible for determining the legality of land use right or the ownership of land and affected works, appointing members of city compensation/resettlement board and assigning functions and tasks to city Board of compensation, assistance and resettlement.

Quy Nhon city Board of compensation, assistance and resettlement
84. Board of compensation, assistance and resettlement of the project shall take responsibility to:

- Establish and implement RP in the province;
- Take responsibility for land inventory for acquisition, complete compensation scheme, prepare compensation plans to submit to competent authorities for approval and directly give compensation amount to DPs after receiving compensation capital;
- Prepare land and procedures on land to arrange resettlement for DPs;
- Dispatch conciliators to settle claims of DPs on compensation policies and rights;
- Establish, if necessary, commune/ward compensation board and direct their activities in implementing resettlement activities;
- Pay special attention to demands and desires of sensitive group (minority ethnic groups) and vulnerable groups (children, old persons, women-headed or single person-headed households);
- Closely coordinate with independent monitoring organizations.

Ward/commune PC
85. Ward/commune PC shall be responsible to:

- Assign project commune staff to support resettlement actions implementation in their wards/communes;
- Support other agencies and organizations, including PMU to publish and disseminate information and hold community meetings for public and DPs consultation;
- Support other agencies and organizations, including PMU to conduct surveys on number of persons of households, replacement cost/price, detailed measurements and other resettlement activities;
- Participate in activities relating to land acquisition and allocation, resettlement, restoration assistance and other social development supports;
- Support DPs in activities relating to resettlement and livelihood restoration. Inform DPs about compensation schedule and monitor compensation implementation. Sign in the compensation records with DPs;
- Verify the list of poor persons and handicapped persons who are affected by the project;
• Ensure to sufficiently implement settlement regime of grievance redress for DPs. Make records and file all complaints. Support and consult DPs to quickly settle grievance redress; and

Independent monitoring agency

86. An agency/organization or research institute specializing in social sciences will be selected to carry out socio-economic surveys, monitor and evaluate the implementation of project RP. PMU of Environmental Sanitation Project - Quy Nhon city will sign contract with the selected Independent Monitoring Agency. Cost for the implementation of resettlement independent monitoring for the project will be deducted from IDA loans. Independent monitoring agency will report periodically on the implementation progress and make recommendations related to solutions to problems discovered in the monitoring.

7.2 COORDINATION REGIME

![Diagram of Coordination Regime]
IMPLEMENTATION PLAN

8.1 MAIN ACTIVITIES

87. Any project consists of project components and main activities, in which includes methods that ensure effective participation of beneficiaries of project activities implementation. To ensure the success and effectiveness of the project, main activities need a specific implementation plan with exact time marks. This helps to evaluate the implementation progress of the project components at certain time. The plan should be made from the beginning of the project, in the course of project implementation and to the finishing stage of the project. In the RP, main contents that need to be implemented from the beginning to the end of the project are:

a. Inform statistics cutoff date and compensation limit: fully inform to all DPs about entitlements and RP policies including: validity, entitlement policies, compensation methods and rate, schedules, complaints and complaints settlement. Resettlement Information book (RIB) is prepared by PMU and distributed to DPs or popularized in ward and hamlet meetings or community consultation. Besides, leaflets, billboards and posters are also handed to every DP. attached in public areas such as ward PC, cultural houses, health stations, schools ... Announce policies on land acquisition of the project, decision on approval of investment project and approval of project design ...

b. Conduct socio-economic survey at affected areas

c. Develop legal framework and entitlement policies for the project

d. Develop the plan of building resettlement area

e. Develop life rehabilitation measures

f. Implement compensation, assistance, resettlement and life rehabilitation

g. Evaluate project impacts on DPs: One year after the project completion, socio-economic survey shall be carried out in order to evaluate project impacts on beneficiaries and DPs. This survey results will be basis for evaluating project impacts on community and a basis for drawing lessons for project activities, design and implementation in the future.
8.2 IMPLEMENTATION STEPS

Compensation and resettlement orders and procedures are based on Government’s Decree 84/2007ND-CP dated 25th May 2007 and Decision 02/2010/QD-UBND dated 22th February 2010 of Bình Định PPC promulgating regulations on compensation, allowance and resettlement when land in the area of Bình Định province is acquired by the State. Based on above-mentioned legal bases, organization structures and coordination among concerning agencies, basic compensation and resettlement activities will be implemented following below steps:

**Step 1: Determine and announce land acquisition policy**

Determination and announcement of land acquisition policy are based on appraisal document of land use demand of Department of Natural Resources and Environment submitting to Bình Định PPC for approval. Bình Định PPC issued documents on land acquisition policy or document of investment location acceptance.

City PC is responsible for steering and widely spreading land acquisition policy, regulations on land acquisition, compensation, allowance and resettlement when the land is acquired by the State for purposes of national defense, national interests, public utilities and economic development.

Ward PCs are responsible for openly posting land acquisition policy at headquarter of ward PCs and at residential activities zone where there is acquired land, and announcing publicly on ward radio stations (if any).

**Step 2: Prepare cadastral documents for acquired land**

According to documents on land acquisition policy of PPC, Department of Natural Resources and Environment instruct Land use right registration offices of same level to prepare cadastral documents.

Adjust cadastral map suitably to the current status and abstract of cadastral map for places with official cadastral maps or abstract of cadastral map for places without official cadastral maps; Correct and make copy of cadastral documents (cadastral books) to submit to DRC;

Make a list of acquire land lots with following contents: map identification mark, lot identification mark, name of land user, area of lot with the same use purpose, land use purpose.

**Step 3: Prepare, appraise and approve general plan on compensation, assistance and resettlement**

City board of compensation, assistance and resettlement (with the participation of Investor representatives) prepare general plan on compensation, assistance and resettlement (hereinafter called general plan) based on current data and documents supplied by Department of National Resources and Environment and submit one (01) set to Financial agency for appraisal. The general plan has the following main contents:

- Basis for plan preparation;
- Synthetic statistics on area of all land types, agricultural land levels, number of map pages, number of plots; estimated value of assets on land;
- Synthetic statistics on number of households, people, labourers in acquired land area, in which clearly specify number of job-changed labourers, number of DPs;
RESETTLEMENT PLAN – Components 1&5

d. Estimation of compensation, assistance rate; estimated location, area of resettlement site or resettlement house and modes of resettlement;

e. Estimation of supporting measures to resolve employment and training plan for job changes;

f. List of works, scope of governmental works, organizations of religious bases, DPs community and estimation of location to displace;

g. Number of displaced graves and estimation of location to displace;

h. Cost estimation to realize the plan;

i. Financial source to realize the plan;

j. Plan implementation progress.

Within fifteen (15) days since receiving general plan, Department of Finance coordinates with Department of Natural Resources and Environment and concerned agencies to appraise the plan and submit it to Chairman of PPC for approval.

Within seven (07) days since receiving the letter of representation from Department of Finance, Chairman of PPC is responsible for considering and signing approval decision for the general plan.

Step 4: Make notice about land acquisition

After general plan is approved, Board of compensation is responsible to inform land users about land acquisition reasons, estimated rate of compensation; allowance and resettlement; measures on changing jobs and job settlement; displacement time and handing over acquired land stated in general plan.

Land users have right to comment, propose or request Board of compensation to give explanation for the above-mentioned contents based on regulations of law.

Step 5: Issue decision on land acquisition

Based on investment approval decision of PPC for the project and written instructions of PPC on land acquisition for project implementation, PPC issue decision on land acquisition in project affected area after twenty (20) days since the implementation date of land acquisition announcement.

Step 6: Handle complaints for land acquisition decision

In land acquisition implementation, if there is any complaints from residents, Ward’s PC will collect their opinions and letters of complaint and send them to higher competent agencies for consideration.

When there is no decision on claim settlement, land acquisition will be still in progress. In case competent agencies settling complaints conclude that the land acquisition is illegal, the implementation of land acquisition shall be obligatory to stop; governmental agencies that issued the land acquisition decision shall make decision on cancellation of that land acquisition decision and compensate for losses (if any) caused by land acquisition decision. In case competent agencies settling complaints conclude that the land acquisition is legal, the owners of acquired land have to comply with the land acquisition decision.
RESETTLEMENT PLAN - Components 1 & 5

Step 7: Inventory and detailed statistics of affected assets

The organization in charge of compensation, assistance and resettlement is responsible for delivering leaflets, guiding inventory, collecting inventory ... of DPs to prepare compensation, assistance and resettlement plan.

DPs enumerate the area, grades, types and location of the acquired land, the quantity and quality of current assets on acquired land, number of persons, number of labours ..., send their resettlement desires (if any) to agencies in charge of compensation, assistance and resettlement.

In addition, information on market prices for land, crops, and other assets will be collected from respective provincial, district, and commune authorities and the local market. In case, the value of the market price is higher than unit price issued by Binh Dinh PPC, the PPC will be required to update the unit price that is equivalent to the above mentioned market price.

Step 8: Prepare detailed compensation and resettlement plan

Based on the table of detailed statistics of compensation quantity of DPs, minutes of inventory quantity, copy of land origin, list of households' members, households under preferential treatment and unit price, compensation and assistance policies for DPs, the organization in charge of compensation, allowance and resettlement shall apply prices to prepare compensation and assistance plan for every DPs of the project.

Detailed compensation and assistance plan shall present sufficient quantity, volume, types, unit price, ratio of remaining quality (for affected assets with depreciation) of assets attached to compensated land of DPs and other basis for calculation.

In case of Provincial PC issued the compensation price unit on affected land, architect, crop and tree lower than market price, the Quy Nhon City Resettlement Committee, in coordination with Quy Nhon ESP-PMU should propose to apply replacement price unit for compensation.

Step 9: Approve detailed compensation plan

After finalizing the compensation plan based on DPs' contributive opinions, agencies in charge of compensation shall submit it to competent authorities for appraisal and approval.

Step 10: Publish compensation, assistance and resettlement plan

After the compensation, allowance and resettlement plan is approved by authorized agencies, agencies in charge of compensation, assistance and resettlement shall publish and openly post the compensation, assistance and resettlement plan, including schedule and time for payment of compensation and assistance payment, schedule for removal and relocation for site clearance.

Step 11: Implement payment of compensation, assistance and resettlement

Within 15 days since the approval date of compensation and assistance plan, concerned agencies/organizations shall be responsible for paying compensation and assistance for DPs.

In case of resettlement, organizations in charge of compensation and site clearance shall hand over houses or land, land use right certificate, and house and land ownership certificate for DPs prior to land acquisition. In case, there is an agreement between compensation and site clearance organizations and DPs on receiving resettlement house and land after land acquisition, it is required to follow the agreement with signatures of both parties.
RESETTLEMENT PLAN – Components 1&5

Step 12: Site clearance and land acquisition

PCs of all levels co-ordinate with mass organizations to mobilize DPs to implement the decision on land acquisition and compensation and assistance payment smoothly based on approved plan, relocating on-ground architectural objects and assets, and handing over land on schedule.

Along with steps mentioned above, PMU should employ resettlement consulting experts to support the project and independent monitoring agency to independently monitor the compensation and resettlement implementation of the project after the detailed design is approved. Resettlement consulting expert shall be responsible for supporting PMU to internally monitor the agency in charge of compensation and assistance implementation and independent monitoring agency shall periodically monitor the implementation of compensation and site clearance of the project.

8.3 IMPLEMENTATION PLAN

(See next page)
## RESETTLEMENT PLAN – Components 1&5

### Schedule for Project Compensation and Resettlement

<table>
<thead>
<tr>
<th>Activity/Timeframe</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
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<td>1. Project Implementation Plan</td>
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<td>1. Preparation of Component 1 &amp; 5</td>
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<td>2. The Project Appraisal and Approval</td>
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<td>3. Compensation and Resettlement Plan</td>
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<td>3. Preparation of Component Plan</td>
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<td>4. Preparation of Technical Design</td>
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<td>5. Implementation of Technical Design</td>
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<td>6. Procurement of Goods</td>
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<td>7. Completion of the Resettlement Plan</td>
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<td>8. Drainage of the Resettlement Plan</td>
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<td>9. Compensation of the Resettlement Plan</td>
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<td>10. Preparation of the General Compensation Plan</td>
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<td>11. Mapping</td>
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<td>12. Community Consultation</td>
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<td>13. Inventory of Loss</td>
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<td>14. Preparation of Final Compensation Plan</td>
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<td>15. Consultation with IIAs</td>
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<td>16. Compensation Format</td>
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<td>17. Land Clearance</td>
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<td>18. Site area</td>
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<td>19. Environmental Protection</td>
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<td>20. Internal Monitoring</td>
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<td>21. External Monitoring</td>
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### Development of the Resettlement Sites

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<th>Activity/Timeframe</th>
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<td>2. Selection of resettlement areas</td>
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<td>3. Implementation of Land Acquisition and Development</td>
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<td>4. Procurement of Technical Design</td>
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<td>8. Development of the Resettlement Sites</td>
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CONSULTATION AND PARTICIPATION

9.1 OBJECTIVES AND POLICIES

89. Main objectives of consultation and participation are as follow:
   a) Ensure that all DPs and related agencies participating in issuing decisions on their involuntary resettlement matters;
   b) Minimize negative impacts caused by involuntary resettlement;
   c) Avoid possible conflicts during project implementation.

90. For Vietnam, one important step in increasing democracy at grass root level is Instruction No. 30-CT/TW of the Central Committee of the Vietnamese Communist Party in “Construction and implementation of basic democratic regime” and Decree No. 79/2003/ND-CP on this matter. The key of this legal document is the well-known slogan: “people know, people discuss, people do, people check”

   a) Ordinance No. 34/2007/PL-UBTVQH11 point out matters which need the comment of local authorities and communities before the competent authority issue decision; of which there is the preparation for compensation, assistance and resettlement plan related to projects, works in the ward/commune.

   b) Article 39, clause 2, Land law 2003 require to publish matters related to resettlement such as reasons and land acquisition plan, relocation plan, general compensation plan, site clearance for DPs.

91. The consultation and participation is an innovation in project implementation in Vietnam. Both local residents and officers in charge of project implementation lack experiences in this field. It is necessary to pay attention to the following points to encourage relevant agencies to participate in consultation process in the project:

   a) Determine and attract all related agencies, especially DPs to participate in consultation and participation;

   b) Establish participation strategies (by PMU) for project planning, implementation, monitoring and evaluation;

   c) Raise required details for strategy of information propaganda and dissemination and establish procedures to enable DPs to negotiate their benefits and interests;
d) Attract related agencies to participate in making decision at different project implementation steps (for example, compensation modes, consulting opinions of DPs on compensation modes and implementation schedule, etc.);

e) Set up a schedule to implement activities such as strategy of information provision, compensation levels and modes, interests, locations and relocation plan.

f) Establish procedures for grievance redress settlement.

9.2 PUBLIC CONSULTATION AND INFORMATION DISSEMINATION

9.2.1 Consultation in The Preparation Phase

92. At the beginning of project preparation works, local authorities and administrative leaders at all levels were informed about the proposed project, objectives and works of the project components. They were thoroughly consulted and actively participated in discussions about their development demands and priorities as well as their awareness about project objectives. DPs were consulted about implicit impacts and applicable measures to minimize negative implicit impacts and improve the benefits of local residents.

93. Local authorities are also consulted about agreement and their commitments in implementing resettlement policies in approved RPF. After the project – Phase 2 is officially approved; proposed project including project objectives, items and preparation activities for on-going project will be published through national and local press and television.

Results Of Public Consultation in The Preparation Phase

94. Before, during and after the end of socio-economic surveys and preliminary statistics of assets affected by the project, the consulting group has worked and consulted stakeholders in the implementation of compensation and resettlement, including ward officials, heads of residential groups and community.

95. From August 24, 2009 to September 30, 2009, the consulting group worked with local authorities to inform the implementation of projects in general and the conduction of socio-economic survey and affected property investigation in particular. It requires the smooth and thorough coordination among authorities at all levels in all survey process. Also, the consulting group conducted public consultations to inform and consult local people and community about project policies as well as people's entitlements from the project in 03 wards, including Ghenh Rang, Quang Trung and Dong Da ward.

96. The contents of public consultation raised by local people, they are:

(i) Consensus on the project implementation and land acquisition plan;

(ii) Request for prior informing compensation plan; noticing and consulting local people about the implementation of land acquisition and site clearance plans;

(iii) Agreed on proposed compensation price for land/assets and on estimated resettlement plan and locations;

(iv) Expecting to income restoration after resettlement and;
(v) Other problems and discussions raised by local people... Then, their comments and ideas (from both DPs and others) were accommodated, studied and relevant answers were provided.

97. After finishing the survey, the Infra-Thanglong worked with the local officials to report the results of the survey, collecting information related to the compensation and resettlement in the areas, the advantages, disadvantages and experience lessons, proposing plans to finalize the resettlement plans, setting up an organizational system (temporary) to monitor and continue to implement this work in next phases. Proposed officials participating in compensation activities of each project will consist of the chairman of ward, cadastral officials (and urban officials) and chiefs of residential areas.

9.2.2 Consultation during the Implementation

Information Dissemination and Consultation

98. During project implementation, PMUs with support of project consultants, shall undertake the following assignments:

- Provide information for Project compensation boards at all levels through training seminars. Provide detailed information about project policies and implementation procedures;
- Organize information dissemination and consultation to DPs during project implementation;
- Update provincial unit price and confirm land acquisition scale and impacts on assets based on results of Detailed Measurement Survey (DMS) with consultation of DPs;
- After that, Project compensation boards will apply price to calculate compensation and complete compensation plan for affected assets of DPs. PMU will present information on interests entitled to DPs in next consultation with households;
- Then, assets compensation plan shall clearly state affected assets and compensation rights entitled to DPs and shall be signed by DPs to show their agreement with evaluation results. Any questions of DPs on contents of plan shall be noted at this moment;
- Send letters/questions related to resettlement plans to DPs:
  - To inform them about resettlement plans (clearly explain about consequence of each selected plan), if any;
  - Request DPs to confirm their selections of resettlement plan and their preliminary confirmation on the location of resettlement area;
  - Request DPs to clearly state services which they are using such as education/health care/market and approach distance of services.
- Consult DPs on their desires about rehabilitation assistance plan. This part is applied to severely affected people and vulnerable people. Project compensation boards will inform DPs about plan and their technical assistance entitlements before requesting them to clearly present their desires for that rehabilitation assistance.
Community Meeting

99. Before starting detailed designs, the resettlement consulting group will conduct community meetings at affected wards/communes to provide additional information for DPs and create opportunities for them to participate in open discussion about resettlement policies and procedures. In detailed conditions and reflection, PCs of wards or residential groups will hold meetings to solve information related to the project, compensation policies, and confirmation of land use status and land use origin of households. Send invitations to all DPs at least 2 weeks before the meeting in their areas. The objective of this meeting is to clarify the information as of the meeting time and create opportunity for affected people to discuss issues of their interest and clarify information. Together with notice to affected persons, other means of communication must be used to inform affected people and the public in general, for example, posters in easily seen places in the ward/commune and city where affected people are living, announcements via radio, newspapers, public posters. Both males and females of DPs as well as members of the community who are interested in are encouraged to participate. The meeting will explain the project, and the rights and entitlements of households, and the meeting will be the opportunity to raise concerned questions. These meetings will be periodically held throughout the project cycle.

Compensation and Rehabilitation

100. Notification will be sent to each affected household with time, place, and procedures for receiving compensation payment. Severely affected and vulnerable people will be met in person to assert their desires for rehabilitation support.

Information Disclosure

101. In addition to public announcement for DPs and their communities, the RPs will be available in the public information center of Binh Dinh and PMU of Quy Nhon City, in the Info Shop in Washington and Vietnam Development Information Center in Hanoi.
10.1 RESPONSIBILITIES

102. Agencies in charge of implementing the procedure of complaints settlement during compensation and land acquisition process includes Binh Dinh PPC, relevant Departments, compensation and land acquisition councils at all levels, local PCs in project affected areas. Depending on functions and tasks of each level, DPs' complaint handling mechanism will be regulated in accordance with legal documents promulgated by the State.

103. Detailed procedures on complaint handling will be established for the project in order to ensure the opportunities of the DPs to present their complaints on compensation and resettlement. The objective is to quickly settle complaints of the DPs in compliance with procedures. This mechanism will be designed in simple, understandable, quick and fair way. Handling of complaints at each project level will certainly help to push project implementation progress. DPs who do not agree with decision on compensation, assistance and resettlement are entitled to raise complaints based on legal regulations.

104. The handling of complaints against compensation, assistance, land acquisition and resettlement decisions, together with responsibilities for complaint settlement, validity and settlement procedures shall be implemented in accordance to Article 138 in Land Law 2003 and Article 63, 64 Decree No. 84/2007/ND-CP dated May 25th 2007 of the Government and regulations on complaints handling in Decree No. 136/2006/ND-CP.

105. However, while awaiting complaint settlement, persons whose land is acquired have to follow decision on land acquisition and hand over land on schedule and plan decided by competent state agencies.

106. For cases of grievance against administrative decision on land management as regulated in Article 162, Decree No. 181/2004/ND – CP shall comply with regulations and laws on complaint settlement.

10.2 PROCEDURE OF COMPLAINTS

107. Project affected persons can make a complaint regarding compensation entitlements, policies and unit prices of compensation, land acquisition, resettlement and entitlements relating to reconstruction support programs. Complaints of project affected persons may be oral or written, but in case they complain orally, the reception board will record the complaints in the first meeting with the claimant.
108. The local mass organizations, including Fatherland Front, Farmers Association, Women Union, the intermediary groups ... will be mobilized to participate actively in the process of handling arising questions and complaints of affected persons.

109. In the complaining process, affected people do not have to pay any administrative or legal fees. Four steps of grievance procedure are as follows:

**Step 1:** Complaints of affected persons by the resettlement program, or unsettled losses will be sent to ward/commune PCs first in writing or by direct reflections. It is possible to discuss complaints in an unofficial meeting between complainants and Chairman of ward/commune PCs. Ward/commune PCs will be responsible for handing complaints within 15 days since receiving the complaints.

**Step 2:** If the complaints are not handled within 15 days since the registering date or complainants have not received feedbacks of ward/commune PCs, they can send their complaints to project CRC. Complaints must be handled within 30 days from original complaints date. Project CRC have to handle the complaints within half a month from the date of receiving the complaints.

**Step 3:** If affected persons are still not satisfied with the settlement of Municipal PC/CRC or representatives of PC or Municipal PC do not have any feedbacks, they can send their complaints to PPC. PPC together with representatives of project CRC will handle the within 30 days since provincial People's Committee received the complaints.

**Step 4:** If affected persons are still not satisfied with the settlement of PPC or Provincial Appraisal Council on their complaints or PPC do not have any feedbacks within the regulated time, they can send to Municipal/District Administrative Court to settle the complaints as regulated by Law.

All complaints and their resolving process should be recorded/documented and kept carefully at the Quy Nhon ESP-PMU.
MONITORING AND EVALUATION

110. Monitoring is a continuous process of assessing the project implementation, including the approved implementation schedule, the use of inputs, project infrastructure and services. The monitoring agency provides all stakeholders with continuous reflection on the implementation. It identifies the reality, successful potential and arising difficulties as soon as possible for timely adjustment in the operation phase of the project. The monitoring has two purposes:

- Examine whether project activities are completed effectively or not regarding quantity, quality and time.
- Evaluate whether these activities achieve project goals and objectives or not, and how achievements are.

Implementing agencies (PMU) as well as contracted independent monitoring organizations follow and regularly monitor the implementation of RP.

11.1 INTERNAL MONITORING

111. Internal monitoring of the implementation of project RP (Phase 2) is the responsibility of the implementing agencies, with the assistance of project consultants. The implementing organizations will monitor the progress of RP preparation and implementation through regular progress reports.

The main indicators of internal monitoring include:

- Pay compensation to DPs for different types of damage according to compensation policies described in RP.
- Implement technical and relocation, pay allowance and relocation support.
- Implement income recovery and recovery support entitlements.
- Publish and disseminate information and consultation procedures.
- Closely follow complaint procedures, and outstanding problems requiring management attention.
- Give priority to DPs for given options.
- Coordinate and complete resettlement activities and award construction and installation contracts.
112. Project Management Unit will collect information from City compensation council every month. A database of tracking information of the implementation of project RP will be maintained and updated every month.

113. Project Management Board submits an internal monitoring report on the implementation of Resettlement Plan to WB as part of their quarterly reports to WB. Internal monitoring reports must contain the following information:

- Number of DPs by effect types and project components and payment situation of compensation, relocation and income recovery for each item.
- Allocated fund for activities or compensation, disbursement cost for each activity.
- The final result of complaints handling and any outstanding issues that require the settlement from management agencies at all levels.
- Arising issues during the implementation.
- Updated actual progress of RP implementation.

11.2 EXTERNAL MONITORING

114. The overall objective of independent monitoring is to provide periodical evaluation results and independent review of the implementation results of resettlement targets, changes in living standards and employment, the recovery of incomes and social bases of DPs, efficiency, impact and sustainability of local people’s entitlements, the need for additional mitigation measures for damages if any, and to draw strategic lessons for planning and policy making later.

115. The PMU will hire one (01) independent monitoring and assessment organization for the implementation of RP. This organization, called external monitoring agency (EMA), has major in social sciences and experience in resettlement independent monitoring. External monitoring agency (EMA) will start its work once after the project commences.

116. The external monitoring agency (EMA) will be recruited prior to RP activities. Relative to compliance monitoring during resettlement implementation, the main activities of the EMA will revolve around the following:

(a) Review existing baseline data and gather additional socio-economic information, as necessary, on sample affected households; This should be done once immediately after the contract of the external monitoring service is signed between PMU and External monitoring agency.
(b) Monitor the implementation of the RP
(c) Identify any discrepancy between RP and actual implementation of the RP (every monitoring mission of every 06 months)
(d) Monitor the resolution of complaints and grievances of affected households; and
(e) Provide recommendations for improving resettlement updating and implementation.
(f) Issue certification that each DP has received the full payment.
(g) Carry out compensation and resettlement audit
Specific to resettlement updating and implementation activities, the EMA will monitor and evaluate specific issues such as the following:

- Public consultation and awareness of resettlement policy and entitlements;
- Coordination of resettlement activities with construction schedule;
- Land acquisition and transfer procedures;
- Construction/rebuilding of replacement houses and structures on relocation sites. Level of satisfaction of DPs with the provisions and implementation of the RP.
- Grievance redress mechanism (documentation, process, resolution);
- Effectiveness, impact and sustainability of entitlements and income restoration programs and the need for further improvement and mitigation measures.
- Relocation site development (housing and market) from identification of sites in consultation with DPs, to resettlement site development and relocation of DPs. Land title issues and process of land title granting.
- Capacity of DPs to restore/re-establish livelihoods and living standards. Special attention will be given to severely affected DPs and vulnerable DPs;
- Resettlement impacts caused during construction activities.
- Participation of DPs in RP implementation

The EMA is also required to be present during disbursement of compensation to DPs and to issue certification that each DP has received the full payment. The methods to be employed by the EMA in its monitoring work and indicators are summarized hereunder:

(a) Review of detailed measurement survey documents to be able to establish a baseline for monitoring and evaluating project benefits. The EMA to check on a random basis the DMS process with DPs from identification to agreement on DMS results. During the conduct of the DMS, the EMA will also monitor the DMS process to determine and assess if DMS activities are being carried out in a participatory and transparent manner.

(b) Review of Socio-economic Survey (SES) baseline prepared during RP. The EMA will carry out another SES. A post resettlement survey will be carried out 6 months following completion of resettlement activities. Sampling will include 20% of severely affected DPs as well as at least 10% of all other DPs.

(c) Special attention will be paid to the inclusion of women, ethnic groups, the very poor, the landless and other vulnerable groups, with set questions for women and other target groups; and, the database disaggregates information by gender, vulnerability and ethnicity

(d) Resettlement audit will be conducted during the monitoring period. The EMA will be present at the time of disbursement of payments to DPs during monitoring. The EMA report will include resettlement audit per monitoring period.
12.1 BUDGET

119. Budget for the implementation of Resettlement Plan will be part of the government's counterpart fund. Binh Dinh Province People's Committee will provide counterpart capital for the implementation of compensation and resettlement and will be included in the total investment cost of the project.

12.2 REPLACEMENT COST SURVEY

120. Method used to determine value of losses in projects funded by WB is based on "REPLACEMENT COST". In this project, losses include losses on urban land, construction works and other assets. For urban land of same area, existing-use value shall be evaluated following replacement price in consideration of public facilities and social services, plus registration cost and transfer tax. For residential houses and other construction works, values are determined according to market prices of construction materials so as to build a replacement house with area and quality at least same as the old one, or to repair affected structures plus costs for material transport, manpower, tender, and registration and transfer tax. Depreciation of assets and values of materials which may be utilized by DPs are not included.

121. The Safeguard Consultant (Infra-Thanglong) conducted the RCS during the period from 24/8/2009 to the end of 30/9/2009 through (i) study of the average revenue for agricultural industries (income generated from land) in the locality, (ii) interviews and surveys of affected households and non-affected households and (iii) observations and surveys in residential areas. Detail implementation of the replacement cost survey, pls refer to Annex 4.

122. Currently, regulations on compensation unit price and allowances for land, trees, crops as well as architectural objects, buildings ... issued by People's Committee of Binh Dinh Province are always updated by Department of Finance, Department of Natural Resources - Environmental, Department of Construction... and local authorities all year round.

123. Thus, according to the comparisons result between market prices and compensation unit prices regulated in documents and policies of the province that are equivalent. In other sides, (i) provincial issued land price is relatively close to market unit price; (ii) the price survey of assets, trees/ crops indicated that the market unit price is equivalent to the unit price regulated by the Binh Dinh's PPC. In the community consultation meeting, local population and DPs have been
consulted on the replacement cost and they were all agreed with proposed price which issued by PPC.

124. Therefore, based on the survey data, consultation results and unit prices issued by Bình Dinh Province People’s Committee, it is proposed compensation unit prices for land, trees, crops ... applicable to the subproject are based on the unit price issued by the provincial People’s Committee of Bình Dinh, including (i) Decision No. 49/2009/QD-UBND on December 29, 2009 of Bình Dinh Province People’s Committee promulgating compensation policy, support and resettlement when the State acquire land in the area of Bình Dinh province (ii) Decision No. 37/2007/QD-UBND dated 31/10/2007 of the PPC promulgating compensation unit price for houses, architectural objects, graves, trees, crops when the State acquire land in the province; and Decision No.20/2008/QD-UBND dated 31 May 2008 by the Provincial People’s Committee on regulating the adjustment rate of unit prices of houses and structural works in Decision No.37/2009/QD-UBND dated 31 October 2009 (updated at the moment of compensation implementation).

125. At the time of compensation implementation all compensation prices for land and other assets will be updated at market prices or replacement costs.

12.3 COST ESTIMATION

126. Costs for resettlement compensation including costs for RP preparation and implementation, cost for administration and management are estimated with the following items:

- Compensation cost for affected land and other assets in the project area;
- Costs for programmes on income recovery and special allowance for vulnerable groups (household under preferential treatment, households with persons sacrifices for revolution, households led by women, handicapped persons, poor households, etc.);
- Cost for administrative management;
- Cost for employment of local resettlement propagandists and independent monitoring consultant;
- Contingency fee

127. The total cost estimate from the implementation to completion of RP is about VND 6.3 billion. This includes compensation and allowance costs for project-affected land and architectures, the income restoration programs, the transition assistances, the monitoring, evaluation, administrative management and contingency costs.

128. Detailed analysis of impacts and cost estimation for project operating areas will be divided into categories and shown as below:

Table 7 : Cost Estimation For Compensation And Assistance
(see next page)
### Cost Estimate for Compensation, Assistance and Resettlement

<table>
<thead>
<tr>
<th>No.</th>
<th>Type of Impact</th>
<th>Includes</th>
<th>Cost of XX (VND)</th>
<th>Cost of XX (VND)</th>
<th>Cost of XX (VND)</th>
<th>Total (VND)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Land</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Residential land</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Agricultural land</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Irreplaceable works</td>
<td></td>
<td>2,64,93,900</td>
<td>1,14,73,900</td>
<td>1,14,45,900</td>
<td>4,93,12,700</td>
</tr>
<tr>
<td>5</td>
<td>Fruit products</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Fishery products</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Infrastructure and public welfare</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Public utilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Income and expenditure</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note:**
- XX represents various items such as land, residential land, agricultural land, etc.
- The cost estimates are in Vietnamese Dong (VND).
- The total cost is calculated by summing up the costs of each category.
## RESETTLEMENT PLAN – Components 1&5

<table>
<thead>
<tr>
<th>No.</th>
<th>Type of impact</th>
<th>No. of work/works</th>
<th>Gia Binh ward</th>
<th>Quang Trung ward</th>
<th>Dong Da ward</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Culvert of 1m long</td>
<td>Xem Tan ditch</td>
<td>Pressure culvert</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Assistance for telephone</td>
<td>1</td>
<td>300,000</td>
<td>300,000</td>
<td>300,000</td>
<td>900,000</td>
</tr>
<tr>
<td>7</td>
<td>Amount</td>
<td>4,000,000</td>
<td>100,000</td>
<td>4,100,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Unit price</td>
<td>3,000,000</td>
<td>3,000,000</td>
<td>3,000,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Amount</td>
<td>24,000,000</td>
<td>24,000,000</td>
<td>24,000,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total A</td>
<td>3,645,256,400</td>
<td>415,766,000</td>
<td>4,061,022,400</td>
<td>8,122,044,800</td>
<td></td>
</tr>
</tbody>
</table>

### MANAGEMENT COST

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Independent Monitoring Cost (maximum)</td>
<td>500,000,000</td>
</tr>
<tr>
<td>Admin. ex. Management Cost</td>
<td>89,271,000</td>
</tr>
<tr>
<td>Contingency Fee</td>
<td>33,510,000</td>
</tr>
<tr>
<td>Total B</td>
<td>1,373,781,000</td>
</tr>
</tbody>
</table>

Total (A+B) | 6,300,000,000 |

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QN6.20.1A - QUY NHON CITY ENVIRONMENTAL SANITATION PROJECT
Infra-Thanglong
Annex 1: Entitlement Matrix

Annex 2: Minutes of Public Consultation Meeting

Annex 3: List of Displace Persons (DPs)

Annex 4: Replacement Cost Survey
**Annex 1: Entitlement Matrix**

<table>
<thead>
<tr>
<th>ITEM</th>
<th>TYPE OF LOSS</th>
<th>APPLICATION</th>
<th>DEFINITION OF ENTITLED PERSON</th>
<th>COMPENSATION POLICY</th>
<th>IMPLEMENTATION ISSUES</th>
</tr>
</thead>
</table>
| 1    | Permanent loss of arable land | Less than 20% of HH's total land holding lost. Marginal impact on household income and living standards. | User with legal or legalizable rights to use the affected land. | DPs will be entitled to:  
(i) Cash compensation for acquired land at 100% of replacement cost, and  
(ii) Cash compensation for crops and trees at market price. | If the viability of the remaining land is less than the minimum viable economic unit, then the entire piece of land would be acquired and the DPs would fall under the next category. |
|      |              |             |                               |                     |                       |
|      | Land Users With Temporary or Leased Rights to Use Land that cannot be legalized as long term land user | (i) Cash compensation for acquired land equivalent to remained investment put on the land; AND  
(ii) Cash compensation for loss of crops and trees at market prices; |                     |                     |                       |
|      | User without legal rights to use land | (i) No compensation but support for land, a cash equivalent to 50% of land replacement cost;  
(ii) Cash compensation for crops and trees at market price. |                     |                     | In case the DPs casually utilize the public land for growing crops/trees, which is subjecting acquisition by the project, then she/he will not be compensated for land, but will be compensated for crops and trees at market prices/replacement cost. |
|      | More than 20% of HH's total land holding lost. Severe impact on household income and living standards. | User with legal or legalizable rights to use the affected land. | (i) If 20% or more of a household’s agricultural land is acquired, then in addition to cash compensation at full replacement cost for the lost area (or for the entire affected plot if the remaining area of the plot is not economically viable), the Project will provide further rehabilitation allowances (refer to Para. 56 - 63)  
(ii) For agricultural/pond/garden land in urban areas, in addition to compensation at replacement costs, households will be supported by 30-50% of average land prices in the areas where such land is recovered (this support area does not exceed 5 times of the limit standard of local allocation). |                     |                       |
### Resettlement Plan - Components 1 & 5

<table>
<thead>
<tr>
<th>Land Users with Temporary or Leased Rights to Use Land that cannot be legalized as long term land user</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) As priority, compensation &quot;leased land for leased land&quot; at location acceptable to DPs, or, if requested or there no reserved land to compensate &quot;land for land&quot;. Cash compensation equal to remaining investment put on the land or 30% of land replacement cost; AND,</td>
<td>(ii) Cash compensation for loss of crops and trees at full market prices;</td>
</tr>
<tr>
<td>(ii) In lieu of compensation for land, the DPs will receive an assistance corresponding 50% of land replacement cost.</td>
<td></td>
</tr>
<tr>
<td>For poor and vulnerable, severely affected farmers, including landless, as priority, allocation of arable land equal per capita arable land in commune as regulated by Decree 64/1993/CP, OR, if there is no land available for allocation or, on the DPs' request as informed choice, in addition to above, a rehabilitation/training assistance will be provided to ensure the DPs are able at least to restore or improve their income levels and living standards.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Illegal land users</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash compensation for land acquired at 100% of replacement cost of the land acquired to the legal/legalizable users;</td>
<td></td>
</tr>
<tr>
<td>(ii) Compensation for affected structures at replacement cost; and,</td>
<td>At the time of compensation, allowances will be adjusted to account for inflation.</td>
</tr>
<tr>
<td>If ill-Is have to rebuild their main house, then they will receive transportation allowances, subsistence allowance (refer to Item 9).</td>
<td></td>
</tr>
</tbody>
</table>
| Land acquired with structures built therein and the remaining land is not sufficient to rebuild on. | Relocating DPs. | Compensation policy for land:

(i) The DPs, who have legal or legalizable rights to the affected land, can opt to one of the followings:

(a) The provision of replacement residential land of equivalent size, at a location acceptable to the DPs with full land title without any cost. An amount of cash sufficient to develop basic infrastructure, including access road, access to electricity, to water supply, drainage, which at least are equal to conditions existed at the former location, OR these facilities will be provided/developed by the project.

OR, on request as the DPs fully informed choice,

(b) Cash compensation for entire residential land at full replacement cost plus infrastructure investment cost for DPs to arrange self relocation,

(ii) The DPs, who do not have legal or legalizable rights to the affected land, are entitled to the followings:

(a) Regarding the DPs who already have residence somewhere else in the same ward/commune as where they are affected, the project will provide an assistance amount corresponding the remained investment on the land, or equal 30% of land replacement cost;

(b) Regarding the poor or vulnerable DPs who have no other residential land in the same as their affected ward/commune, the project will provide (i) a residential plot of minimal size at a common RSs or an individual resettlement site, with full titled to the land, or, (ii) on request of the DPs, as their informed choice, an assistance amount corresponding 60% of the land replacement cost for them to rearrange relocation by themselves

(2) Compensation for affected structures at replacement cost; and,

(3) Transition allowances, including transportation allowance of from 1,000,000 to 3,000,000 VND/HH; subsistence allowance of value equivalent 30kg of rice per member per month for 6 months. |

At the time of compensation, allowances will be adjusted to account for inflation.
<table>
<thead>
<tr>
<th></th>
<th>House/structures and graves</th>
<th>Owners of Project&lt;br&gt;affected structures.</th>
<th>(i) compensation at 100% of replacement cost of the affected houses/structures. No deduction will be made for depreciation or salvageable materials.&lt;br&gt;(ii) in addition, a repairing cost, if house/structure is partially affected, to restore it to former or better conditions.&lt;br&gt;The calculation of rates will be based on the actual affected area and not the useable area.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Tenants</td>
<td>Tenants, who have leased a house for residential purposes will be provided a house renting assistance equal remaining renting contracted value, but not exceeds renting value for three months, and transportation allowance for moving assets, as well assisted in identifying alternative accommodation.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Owners of graves.</td>
<td>DPs are entitled to cash compensation for all costs of excavation, movement, and reburial. For ownerless affected graves, compensation will be given to local PC to relocate them to new site</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Owners of affected crops</td>
<td>DPs are entitled to compensation for affected crops in cash at market value. DPs will be given notice several months in advance regarding evacuation. Crops grown after issuance of the deadline will not be compensated.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Owners of affected trees</td>
<td>DPs are entitled to compensation in cash at market value on the basis of type, age, and productive value.</td>
</tr>
<tr>
<td></td>
<td>Loss of income and business/ productive assets</td>
<td>Owner of the affected business/other productive assets.</td>
<td>(i) Compensation for loss of income during transition period, equivalent average monthly net income at least for three months.&lt;br&gt;(ii) Compensation for structure at full replacement cost. No deduction shall be made for depreciation or salvageable materials.&lt;br&gt;(iii) if DPs have to remove to new site, provision of alternative business site of equal size and accessibility to customers, satisfactory to the DP, or, in cash for business affected area at replacement cost, plus transportation allowance to remove movable attached assets to new site. DPs will be given priority for business relocation along highway, communal roads and along canals near the bridges or footbridges in order to maximize their benefit from business opportunities. At the time of compensation, allowances will be adjusted to account for inflation.</td>
</tr>
</tbody>
</table>
### RESETTLEMENT PLAN - Components

<table>
<thead>
<tr>
<th>Component</th>
<th>Impacts</th>
<th>Rights</th>
<th>Compensation and Restoration Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>6</strong></td>
<td>Temporary impact during construction</td>
<td>Users of affected land</td>
<td>(i) Compensation for one harvest of crops/trees at full market prices (ii) Compensation for loss of net income from subsequent crops that cannot be planted for the duration of project temporary use, AND (iii) Restoration of land to its previous or better quality by providing measures to improve land quality in cases of land being adversely affected or acidified, AND (iv) If the duration of project use the land exceed more than two years, then the DPs have option to: 1) Continue to use land, OR, 2) Give it to the Project and be compensated as permanent loss</td>
</tr>
<tr>
<td><strong>Temporary loss of useable land</strong></td>
<td><strong>Users of affected land</strong></td>
<td>(i) Compensation for affected assets at replacement cost (ii) Restoration of land to former conditions</td>
<td></td>
</tr>
<tr>
<td><strong>Temporary impact on business</strong></td>
<td><strong>Owner of business</strong></td>
<td>(i) Compensation for loss of income during transition period, equivalent average monthly net income at least for three months. (ii) Compensation for affected assets at replacement cost (iii) Restoration of land to former conditions</td>
<td></td>
</tr>
<tr>
<td><strong>Damages by contractors to private or public structures or land</strong></td>
<td><strong>Owner or person with use rights</strong></td>
<td>(i) The contractor will be required to pay compensation immediately to affected families, groups, communities or government agencies. (ii) Damaged property will be restored immediately to its former condition.</td>
<td></td>
</tr>
<tr>
<td><strong>7</strong></td>
<td>Secondary impacts</td>
<td><strong>Loss of land and properties for development of RS</strong></td>
<td><strong>Land users</strong></td>
</tr>
<tr>
<td><strong>8</strong></td>
<td>Loss of community assets</td>
<td><strong>Community buildings, structures, community forest/grazing/or other land/irrigation systems affected by temporary or permanent land acquisition or spoil disposal.</strong></td>
<td><strong>Village, Ward, Government Unit.</strong></td>
</tr>
<tr>
<td><strong>If income loss is expected (e.g. irrigation, community forest, community grazing land), the village is entitled to compensation for the total production loss this compensation should be used collectively for income restoration measures and/or new infrastructure.</strong></td>
<td></td>
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### Resettlement Plan – Components 1&2

<table>
<thead>
<tr>
<th>Component</th>
<th>Description</th>
<th>Allowances</th>
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</thead>
<tbody>
<tr>
<td>Materials transport allowance.</td>
<td>Relocating DPs and the DPs who have to rebuild main house on their remaining land</td>
<td>DPs who have to relocate DPs will be supported: (i) 3,400,000 VND per household for DPs whose house's code equivalent in N1 to N4 category; (ii) 1,700,000 VND per household for DPs whose house's code or other works are equivalent in N5 to N14 category, and; (iii) For household who relocate main house on their remaining land (rebuild main house on their remaining land and not have to be relocated) will be entitled 50% of the above mentioned item.</td>
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<tr>
<td>Subsistence Allowance</td>
<td>Relocating DPs and the DPs who have to rebuild main house on their remaining land</td>
<td>DPs who have to relocate DPs will be supported with subsistence allowance equivalent 30 kg of rice/person/month for 3 months if they have to remove on the remaining land, and for 6 months if they remove to a new site.</td>
</tr>
<tr>
<td>House Renting</td>
<td>Relocating DPs and DPs who have to rebuild main house on their remaining land</td>
<td>DPs who have houses relocated will be supported for house rent of 3,400,000 VND per household.</td>
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<tr>
<td>Rehabilitation assistance</td>
<td>Severely affected farmers who have lost more than 20% of their agricultural land and receiving compensation in cash</td>
<td>(i) Affected households with from 20% to 70% of their agricultural lands acquired will be assisted for living stabilization during 6 months if they do not have to be relocated and during 12 months if they have to be relocated; in case of moving to the place where weak socio-economic conditions or severely weak ones will be received allowance of 24 months. (ii) Affected households with more than 70% of their agricultural lands acquired will be received allowance of living stabilization for 12 months if do not have to be relocated and they received allowance of living stabilization for 24 months if they have to be relocated; in case of moving to the place where weak socio-economic conditions or severely weak ones will be received allowance in 36 months. (iii) Allowance level for a person is defined in cash equivalent in 30 kg of rice per month (rice price issued by Department of Finance), the number of family is defined at the moment of plan making...</td>
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At the time of compensation, allowances will be adjusted to account for inflation.

Concrete form of assistance will be intensively consulted with the farmers to meet their actual needs, assisting them able to restore or improve their earning capacity and income.
### RESETTLEMENT PLAN - Components 1&5

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<tr>
<th>DP with agriculture land impacted</th>
<th>Allowance for Vocational Training and Job Creation: DP whose agricultural lands acquired will be received allowance for Vocational Training and job creation in cash is 2 times of agricultural land price for the acquired area which is not over the quota of assigned agricultural land;</th>
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<tbody>
<tr>
<td>Bonus</td>
<td>Land user, who comply with the relocating their assets, crops, handing over the land in time and meet the requirements of subproject owner will be awarded depending on the type of architecture, in range from 600,000 to 3,000,000 VND per household based on relocating works and time of handing over clearance of land.</td>
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Annex 2: Minutes of public consultation meetings

CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập - Tự do - Hạnh phúc

BIẾN BẢN LÀM VIỆC
(Về Xác định khu vực đánh giá ảnh hưởng để sửa đổi trên địa)

Hôm nay, ngày ... tháng ... năm 2009, tại trụ sở UBND phường xã ... Đỗ ... thư, thành phố Quy Nhơn. Chương trình gồm:

A. Đại diện UBND

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B. Đại diện Ban QLDA Vf sinh hoạt trên thành phố Quy Nhơn (gọi tắt là BQLDA):

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C. Đại diện Cổ phần Phúc trình Họ hàng Thông Long (gọi tắt là Tu vấn):

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Cùng tiến hành họp và thống nhất nội dung các công việc như sau:

1. Tư vấn thông báo cho UBND phường, xã về phạm vi bị ảnh hưởng và nhận giải tỏa dân đối với dân và các công trình/ktk trong trường hợp của Dự án Vf sinh hoạt trên địa bàn.
2. UBND phường xã cung cấp cho tư vấn đánh sạch các hộ bị ảnh hưởng bởi Dự án.
3. Thuê kế quá trình, UBND phường, xã và tư vấn tiến hành sơ bản lời ... để bò bỉ ảnh hưởng đấu lô, từng đợt dân kiện cổ ... để ảnh hưởng toàn bộ và chỉ định; tư vấn tiến hành chuẩn bị để lập danh sách kl/Nhưng ảnh hưởng đối với tài sản của các hộ bị ảnh hưởng bởi dự án trên địa bàn phân (có danh sách kèm theo).
4. Đổi xét đạt những nghiệp vụ, tổng số diện tích dân kiện sẽ tổ là ... m2, xét xử bò bỉ ảnh hưởng là ... m2.
5. Đính kết dân đi dự phân quan lý dự kiến sẽ bị ảnh hưởng là ... m2.

Ghi chú:

Xác nhận của UBND ... Đỗ ...

Đại diện BQLDA Đỗ ...

Đại diện tư vấn Đỗ ...

VIRIONMENTAL SANITATION PROJECT – QUY NHON CITY
fra-Thanglong
BIÊN BẢN LÀM VIỆC

(Vì xác định khôi lập nguồn dưỡng dần và tự sắm trên áo)

Hôm nay, ngày tháng năm 2009, tại trụ sở UBND phường/xã, Ánh Trương, thành phố Quy Nhơn. Chỉnh thức gian:

A. Đạt đề UBND

Ông (ba) ngày tháng năm 2009, tại trụ sở UBND phường/xã, Ánh Trương, thành phố Quy Nhơn. Chỉnh thức gian:

B. Đạt đề BanQLDA Về sinh hoạt trưởng thành phố Quy Nhơn (gọi tắt là QNLDA):

Ông (ba) ngày tháng năm 2009, tại trụ sở UBND phường/xã, Ánh Trương, thành phố Quy Nhơn. Chỉnh thức gian:

C. Đạt đề Công ty Cổ phần Phát triển Thổ đòng Long (gọi tắt là Tu vấn):

Ông (ba) ngày tháng năm 2009, tại trụ sở UBND phường/xã, Ánh Trương, thành phố Quy Nhơn. Chỉnh thức gian:

Cùng tiến hành hợp và thống nhất một số công việc như sau:

1. Tu vấn đồng bộ cho UBND phường/xã về phương pháp thực hiện chức năng và trách nhiệm tốt đối với dân và các công trình/xí nghiệp trong phạm vi chức năng của UBND phường/xã.

2. UBND phường/xã cung cấp cho Tu vấn danh sách các hộ bị ảnh hưởng bởi dự án.

3. Theo kết quả điều tra, UBND phường/xã và Tu vấn đã xác định số hộ có... hộ bị ảnh hưởng do dự án và các điểm cụ thể của dự án nên mong muốn được hỗ trợ để gom.... hộ bị ảnh hưởng bởi dự án trong phạm vi chức năng của UBND phường/xã.

4. Đối với dân động vật, tổng số diện tích đất được anh hưởng là ... m², với số hộ dân bị ảnh hưởng là ... hộ.

5. Diện tích đất do dự án phương án được kiến sẽ bồi thường là ... m².

Ghi chú:

... Các hộ dân... với các hộ... phần... với các hộ... với các hộ... với các hộ... với các hộ... với các hộ...

Xác nhận: Trưởng phòng... Trưởng phòng... và các ban khác.

Đại diện tu vấn

Trưởng Thi Ли
Annex 3: LIST OF PROJECT DISPLACED PERSONS (DPs)

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<tr>
<th>No.</th>
<th>Category</th>
<th>Name of Household/Person</th>
<th>Address</th>
<th>House No.</th>
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ENVIRONMENTAL SANITATION PROJECT – QUY NHON CITY
Infra-Thanglong
Annex 4: Replacement Cost Survey

1. Objective Of Survey

The objective of this survey about the replaced price is to identify the compensation price for all kinds of land, assets, trees and crops of affected households by subproject. The replaced price is similar and higher than popular price in the market to ensure that no affected households will have worse situation than before subproject. On the contrary, at least all affected households will maintain or improve living standard compared to before subproject. The survey is conducted during the period from 24/8/2009 to the end of 30/9/2009.

2. Methodology

The replaced price will be built based on the study and field trip. Information about price is mainly collected through direct interviewees with affected households and unaffected households by subproject, especially households who have transferred land and building on this land. In addition, information about price is also collected from related departments such as Provincial Department of Construction, Provincial Department of Finance, construction contractors... and commune, district and province government.

3. Sample Selection For The Survey

Affected households are prioritized for the selection of sample for the survey. Through this, their demands about compensation unit price are reflected. However, to have objective results, unaffected households who have similar characteristics about geographic location, kinds of assets... are also selected for the survey. For the households not having transferred land, their expected price which they want to transfer for the other or they could buy is investigated. During the survey, the households who have just sold trees and crops and just constructed works are prioritized because they are clear evidence for existing price.

The scope of selected samples depends on the number of affected households in communes and affection level of their assets.

4. Information Treatment

Information collected through survey are noted and kept carefully by each area; then they are synthesized and analyzed. From that, the price level approximate with the market price of each asset in each area is identified.

5. Investigation Results

The subproject is in urban area where the markets for land transaction taken place regularly but in fact most of the project land acquisition boundary are publicly announced in advance (by the City's master plan and/or by other related projects). Thus, the investigation is mainly based on the expected price level. The investigation results show that the land price is the same with unit price prescribed at Decision No.49/2009/QD-UBND dated 17 December 2009 by Provincial People's Committee on promulgating prices of land types in Binh Dinh province in 2010 (updated at the moment of compensation implementation) and other housing, tree, crop prices are equivalent to Decision No.37/2007/QD-UBND dated 31 October 2007 by Provincial People's Committee on promulgating the compensation unit prices for damages of houses, structures, tombs, trees, farm produces when the State acquires land in the province; and Decision No.2012008/QD-UBND dated 23 May 2008 by the Provincial People's Committee on regulating the adjustment rate of unit prices of houses and structural works in Decision No.37/2007/QD-UBND dated 31 October 2007 (updated at the moment of compensation implementation).