

# Due Diligence Report

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October 2014

## VIE: Second Upper Secondary Education Development Project (USEDP II) – Dak Lak Province

Ea Rok Upper Secondary School  
Phan Chu Trinh Upper Secondary School  
Tran Hung Dao Upper Secondary School

Prepared by the Ministry of Education and Training, Socialist Republic of Viet Nam, for the Asian Development Bank.

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## **ACCRONYMS**

ADB	-	Asian Development Bank
CPMU	-	Central Project Management Unit
EMs	-	Ethnic Minorities
MOET	-	Ministry of Education and Training
RP	-	Resettlement Plan
USEDP II	-	Second Upper Secondary Education Project
USS	-	Upper Secondary School

## I. INTRODUCTION

1. The Ministry of Education and Training (MOET) is implementing the Second Upper Secondary Education Development Project (USEDP II, or the Project) in the 33 provinces of Viet Nam, through Loan № 2929 – VIE (SF) from Asian Development Bank (ADB). Under the Project, a total of 135 upper secondary schools (USSs) and six (6) pedagogical centers have been selected for assistance. In the screening and categorization for social safeguards, Category A subprojects are automatically excluded as Category C shall be prioritized for financing. The subproject USSs with minor impacts (Category B) may be considered subject to the preparation and implementation of a resettlement plan (RP) acceptable to ADB, as prescribed in 2009 Safeguard Policy Statement (SPS). The RP for Category B subproject shall be approved first by the Bank and downloaded at ADB website before implementation by MOET.

2. In **Dak Lak Province** at the Central Highlands Region, three of the four USSs<sup>1</sup> are hereby endorsed for the Project, namely: (i) Ea Rok Upper Secondary School; (ii) Pan Chu Trinh Upper Secondary School; and (iii) Tran Hung Dao Upper Secondary School. They are located in three of the province's 13 districts. As screened, they are all Category C subprojects both in Involuntary Resettlement and Indigenous Peoples categorization (**Attachments 1 to 3**), since no social impacts are expected inside the schools' premises. The Central Project Management Unit (CPMU) of USEDP II has submitted this Due Diligence Report (DDR) for information of ADB and to secure its "No Objection" for the award of civil works contract for the construction of school facilities.

## II. APPROACH AND METHODOLOGY IN DUE DILIGENCE

3. The CPMU has applied the selection criteria in evaluating the USSs included in the long list. The criteria were developed during the PPTA. Given the large number of USSs and their geographic locations, the CPMU sent questionnaires to be filled-up by school officials whose responses were the basis for screening and selection in producing the shortlist of USSs. The school officials of shortlisted USSs were then given two sets of questionnaires. The first set was used in gathering information on their proposed facilities and statistical data that justify their proposal. The proposed investments were then screened and made the reasonable distribution of facilities that are urgently needed. The second set was aimed to validate if land acquisition shall be required.

## III. THE PROPOSED FACILITIES

4. In all, the three (3) USSs will construct 14 regular classrooms and eight (8) function rooms for the classes in biology, physics, chemistry, and laboratory. The construction of regular classrooms will follow the standard dimension as provided for in Decision № 37/2008/QĐ-BGDĐT (July 16, 2008) by MOET. The following dimension of each classroom is as follows: length = 7.8 m and width = 9.9 m. Comprising the width is 7.5 m working area and 2.4 m for the corridor. Each classroom shall have a total area of 56.77 m<sup>2</sup>.

5. The function rooms shall have the following dimensions: length = 11.7 m and width = 9.6 m. The length shall be composed of 7.8 m for working area and 3.9 m for preparation room of teacher. The width is composed of 7.5 m for activity room and 2.1 m for the corridor. Overall, each function room shall have a total area of 83.92 m<sup>2</sup> in which 56.47 m<sup>2</sup> for activity room and 27.45 m<sup>2</sup> for preparation room of the teacher.

6. The distribution of the proposed facilities in three (3) schools is shown in Table 1.

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<sup>1</sup> Hai Ba Trung Upper Secondary School was excluded from the endorsement pending clarifications in the acquisition of land from a coffee company which is under the management of the Ministry of Defense. Decision on land recovery was issued on 27 August 2009.

**Table 1: Proposed USSs Facilities in Dak Lak Province**

<b>Name of the School</b>	<b>Classrooms</b>	<b>Function Rooms</b>
Ea Rok Upper Secondary School	6	2
Phan Chu Trinh Upper Secondary School	4	4
Tran Hung Dao Upper Secondary School	4	2
<b>Total</b>	<b>14</b>	<b>8</b>

Source: CPMU of USED P II

#### **IV. BRIEF PROFILE OF THE USSs**

##### **A. Ea Rok Upper Secondary School**

7. The school became operational in 2010 and was established in Village 7 at Ea Rok Commune near the center of Ea Sup District. The school has 35,000 m<sup>2</sup> of land with only 1,492 m<sup>2</sup>, or 4.3%, are used for school buildings. It serves the students in five (5) communes. During the school-year 2013-2014, a total of 505 students were enrolled, 251 are males and 254 are females. The students were composed of 217 from Grade 10, 139 in Grade 11 and 149 in Grade 12, and belong to different ethnic groups like Kinh being the majority (81%), De, Tay, Nung, Nguon and Thai (with the combined share of 19%).

8. The school is relatively new and barely four school-years in operation. However, student enrolment is increasing by an annual average of 14.4% that prompted the need for additional classrooms and function rooms. It has 40 personnel, eight (8) are non-teaching staff and 32 are teachers, in which 24 are Kinh while eight (8) are EMs. The teachers are all graduates of universities with one teacher (1) has already a master degree while two (2) are pursuing theirs.

##### **B. Phan Chu Trinh Upper Secondary School.**

9. The school was established in 2005 in Village 2 at Ea Rai Commune near the center of Ea H'leo District and serves five (5) communes. Its premises occupy a total of 19,442 m<sup>2</sup> of land covered by Land Use Right Certificate 1766/QĐ-UBND. Of the total lands, 2,885 m<sup>2</sup> (or 14.8%) are used for school buildings. During the school-year 2013-2014, some 1,327 students were enrolled, 498 are males and 821 are females. Enrolment comprised by 495 students from Grade 10, 408 in Grade 11 and 424 in Grade 12. Ethnicity of the students were varied with Kinh as the majority (75.4%) as the E De, Gia Rai, Nung, Tay and Muong as the minority (24.6%).

10. The school has been operating for nine (9) years and for the last five years, enrolment is increasing by 2.0% prompting the school officials to request for additional classrooms and function rooms from MOET. The school has 87 personnel, nine (9) of which are non-teaching staff and 78 are teachers, 41 are males and 37 are females. Seventy four are Kinh while four (4) are EMs. All teachers are graduates of universities with three (3) teachers have master degrees as one (1) is still pursuing for the same course.

##### **C. Tran Hung Dao Upper Secondary School.**

11. Established in 2010, the Tran Hung Dao USS occupies a total area of 15,860 m<sup>2</sup> of lands in Cu Dram Commune at Krong Bong District. About 1,798 m<sup>2</sup>, or 11.3%, are occupied by school buildings and serves six (6) communes. During the school-year 2013-2014, enrolment was totaled to 716 students consisting of 350 boys and 366 girls. A total of 311 students were enrolled in Grade 10, 213 in Grade 11 and 192 in Grade 12. The Kinh shared 34.5% of the total students while the combined share of E De, M'ngong, H'mong, Mu'ong and Tay from EMs was 66.5%.

12. Student enrolment in Tran Hung Dao USS grows an average of 5.4%. From 582 students in school-year 2010-2011 it grew to 716 in school-year 2013-2014. Guiding the students were 35 teachers, 20 are males and 15 are females, where 32 are Kinh as three (3) are from the EMs. All teachers have university education, two (2) have their master degrees as one (1) is pursuing similar graduate course. The school has seven (7) non-teaching personnel.

## V. ASSESSMENT OF SOCIAL IMPACTS

13. There are no social impacts expected arising from land acquisition in any of the selected USS in Dak Lak Province. The school premises are enclosed with concrete or wooden fences as protection from encroachers, and neither a house nor structure of private person was allowed by the school administration. Given the total land requirements of the proposed facilities, they were assessed as to their impacts on available lands in the respective school premises.

- **Ea Rok Upper Secondary School.** This school proposes for six (6) classrooms and two (2) function rooms. Given the area of 56.77 m<sup>2</sup> for each classroom and 83.92 m<sup>2</sup> for the function room, this subproject will require a total area of 508.46 m<sup>2</sup> (340.62 m<sup>2</sup> for the classroom and 167.84 m<sup>2</sup> for the function room). The area is only equivalent to **1.5%** of its 35,000 m<sup>2</sup> land. If this is added to the whole area occupied by existing buildings, this would only increase to 5.7%. Therefore, land acquisition beyond the school premises is not required.
- **Phan Chu Trinh Upper Secondary School.** Four (4) classrooms and four (4) function rooms are being proposed by this school. These facilities shall require a total of 562.76 m<sup>2</sup>, of which 227.08 m<sup>2</sup> for the classrooms while 335.68 m<sup>2</sup> for function rooms. The combined areas only represent **2.9%** of the 19,442 m<sup>2</sup> land owned by the school, and if added to the land area occupied by existing buildings, their share would only increase to 17.7% of the school's total land. Hence, land acquisition is not required.
- **Tran Hung Dao Upper Secondary School.** The school proposes for four (4) classrooms and two (2) function rooms. The facilities shall require a total land area of 394.92 m<sup>2</sup>, in which 227.08 m<sup>2</sup> for the classrooms and 167.84 m<sup>2</sup> for the function rooms. The land required is equivalent to only **2.5%** of the 15,860 m<sup>2</sup> and if added to the area of existing school buildings, the total would be equivalent to 13.8%. Again, land acquisition is not required.

14. With the foregoing information on the proposed subprojects in Dak Lak Province, request for "No Objection" for the award of civil works contracts is being sought by MOET from ADB.

## Attachment – 1

### Involuntary Resettlement Impact Categorization Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Ea Rok Upper Secondary School**

Province: Dak Lak District: Ea Sup (Ea Rok Commune) CATEGORY: C

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
<b>Involuntary Acquisition of Land</b>				
1. Will there be land acquisition?		✓		Civil works and rehabilitation shall be undertaken in school premises.
2. Is the site for land acquisition known?		✓		Land acquisition will only happen if there is an expansion of school premises. But so far, there is no proposal for expansion.
3. Is the ownership status and current usage of land to be acquired known?				This is not applicable to the project since there is no expansion of school premises.
4. Will easement be utilized within an existing Right of Way (ROW)?		✓		The school has already an entrance and will not be touched by the construction six (6) classrooms and two (2) function rooms in two-storey building at the school premises.
5. Will there be loss of shelter and residential land use to land acquisition?		✓		Not a house or residential land shall be affected given the wide space of school premises.
6. Will there be loss of agricultural and other productive assets due to land acquisition?		✓		All civil works shall be undertaken in school premises. .
7. Will there be loss of crops, trees, and fixed assets due to land acquisition?		✓		Trees or crops of private persons shall not be affected. While there are some trees in school premises, it is unlikely that they shall be affected by the construction. ..
8. Will there be loss of business or enterprises due to land acquisition?		✓		Not a single business will be affected as all civil works and rehabilitation shall be done inside the school premises. .
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		✓		The Project will rather create livelihood or employment in the locality due to construction of school rooms.
<b>Involuntary Restrictions on land use or on access to legally designated parks and protected areas</b>				
10. Will people lose access to natural resources, communal facilities and services?		✓		All civil works and rehabilitation shall be undertaken in school premises. .
11. If land use is changed, will it have an adverse impact on social and economic activities?				No current use of land will be changed and therefore there is no impact on the socio-economic activities of the people.
12. Will access to land and resources owned by the communally or by the state be restricted?		✓		Restriction to land resources of the community or by the state is unlikely.
<b>Information on Displaced Persons</b>				
Any estimate of the likely number of persons that will be displaced by the Project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
If yes, approximately how many? .				
Are any of the poor, female-headed households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				

## Indigenous Peoples Impact Screening Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Ea Rok Upper Secondary School**

Province: Dak Lak District: Ea Sup ( Ea Rok Commune) CATEGORY: C

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
<b>A. Indigenous Peoples Identification</b>				
1. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The land is allocated solely for the school. If there are ethnic minorities, they are among students of the school pursuing their upper secondary education. .
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities?	✓			Some students are children of ethnic minorities in Vietnam who are recognized by the Government. Their rights are embodied in the 2013 Constitution.
3. Do such groups self-identity as taking part of a distinct social and cultural group?	✓			They belong to the 54 different ethnic minorities in the country.
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		✓		The land being used by the school is exclusively for education purposes where the ethnic minorities has no collective attachments..
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?	✓			Such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture.
6. Do such groups speak a distinct language or dialect?	✓			Ethnic minority students and ethnic minority teachers speak dialects distinct from the mainstream society.
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?	✓			Such groups are socially and economically marginalized due to their geographic location.
8. Are such groups represented as “Indigenous Peoples” or as “ethnic minorities” or “scheduled tribes” or “tribal populations” in any formal decision-making bodies at the national or local levels?	✓			Outside of the school, such groups are represented as “ethnic minorities” in formal decision-making bodies at the national or local levels.
<b>B. Identification of Potential Impacts</b>				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?	✓			The students from indigenous communities will directly benefit from the Project in terms of improved quality of education.
10. Will the project directly or indirectly affect Indigenous Peoples’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance?)	✓			The project shall only deliver quality education but will not impose changes in sociocultural practices of ethnic minorities.
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g. food production system, natural resource management, crafts and trade, employment status)		✓		The construction of classrooms will be done in school premises.
12. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The sub-project area is inside the school premises.

<b>KEY CONCERNS</b> (Please provide elaborations on the remarks column)	<b>YES</b>	<b>NO</b>	<b>NOT KNOWN</b>	<b>Remarks</b>
<b>C. Identification of Special Requirements</b>				
<i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?		✓		There is no commercial development of cultural resources as the sub-project involves the construction of classrooms...
14. Physical displacements from traditional or customary lands?		✓		Physical displacement from traditional or customary lands will not happen in the sub-project area.
15. Commercial development of natural resources (such as minerals, hydrocarbons, forest, water, hunting or fishing ground) within customary lands under use that would impact the livelihoods or the cultural ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		✓		The activities in the sub-project area will involve the construction of six (6) classrooms and two (2) function rooms in two-storey building at the school premises.
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		The sub-project will only involve the construction of classrooms.
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		There is no acquisition of lands.

**D. Anticipated Project Impacts on Indigenous Peoples**

<b>Project component/ activity/output</b>	<b>Anticipated positive effects</b>	<b>Anticipated negative effects</b>
1. Construction of six (6) classrooms at the school premises. It will follow the standard dimension as provided for in Decision 37/2008/QD-BGDDT (July 16, 2008). Each classroom shall have the following dimensions: length = 7.8 m and width = 9.9 m. Comprising the width is 7.5 m working area and 2.4 m for the corridor. The classroom shall have a total area of 56.77 m <sup>2</sup> .	The provisions of new classrooms will accommodate the increasing number of upper secondary education students. It will also facilitate in providing them quality upper secondary education.	None
2. Construction of two (2) function rooms in the school premises. Each function room shall have the following dimensions: length = 11.7 m and width = 9.6 m. The length shall be composed of 7.8 m for working area and 3.9 m for preparation room of teacher. The width is composed of 7.5 m for activity room and 2.1 m for the corridor. Overall, each function room shall have a total area of 83.92 m <sup>2</sup> in which 56.47 m <sup>2</sup> for activity room and 27.45 m <sup>2</sup> for preparation room of teacher.	The function rooms shall be instrumental for the students to gain more knowledge in improved lessons in science. The function rooms shall be used in biology, chemistry, physics or laboratory rooms.	None



## Attachment – 2

### Involuntary Resettlement Impact Categorization Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Phan Chu Trinh Upper Secondary School**

Province: Dak Lak District: Ea H'leo (Ea H'leo Commune) CATEGORY: C

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
<b>Involuntary Acquisition of Land</b>				
1. Will there be land acquisition?		✓		Civil works and rehabilitation shall be undertaken in school premises. .
2. Is the site for land acquisition known?		✓		Land acquisition will only happen if there is an expansion of school premises. But so far, there is no proposal for expansion.
3. Is the ownership status and current usage of land to be acquired known?				This is not applicable to the project since there is no expansion of school premises.
4. Will easement be utilized within an existing Right of Way (ROW)?		✓		The school has already an entrance and will not be touched by the construction four (4) classrooms and four (4) function rooms in two-storey building at the .school premises.
5. Will there be loss of shelter and residential land use to land acquisition?		✓		Not a house or residential land shall be affected given the wide space of school premises.
6. Will there be loss of agricultural and other productive assets due to land acquisition?		✓		All civil works shall be undertaken in school premises. .
7. Will there be loss of crops, trees, and fixed assets due to land acquisition?		✓		Trees or crops of private persons shall not be affected. While there are some trees in school premises, it is unlikely that they shall be affected by the construction. ..
8. Will there be loss of business or enterprises due to land acquisition?		✓		Not a single business will be affected as all civil works and rehabilitation shall be done inside the school premises. .
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		✓		The Project will rather create livelihood or employment in the locality due to construction of school rooms.
<b>Involuntary Restrictions on land use or on access to legally designated parks and protected areas</b>				
10. Will people lose access to natural resources, communal facilities and services?		✓		All civil works and rehabilitation shall be undertaken in school premises. .
11. If land use is changed, will it have an adverse impact on social and economic activities?				No current use of land will be changed and therefore there is no impact on the socio-economic activities of the people.
12. Will access to land and resources owned by the communally or by the state be restricted?		✓		Restriction to land resources of the community or by the state is unlikely.
<b>Information on Displaced Persons</b>				
Any estimate of the likely number of persons that will be displaced by the Project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
If yes, approximately how many? .				
Are any of the poor, female-headed households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				

## Indigenous Peoples Impact Screening Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Phan Chu Trinh Upper Secondary School**

Province: Dak Lak District: Ea H'leo (Ea H'leo Commune) CATEGORY: C

<b>KEY CONCERNS</b> (Please provide elaborations on the Remarks column)	<b>YES</b>	<b>NO</b>	<b>NOT KNOWN</b>	<b>Remarks</b>
<b>A. Indigenous Peoples Identification</b>				
1. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The land is allocated solely for the school. If there are ethnic minorities, they are among students of the school pursuing their upper secondary education. .
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities?	✓			Some students are children of ethnic minorities in Vietnam who are recognized by the Government. Their rights are embodied in the 2013 Constitution.
3. Do such groups self-identity as taking part of a distinct social and cultural group?	✓			They belong to the 54 different ethnic minorities in the country.
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		✓		The land being used by the school is exclusively for education purposes where the ethnic minorities has no collective attachments..
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?	✓			Such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture.
6. Do such groups speak a distinct language or dialect?	✓			Ethnic minority students and ethnic minority teachers speak dialects distinct from the mainstream society.
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?	✓			Such groups are socially and economically marginalized due to their geographic location.
8. Are such groups represented as “Indigenous Peoples” or as “ethnic minorities” or “scheduled tribes” or “tribal populations” in any formal decision-making bodies at the national or local levels?	✓			Outside of the school, such groups are represented as “ethnic minorities” in formal decision-making bodies at the national or local levels.
<b>B. Identification of Potential Impacts</b>				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?	✓			The students from indigenous communities will directly benefit from the Project in terms of improved quality of education.
10. Will the project directly or indirectly affect Indigenous Peoples’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)?	✓			The project shall only deliver quality education but will not impose changes in sociocultural practices of ethnic minorities.
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g. food production system, natural resource management, crafts and trade, employment status)		✓		The construction of classrooms will be done in school premises.
12. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The sub-project area is inside the school premises.

<b>KEY CONCERNS</b> (Please provide elaborations on the remarks column)	<b>YES</b>	<b>NO</b>	<b>NOT KNOWN</b>	<b>Remarks</b>
<b>C. Identification of Special Requirements</b> <i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?		✓		There is no commercial development of cultural resources as the sub-project involves the construction of classrooms...
14. Physical displacements from traditional or customary lands?		✓		Physical displacement from traditional or customary lands will not happen in the sub-project area.
15. Commercial development of natural resources (such as minerals, hydrocarbons, forest, water, hunting or fishing ground) within customary lands under use that would impact the livelihoods or the cultural ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		✓		The activities in the sub-project area will involve the construction of four (4) classrooms and four (4) function rooms in two-storey building at the school premises.
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		The sub-project will only involve the construction of classrooms.
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		There is no acquisition of lands.

**D. Anticipated Project Impacts on Indigenous Peoples**

<b>Project component/ activity/output</b>	<b>Anticipated positive effects</b>	<b>Anticipated negative effects</b>
1. Construction of four (4) classrooms at the school premises. It will follow the standard dimension as provided for in Decision 37/2008/QD-BGDDT (July 16, 2008). Each classroom shall have the following dimensions: length = 7.8 m and width = 9.9 m. Comprising the width is 7.5 m working area and 2.4 m for the corridor. The classroom shall have a total area of 56.77 m <sup>2</sup> .	The provisions of new classrooms will accommodate the increasing number of upper secondary education students. It will also facilitate in providing quality upper secondary education to them.	None
2. Construction of four (4) function rooms in the school premises. Each function room shall have the following dimensions: length = 11.7 m and width = 9.6 m. The length shall be composed of 7.8 m for working area and 3.9 m for preparation room of teacher. The width is composed of 7.5 m for activity room and 2.1 m for the corridor. Overall, each function room shall have a total area of 83.92 m <sup>2</sup> in which 56.47 m <sup>2</sup> for activity room and 27.45 m <sup>2</sup> for preparation room of teacher.	The function rooms shall be instrumental for students to gain more knowledge in improved lessons in science. The function rooms shall be used in physics or laboratory rooms.	None

## Attachment – 3

### Involuntary Resettlement Impact Categorization Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Tran Hung Dao Upper Secondary School**

Province: Dak Lak District: Krong Bong (Cu Dram Commune) CATEGORY:

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
<b>Involuntary Acquisition of Land</b>				
1. Will there be land acquisition?		✓		Civil works and rehabilitation shall be undertaken in school premises. .
2. Is the site for land acquisition known?		✓		Land acquisition will only happen if there is an expansion of school premises. But so far, there is no proposal for expansion.
3. Is the ownership status and current usage of land to be acquired known?				This is not applicable to the project since there is no expansion of school premises.
4. Will easement be utilized within an existing Right of Way (ROW)?		✓		The school has already an entrance and will not be touched by the construction four (4) classrooms and two (2) function rooms at the .school premises.
5. Will there be loss of shelter and residential land use to land acquisition?		✓		Not a house or residential land shall be affected given the wide space of school premises.
6. Will there be loss of agricultural and other productive assets due to land acquisition?		✓		All civil works shall be undertaken in school premises. .
7. Will there be loss of crops, trees, and fixed assets due to land acquisition?		✓		Trees or crops of private persons shall not be affected. While there are some trees in school premises, it is unlikely that they shall be affected by the construction. ..
8. Will there be loss of business or enterprises due to land acquisition?		✓		Not a single business will be affected as all civil works and rehabilitation shall be done inside the school premises. .
9. Will there be loss of income sources and means of livelihoods due to land acquisition?		✓		The Project will rather create livelihood or employment in the locality due to construction of school rooms.
<b>Involuntary Restrictions on land use or on access to legally designated parks and protected areas</b>				
10. Will people lose access to natural resources, communal facilities and services?		✓		All civil works and rehabilitation shall be undertaken in school premises. .
11. If land use is changed, will it have an adverse impact on social and economic activities?				No current use of land will be changed and therefore there is no impact on the socio-economic activities of the people.
12. Will access to land and resources owned by the communally or by the state be restricted?		✓		Restriction to land resources of the community or by the state is unlikely.
<b>Information on Displaced Persons</b>				
Any estimate of the likely number of persons that will be displaced by the Project? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
If yes, approximately how many? .				
Are any of the poor, female-headed households, or vulnerable to poverty risks? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				
Are any displaced persons from indigenous or ethnic minority groups? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not applicable				

## Indigenous Peoples Impact Screening Checklist

Project: **Second Upper Secondary Education Development Project (USEDP II)**

Subproject: **Tran Hung Dao Upper Secondary School**

Province: Dak Lak District: Krong Bong (Cu Dram Commune) CATEGORY:

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
<b>A. Indigenous Peoples Identification</b>				
1. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The land is allocated solely for the school. If there are ethnic minorities, they are among students of the school pursuing their upper secondary education. .
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities?	✓			Some students are children of ethnic minorities in Vietnam who are recognized by the Government. Their rights are embodied in the 2013 Constitution.
3. Do such groups self-identity as taking part of a distinct social and cultural group?	✓			They belong to the 54 different ethnic minorities in the country.
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		✓		The land being used by the school is exclusively for education purposes where the ethnic minorities has no collective attachments..
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?	✓			Such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture.
6. Do such groups speak a distinct language or dialect?	✓			Ethnic minority students and ethnic minority teachers speak dialects distinct from the mainstream society.
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?	✓			Such groups are socially and economically marginalized due to their geographic location.
8. Are such groups represented as “Indigenous Peoples” or as “ethnic minorities” or “scheduled tribes” or “tribal populations” in any formal decision-making bodies at the national or local levels?	✓			Outside of the school, such groups are represented as “ethnic minorities” in formal decision-making bodies at the national or local levels.
<b>B. Identification of Potential Impacts</b>				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?	✓			The students from indigenous communities will directly benefit from the Project in terms of improved quality of education.
10. Will the project directly or indirectly affect Indigenous Peoples’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)?	✓			The project shall only deliver quality education but will not impose changes in sociocultural practices of ethnic minorities.
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g. food production system, natural resource management, crafts and trade, employment status)		✓		The construction of classrooms will be done in school premises.
12. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?		✓		The sub-project area is inside the school premises.

<b>KEY CONCERNS</b> (Please provide elaborations on the remarks column)	<b>YES</b>	<b>NO</b>	<b>NOT KNOWN</b>	<b>Remarks</b>
<b>C. Identification of Special Requirements</b> <i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?		✓		There is no commercial development of cultural resources as the sub-project involves the construction of classrooms...
14. Physical displacements from traditional or customary lands?		✓		Physical displacement from traditional or customary lands will not happen in the sub-project area.
15. Commercial development of natural resources (such as minerals, hydrocarbons, forest, water, hunting or fishing ground) within customary lands under use that would impact the livelihoods or the cultural ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		✓		The activities in the sub-project area will involve the construction of four (4) classrooms and two (2) function rooms at the school premises.
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		The sub-project will only involve the construction of classrooms.
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		There is no acquisition of lands.

**D. Anticipated Project Impacts on Indigenous Peoples**

<b>Project component/ activity/output</b>	<b>Anticipated positive effects</b>	<b>Anticipated negative effects</b>
1. Construction of four (4) classrooms at the school premises. It will follow the standard dimension as provided for in Decision 37/2008/QD-BGDDT (July 16, 2008). Each classroom shall have the following dimensions: length = 7.8 m and width = 9.9 m. Comprising the width is 7.5 m working area and 2.4 m for the corridor. The classroom shall have a total area of 56.77 m <sup>2</sup> ..	The provisions of new classrooms will accommodate the increasing number of upper secondary education students. It will also facilitate in providing quality upper secondary education to them.	None
2. Construction of two (2) function rooms in the school premises. Each function room shall have the following dimensions: length = 11.7 m and width = 9.6 m. The length shall be composed of 7.8 m for working area and 3.9 m for preparation room of teacher. The width is composed of 7.5 m for activity room and 2.1 m for the corridor. Overall, each function room shall have a total area of 83.92 m <sup>2</sup> in which 56.47 m <sup>2</sup> for activity room and 27.45 m <sup>2</sup> for preparation room of teacher.	The function rooms shall be instrumental for students to gain more knowledge in improved lessons in science. The function rooms shall be used in physics or laboratory rooms.	None