

Due Diligence Report

October 2014

VIE: Second Upper Secondary Education Development Project (USEDP II) – Quang Tri Province

Che Lan Vien Upper Secondary School
Huong Hoa Upper Secondary School
Lam Son Thuy 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 under 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 the 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. **Quang Tri** is a province in Viet Nam that lies in the country's Northern Central and Coastal Region. Under the Project, three (3) beneficiary USSs were selected in the province, namely: (i) Che Lan Vien Upper Secondary School; (ii) Hoang Hoa Upper Secondary School; and (iii) Lam Son Thuy Upper Secondary School. They are located in three (3) of the province's eight (8) 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 as they shall be constructed 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 in 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 of potential beneficiary schools which were developed during the PPTA. Given the large number of USSs and their geographic locations, the CPMU sent questionnaires for filling up by the 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 again given two sets of questionnaires. The first set was used in gathering information on their proposed facilities and statistical data that justify their proposals. The proposed investments were then screened and the CPMU made the reasonable distribution of facilities that are urgently needed. The second set was aimed to validate if land acquisition shall be required for the proposed facilities.

III. THE PROPOSED FACILITIES

4. In all, the three (3) USSs will construct a total of 22 regular classrooms and eight (8) function rooms for the holding of 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 m².

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 m² in which 56.47 m² for activity room and 27.45 m² for preparation room of the teacher.

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

Table 1: Proposed USSs Facilities in Quang Tri Province

Name of the School	Classrooms	Function Rooms
Che Lan Vien Upper Secondary School	6	2
Huong Hoa Upper Secondary Sch.	8	3
Lam Son Thuy Upper Secondary School	8	3
Total	22	8

Source: CPMU of USEDP II

IV. BRIEF PROFILE OF THE USSs

A. Che Lan Vien Upper Secondary School

7. The school was opened in 2010, which is relatively new, at Cam An Commune in Cam Lo District. The government has allocated some 12,000 m² land per Planning Certificate № 361/CCQH which was issued in 14 November 2008. The school is serving the students from nine (9) communes. Of the total lands, about 1,500 m², or 12.5%, are used for school buildings. During the school-year 2013-2014, a total of 511 students were enrolled, 293 are males and 218 are females. The student population were composed of 177 from Grade 10, 183 in Grade 11, and 151 in Grade 12, all Kinh, the mainstream society in Vietnam.

8. Being a new school, enrolment has significantly increased from 179 students in 2010 to 511 in 2014. This encouraged the school officials to request for six (6) classrooms and two (2) function rooms needed in the school. Che Lan Vien Upper Secondary School has 36 personnel, four (4) non-teaching staff and 32 teachers. All teachers are Kinh, with university education, and six (6) of them have master degrees.

B. Huong Hoa Upper Secondary School

9. Established in 3B Living Block Village in 1985, the school has been allocated by the government some 12,852 m² of land located in Khe Sanh Sub-town of Huong Hoa District, and is covered by Land Use Rights Certificate № AL196825. About 2,500 m² (19.4%), more or less, are occupied by school buildings. The school had a total population of 1,651 students in school-year 2013-2014 from nine (9) communes, of which 1,078 are males and 573 are females. These were composed of 486 students in Grade 10, 560 in Grade 11 and 605 in Grade 12 in which the majority (97.5%) were represented by Kinh.

10. Annual enrolment in Huong Hoa USS has averaged to 1,277 students during the last five school-years, but the highest record was in school-year 2013-2014 which increased by 41.3% from the previous school-year. The significant increase has then encouraged the school officials to request MOET for eight (8) classrooms and three (3) function rooms for use by the growing student population. As the administration, the school has 65 personnel, 62 are teachers and three (3) are non-teaching staff. Thirty eight teachers are female while 24 are male with 60 are Kinh and two (2) are EMs, all are graduates of university. Seven teachers have Master of Arts degree as one (1) teacher is pursuing for the same.

C. Lam Son Thuy Upper Secondary School

11. In 1996, the government has allotted 21,844 m² of land for the building of upper secondary school at Vinh Lam Commune in Vinh Linh District. The school is located in Lam Cao Village and is serving eight (8) communes in Vinh Linh and two (2) communes in nearby Gio Linh District. The land is covered by Planning Certificate № 221/CCQH issued in June 2010. Of the total land, 2,100 m² (or 9.6%) are used for school buildings as the remaining are open space. During the school-year 2013-2014, enrollment was totaled to 187 students, 108 are males and 79 are females. During the last five (5) school-years, enrolment has averaged 318 student, all are children of Kinh.

12. The school has 21 staff, three (3) are non-teaching employees as 18 are teachers that consist of eight (8) males and 10 females, all Kinh. The teachers are all university graduates, with three (3) of the have Master of Arts degree.

V. ASSESSMENT OF SOCIAL IMPACTS

13. Adverse social impacts are not expected arising from land acquisition in the three (3) USS beneficiaries in Quang Tri 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.

- **Che Lan Vien Upper Secondary School.** This school proposes for six (6) classrooms and two (2) function rooms. Given the area of 56.77 m² for each classroom and 83.92 m² for the function room, this subproject will require a total area of 508.4 m² (340.6 m² for the classrooms and 167.8 m² for the function rooms). The area is only equivalent to 4.2% of its 12,000 m² land. If this is added to the area occupied by existing buildings, this would increase to only 16.7% of the total land. Therefore, land acquisition beyond the school premises is not required.
- **Huong Hoa Upper Secondary School.** The proposed facilities for this school are eight (8) classrooms and three (3) function rooms. Using the standard dimensions prescribed by MOET, the combined land requirement shall be 705.9 m² or 5.5% of the school's total land. If the space for the area of existing structures is added, they would occupy 24.9% of the total area of the school. Land acquisition is not required.
- **Lam Son Thuy Upper Secondary School.** Eight classrooms and three (3) function rooms are being proposed by this school. These facilities shall require a total of 705.9 m², of which 454.1 m² for the classrooms while 251.8 m² for the function rooms. The combined areas represent 3.2% of the 21,844.0 m² land owned by the school, and if added to the land area occupied by existing buildings, their share would only increase to 12.8% of the school's total land. Hence, land acquisition is still not required.

14. With the foregoing information on the proposed subprojects in Quang Tri 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: **Che Lan Vien Upper Secondary School**

Province: Quang Tri District: Cam Lo (Cam An Commune) CATEGORY: C

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?		✓		Civil works and rehabilitation shall be undertaken inside the 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 room 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.
Involuntary Restrictions on land use or on access to legally designated parks and protected areas				
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.
Information on Displaced Persons				
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: **Che Lan Vien Upper Secondary School**

Province: Quang Tri District: Cam Lo (Cam An Commune) CATEGORY: C

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
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. Identification of Potential Impacts				
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.

KEY CONCERNS (Please provide elaborations on the remarks column)	YES	NO	NOT KNOWN	Remarks
C. Identification of Special Requirements				
<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 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

Project component/ activity/output	Anticipated positive effects	Anticipated negative effects
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 ² .	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 ² in which 56.47 m ² for activity room and 27.45 m ² 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: **Huong Hoa Upper Secondary School**

Province: Quang Tri District: Huong Hoa (Khe Sanh Sub-Town) CATEGORY: C

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
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 of eight (8) classrooms and three (3) 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.
Involuntary Restrictions on land use or on access to legally designated parks and protected areas				
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.
Information on Displaced Persons				
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: **Huong Hoa Upper Secondary School**

Province: Quang Tri District: Huong Hoa (Khe Sanh Sub-Town) CATEGORY: C

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
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. Identification of Potential Impacts				
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.

KEY CONCERNS (Please provide elaborations on the remarks column)	YES	NO	NOT KNOWN	Remarks
C. Identification of Special Requirements <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 eight (8) classrooms and three (3) 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

Project component/activity/output	Anticipated positive effects	Anticipated negative effects
1. Construction of eight (8) classrooms 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 ² in which 56.47 m ² for activity room and 27.45 m ² 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 biology, chemistry, physics or laboratory rooms.	None
2. Construction of three (3) 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 ² in which 56.47 m ² for activity room and 27.45 m ² 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.	

Attachment – 3

Involuntary Resettlement Impact Categorization Checklist

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

Subproject: **Lam Son Thuy Upper Secondary School**

Province: Quang Tri District: Vinh Linh (Vinh Lam Commune) CATEGORY: C

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
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 of eight (8) classrooms and three (3) 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.
Involuntary Restrictions on land use or on access to legally designated parks and protected areas				
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.
Information on Displaced Persons				
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: **Lam Son Thuy Upper Secondary School**

Province: Quang Tri District: Vinh Linh (Vinh Lam Commune) CATEGORY: C

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
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. Identification of Potential Impacts				
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.

KEY CONCERNS (Please provide elaborations on the remarks column)	YES	NO	NOT KNOWN	Remarks
C. Identification of Special Requirements <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 eight (8) classrooms and three (3) 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

Project component/ activity/output	Anticipated positive effects	Anticipated negative effects
1. Construction of eight (8) 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 ² .	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 three (3) 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 ² in which 56.47 m ² for activity room and 27.45 m ² 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