

# Due Diligence Report

---

November 2014

## VIE: Second Upper Secondary Education Development Project (USEDP II) – Dien Bien Province

Cha Cang Upper Secondary School  
Nam Po Upper Secondary School  
Muong Ang Upper Secondary School

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

The Due Diligence Report is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

## **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. 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, while Category C subprojects 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 disclosed in the ADB website before implementation by MOET.

2. Dien Bien province is a province in the Northwest region of Vietnam. It is bordered by Lai Chau and Son La provinces of Vietnam to the east and south, Pu'er City, Yunnan, China, to the north, and Phongsaly province in Laos to the west. Three (3) beneficiary USSs were selected for the Project, namely: (i) Cha Cang Upper Secondary School; (ii) Nam Po Upper Secondary School; (iii) Muong Ang Upper Secondary School. They are located in three (3) districts of the province. As screened, these USSs are Category C subprojects under the 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 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 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. National resettlement specialist and CPMU staff<sup>1</sup> conducted site survey and consultation with key officials of the Dien Bien PPMU and proposed schools during 26-28 September 2014 to verify information provided by the PPMU.

## III. THE PROPOSED FACILITIES

4. The three (3) USSs will construct 24 classroom and 9 function rooms for the classes in biology, physics, chemistry, and laboratory. The construction of regular classrooms will follow the standard minimum 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 54.54 m<sup>2</sup>.

5. The function rooms shall have the following dimensions: length = 15.6 m and width = 9.9 m. The length shall be composed of 11.7 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 2.4 m for the corridor.

---

<sup>1</sup> Dr. Nguyen Duong Viet, CPMU Civil Work Assistance and Mr. Nguyen Truong Son, National Resettlement Specialist

Overall, each function room shall have a minimum total area of 109.08 m<sup>2</sup> in which 83.4 m<sup>2</sup> for activity room and 25.68 m<sup>2</sup> for preparation room of the teacher.

6. The distribution of the proposed facilities in 03 schools is shown in Table 1.

**Table 1: Proposed USSs Facilities in Dien Bien Province**

<b>Name of the School</b>	<b>Classrooms</b>	<b>Function Rooms</b>
Cha Cang Upper Secondary School	8	3
Nam Po Upper Secondary School	12	3
Muong Ang Upper Secondary School	4	3
<b>Total</b>	<b>24</b>	<b>9</b>

Source: CPMU of USEDP II

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

##### **A. Cha Cang Upper Secondary School**

7. The school was established in 2008 at Ban Moi village, Cha Cang commune of Nam Po District. The school has 9,225 m<sup>2</sup> of land and only uses 2,061 m<sup>2</sup>, or 22.3%, for the school buildings. In school-year 2013-2014, a total of 604 students were enrolled, 415 are males and 189 are females. The students were composed of 276 from Grade 10; 183 in Grade 11 and 145 in Grade 12, and belong to various ethnic groups where “Thai” present 49.5%; “Mong”, 40.4% and the remaining are Kinh, Hoa, Muong, Dao, Kho Mu, Khang, Phu La.

8. For the last five (5) school-years, enrolment of student was decreasing from 311 in school year 2008-2009, 350 in 2009-2010; 342 in 2010-2011; 347 in 2011-2012 and 469 in 2012-2013. The Cha Cang USS has 37 teachers and 7 are non-teaching staff, in which 20 teachers are Kinh and 17 are ethnic minorities. The teachers are all graduates of universities and 05 are following master course.

##### **B. Nam Po Upper Secondary School**

9. The school was established in 2012 at Nam Nga 2 village, Nam Chua commune in Nam Po district. Its premises occupy 14,200 m<sup>2</sup> of land. During the school-year 2013-2014, some 391 students were enrolled in the school, 231 are males and 160 are females. Enrolment comprised by 151 students from Grade 10, 139 in Grade 11 and 101 in Grade 12. Ethnicity of the students were mainly Thai (46%), Mong (39%), Dao (6.9%). The remaining student are Kinh, Hoa, Muong, Kho Mu, Khang and Phu La.

10. The school has been operating for 02 years and for the school-years 2012-2013, enrolment was 264. The school is lack of classrooms, prompting the school officials to request for classrooms and function room to MOET. It has 30 personnel, of which 08 are non-teachers and 22 are teachers where 20 are Kinh teachers. All teachers are graduates of universities.

##### **C. Muong Ang Upper Secondary School**

11. The school was established in 1987 at Block 7 of Muong Ang Sub-town, Muong Ang District. The school has 12,650 m<sup>2</sup> of land and only uses 2,500 m<sup>2</sup>, or 19.7% for the school buildings. In school-year 2013-2014, a total of 468 students were enrolled, 260 are males and 208 are females. The students were composed of 169 from Grade 10; 136 in Grade 11 and 163 in Grade 12, and belong to ethnic groups of Thai (72.7%), Kinh (23.3%), Mong (3.65) and .Kho Mu (0.4%).

12. For the last five (5) school-years, enrolment of student was decreasing from 778 in school year 2008-2009; 664 in 2009-2010; 637 in 2010-2011; 599 in 2011-2012 and 548 in 2012-2013. The USS has not been equipped with subject room which prompting the school officials to request 04 classrooms and 03 subject room from the MOET. The Muong Ang USS

has 56 personnel, 9 are non-teaching staff and 47 are teachers, in which all teachers are Kinh. The teachers are all graduated of universities.

## V. ASSESSMENT OF SOCIAL IMPACTS

13. There are no social impacts expected arising from land acquisition in two USS in Dien Bien 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.

- **Cha Cang Upper Secondary School.** This school proposed a 03-storey building which covers 08 classroom and 03 function rooms. The proposed area for the building is 716 m<sup>2</sup> or 2.9% of the school land. The structure will be built within the existing school compound. No land acquisition is required and no third-party user will be affected.
- **Nam Po Upper Secondary School.** Twelve (12) classrooms and three (3) function rooms in a 03-storey building are being proposed by this school. The proposed area for the building is 867.18 m<sup>2</sup>, or 6.1% of the school premise. The structure will be built within the existing school compound. No land acquisition is required and no third-party user will be affected.
- **Muong Ang Upper Secondary School.** This school proposed a 2-storey building which covers four (4) classroom and three (3) function rooms. The proposed area for the building is 478 m<sup>2</sup> or 3.7% of the school land. The structure will be built within the existing school compound. No land acquisition is required and no third-party user will be affected.

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

### Involuntary Resettlement Impact Categorization Checklist

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

Subproject: **Cha Cang Upper Secondary School**

Province: Dien Bien District: Nam Po (Cha Cang 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 eight (8) classrooms and three (3) function rooms in 03-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?  No  Yes  Not applicable

## Indigenous Peoples Impact Screening Checklist

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

Subproject: **Cha Cang Upper Secondary School**

Province: Dien Bien District: Nam Po (Cha Cang 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 and function room 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		✓		The sub-project area is inside the school premises.

or national minorities) or “indigenous communities” in the project area?				
<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 eight (8) classrooms and three (3) function rooms in 03-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 and function rooms.
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
18. Construction of a 03-storey building covering eight (8) classrooms and three (3) function rooms at the school premises. The total land used for the new building will be 716 m <sup>2</sup> within the school land. It will follow the standard dimension as provided for in Decision 37/2008/QD-BGDDT (July 16, 2008).	<p>The provisions of new classrooms and function rooms will accommodate the increasing number of upper secondary education students. It will also facilitate in providing quality upper secondary education to them.</p> <p>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.</p>	None

### Involuntary Resettlement Impact Categorization Checklist

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

Subproject: **Nam Po Upper Secondary School**

Province: Dien Bien District: Nam Po (Nam Chua 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 12 classrooms and 3 function rooms in 03-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?  No  Yes  Not applicable

## Indigenous Peoples Impact Screening Checklist

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

Subproject: **Nam Po Upper Secondary School**

Province: Dien Bien District: Nam Po (Nam Chua 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 and function rooms 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		✓		The sub-project area is inside the school premises.

or national minorities) or "indigenous communities" in the project area?

--

--

--

--

<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 12 classrooms and 3 function rooms in 03-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 and function rooms.
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>
18. Construction of a building which includes 12 classrooms and 03 function rooms at the school premises. The land for the building will be 867.18 m <sup>2</sup> within the land of the school. It will follow the standard dimension as provided for in Decision 37/2008/QD-BGDDT (July 16, 2008).	<p>The provisions of new 03-storey building which include classrooms and function-rooms will accommodate the increasing number of upper secondary education students. It will also facilitate in providing quality upper secondary education to them.</p> <p>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.</p>	None



### Involuntary Resettlement Impact Categorization Checklist

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

Subproject: **Muong Ang Upper Secondary School**

Province: Dien Bien District: Muong Ang (Muong Ang Sub-town) 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 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.
<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?  No  Yes  Not applicable

Are any displaced persons from indigenous or ethnic minority groups?  No  Yes  Not applicable

## Indigenous Peoples Impact Screening Checklist

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

Subproject: **Muong Ang Upper Secondary School**

Province: Dien Bien District: Muong Ang (Muong Ang Sub-town) 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 and function room 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		✓		The sub-project area is inside the school premises.

or national minorities) or "indigenous communities" in the project area?

--

--

--

--

<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 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 and function rooms.
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>
18. Construction of a 02-storey building which cover four (4) classrooms and three (3) function rooms at the land of 478 m <sup>2</sup> within the school premises. It will follow the standard dimension as provided for in Decision 37/2008/QD-BGDDT (July 16, 2008).	<p>The provisions of new classrooms and function rooms will accommodate the increasing number of upper secondary education students. It will also facilitate in providing quality upper secondary education to them.</p> <p>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.</p>	None