

# Due Diligence Report

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February 2015

## VIE: Second Upper Secondary Education Development Project (USEDP II) – Kon Tum Province

Dak Tang Upper Secondary School  
Dak Choong Upper Secondary School  
Phan Boi Chau Upper Secondary School

Prepared by the Ministry of Education and Training, Socialist Republic of Viet Nam, for 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. 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. Kon Tum province lies in the Central Highlands region of Vietnam and shares borders with Laos and Cambodia. It has an area of 9,934 square km and a population of approximately 330,000. The economy is primarily agricultural. Three (3) beneficiary USSs were selected for the Project, namely: (i) Dak Tang Upper Secondary School; (ii) Dak Choong Upper Secondary School; and (iii) Phan Boi Chau Upper Secondary School. They are located in one city and two districts of the Province. As screened, they are all Category C subprojects both in Involuntary Resettlement and Indigenous Peoples categorization (Attachments 1 to 4), 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. National resettlement specialist and CPMU civil work assistance conducted site survey and consultation with key officials of Kon Tum PPMU and proposed schools during 18-20 August 2014 to verify information provided by the PPMU.

## **III. THE PROPOSED FACILITIES**

4. In all, the three (3) USSs will construct a total of 18 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 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 54.5 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. 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 three (3) schools is shown in Table 1.

**Table 1: Proposed USSs Facilities in Kon Tum Province**

<b>Name of the School</b>	<b>Classrooms</b>	<b>Function Rooms</b>
Dak Tang Upper Secondary School	8	0
Dak Choong Upper Secondary School	10	4
Phan Boi Chau Upper Secondary School	0	4
<b>Total</b>	<b>18</b>	<b>8</b>

Source: CPMU of USEDPP II

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

##### **A. Dak Tang Upper Secondary School**

7. The school is newly established in 2013 and at Vi Xay Village, Dak Tang Commune of Kon Plong District. The school has 20,867 m<sup>2</sup> of land with only 532 m<sup>2</sup> are used for school buildings. It serves the students in 04 communes, namely: Dak Tang, Mang Buk, Dak Nen and Ngoc Tem Dak Rin. During the school-year 2013-2014, some of 131 students were enrolled, 77 are males and 71 are females. The students were composed of 131 from Grade 10 and belong to different ethnic groups with Ede is majority.

8. The school is new and lack of class-rooms that prompted the need for additional 08 class-rooms. It has 15 personnel, four (4) are non-teaching staff and 11 are teachers, in which 08 are Kinh while three (3) are EMs. The teachers are all graduates of universities.

##### **B. Dak Choong Upper Secondary School.**

9. The school was built in 2013 at La Lua Village, Dak Choong Commune of Dak Glei District and occupies a total land of 9,051 m<sup>2</sup>. About 1,010 m<sup>2</sup> are used for school buildings. It serves 04 communes of: Dak Choong, Muong Hoong, Dak Blo, and Ngoc Linh. For the school-year 2013-2014, some 137 students were enrolled, 71 are males and 66 are females. The school's population were comprised by 137 students from Grade 10. 100% students are EMs.

10. Guiding the students were 12 teachers with 09 teacher are Kinh and 03 are EMs. All teachers have university education and two (2) have master degrees. The school has four (4) non-teaching personnel.

##### **C. Phan Boi Chau Upper Secondary School.**

11. The school was established in 2011 in Plei Sar Village, Ia Chim Commune of Kon Tum City. The School serves communes of Dak Nang, Doan Ket, Ia Chim and Nguyen Trai Ward. Its premises occupy a total of 34,036 m<sup>2</sup> of land and only 2,462 m<sup>2</sup> is used for school buildings and other facilities.

12. During the school-year 2013-2014, some 300 students were enrolled, 134 are males and 166 are females. Enrolment comprised 148 students from Grade 10, 109 in Grade 11 and 60 in Grade 12. The Kinh student present 50% and the remaining are EMs students. The school has 33 personnel, seven (7) of which are non-teaching staff and 26 are teachers, 12 are males and 14 are females. 22 teachers are Kinh while 4 teachers are EMs. All teachers are graduates of universities.

## V. ASSESSMENT OF SOCIAL IMPACTS

13. There are no social impacts expected arising from land acquisition in any of the selected USS in Kon Tum 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.

- **Dak Tang Upper Secondary School.** This school proposed eight (8) class-room in a 02-storey building. The total required area for these building is 404 m<sup>2</sup>. The structure will be built within the existing school compound of 20,867 m<sup>2</sup>. No land acquisition is required and no third-party user will be affected.
- **Dak Choong Upper Secondary School.** This school proposed ten (10) class-room in a 02-storey building and four (4) function rooms in 02-storey building. The total required area for these two buildings is 846.17 m<sup>2</sup>. The structure will be built within the existing school compound of 9,051 m<sup>2</sup>. No land acquisition is required and no third-party user will be affected.
- **Phan Boi Chau Upper Secondary School.** Four (4) function-rooms are being proposed by this school. A 02-storey building with a total land required of 364.5 m<sup>2</sup>. The structure will be built within the existing school compound of 34,036 m<sup>2</sup>. No land acquisition is required and no third-party user will be affected.

With the foregoing information on the proposed subprojects in KON TUM 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: **Dac Tang Upper Secondary School**

Province: Kon Tum District: Kon Plong (Dak Tang 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 of eight (8) classrooms in 02-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: **Dac Tang Upper Secondary School**

Province: Kon Tum District: Kon Plong (Dac Tang 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 eight (8) classrooms in a 02-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>
18. 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).	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



### Involuntary Resettlement Impact Categorization Checklist

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

Subproject: **Dac Choong Upper Secondary School**

Province: Kon Tum District: Dak Glei (Dak Choong 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 of 10 classrooms and four (4) function rooms in a two 02-storey buildings 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: **Dac Choong Upper Secondary School**

Province: Kon Tum District: Dac Glei (Dac Choong 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 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 10 classrooms and four (4) 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>
18. Construction of 10 classrooms at the school premises. It will follow the standard dimension as provided for in Decision 37/2008/QD-BGDDT (July 16, 2008).	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
19. Construction of four (4) function rooms in the school premises. It will follow the standard dimension as provided for in Decision 37/2008/QD-BGDDT (July 16, 2008).	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

### Involuntary Resettlement Impact Categorization Checklist

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

Subproject: **Phan Boi Chau Upper Secondary School**

Province: Kon Tum District: Kon Tum City **(Ia Chim 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 of four (4) 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: **Phan Boi Chau Upper Secondary School**

Province: Kon Tum District: Kon Tum City (**Ia Chim 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 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 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) 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>
18. Construction of four (4) function rooms in the school premises. It will follow the standard dimension as provided for in Decision 37/2008/QD-BGDDT (July 16, 2008).	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