

# Due Diligence Report

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February 2015

## VIE: Second Upper Secondary Education Development Project (USEDP II) –Tay Ninh Province

Le Duan Upper Secondary School  
Chau Thanh Upper Secondary School  
Tran Quoc Dai 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. Tay Ninh is a province in the Southeast region of Vietnam which has a population of 989,800 and an area of 4,028 km<sup>2</sup>. Three (3) beneficiary USSs were selected for the Project, namely: (i) Le Duan Upper Secondary School; (ii) Chau Thanh Upper Secondary School; and (iii) Tran Quoc Dai Upper Secondary School. They are located in three (3) districts of the province. As screened, 02 USSs of Le Duan and Tran Quoc Dai are all Category C subprojects both in Involuntary Resettlement and Indigenous Peoples categorization (Attachments 1 to 2), 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 the Tay Ninh PPMU and proposed schools during 16-17 September 2014 to verify information provided by the Tay Ninh PPMU.

## **III. THE PROPOSED FACILITIES**

4. In all, the three (3) USSs will construct a total of 20 regular classrooms and nine (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 54.5 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 Tay Ninh Province**

Name of the School	Classrooms	Function Rooms
Le Duan Upper Secondary School	0	3
Chau Thanh Upper Secondary School	18	3
Tran Quoc Dai Upper Secondary School	2	3
<b>Total</b>	<b>20</b>	<b>9</b>

Source: CPMU of USEDP II

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

##### **A. Le Duan Upper Secondary School**

7. The school became operational in 2000 and was established in Block N<sup>o</sup> 4 of Tan Chau Sub-town of Tan Chau District. Le Duan USS serves 01 sub-town and 11 communes. The school has 6,000 m<sup>2</sup> of land (Land Use Right Certificate N<sup>o</sup>. T00431 of 7 June 2002 issued by the Tay Ninh PPC) with only 961 m<sup>2</sup> are used for school buildings.

8. During the school-year 2013-2014, a total of 379 students were enrolled, 215 are males and 164 are females. The students were composed of 183 from Grade 10, 84 in Grade 11 and 112 in Grade 12. The “Kinh” student are majority with 99.2% and Khmer with 0.8%. The average enrolment of the school in the last five years is 425.

9. The school has 43 personnel, five (5) are non-teaching staff and 29 are teachers and all of them are Kinh. The teachers are all graduates of universities with one teachers (1) has already a master degree while one (1) are pursuing theirs.

##### **B. Chau Thanh Upper Secondary School**

10. Established in 2000, the school is located at Ruong village, Tri Binh commune, Chau Thanh district. The Chau Thanh USS serves 10 communes. The school has 6,633 m<sup>2</sup> of land (Land Use Right Certificate N<sup>o</sup> T01344) with only 876 m<sup>2</sup> are used for school buildings.

11. During the school-year 2013-2014, a total of 322 students were enrolled, 214 are males and 108 are females. The students were composed of 106 from Grade 10, 109 from Grade 11 and 107 from in Grade 12. All student are Kinh. During the last 05 years school enrolment was 358 student in school year 2008-2009, 394 in school year 2009-2010, 421 in school year 2010-2011, and 309 in school year 2012-2013.

12. The school has 36 personnel, seven (7) are non-teaching staff and 29 are teachers and all of them are Kinh. The teachers are all graduates of universities

##### **C. Tran Quoc Dai Upper Secondary School**

13. The school was established in 1990 in Go Dau Sub-town of Go Dau District. The school serves 8 communes of: Thanh Phuoc, Phuoc Thanh, Phuoc Dong, Hiep Thanh of Go Dau Sub-town, An Thanh of Ben Cau District and Gia Binh of Trang Bang District.

14. Its premises occupy a total of 5,679 m<sup>2</sup> of land but only 576 m<sup>2</sup> are used for the school buildings. During the school-year 2013-2014, some 441 students were enrolled, 259 are males and 182 are females. Enrolment comprised 136 students from Grade 10, 171 in Grade 11 and 134 in Grade 12. Ethnicity of the students includes Kinh, 99% and Hoa, 0.9%.

15. The school has 41 personnel, six (6) of which are non-teaching staff and 35 are teachers, 16 are males and 19 are females. All teachers are Kinh and are graduates of universities with two (2) teachers have master degrees.

## V. ASSESSMENT OF SOCIAL IMPACTS

16. There are no social impacts expected arising from land acquisition in any of the selected USS in Tay Ninh 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.

- **Le Duan Upper Secondary School.** This school proposed three (3) function rooms in a 03-storey building at the area of 246 m<sup>2</sup>. The structure will be built within the existing school compound. No land acquisition is required and no third-party user will be affected.
- **Chau Thanh.** This school proposed eighteen (18) classroom and three (3) function rooms in a 03-storey building at the area of 638 m<sup>2</sup>. The structure will be built within the existing school compound. No land acquisition is required and no third-party user will be affected.
- **Tran Quoc Dai Upper Secondary School.** Two (2) classrooms and three (3) function rooms are being proposed by this school. A 03-storey building for these rooms was proposed by the USS with a total area of 597.3 m<sup>2</sup>. The structure will be built within the existing school compound. No land acquisition is required and no third-party user will be affected.

17. With the foregoing information on the proposed subprojects in TAY NINH 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: **Le Duan Upper Secondary School**

Province: Tay Ninh District: Tan Chau (Tan Chau 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 of 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? <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 Project (USEDP II)**

Subproject: **Le Duan Upper Secondary School**

Province: Tay Ninh District: Tan Chau (Tan Chau 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 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 thee (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**

<b>Project component/ activity/output</b>	<b>Anticipated positive effects</b>	<b>Anticipated negative effects</b>
1. Construction of three (3) function rooms in the school premises.	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: **Chau Thanh Upper Secondary School**

Province: Tay Ninh    District: Chau Thanh (Tri Binh 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 18 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? <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 Project (USEDP II)**

Subproject: **Chau Thanh Upper Secondary School**

Province: Tay Ninh District: Chau Thanh (Tri Binh 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 18 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**

<b>Project component/ activity/output</b>	<b>Anticipated positive effects</b>	<b>Anticipated negative effects</b>
1. Construction of 18 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
2. Construction of three (3) 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: **Tran Quoc Dai Upper Secondary School**

Province: Tay Ninh    District: Go Dau ( Go Dau 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 of two (2) 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? <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 Project (USEDP II)**

Subproject: **Tran Quoc Dai Upper Secondary School**

Province: Tay Ninh District: Go Dau (Go Dau 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 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 two (2) classrooms and three (3) function rooms in a 04-storey building at the school premises.
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		The sub-project will only involve the construction of classrooms.
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples?		✓		There is no acquisition of lands.

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

<b>Project component/ activity/output</b>	<b>Anticipated positive effects</b>	<b>Anticipated negative effects</b>
1. Construction of two (2) 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
2. Construction of three (3) 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