Ethnic Minority Development Plan

July 2011

VIE: Comprehensive Socioeconomic Urban Development Project – Viet Tri, Hung Yen, and Dong Dang (Dong Dang)

Prepared by the Lang Son Provincial People’s Committee for the Asian Development Bank.

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DRAFT ETHNIC MINORITY DEVELOPMENT PLAN

(Lang Son-Dong Dang component)

Socio-Economic Development Project
TA7516-VIE

April 2011
## CURRENCY EQUIVALENTS
*(as of 30 April 2011)*

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## ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>ADB</td>
<td>Asian Development Bank</td>
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<tr>
<td>CAP</td>
<td>Corrective Action Plan</td>
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<tr>
<td>CBMC</td>
<td>community-based monitoring committee</td>
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<td>CBWMG</td>
<td>community-based waste management group</td>
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<td>CEMMA</td>
<td>committee for ethnic minorities and mountainous areas</td>
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<td>DMS</td>
<td>Detailed Measurement Survey (Resettlement)</td>
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<td>EMDP</td>
<td>ethnic minority development plan</td>
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<td>EMO</td>
<td>external monitoring organization</td>
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<td>ha</td>
<td>hectare</td>
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<tr>
<td>HAPP</td>
<td>HIV/AIDS Awareness and Prevention Program</td>
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<td>HTPP</td>
<td>Human Trafficking Prevention Program</td>
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<td>km</td>
<td>kilometer</td>
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<tr>
<td>m</td>
<td>meter</td>
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<tr>
<td>m²</td>
<td>square meter</td>
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<tr>
<td>MOLISA</td>
<td>Ministry of Labour, Invalids, and Social Affairs</td>
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<td>PAP</td>
<td>participatory action plan</td>
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<td>PMU</td>
<td>project management unit</td>
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<td>PPC</td>
<td>Provincial People’s Committee</td>
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<td>PRA</td>
<td>participatory rapid appraisals</td>
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<td>PRC</td>
<td>People’s Republic of China</td>
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<td>SES</td>
<td>socioeconomic survey</td>
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<td>Social and Environment Unit</td>
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<td>safeguard policy statement</td>
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<td>technical assistance</td>
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<td>terms of reference</td>
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<td>URENCO</td>
<td>urban and environment company</td>
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## NOTE

In this report, "$" refers to US dollars unless otherwise stated.
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I. EXECUTIVE SUMMARY, ETHNIC MINORITY DEVELOPMENT PLAN

1. The Comprehensive Socio-economic Development Program (SEDP) seeks to improve urban infrastructure and municipal services within the cities of Viet Tri City, Hung Yen City and Dong Dang town. The project preparatory technical assistance (TA) presented a list of sub-components developed in close collaboration with Government of Viet Nam partners and the Asian Development Bank (ADB). In this regard, project urban infrastructure sub-components will focus on a) roads, b) wastewater, c) solid waste, d) urban infrastructure improvement and e) border gate facilities.

2. An Ethnic Minority Development Plan (EMDP)\(^1\) is required for all ADB projects with impacts on Ethnic Minorities\(^2\). This draft report is developed in compliance with ADB Policy on Indigenous Peoples (1998) and related ADB Safeguard Policy Statement (SPS, 2009). The objective of the EMDP is to ensure that the design and implement of the Project fosters full respect for Ethnic Minority Peoples’ identity, dignity, lawful rights, livelihood systems, and cultural uniqueness as defined by the Ethnic Minority Peoples themselves so that they (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of projects, and (iii) can participate meaningfully in the Projects activities that affect them.

3. Initial consultations with the project affected ethnic minorities were carried out during the social assessment, and particularly within preparation and scoping phases of the project’s involuntary resettlement. The Project components within Lang Son-Dong Dang is assessed as having medium level of impacts on ethnic minority communities in the project areas and is expected to provide tangible benefits both in the short to long term.

4. The negative impacts and risks have been identified as involuntary resettlement (associated with the acquisition of land for the Huu Nghi border gate and drainage components), temporary impacts on livelihoods of vendors at Dong Dang Market (associated with market drainage upgrades) and increased risks of HIV/AIDS infection and human trafficking (in the short term associated with the implementation of civil works as well as long term risk associated with increased mobility and movement of people resulting from the operation of the border gate).

5. Communities within the Project areas (including ethnic minorities) are also expected to receive short, medium to long term benefits from the Project. In the short term the project’s policy of prioritizing their employment in civil works and promoting their participation in vocational opportunities (to be offered via the project’s resettlement component) will improve employment opportunities and provide income sources. In the medium term ethnic minority people will be prioritized in the project for employment opportunities in maintenance activities, including positions reserved for ethnic minority households on proposed community-based monitoring committees (CBMCs) and community-based waste management groups (CBWMGs). In the long term, the local communities will benefit from improved environmental sanitation and economic development.

6. As regards ethnic minority households, communities and individuals in the project area, there exists minor numbers of ethnic minorities in the Viet Tri and Hung Yen City

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\(^1\) In ADB Safeguard Policy Statement (SPS), referred to as Indigenous Peoples Plan.

\(^2\) In the ADB SPS, referred to as Indigenous Persons.
subcomponents, with the majority of resident persons being either Kinh (majority) or inter-married into Kinh households.

7. Ethnic groups and their issues are of key concern in the Lang Son-Dong Dang component, where ethnic groups include the Nung (46.5%), Tay (38.5%), Kinh (9.8%), Dao (3.7%), and others (1.1% Thai, Hoa, San Chi and San Dui). This ADB project is viewed as a category B project, and having ‘limited impacts’ on ethnic minority due to resettlement impacts in Lang Son involving: the acquisition of ethnic minority household and productive lands for Huu Nghi border gate, and ethnic minority household relocation for flood protection upgrades, and temporary relocation of Dong Dang ethnic minority market vendors for improvements related to Dong Dang market drainage infrastructure.

8. In order to minimize project resettlement impacts, ethnic minority households within the Lang Son-Dong Dang project area are to be prioritized for vocational, training as well as employment opportunities in project construction and maintenance activities. This also includes positions to be reserved for ethnic minority households within Social Impact Assessment (SIA) proposed CBMCs and CBWMGs.

9. More specifically, a target of 30% jobs created under the Lang Son component are explicitly specified for ethnic minority peoples; local languages will be used in communication and outreach for involuntary resettlement consultations and materials; and use of local languages and graphic signage, where appropriate, for community outreach activities such as those envisioned under the HIV/AIDs, human trafficking awareness raising and other awareness supporting urban solid waste, waste water management improvements.

10. In the interest of building ethnic minority participation, ethnic minority inputs and decision making into the program, impacted ethnic minority household data is to first be carefully disaggregated and conscientiously tracked over the life of the project. Both resettlement and livelihood grievance mechanism will also be established early in the program to track and amend important issues arising in this regard.

11. Notably, given the resettlement catalyst on ethnic minority households and resettlement component mitigating resources, while ethnic minority and vulnerable persons issues are addressed throughout the Project’s social assessments, primary address of ethnic minority issues will occur beginning with the appropriate targeting of project resources within the project’s proposed Resettlement Plan and Resettlement Corrective Action Plan (CAP). The specific needs/issues of ethnic minorities are mainstreamed and substantially addressed through the Government and ADB project resources affording ethnic minority resettlement plan and ethnic minority Livelihood Restoration frameworks.

12. The key issue will be to ensure that poor, vulnerable and ethnic minority households in the area have been accurately targeted and to ensure they will be able to benefit from the project. What is thus required is an approach that is flexible enough to respond to the diversity of ethnic minorities within the Lang Son-Dong Dang area. Such plan will include:

   (i) An accurate disaggregation of local household social and economic indicators reflecting the specific monitoring of ethnic minority households in the Dong Dang market and Lang-Son border area.

   (ii) Accurate identification of ethnic minority household compensation and needs, and provision of funds for livelihood restoration for all affected market stalls or
vendors; river embankment households, and; the resettled households or production areas adjacent the border area.

(iii) Ensuring the involvement of ethnic minority representative groups and committees in project development and monitoring for the market, river embankment and border area construction works.

(iv) Ensuring the input, participation and representation of market ethnic minority households on respective project CBMCs.

(v) Ensuring that livelihood restoration is effectively addressing ethnic minority needs and issues, and that impacted ethnic minority households are attending resettlement sponsored trainings, vocation and new employment building activities. Ensuring that these training and activities are truly sufficient to the development of new livelihoods.

(vi) Careful monitoring of the distribution of compensation payments, to ensure that they are paid in full and directly to impacted market sellers (approximately 165–183 persons), the four households adjacent the river embankment, and the 42 impacted households (border gate), and that no discrimination is exercised against them.

13. Based on this approach, the project’s resettlement consultation will provide process to ensure the design of subproject specific plans resulting in the full, informed and meaningful participation of all beneficiaries and affected communities, including both Kinh and the market/border area ethnic minority households.

14. The cross-cutting issue of ethnic minorities and their development is further highlighted in the project draft SIA. Additional and specific mitigating actions targeting ethnic minority households are specified within the project’s anticipated Lang Son-Dong Dang “ethnic minority resettlement plan” and further outlined within this report.

II. DESCRIPTION OF THE PROJECT

15. The general objective assigned to this Comprehensive Socioeconomic Development Project is to develop Viet Tri, Hung Yen and Dong Dang to complement Hanoi as northern Viet Nam economic centers, and; to contribute to the transformation of the North-South Economic Corridor (NSEC) from secondary transport corridor to a full-fledged Greater Mekong Subregion (GMS) ring road and economic corridor.

16. The specific project objective is to improve urban infrastructure and municipal services in the project cities through investment in urban infrastructure construction and upgrades, and strengthening of local government urban management capacities.

17. The project preparatory TA presented a revised list of sub-components developed in close collaboration with Government partners and ADB (7 March 2011). In this regard, project urban infrastructure sub-components focus on (i) roads, (ii) wastewater, (iii) solid waste, (iv) urban infrastructure improvement, and (v) border gate facilities.

18. This project area concerns two cities of the Northern red river delta, i.e. Viet Tri City and Hung Yen City; and the one Northeastern town of Dong Dang, Cao Loc District, Lang Son Province. Please refer to the GMS-NSEC map below.
Dong Dang is a border town within Lang Son Province, and serves a major border gate between Viet Nam and the Peoples Republic of China (PRC). Dong Dang is significant in its handling of approx. 70% of the freight and passengers transiting between Viet Nam and the PRC. Since 2000, the numbers of cross-border passengers at the Huu Nghi gate have been estimated to increase by up to 450%. On the PRC side, construction of various border gate facilities have almost been completed, and similar improvements are planned within this project to support improved border infrastructure and logistics on the Vietnamese side.

III. PROJECT COMPONENTS IN LANG SON-DONG DANG

The Project has two main components in Lang Son-Dong Dang, consisting of: (i) Basic Urban Infrastructure Upgrading; and (ii) the Development of Border Gate Facilities. A description of these components and activities likely to impact on ethnic minorities in the project area are set out below:

A. Basic Urban Infrastructures upgrading

The project will improve the drainage system and raise the river embankment adjacent to the market area in Dong Dang town. It aims to solve frequent flooding problems occurring adjacent the river and flood conditions in the market area during heavy rains due to a currently inappropriate drainage system. The project will finance:
22. The installation of drainage pipes in the market area will utilize existing public easements and after installation the affected area will return to its previous use. As such, there is no associated land acquisition nor are there any long term negative impacts associated with flood control improvements. Nevertheless, the works associated with installation of drainage pipes in the vicinity of Dong Dang Market are expected to cause disruption in public access to the town market. This is expected to have an associated impact of loss of income to vendors (many of whom are ethnic Nung) at the market for the period of the disruption.

23. The construction of river embankments will require the acquisition of a strip of 5m on both riverbanks over a length of 850m. The associated impact is the physical displacement of four households residing along the riverbank. These households will have insufficient remaining land on which to rebuild their houses. These four households to be physically displaced are ethnic Nung.

24. Additional ethnic minority data in the above regard has been requested and is being gathered and presented within the Lang-Son Dong Dang resettlement plan.

B. Border Gate Facilities

25. The Huu Nghi Border Gate is located about 3km far from Dong Dang town at the border with China. This border gate is one of the main border gates (along with Lao Cai) for ongoing and growing trade between China and Vietnam. The project proposes an integrated concept with a comprehensive design of infrastructure and building to speed up and facilitate border and logistical processes. The project will finance:

(i) Infrastructure upgrades: 2.9km of roads (water supply pipes as well as drainage and sewage pipes along the road); 5.2 hectares (ha) of parking. For shuttle: immigration park shuttle 0.8ha; for people: immigration park 0.86ha, emigration park 0.68ha. For goods: truck park import, 2.13ha; truck park export, 0.73ha.

(ii) An integrated building for customs, immigration and emigration of about 9,980 square meters (m²) and to represent the symbolic gate at the border.

26. The construction of the border gate facilities will require the acquisition of 146,029m² of land belonging to area ethnic minority households. According to currently available resettlement data, the affected land comprises 518m² residential land; 16,231m² rice and/or annual cropland; 85,228m² of garden area; 3,348m² aquaculture land; and 40,703m² of forestland. A total of 42 households would be affected by the acquisition of this land. Two ethnic minority households would be physically displaced, while 40 ethnic minority households would lose productive lands only. The affected families belong to Bao Lam commune, where 98% of the population is ethnic Nung and 2% are ethnic Tay. (Disaggregated ethnic minority, income and livelihood, gender and related data per project-affected household have been requested, and are provided within project resettlement documents).

27. Acquisition of this land was approved by the Government prior to the commencement of the ADB-funded project preparatory TA, and resettlement and compensation prepared in accordance with Vietnamese Government legal requirements. Nevertheless, over the course of the project preparatory TA, the land acquisition was still ongoing and yet complete. At the time
of the project preparatory TA, only 10 of the 42 affected households had received compensation, though neither physical nor economic displacement had yet taken place. The Lang Son Provincial People’s Committee (PPC) advised the project preparatory TA consultants and the ADB Mission that they intend to continue with implementation of the above mentioned land acquisition, but will also now implement an ADB-approved CAP and EMDP following loan effectiveness to ensure compliance with ADB SPS requirements (see also below).

IV. SOCIAL IMPACT ASSESSMENT

A. Legal and Policy Framework on Ethnic Minorities of Vietnam

28. The definition of ethnic minority status in Vietnam is based upon the following criterion:

   (i) A language different from the national language;
   (ii) Long traditional residence on, or relationship with, land, and long traditional social institutional system;
   (iii) A self-provided production system; and
   (iv) A distinct cultural identity and self-identification as a distinct cultural group that is accepted by neighboring ethnic groups.

29. The Government of Vietnam (Government) has passed a series of policy resolutions related to the ethnic minority development that can be classified into three basic policy resolution groups, i.e.:

   (i) the first policy group relates to creating conditions for sedentary farming and the permanent settlement of ethnic minority peoples;
   (ii) the second policy group relates to creating conditions for the whole socio-economic and cultural development of mountainous ethnic minority people; and
   (iii) the third group relates to mountainous area land allocation and administration.

30. The first group consists of legal framework and policies that, by example, include:

   (i) Resolution No.38/CP of 12 March 1968 of the Government’s Council on officially launching a campaign for shifting cultivators to practice sedentary practices and fixed cultivation.
   (ii) Directive No.393-TTg of 10 June 1996 of the Prime Minister on population planning, improvement of infrastructure and production restructuring in the regions of ethnic minorities and mountainous regions.
   (iii) Resolution of the IX session Party Central Committee’s No 24/-NQ/TW dated on 12 March, 2003 on "Ethnic Minorities activities."
   (iv) Decision No.134/2004/QD-TTg of 20 July 2004 of the Prime Minister on a number of policies to provide support in terms of production land, water access, residential land, dwelling houses and daily-life needs to poor ethnic minority households meeting with difficulties (which is referred to as “Program 134”).

31. The second group consists of legal framework and policies that, by example, include:

   (i) Directive No.525/TTg of 2 November 1993 of the Prime Minister on 'Policies and Methods for Continued Economic and Social Development in Mountainous Areas.'
   (ii) Decision No.135/1998/QD-TTg of 31 July 1998 of the Prime Minister approving
the program on socio-economic development in mountainous, deep and remote communes with special difficulties (which is referred to as “Program 135”).

(iii) Resolution No.22/NQ-TW of 11 November 2003 of the Party’s Politburo on a number of policies for the economic-social development in the mountainous communes.

(iv) Decision No.07/2006/QD-TTg of 10 January 2006 of the Prime Minister on approving the program on socioeconomic development in special difficulty-hit communes in ethnic minority and mountainous areas in the 2006–2010 period (which is referred to as “Program 135 – Phase 2”).


32. The third group consists of legal framework and policies that, by example include:

(i) Decision No.327-CT of 15 September 1992 of the Ministers’ Council regulating a number of guidelines and policies for the use of area land, denuded hills, forests, alluvial flats, and water bodies (which is referred to as “Program 327”).

(ii) Decision No.163/CP of 16 November 1999 of the Prime Minister on the rent and allocation of forestlands to area organizations, households and individuals for the ‘stable and long-term use in support of national forestry objectives’.

(iii) Decision No.132/2002/QD-TTg of 8 October 2002 of the Prime Minister on the allocation of production and residential land to local ethnic minority people in the Central Highlands.

33. The aforesaid policy and legal resolutions seek in part to create more favorable conditions for ethnic minority households in applying site-stable farming practices and settlement. Improvement of infrastructure for ethnic minority people in mountainous poor communes has been paid special attention, and their access to basic public services, education, health care, land use rights, etc. have also been considerably improved by these policies.

34. Additional ethnic minority policies exist and that have aimed to improve ethnic minority economic, social and cultural life, increase ethnic minority educational access, land rights and other support for the life of ethnic minority communities.

35. Beside the policy groups in direct relation to ethnic minorities, two specific Decrees relating to ‘grassroots democracy’ and ‘public participation’ have also been applied in this ethnic minority plan, including: Decree No.79/2003/ND-CP of 7 July 2003 of the Government on the implementation of democracy in communes, ward and township levels, and; Decision No.80/2005/QD-TTg of the Prime Minister on promulgating regulations for the investment supervision of projects and project works by communities, themselves.

B. ADB Policy on Indigenous People

36. ADB’s policy on indigenous people is set out in the ADB SPS. This policy is summarized briefly, as follows:

37. Objectives: A project will design and implement activities in a way that fosters full respect for indigenous peoples’ (i.e. ethnic minorities) identity, dignity, human rights, livelihood
systems, and cultural uniqueness as defined by the indigenous peoples themselves, and so that they (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of projects, and (iii) can participate actively in projects that affect them.

38. **Scope and Triggers**: Indigenous people (or ethnic minority) safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of indigenous peoples (i.e. ethnic minorities) or affects the territories or natural or cultural resources that indigenous people own, use, occupy, or claim as an ancestral domain or asset.

39. The term indigenous peoples is used by ADB in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

(i) self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;

(ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;

(iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture;

(iv) a distinct language, often different from the official language of the country or region. In considering these characteristics, national legislation, customary law, and any international conventions to which the country is a party will be taken into account, and;

(v) a group that has lost collective attachment to geographically distinct habitats or ancestral territories in the project area because of forced severance remains eligible for coverage under this policy.

40. As more familiar to Government partners in the program, the term ethnic minority is used within this report and is equivalent to the ADB term indigenous persons.

41. All ADB projects are screened to determine whether or not they have potential impacts on indigenous peoples. The significance is decided by scrutinizing the type, location, scale, nature, and magnitude of a project’s potential impacts on indigenous peoples. The degree of impacts is determined by evaluating (i) the magnitude of the impact on indigenous peoples’ customary rights of use and access to land and natural resources; socioeconomic status; cultural and communal integrity; health, education, livelihood systems, and social security status; or indigenous knowledge; and (ii) the vulnerability of the affected indigenous peoples.

42. This project is viewed ADB category B, and such projects are expected to have limited impacts on indigenous peoples. An EMDP and SIA are required.

C. **Socioeconomic conditions of Indigenous Peoples in the project area:**

C.1 **Methodology**

43. Data collection and analysis within the SIA and EMDP included the following methodologies and information sources:

- **Planning and Preparation.** Basic information needs were identified through the desk review of project documents (e.g. Inception report, ADB TA memorandum of understanding, ADB poverty reduction strategy), in-depth consultation with project preparatory TA team members, review of the project’s operating
environment, history, proposed partnerships, and perceived challenges and opportunities. Secondary sources of information included government departmental and agency statistical reports as well as other relevant studies. Where these are relied on, they are cited in the SIA.

- **Data collection and analysis.** Evaluation questionnaires were developed, vetted, and agreed to between the project preparatory TA team and field partners. A household survey was developed and delivered to achieve the input of 1,075 households in vicinities of the project. Within Dong Dang, 150 households (representing 589 individuals) were surveyed.

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<td><strong>Project Area</strong></td>
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<td>Lang Son-Dong Dang Town</td>
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- **At the time of this writing, household survey data was indicative. Nevertheless, this data should be completed and made available to the implementation phase, and used to inform or complement the EMDP baseline data and it’s monitoring. Disaggregated ADB and Government project ethnic minority resettlement data should also be made available for project planning, monitoring and related requirements.**

- **Semi-structured and In-depth Interviews.** Through field visits, including interviews and field observations in a representative sample of targeted city ward or commune communities, a participatory and rapid meta-appraisal was implemented through which insights from ethnic minority stakeholders provided insight into: community and ethnic minority household needs or aspirations; potential stakeholder roles in the project; opportunities and challenges to fulfilling that role; positive project impacts and risks requiring mitigation; etc. Visits were also arranged to conduct interviews targeting ethnic women and their groups, including a limited number of households, village leaders, and other key informants in the focal ward or communes.

- **Focus Group Consultation and Discussion.** Across the three project cities, meetings with over 57 stakeholder groups give additional significance to the range of project issues and data acquired. Post field-discussion was undertaken with the project preparatory TA team to assist further determination of project efficiencies and required social mitigation actions.

- **Reporting.** Debriefings were conducted with the project preparatory TA and ADB teams, communities and proposed Government project partners and their staff to share and gain additional insights on preliminary findings. As provided for in the terms of reference (TOR), the results of this process were presented in an Inception Report (November 2010), Interim Report (January 2011), and within an SIA or project preparatory TA draft final report (April 2011).

**C.2 Demography and Labor Force**
Lang Son-Dong Dang Town

44. Lang Son city is the capital of Lang Son Province. The provincial economy is based on approx. 80% agriculture and forestry, with large mineral deposits currently being explored. While migration rates have dropped throughout the province, the city’s population continues to grow (albeit slowly) above its natural rate of increase. This indicates continued and permanent migration toward this developing urban area.

45. Dong Dang town was home to approximately 7,421 persons in 2009, and is the focus of the project’s proposed urban development interventions in drainage improvement and flood protection. Forecasted support of this project is also focused in Lang Son on the Huu Nghi border gate and implementation of its border control master plan (i.e. logistics park, more appropriate connection roads, etc.).

![Figure 2 – Dong Dang Town, Lang Son Province Subcomponents](image)
46. Dong Dang town is the administrative center of Cao Loc District, Lang Son Province. The town is adjacent the Vietnam-China (Guanxi Zhuangzu Province) border area. An international railway station services the town, and this its upgrade planned via other project in 2011.

47. Temporary migration through the locale is notable, given Lang Son and Dong Dang town’s proximities to the Vietnam-PRC border.

48. As compared to other Vietnam-China border areas (e.g. Ha Giang, Cao Bang, Lao Cai and Lai Chau provinces), Lang Son asserts itself as the ‘national’ border province of Vietnam. Intensive retail and bulk trade are focal activities within the border area, and trade volumes and Dong Dang household incomes derived from trade are supportive of this.

49. In terms of the labor force by occupation, of 150 households (or 589 individuals) surveyed, 97 people (16.49%) were engaged in agriculture, 3 people (0.51%) were employed by industry, 173 people (29.37%) were engaged in commerce, and a majority (53.6%) were engaged in ‘other services’ and/or unemployed.

50. Household Sources of Income last year: of 258 people surveyed, 20.54% of interviewees received income from agriculture, 13.57% from animal husbandry, and a notable 44.19% received household income from trade; 7.4% received income as ‘wage-earners,’ and 14.3% received income from ‘other sources’.

51. The importance of trade to Dong Dang town residents is highlighted again within the main source of family income, in which out of 150 households surveyed: 12% of main income was from agriculture; 2% from animal husbandry; a significant 70.7% from trade; 8% from wage-earners; 1.3% from pensions, subsidies, and; 6% from other sources.

C.3 Poverty and Living Standards

52. When measuring project area poverty and poverty alleviation impacts, there are various methodologies applied, and the poverty line is revised by the Government from time to time to reflect changes in the cost of living and income levels.

53. The Ministry of Labour, War Invalids and Social Affair’s (MOLISA) definition is the official government criteria used, and is based upon income level. National poverty criteria established in November 2010 (as defined by income) for Vietnam rural and urban areas is currently as follows:

<table>
<thead>
<tr>
<th>Table 2: MOLISA Revised Poverty Criteria (2011)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area</td>
</tr>
<tr>
<td>---------------</td>
</tr>
<tr>
<td>Urban</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Rural</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

Source: MOLISA.
Table 3: Poverty Rates in Dong Dang Town

<table>
<thead>
<tr>
<th>Ward or Commune</th>
<th>Total Households</th>
<th>Number of Poor Households</th>
<th>Rate (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lang Son City, Cao Loc District</td>
<td>1,899</td>
<td>87</td>
<td>4.5%</td>
</tr>
<tr>
<td>Dong Dang Town</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bao Lam Commune</td>
<td>686</td>
<td>70</td>
<td>10.2%</td>
</tr>
</tbody>
</table>

Source: Dong Dang Town PC, 2010 (using new poverty rate).

54. Project city households may likewise be considered according to income quintiles, in which households are divided according to their gross income with each quintile representing 20%, or 1/5 of all households. The difference between highest income quintile and the lowest income quintile on a monthly average income per capita in 2008 by focal province was then:

Table 4: Highest and Lowest Income Quintile

<table>
<thead>
<tr>
<th>Area</th>
<th>Lowest income Quintile (VND)</th>
<th>Highest income Quintile (VND)</th>
<th>% Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>National</td>
<td>275,000</td>
<td>2,458,000</td>
<td>8.9%</td>
</tr>
<tr>
<td>Lang Son Province</td>
<td>240,000</td>
<td>1,647,000</td>
<td>6.9%</td>
</tr>
</tbody>
</table>

VND = Vietnamese dong.

55. Lang Son Province, as a northern mountainous area, indicates lower average incomes and, as compared to Hung Yen, slightly higher degrees of poverty. It is noted however, that within this northern area, there is also generally lower costs of living than in the lower red river delta area (i.e. Hung Yen).

56. Percentage differences between highest and lowest income quintiles are, within each site, lower than the national average in 2009.

57. Within the household surveys, there proved a strong poverty correlation between ‘household type’ and their reported household incomes. The surveys also suggest that households of the lowest quintile are more likely to invest in basic necessities, such as food, and less towards new household items and/or education.


<table>
<thead>
<tr>
<th>Area</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>National</td>
<td>15.5</td>
<td>14.8</td>
<td>13.4</td>
</tr>
<tr>
<td>Lang Son Province</td>
<td>21.0</td>
<td>20.0</td>
<td>19.3</td>
</tr>
</tbody>
</table>


58. Interviewed Ethnic Minority stakeholders further characterized poverty within the project’s focal areas as related to:

- Deficiencies in work related technical skills, a lack of access to capital and credit for household production, and with generally ‘lower incomes and educational attainment levels in more rural commune areas’ than compared to their city ward counterparts, or areas closer to Hanoi.

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3 Poverty rates were measured by then monthly average income per capita according to the Government standard from 2006–2010 (VND 260,000 for urban; VND 200,000 for rural). A new poverty line was employed as of January 2011 (see MOLISA poverty line criteria above). A multi-dimensional poverty criterion is currently being debated (e.g. access to public services) in policy and social protection circles.
A limited access to formal markets, transportation and connecting roads, solid waste disposal, water, drainage and other urban services.

Limitations in project areas for attracting new industries, “...with new industry still favoring proximities closer to the Hanoi.”

With occupation and project geographic areas held constant, across all project sites higher educational attainment was generally equated with a lower the likelihood of household poverty.

With current urbanization trends, a level of wealth based social stratification was viewed between project city rural commune and urban ward areas. This may be an indication of households with and without links or networks to business or government, and between agricultural and business/industry/service-based labor. (Current growth and change in Lang Son-Dong Dang will necessarily be directed to be participatory and inclusive in this program to avoid potentials exacerbating differences in population income and living conditions).

Land use changes were also viewed by ethnic minority stakeholders as important when considering poverty alleviation, this perhaps given potential future limitations in land available to agriculture which may arise from increased urban development and that may eventually extend to other aspects of project provincial landscapes (e.g. natural forest and protected areas which are being encroached upon for agriculture expansion).

59. It is clear at this point that land use changes highlight potential income impacts on the rural workforce, as well as the need to develop employment alternatives, training and skills (which may or may not be resource or land dependent). As such, the development of new project employment options is to be preceded by a vocational training needs assessment of all resettled ethnic minority households.

60. Initial Household Survey data developed further underscored the following poverty and income data per project focal city.  

Dong Dang Town

61. Within Lang Son Province as a whole, 11,789 female (single) headed households with dependents were listed as poor. The province currently maintains several vocational training centers with this assistance targeted to women, poor and other vulnerable households.

62. Of 150 surveyed households in Dong Dang, the percentage of households classified as poor was 5 households (3%); 5 near-poor households (3%); 114 middle income households (76%), and; 26 households (or 17%) indicated they were ‘better off.’
63. As mentioned previously, cross border ‘trade’ forms a primary source of income to Dong Dang’s sizeable middle-income group (76%).

64. Concerning training and opportunities made to improve household well-being, training support made available in the last year to Dong Dang households included 24 technical trainings, in which: 19 population or family planning trainings took place; 18 healthcare trainings; and 1 environment protection training. 56 mass organization or public activity trainings took place, and the sampled population perceived the majority of these as ‘useful.’

C.4 Living conditions

- Social conditions such as health, nutrition, education and housing influence productivity, and thus affect a given ethnic minority household’s poverty status.

- Household survey data presented in the project preparatory TA SIA reflects differences within the project’s focus areas in their management of household waste, housing type, toilet and septic systems, and other variables indicative of project area household living conditions.

- Of the 150 households surveyed in Dong Dang town, 48 households (32%) were within a permanent house, 102 (68%) were within semi-permanent housing, and no household was reported to be in temporary housing. Thus within Dong Dang, ‘semi-permanent’ housing is found significant in the sampled population. Semi-permanent housing indicates that significant aspect of the house is temporary and/or makeshift. This highlights potential social concerns as regards urbanization, and may indicate issues related to informal planning as well as potential deficiencies in household access to basic urban services. This is a factor that must continue to be considered if or as populations of project focal cities continue to increase as expected, as without proper homestead planning, might lead to unintentional results including overcrowding and unplanned urban squalor.
Table 6: Types of Housing of survey sample

<table>
<thead>
<tr>
<th>Type of House</th>
<th>No.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent house (tiled, concrete, multi-floor)</td>
<td>48</td>
<td>32</td>
</tr>
<tr>
<td>Semi-permanent house (tiled, single level)</td>
<td>102</td>
<td>68</td>
</tr>
<tr>
<td>Temporary house (thatch, bamboo)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>150</td>
<td>100</td>
</tr>
</tbody>
</table>

- Of 112 households surveyed in Dong Dang town, 109 households claimed to have a septic tank and 3 households did not. Of 110 households, 95 households were already linked with the public water drainage system and 15 households remained yet connected.

Table 7: Types of Sanitation Used by Survey Sample

<table>
<thead>
<tr>
<th>Type of toilet available to the Household</th>
<th>No.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flush toilet, sewage pipes</td>
<td>107</td>
<td>72.3</td>
</tr>
<tr>
<td>Absorbent toilet, flush</td>
<td>6</td>
<td>4.1</td>
</tr>
<tr>
<td>Double vault compost latrine</td>
<td>16</td>
<td>10.8</td>
</tr>
<tr>
<td>Temporary toilet</td>
<td>19</td>
<td>12.8</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>148</td>
<td>100</td>
</tr>
</tbody>
</table>

- Of 150 households surveyed in Dong Dang town, 102 (68%) collected household waste that was later picked up by Urban Environment Company (URENCO), 1 collected household waste and delivered that to a designated URENCO pick up point, and 47 households (31%) collected and burned or buried their waste on their own.

Table 8: Primary Means of Waste Disposal for Survey Sample

<table>
<thead>
<tr>
<th>Primary Means of Disposing Household Waste</th>
<th>No.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collect and leave for collection by URENCO</td>
<td>102</td>
<td>68.0</td>
</tr>
<tr>
<td>Collect for delivery to URENCO point</td>
<td>1</td>
<td>0.7</td>
</tr>
<tr>
<td>Collect and burn/bury</td>
<td>47</td>
<td>31.3</td>
</tr>
<tr>
<td>Collect and dump in pond, river, other open space</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>150</td>
<td>100.0</td>
</tr>
</tbody>
</table>

URENCO = urban and environment company.

C.5 Main Ethnic Groups in the Project Area.

65. Ethnic groups in the Lang Son-Dong Dang component include the Nung (46.5%), Tay (38.5%), Kinh (9.8%), Dao (3.7%), and others (1.1% Thai, Hoa, San Chi and San Dui). Resettlement data is required and is to accurately detail the ethnicity, income, gender, livelihood, etc. of each impacted project household.

66. As a whole, the Nung are estimated to be more than 700,000 persons (or approximately 1.5% of Vietnam’s population). The Nung language is part of the Tai language group, and is closely related to the Zhuang language. They are located primarily in the northern Vietnam provinces of Bac Giang, Bac Kan, Cao Bang, Lang Son, Thai Nguyen, and Tuyen Quang. Nung persons historically have supported themselves through agriculture, including farming on terraced hillsides, and the growing of orchard products. Nung households notably produce rice, maize, tangerines, persimmon, and star anise. They are also known for their handicrafts, which they typically weave from bamboo or rattan. These households also engage in carpentry, formal and informal sector market activities, and iron forging. Within the Lang Son area, the Nung have become a very important contributor to area commerce, trade and manufacturing.
67. The Tay, like the Nung, are also of the Tai language group, and live in northern Vietnam. They are sometimes called the ‘Tho’. The majority of Tay people adheres to ancestor and spirit worship. There are approx. 1.5 million Tay people in Vietnam, making them the second largest ethnic group in the country after the majority Kinh. There are many notable Tay persons within Vietnam’s history. Tay people in the project area tend to live along mountain valleys cultivating rice and sweet potatoes. They also maintain practices and several households indicated a close reliance on the natural resource base.

68. Dao, also known as ‘Mien’, are of the Mien-Yao language group, and are present within both China and Vietnam (respectively 2,637,421 Dao persons in China; 470,000 in Vietnam). Since the late 18th century to early 19th century, they have migrated down from China into Laos, Vietnam and Thailand. Official literacy and semi-literacy of this ethnic minority group is approx. 40.6% in China.

69. Hoa persons are also originally from China, and comprise Vietnam’s 6th largest ethnic group with approx. 862,371 persons living in Vietnam in 1999. This group speaks Cantonese, though younger Hoa have also learned Vietnamese. Before 1975, Hoa were mostly rice farmers, fishermen and coal miners—those living in and near the city have also become adept at commerce and trade.

70. Smaller ethnic groups in the study area include the San Dui (related to the Han) and the San Chi (Thai Kadei language group).

71. As a result of long histories of migration, as well as more recent sedentarization and resettlement programs, 10 or more ethnic groups inhabit more than half the districts in the Northern Mountains. This is important, such that the above ethnic minority groups do not always live in geographically-exclusive areas, nor do they always practice exclusive livelihood activities (e.g. shifting agriculture), i.e. the experiences of ethnic minority households within the same ethnic minority group are vast.

72. It is true, however, that for those households yet residing in district or town centers, the natural-resource base (e.g. land, forest materials, water resources) remain very important to ethnic minority household’s well-being. Indeed, most rural populations in Vietnam are dependent on agriculture, with area ethnic minorities actually much like Kinh in terms of levels of livelihoods and social development.

73. There are also noted and often substantial differences in traditional land tenure systems amongst ethnic minority groups in the project area. In some ethnic minority groups, land is owned at the household level. In others, it is owned collectively, and allocated periodically to households for their use.

74. It is importantly noted that the Government still maintains a primary role in all allocation/use of Special use forest and production and protection forest areas.

V. PROJECT IMPACTS AND RISKS

A. Basic Urban Infrastructures upgrading

75. The installation of drainage pipes will utilize existing public easements and after installation the affected area will return to previous use. As such, there is neither associated
land acquisition nor are there any long term negative impacts. However, the works associated with installation of drainage pipes in the vicinity of Dong Dang Market are expected to cause disruption to access to the market. This is likely to have an associated impact on loss of income to vendors at the market for the period of the disruption, the vast majority of who are ethnic Nung.

76. The construction of river embankments will require the acquisition of a strip of 5m on both riverbanks over a length of 850m. The associated impact is the physical displacement of four households residing along the riverbank who would have insufficient remaining land on which to rebuild their houses. These households to be physically displaced are ethnic Nung.

B. Border gate facilities

77. The construction of the border gate facilities will require the acquisition of 146,029m² of land belonging to indigenous peoples households. The affected land comprises 518m² residential land; 16,231m² rice and/or annual cropland; 85,228m² of garden land; 3,348m² aquaculture land; and 40,703m² forestland. A total of 42 households would be affected by the acquisition of this land. Two would be physically displaced while 40 would lose productive land only. The affected families belong to Bao Lam commune where 98% of the population is ethnic Nung and 2% are ethnic Tay.

78. Acquisition of this land had already been approved by the Government prior to the commencement of the ADB-funded project preparatory TA and a resettlement and compensation prepared in accordance with Vietnamese Government legal requirements. During the project preparatory TA, the land acquisition was ongoing and not yet completed with only ten of the affected households having received compensation and no physical or economic displacement having yet taken place.

79. The Lang Son PPC has advised the project preparatory TA consultants and the ADB Mission that they intend to continue with implementation of the above mentioned land acquisition, but will implement an ADB-approved Corrective Action Plan and Ethnic Minority Development Plan following Loan effectiveness to ensure compliance with ADB SPS requirements (see also below).

C. Risk related to communicable disease control (HIV/STD) and human trafficking.

C.1 Existing situation re: HIV/AIDS in project focal cities

80. HIV/AIDS prevalence data attempts to measure the number of people affected by HIV/AIDS at any given time (i.e. the cumulative sum of past year incidence rates). Incidence data attempts to measure the number of people who become affected with HIV/AIDS each year (i.e. incidence includes only new cases, not ongoing treatment of existing conditions).

81. In 2007, Vietnam's adult prevalence rate was estimated to be 0.05%. Within the project sites, prevalence and incidence rates were reported, as follows:
Table 9: Prevalence of HIV Infection in Dong Dang and Lang Son

<table>
<thead>
<tr>
<th>Project City</th>
<th>Prevalence Rate</th>
<th>Incidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lang Son City</td>
<td>1.319</td>
<td>42</td>
</tr>
<tr>
<td>Dong Dang town</td>
<td>185,000</td>
<td>Not yet available</td>
</tr>
<tr>
<td>Lang Son Province</td>
<td>3.128</td>
<td>121</td>
</tr>
</tbody>
</table>

Source: As reported by respective Provincial Department of Health or Women’s Union.

82. The second Survey Assessment of Vietnamese Youth (SAVY II, 2010) indicated that only ‘42.5% of Vietnamese youth aged 15–24’ had comprehensive knowledge of HIV transmission, far less than the national target of 95% by 2010.

83. The HIV epidemic in Viet Nam is largely concentrated among most at risk populations. This suggests that the majority of HIV cases among young people have occurred among those who ‘inject drugs, who have sex between males and young sex workers or clients of sex workers,’ though standardized and age-disaggregated data is neither readily available nor consistent.

C1.1 Huu Nghi Border Gate (Lang Son, Cao Loc District, Dong Dang town)

HIV/AIDS, Lang Son

84. HIV is viewed a potentially serious problem in Lang Son province (which previously had the 5th highest infection rate in Vietnam) with intravenous drug use the main mode of transmission on both sides of the border (i.e. heroin). HIV has risen in Vietnam on the whole over the years, and has been associated with improvements in the economy and the increased mobility of people. HIV/AIDs awareness is reported by City Health Departments as ‘low’ in each project city.

85. Since 2007, however, there has been a decrease in new infection rates in Lang Son. HIV prevalence was 46% in Lang Son Province in 2002, but it dropped steadily over time to 23% in 2009. In the cross-border Chinese area (Ning Ming County), HIV prevalence among injection drug users also declined from 17% to 11% six years later. By contrast, in some other parts of southern China and northern Vietnam, HIV prevalence has risen or remained stable at much higher levels, or between 60% and 80%.

86. While new infection rates are reported to be decreasing in the locale, there is noted a new trend of increasing infections amongst women and children. There have been 277 identified HIV cases in Dong Dang, of which 100 of these persons are still alive (November 2010).

87. Several of the larger projects that have been addressing HIV issues in the locale include projects by non-government organizations (NGOs) e.g. Abt Associates, Department for International Development, the National Institute on Drug Abuse, Ford Foundation, Global Fund, United Nations Emergency Fund, as well as recurrent Government programs run through the Women’s Union, Youth Union and the Department of Labour, Invalids, and Social Affairs (DOLISA).

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Human Trafficking, Lang Son

88. Among the four major border-crossing points between Vietnam and China, Huu Nghi border gate is viewed significant in terms of trade volumes and immigration. From the period 2000–2010, legal immigration and emigration increased five-fold, from 70,000 persons/year in 2000, to 360,000 persons/year in 2010.

89. Thousands of Vietnamese women and children are reported trafficked internally and externally each year, with many into forced prostitution and/or other forms of labor bondage. Between 2005 and 2007, over 900 human trafficking cases involving 1,600 traffickers and 2,200 smuggled women and children were uncovered in Vietnam as a whole.\(^5\)

90. The United Nations Commission on Human Rights highlights the non-consensual difference between trafficking and illegal immigration, defining trafficking in persons as:

- The recruitment, transportation, purchase, sale, transfer, harboring or receipt of persons: by threat or use of violence, abduction, force, fraud, deception or coercion (including the abuse of authority), or debt bondage, for the purpose of:
- Placing or holding such person(s), whether for pay or not, in forced labor or slavery-like practices, in a community other than the one in which such person lived at the time of the original act described.\(^6\)

91. Despite increased cooperation with other Southeast Asian countries, and Government led efforts to enforce the law and implement a national action plan, combating human trafficking reportedly remains challenging. Vietnamese women are still recruited through fraudulent marriages, and the Government estimates that approx. ‘10% of the arranged marriages with Chinese men may have become trafficking victims.’\(^7\)

92. Of those persons having been trafficked through Lang Son and returned from China, it is estimated that 10% are actually from Lang Son Province, with 90% of returnees from other provinces.

93. The Government has been making significant efforts to eliminate human trafficking. By example, a new law on the “prevention and suppression of human trafficking” is currently being drafted, and will soon be passed by the National Assembly (March or April 2011). A national steering committee currently coordinates government efforts to prosecute cases and organize public awareness programs. The Government strategy is currently implemented by DOLISA, the Youth Union and Women’s Union in project sites.

94. Poverty and economic displacement (as might occur via project land acquisition and resettlement) have been identified as potential catalysts leading to a need to migrate to find new employment, which surreptitiously might increase human trafficking potentials.

Project Approach to EMDP

95. The objective of the EMDP is to ensure that the design and implement of the Project fosters full respect for Ethnic Minority Peoples’ identity, dignity, lawful rights, livelihood systems, and cultural uniqueness as defined by the Ethnic Minority Peoples themselves so that they: (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of projects, and (iii) can participate meaningfully in the Projects activities that affect them.

96. Initial consultations with the project affected ethnic minorities were carried out during the social assessment, and particularly within preparation and scoping phases of the project’s involuntary resettlement. The Project components within Lang Son-Dong Dang is assessed as having medium level of impacts on ethnic minority communities in the project areas and is expected to provide tangible benefits both in the short to long term.

97. The negative impacts and risks have been identified as involuntary resettlement (associated with the acquisition of land for the Huu Nghi border gate and drainage components), temporary impacts on livelihoods of vendors at Dong Dang Market (associated with market drainage upgrades) and increased risks of HIV/AIDS infection and human trafficking (in the short term associated with the implementation of civil works as well as long term risk associated with increased mobility and movement of people resulting from the operation of the Border Gate).

98. Communities within the Project areas (including ethnic minorities) are also expected to receive short, medium to long term benefits from the Project. In the short term the project’s policy of prioritizing their employment in civil works and promoting their participation in vocational opportunities (to be offered via the project’s resettlement component) will improve employment opportunities and provide income sources. In the medium term ethnic minority people will be prioritized in the project for employment opportunities in maintenance activities, including positions reserved for ethnic minority households on proposed CBMCs and CBWMGs. In the long term, the local communities will benefit from improved environmental sanitation and economic development.

99. Moreover, a target of 30% jobs created under the Lang Son component are explicitly specified for ethnic minority peoples; local languages will be used in communication and outreach for involuntary resettlement consultations and materials; and use of local languages and graphic signage, where appropriate, for community outreach activities such as those envisioned under the HIV/AIDS, human trafficking awareness raising and other awareness supporting urban solid waste, waste water management improvements.

100. Increased land values are also viewed, due to new housing, commercial and other developments that will be generated by project connecting roads.

101. Specifically, the project impacts 85 households in Dong Dang town (majority Nung, 3 Tay households, 4 Kinh and 1 Hoa household). The project also impacts through temporary resettlement of 183 market vendor stalls (majority Nung) and the temporary disruption of (public) market activities where drainage improvements will take place and; the purchase/compensation for 2 ethnic minority homesteads and 40 ethnic minority production lands within the Huu Nghi border gate area. These figures require review and reconfirmation with resettlement team.
102. It is noted herein that ethnic minority households and productive lands acquired for the Huu Nghi border gate were proposed to be relocated 10 km away from their current location. This was found by resettled ethnic minority households to be ‘too far,’ and they have requested to be relocated closer to their current homestead or productive lands.

103. Given the resettlement catalyst and its mitigating resources, while ethnic minority and vulnerable persons issues are addressed throughout the SIA, primary address of ethnic minority issues will primarily occur through the appropriate targeting of project resources within the project’s proposed ethnic minority resettlement plan and Corrective Action Plan supporting the Lang Son-Dong Dang subcomponent.

104. Based on this approach, the project’s resettlement consultation will provide process to ensure the design of subproject specific plans that will result in the full, informed and meaningful participation of all beneficiaries and affected communities, including both Kinh and the market/border area ethnic minorities.

105. Further details on expected resettlement impacts due to land acquisition for the Project are set out in the Dong Dang Resettlement Plan and CAP which are publically disclosed documents.

VI. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION

105. This report section describes:

(i) the information disclosure, consultation and participation process with the affected ethnic minority communities carried out during project preparation;
(ii) summarizes their comments on the results of the social impact assessment and identifies concerns raised during consultation and how these have been addressed in project design;
(iii) in the case of project activities requiring broad community support, documents the process and outcome of consultations with affected ethnic minority communities and any agreement resulting from such consultations for the project activities and safeguard measures addressing the impacts of such activities;
(iv) describes consultation and participation mechanisms to be used during implementation to ensure indigenous peoples participation during implementation; and
(v) informs disclosure arrangement of the draft and final EMDP to the affected ethnic minority communities.

A. Identification of Project Stakeholders

106. The project’s primary stakeholders consist of:

- Communities hosting the project activities, including recognized cultural leaders of the various ethnic minority groups within those communities (such as community elders);
- Project Displaced Persons: Project affected displaced people/households – affected by physical or economic displacement (permanent or temporary) due to acquisition of land for the construction of the project, for resettlement sites used
to resettle persons displaced by the project, or due to disruptions caused by project implementation activities (such as civil works);

- Persons at increased risk of HIV/AIDS and/or human trafficking associated with the implementation and operation of the Project.
- Institutional Stakeholders: Provincial, district, commune people’s committees, Government agencies and village heads in the project area as well as mass-organizations whose mandates includes issues and persons impacted by the project such as Women’s Union, Farmers Union, Fatherland Front.

B. Consultation Process and Activities Undertaken

107. Participation of stakeholders is essential to reach the objectives of the resettlement policy. As per Government Decree 84/2007/ND-CP, it is necessary to write to the communes and inform them of likely impacts from the scheme on environmental and resettlement issues, and request their response. The ADB SPS likewise advocates open public consultation of stakeholders to involve them in the resettlement process.

108. Consultation during the project shall include at least three major rounds of stakeholders consultation, (i) during project scoping where information of the project was disseminated in all affected communes, (ii) during the resettlement planning and validation of study results, and (iii) during disclosure of resettlement plan and furthermore as an on-going basis during project implementation.

109. Community participation has thus started with data collection which served as baseline information on project affected displaced people. Various approaches were utilized in gathering qualitative and quantitative data which included group discussions, key informant interviews with provincial and district local heads and affected families, and household surveys covering 79% of project affected displaced people. Collected information were analyzed and processed to form benchmarks for resettlement planning.

110. The first consultation on subprojects of Lang Son, was conducted 14 January 2011 at the Peoples Committee of Cao Loc District, and designed as a cluster meeting of representatives from all affected commune areas. The objectives of that meeting were successfully met, where: (i) community and household representation was informed of the proposed project; (ii) local and ethnic minority people’s views and comments on project impacts and risks were obtained, documented; (iii) local people’s and their representation made recommendations to improve the project’s design. This was participated in by affected displaced people households, market vendors, market administrators, as well as Government mass organizations.

111. The second consultation (focus group discussions, 24–25 February 2011) were conducted in the People’s Committee, Dong Dang. This was undertaken simultaneously with the social survey and inventory of lands covering 100% of households. All affected displaced people participated in the focus group discussion consultation meeting. The approach involved open and participatory method intended to provide a forum for communities and affected persons to give their perceptions, comments, project impacts or risks and recommendations on their specific concerns.

112. As per the project’s proposed resettlement schedule, additional and in-depth consultations with affected households will be required. The project preparatory TA SIA has made the recommendation that these ethnic minority and resettlement issues be led and
overseen by (i) international and national Social Specialists. These positions will act in close coordination with SIA proposed positions for (ii) international and national Resettlement Specialists, and (iii) international/national Community and Livelihoods Development Specialists. For additional information, please refer to section VIII.A. and TOR developed and attached to the SIA.

C. Summary of Issues and Concerns

113. Issues and concerns raised during the consultation meetings and within focus ethnic minority group consultations are summarized in brief, below:

- **Compensation**: Rates on compensation were perceived as low, and especially the valuation conducted for agricultural lands.

- **Resettlement**: Concerns were raised by households on accessibility, and types of facilities that will be put forward or made available within new resettlement sites.

- **Perception of the project**: Overall, there is positive attitude towards the project and a high level of acceptability as benefits are expected to be wide ranging. The improvement on the riverbank is viewed as an initiative that would give protection to the people in the area. Experience of the people during rainy season confirmed that the water rises up to knee length and this has affected the quality of water as well as affecting the health of women and children.

- **Livelihoods**: Persons loosing productive lands are rightly concerned that new livelihood options and vocational and training opportunities be presented. It is highlighted again herein that issues related to ethnic minority displace people’s livelihoods will need to be carefully tracked and adequately addressed by the project.

D. Planned Consultation and Disclosure Measures

114. Information dissemination and consultation activities have already taken place during the preparation of the EMDP and resettlement plans. This has included also disclosure of the draft resettlement plans and draft EMDP via a public information brochure which was distributed to all affected communities in July 2011.

115. The project will continue to provide meaningful consultation throughout project detailed design and implementation. The consultation activities will promote inclusiveness through appropriate representation of recognized community leaders (such as recognized community elders), women as well as men as well as ensuring participation of the various ethnic minority groups in the project areas. Consultations will cover information dissemination on project activities, project impacts/risks and provide forums to participate in decision making, including such matters as protection of culturally sensitive sites and implementation arrangements of social assistance measures. All consultation meetings will be recorded through minutes which are to include lists of participants, issues/concerns raised, and action to be taken or reporting back on action previously taken.

116. Disclosure of the updated EMDP and resettlement plans to affected people and their communities will be carried out by the City Peoples’ Committee (CPC) and Resettlement
Committee prior to its submission of these updated documents to ADB for final review and concurrence. Any revisions on the EMDP and resettlement plans before finalization will be approved by the executing agency and require ADB concurrence.

117. The resettlement plan will be translated into local language and shall be placed in public offices that displace people can readily access. An information brochure will be distributed to all displaced people indicating general contents including: (i) project profile, (ii) project impacts, (iii) compensation and entitlements, (iv) grievance redress mechanism for (a) compensation, resettlement and (b) livelihood restoration, and (v) resettlement procedures, timing of payments and schedule. Social monitoring reports will also be made available to displaced people, and are to be uploaded on the ADB website (www.adb.org).

VII. BENEFICIAL MEASURES

118. The project has been designed to support positive impacts and opportunities through strategic and well-planned infrastructure development and targeted improvements to municipal, peri-urban and border area service delivery in Dong Dang.

119. Project infrastructure works are being carefully combined with favorable national and local investment policies, and are expected to lead to more effective and efficient border trade and improved market and sanitation facilities. There will be project opportunities developed for ethnic minority households in the Lang Son project area to benefit from project-related employment.

120. The key social objectives of the project may be summarized as socially inclusive ethnic minority social and economic development targeting Dong Dang town; improved delivery of essential urban services for wastewater treatment and drainage; improved transport and border gate infrastructure leading to improved movement and efficiencies in road transport; enhanced ethnic minority community environments, sanitation and health awareness; increased ethnic minority livelihood options and vocational training opportunities, and; overall, improved information dissemination and public consultation with ethnic minority households on issues related to municipal and peri-urban planning leading to more socially equitable and sustainable economic development.

121. Household survey questionnaires, consultations and group discussions indicated that within the locale, project interventions are viewed favorably and will support improvements in urban infrastructure and service delivery meeting ethnic minority community (including vulnerable groups) development needs. More specifically:

A. Solid waste and improved water flows for ethnic minority households and market, Dong Dang

122. Through project-supported interventions focused on water run-off improvements, management of solid waste, and communicable disease control, anticipated project economic and livelihood improvements will be coupled with improved ethnic minority household health and cleaner and better-managed ethnic minority community environments. These interventions will benefit improved health conditions of whole communities, but especially those vulnerable to waste related and water-borne diseases, such as children, women and the elderly.

123. Waste collection is yet sufficiently coordinated in project locales, and within Dong Dang town-market in particular. A limited sampling within the household surveys supports this view
Thus within approximately 31% of Dong Dang sites are yet fully covered by collection (with the household either taking care of household waste itself, and/or with some irregular level of pick coordinated by local mass organizations).

124. Solid waste has also notably limited the effectiveness of wastewater and drainage systems within the Dong Dang market, and mired wastewater flows. As regards wastewater improvements, cost savings are envisaged through the project in downstream water use for Dong Dang market.

B. Improved drainage and flood protection for EM households, Dong Dang

125. Within the Dong Dang market, health benefits from improved drainage and sanitation awareness are viewed alongside reduced flood damages. These measures will reduce income loss to Dong Dang market vendors, and are expected to extend days of market operation during the north monsoon (October–April).

126. Improved property values for ethnic minority homeowners near the Dong Dang market area run-off or stream point are also recognized with anticipated project support for embankments, dredging and related improvements.

C. Border gate facilities

127. Truck drivers interviewed within the border zone area noted that certain products (e.g. fresh vegetables and fruits) ‘currently spoil while waiting for border gate processing and that we have ended up dumping those products,’ and as such a number of perishable products are not presently considered suitable to trade via the Huu Nghi border gate.

128. Positive benefits of border gate improvements may thus understood in terms of time-savings in border processing, and reduced transportation ‘down-times.’

129. As regards the Vietnamese side of the border gate, no proper waiting or rest area for either truck drivers or passengers is currently available, and the available sanitation facility was found in poor condition. The project will improve sanitation and hygiene with the development of a passenger and/or driver lounge and ‘waiting area,’ and will importantly use this border facility to promote important cross-border issues, including the HIV/AIDs awareness-raising message.

130. The Lang Son and Dong Dang town women’s union and youth unions will be engaged to lead this awareness program, and will tailor it to meet the diversified needs of area ethnic minority households.

131. Project capacity building of border patrol and enforcement will also help to address important human trafficking issues, with the cross-border area viewed a first-final point for addressing this critical issue.

D. Connecting roads in border area

132. Local community leaders and ethnic minority households indicated their strong interest in improved road infrastructure and recognize its contribution to poverty reduction and provision of ‘greater access to markets, transport, urban services, healthcare, and schools.’ Indeed, numerous household beneficiaries interviewed indicate that connecting roads will likely bring
‘increasing opportunities for local communities to take part in new jobs’ and the further
development of non-agriculture based livelihoods.

133. Project-led improvements in connectivity are also anticipated to lead to increased
efficiencies in transport, trade and logistics; improved livelihoods through wider education,
employment and income diversification opportunities, and; overall, are expected to contribute to
municipal and peri-urban area poverty reduction.

E. Improved Ethnic Minority Consultation and Participation

134. The Project’s consultation and participation activities will promote good governance and
the cultural dignity of the communities in the project areas as well as project affected people.
The consultation activities will promote inclusiveness through appropriate representation of
recognized community leaders (such as recognized community elders), women as well as men
as well as ensuring participation of the various ethnic minority groups in the project areas.
Consultations will cover information dissemination on project activities, project impacts/risks and
provide forums to participate in decision making, including such matters as protection of
culturally sensitive sites and implementation arrangements of social assistance measures.

VIII. MITIGATION MEASURES

135. Social mitigation actions are detailed for those negative impacts and risks identified.
Social mitigating actions are further underscored within the SIA’s Social Action Plan and the
Lang Son resettlement plan and its Livelihood Restoration Framework.

A. Project Supervision, staffing

136. Additional details and strategy development will be developed in the design and
implementation phases of the project through the proposed inputs of an international and
national Social Specialist, Government staff and activity-based consultancies (e.g. community
livelihood and resettlement, women’s union support, etc.).

137. The Social Specialist positions will require familiarity with gender mainstreaming and
ethnic minority expertise, and will be employed to further develop and detail mitigation activities
recommended herein. The positions will be tasked with:

- Providing project design and operational phases with technical leadership related
to ethnic minority and gender social development and social safeguards content.
- Ensure the project’s detailed design supports the project’s proposed poverty and
social strategy, its implementation arrangements, and re-confirm and/or clarify
details of this SIA’s proposed mitigation measures that they effectively target
beneficiary groups and importantly gender and ethnic minority issues.
- Initiate additional discussions with the ADB, Government and project area NGOs
or groups currently addressing HIV/AIDS and human trafficking in all project sites.
Work to further pinpoint gaps and elaborate the project’s HIV/AIDS Awareness
and Prevention Program (HAPP) and Human Trafficking Prevention Program
(HTPP) strategies, education-awareness and coverage.
- Develop, implement and monitor the project’s proposed CBWMG, CBMC, gender
action plan and participatory action plan (PAP), communication strategy, and
other proposed ethnic minority social mitigating actions.
B. Land Acquisition and Resettlement.

138. A Due Diligence Study will be undertaken to provide protection for affected households and support requirements affording appropriate development opportunities in accordance with ADB’s SPS. Based on the results of the due diligence study, a Corrective Action Plan will be developed and discussed with the respective project management unit (PMU) to implement corrective measures and accurate compensation to displaced peoples households by completion of the project preparatory TA.

139. Resettlement plans will also be prepared in consultation with affected households and relevant government authorities to address the impacts of physical and economic displacement. Special attention is to be given towards development of ethnic minority resettlement plans within the Lang Son-Dong Dang town sub-component, as well as the suitability of the current resettlement site and its distance from their current location.

140. The Community-based construction monitoring teams and local government People’s Councils assigned to community inputs and oversight of resettlement, along with clear procedures for clear grievance and address are to be developed to further support appropriate mitigations in this regard.

141. Within the Lang Son component, an ethnic minority specific resettlement action plan will be developed. The District Resettlement Committee is to include representatives of the Committee for Ethnic Minorities and Mountainous Areas (CEMMA) as well as affected ethnic minority households. The reader is referred to the project’s resettlement report for further information.

C. Livelihood Impacts:

142. Every effort has been made to identify, minimize and avoid, and plan mitigation for any temporary relocation and/or permanent resettlement of households within the project design. Nevertheless, resettlement supporting community infrastructure works is currently viewed to take place within the Lang Son component.

143. In addition to financial assistance described in the resettlement report to be provided to displaced people in the forms of: livelihood support for income restoration; skills training for alternate jobs, and the absorption of local/impacted workers into the project (to be supported by civil works bidding procedures), the project preparatory TA recommends:

- The development of Resettlement Action Plans that specifically include ethnic minority Resettlement Area Livelihood and Social Development.
- A grievance procedure developed for tracking livelihoods and changes to household incomes and livelihood, which will be impacted by the project.
- Development of a compensation plan for the market vendors within the Lang Son-Dong Dang market specifically focused on ethnic minorities;
- A public information and dissemination plan informing the general public of construction works in Dong Dang. The timing of construction work will need to take place in non-peak tourist months (March–June) to limit market livelihood disturbances, and be conveyed in language fitting the area’s ethnic minority populations.
144. The project preparatory TA team and local authorities are currently holding consultations and sourcing data in support of the development of resettlement plans. These plans will be designed to assist relocation of project-displaced households, but with an in-situ resettlement strategy that seeks to avoid ethnic minority household economic dislocation.

D. Community-based Waste Management Groups (CBWMG)

145. Within the project area, excessive garbage is associated with both health and aesthetic problems. CBWMG is one cost-effective solution complimenting the urban solid waste improvements proposed by the project. Ethnic minority households will hold core responsibilities on these teams in the Dong Dang area.

E. Pollution, traffic and delays related to project construction

146. Representative ethnic minority households are to be supported to form CBMCs. These groups will require monitoring training and must maintain official linkage within this project, its construction components, and within the project’s respective PMUs.

F. Poor communication and information dissemination

147. Client and beneficiary participation are viewed by the project as important to its success, and mechanisms have been identified and are incorporated into the project design and pre-implementation phase to target the participation of communities and particular impacted groups in project-activities.

148. Thus far, project planning, orientation workshops, household and group consultations have been very useful in the above regard, both for disseminating project information and gaining vulnerable group inputs to the project design.

149. People affected by the project include authorities, institutions and those in the project area and especially those who may be adversely affected by the project. In order to build sustainability within the unique opportunities and challenges presented to both rural and urban populations, as well as the associated landscapes and services within the three project focal cities, project assistance will be directed towards: (i) building capacity of households (and groups representing the interests of communities), and: (ii) the capacities and accountability of Government project partners.

150. This dual participatory approach is recommended that both government and civil society actors (e.g. Women’s Union, Youth Union, vulnerable persons, related NGO programs, and private businesses such as the Dong Dang market sellers) may develop effective communication and be equipped to engage each other on a mutual platform benefiting a fitting, negotiated, sustainable and more equitable area social and economic development.

G. Participatory EMDP Planning

151. An ethnic minority communication and participation plan is considered an important mechanism for enabling voice and participation, and ultimately, ownership of the project by ethnic minority beneficiaries. To be effective, this will be targeted to be inclusive (i.e., a PAP highlighting the needs and issues of ethnic minorities, women, the poor and other vulnerable groups) and reinforced via other project component activities and plans (i.e. resettlement plan, Gender Action Plan (GAP), ethnic minority specific mitigating actions, CBWMG sanitation
awareness raising, public notice of Dong Dang market closure and/or support plan, CBMC development, etc.).

152. Additional communication strategy may be prepared and budgeted within the final project design, and to specifically account for the needs of both vulnerable and project impacted groups, including the elderly, women who are single and heads of household, ethnic minorities, etc. The plan developed in this regard is advised to consider:

- Utilization of the Resettlement Action Team and Women’s Union to further pinpoint individuals/groups whose voice and/or participation are ‘restricted’ within their given community as a result of either (a) the project and/or (b) cultural, economic or gender barriers. As a part of their anticipated duties, the women’s union and resettlement plan team will be in a good position to further refine, gather and develop monitor-able and disaggregated data regarding gender, ethnicity and income. This refined target data may then be utilized to support a PAP strategy via the resettlement plan and livelihood restoration strategies, reinforce focus on the Gender (GAP) and further inform the specific mitigating actions targeting resettlement households and vulnerable groups impacted by the project.
- Community participation is expected to include community roles within planning and monitoring of project subcomponents (e.g. such as through the recommended CBWMG, CBMCs highlighted above).
- Gender and/or ethnic minorities: Supporting the PAP, as a part of the project supervisory board, the International and National Social Specialists are employed by the project, intermittently and over the life of the program, with specific expertise in gender mainstreaming, engaging ethnic minority communities, and addressing their issues.
- The project will also benefit from employment of Dong Dang city women’s union members to fill positions on project PMUs. These persons will the project on a part-time basis to ensure that women are mobilized to participate in all project-related activities over the life of the project.
- In support of the above city women’s union positions, it is recommended that one woman’s union member for each of the towns commune or ward levels be actively engaged in the same regard, underscoring field level support of gender mainstreaming, and assisting monitoring of project progress. (Each participating women’s union member should be offered monthly honorarium). These and other gender and ethnic minority issues are detailed in the GAP of this SIA and project preparatory TA resettlement report.
- Employment developed through project civil works should be developed to include contractual clauses ensuring preferential hiring of women, ethnic minorities, the poor, and displaced households.
- Education and awareness raising will be developed within the PAP to support the CBWMG, CBMCs, as well as mitigate HIV/AIDs/human trafficking (see the following section) and the targeting of vulnerable group needs and issues.
- Establishment of a complaints procedure within the CBMC and resettlement plan teams should be developed to afford area households additional and formal grievance mechanisms.
- Additional consideration for the capacity building of project partners, and their effective coordination and linkage with NGOs and Government mass organizations (who are focused on serving vulnerable groups) would also help to
ensure the sustainability of interventions developed by the project.

- It is viewed important by the project preparatory TA that within the design phase and costing of the PAP that Government inputs towards project finance be highlighted, and promoted as important indication of ‘local ownership’ and ‘buy-in’ towards participation and the overall project. This is particularly important as major sources of project sustainability are expected to lie in the continued commitment of Lang Son-Dong Dang town, their districts, communes and leadership.

H. Dong Dang Market, temporary closure.

153. The wider public will experience disturbances to normal market operations during the period of drainage construction. This construction should take place in non-peak tourist months (March–June) to limit market livelihood disturbances. Moreover, the public must remain informed, in advance, of any market closure and a suitable plan developed allowing for continued market service and access.

I. Risk related to communicable disease control (HIV/STD) and human trafficking.

154. The SIA acknowledges the longer-term risks and indirect impacts of HIV/AIDs, communicable disease control and human trafficking to the project areas. Both the HAPP and HTPP are to be designed in detail at the commencement of project implementation phase of the project by the international and national Social Specialists.

IX. EMDP GRIEVANCE REDRESS MECHANISM

155. In addition to well-established Government resettlement grievance protocols, project Supervision Consultants (notably Social Specialists, Resettlement Specialists, and Community Development Specialists) will be tasked with monitoring project impacts on ethnic minority households. Regular formal and informal meetings will allow for sufficient interchange of concerns and key issues arising within the project.

156. Project social actions and budget supporting participatory CBMCs will aid local level and participatory mitigation of social, resettlement and environment issues related to project construction. These groups will ensure that communities are involved in the project cycle, and their formation will build upon existing commune level Government grievance address procedures.

157. Community involvement in monitoring and evaluation will also enhance transparency and accountability in resource use. This process also encourages counterpart Government staff to institute lessons learned in implementing the project, and enhances their capacities to share decision-making with community representation.

158. The project’s livelihood restoration framework will also require grievance mechanism, that persons loosing productive land may request vocational training assistance, employment placement. Livelihood restoration per ethnic minority family or unit needs to be carefully tracked over the life of the program; the program’s response to ethnic minority household requests carefully noted; new requests processed and responded to, with income and/or livelihood impact results highlighted.
159. The CBMCs will report directly, on a monthly basis, to their respective PMU and reports provided the project's resettlement action team and social specialists. For any given subcomponent, four community (village level) members will be supported to oversee participatory monitoring of the project.

160. The gender, ethnic minority background and socio-economic status of the CBMCs is considered by the project to be important, such that poor households headed by women, and elderly persons be prioritized for their involvement on the CBMC, provided monitoring and report training, etc.

X. MONITORING

A. Internal Monitoring

161. The executing agency is directly responsible for internal monitoring of EMDP implementation. In particular, the executing agency with assistance from the Project Supervision Consultants will supervise and manage monitoring of EMDP activities and implementation arrangements.

162. The executing agency will provide quarterly reports to ADB. The executing agency will ensure that the progress reports include, the status of the EMDP implementation, information on location and numbers of people affected, compensation/assistance amounts paid to affected persons by item, progress of other assistance/mitigation measures provided, as well as details of consultations undertaken (including participation disaggregated by sex/ethnicity, issues raised and outcomes).

163. The ADB will also monitor these activities in its regular supervision missions during the period of project implementation.

164. The objectives of the monitoring program are (i) to ensure that the standard of living of displaced people are restored or improved; (ii) to monitor whether the overall project and EMDP objectives are being met; (iii) to assess if rehabilitation/assistance measures as well as other mitigation measures are sufficient; (iv) to identify problems and risks; and (v) to identify measures to mitigate problems.

165. The range of activities and issues that need to be recorded and verified, include:

- Consultation with affected communities and households and the extent to which it is participatory and inclusive of various ethnic groups and their community recognized leaders/elders.
- Extent to which the implementation of the Project and EMDP respects the cultural dignity of the affected communities, integrity of traditional kin-ship networks and livelihood patterns.
- Disbursement of compensation, allowance payments and delivery of assistance measures;
- Re-establishment of displaced people settlements;
- Re-establishment of affected people’s livelihoods and income levels;
- Level of satisfaction of affected people and their communities with the EMDP assistance measures and implementation arrangements.
A.1 Internal Monitoring Indicators

166. The principal indicators for internal monitoring of resettlement activities include the following:

- Effectiveness, cultural appropriateness and inclusiveness of consultation measures.
- Timely and complete disbursement of compensation to displaced people according to the compensation policy agreed in the updated EMDP and resettlement plans;
- Timely and complete delivery of relocation, income restoration and rehabilitation allowances and measures;
- Allocation of replacement land and development of individual and/or group resettlement sites and infrastructure;
- Public information dissemination and consultation procedures;
- Adherence to grievance procedures and identification of outstanding issues that require further attention and resolution;
- Attention given to the priorities of displaced people regarding the options offered;
- Completion of resettlement activities required before the award of civil works contracts.
- Timely and effective implementation of the HIV/AIDS and human trafficking prevention activities.

A.2 Internal Monitoring Data Collection and Report

167. The executing agency will establish a database for resettlement monitoring data. It will establish procedures for the collection of data on a monthly basis, and update the database.

168. On a quarterly basis, the executing agency will prepare a resettlement monitoring report. The report will be submitted to the Project Director, executing agency or PMU, for approval and, following, to ADB. The report will summarize progress on resettlement activities and will notify ADB of approval by the executing agency of any changes, as required, to the implementation of the EMDP and resettlement plans. The scope of the report will cover the indicators specified above, including, but not limited to:

(i) The number of affected people by category of impact, district, commune and village, and the status of compensation/assistance payments, displaced people relocation and income restoration measures for each category.
(ii) The status of disbursement of cash and allocation of replacement land and housing.
(iii) The amount of funds allocated and disbursed for (a) resettlement program operations, (b) compensation, assistance and resettlement activities; (c) income loss mitigation at the Dong Dang market; and (d) HIV/AIDS and human trafficking prevention programs.
(iv) The activities, levels of participation, outcomes and issues of the Information Dissemination and Consultation Program.
(v) The status and outcomes of complaints and grievances and any outstanding issues requiring further attention by provincial or district authorities, or ADB assistance.
(vi) Implementation problems, including delays, lack of personnel or capacity,
insufficient funds, etc.; proposed remedial measures; and, revised implementation schedules.

(vii) Disaggregation and tracking of displaced people households by gender and ethnicity.

B. **External Monitoring and Evaluation**

169. The project will establish a program for external monitoring and evaluation with the following objectives:

(i) To verify that the programs covered under this EMDP are implemented in an accurate and timely manner, in accordance with the approved final EMDP and Resettlement Plans and Project policies and objectives.

(ii) To assess whether and to what degree the programs set out in this EMDP have achieved the objectives of the EMDP, especially that those affected by the project are able to restore their livelihoods, incomes and standards of living to levels equal to, if not better than, that which they had before the Project.

(iii) To identify problems or potential problems and methods of mitigating problems in a timely manner.

(iv) The External Monitoring Organization (EMO) will be recruited by the executing agency and will commence its work prior to the Detailed Measurement Survey, and will carry out independent bi-annual reviews of resettlement plan to determine whether intended goals are being achieved, and if not, what corrective actions are needed.

(v) Detailed monitoring Indicators for the external monitoring with respect to this EMDP will be determined during project detailed design.

B.1 **External Monitoring Objectives, Indicators and Issues**

170. Apart from reviewing and assessing the activities during EMDP and resettlement plan updating, the general objective for external monitoring is to provide an independent periodic review and assessment of (i) the achievement of objectives of the EMDP and RPs, (ii) changes in living standards and livelihoods, (iii) the restoration of the economic and social conditions of the affected people, (iv) the effectiveness, impact and sustainability of assistance measures, (v) the need for further mitigation measures, if any; and, (vi) to identify strategic lessons for future policy formulation and planning. The table in this section presents a range of indicators to be included in the external monitoring of the resettlement program. The External Monitoring Agency will address specific issues including the following:

- Extent to which the measures and activities implemented under the EMDP address the impacts and risks of the project in a culturally appropriate manner;
- Extent to which the implementation of the EMDP has enhanced the dignity of ethnic minority groups in the project areas, including, but not limited to, the extent to which the communities have been consulted and are able to participate in decision making.
- Payment of compensation, against the following criteria: (a) compensation in cash or in kind sufficient to replace affected land, crops and trees; (b) compensation for structures equivalent to replacement costs at current market prices for materials, materials transport and labor, with no deduction for depreciation or the value of salvageable materials; and, (c) payment in full prior to land acquisition and with sufficient time to permit displaced people to rebuild
structures and/or harvest crops.

- Coordination of resettlement activities with the construction schedule: All compensation must be paid in full, income rehabilitation measures initiated and displaced people relocated out of the Corridor of Impact prior to award of civil works contracts. Income rehabilitation activities, while initiated prior to award of civil contracts, may continue over a longer time period as needed.

- Provision of technical assistance for house construction for displaced people who are required to rebuild their houses, either on remaining land, on individual resettlement sites or on a plot in a group resettlement sites.

- The extent to which displaced people are able to restore livelihoods and living standards: The provision of technical assistance, allowances and other measures, and to what extent displaced people are able to restore livelihoods and living standards to pre-project levels. Special attention should be given to a) severely affected ethnic minority displaced people and other vulnerable displaced people groups, b) displaced people that relocate, c) displaced people that must re-establish businesses and enterprises, d) displaced people who undertake new economic and livelihood activities and e) monitoring the development of resettled households within new host communities.

- Public consultation and awareness of resettlement policies: The EMO should monitor to ensure that (a) displaced people are fully informed and consulted about land acquisition, leasing and relocation activities and (b) displaced people and other stakeholders are aware of the compensation and entitlements policies and various options available to displaced people as provided in the agreed resettlement plan. The EMO should participate in at least one meeting per district of each stage of consultation and information dissemination activities to monitor public consultation procedures, problems and issues that arise during the meetings and solutions that are proposed.

- The level of satisfaction of displaced people with the provisions and implementation of the resettlement plan: This will be assessed, reviewed and recorded by the EMO, including the efficiency and equity of grievance redress mechanisms.

- Trends in living standards: Throughout the resettlement plan implementation process, the EMO will observe and conduct surveys to monitor the progress displaced people are making to restore living standards. Special attention will be paid to any differences based on gender, ethnicity or other relevant factors. Any potential problems in the restoration of living standards will be consistently documented and reported.

- Number of ethnic minority women and men participating in vocational and professional training.

- Representation of ethnic minority women and men in CBMCs and CBWMGs.

- Increased awareness of ethnic minority issues among implementing stakeholders in each sector.

- Number of land titles issued and containing the name of both the male and female ethnic minority householder or co-owner.

- Number of ethnic minority women and men with increased awareness of HIV/AIDS, human trafficking issues.

- Growth in number and size of settlements; satisfaction with resettlement site living conditions; maintenance of establishment of new social networks; growth in local market areas.

- School attendance rates (male and female, and by ethnicity); education
achievement levels (male and female) and by ethnicity.

- Health and access to health services (vaccinations up to date, health monitoring, malnutrition rates 0–5 years.)

171. The precise indicators, targets and means of measures will be determined during the project design phase and form part of the TORs for the EMO.

### B.2 External Monitoring Methodologies

172. The methods for external monitoring and evaluation of land acquisition, compensation and resettlement activities include:

(i) Detailed Measurement Survey (DMS) and Replacement Cost Survey (RCS): The DMS and RCS data will be entered into a database to document: (a) socio-economic status of displaced people, (b) nature and extent of losses, and (c) entitlements for compensation and other assistance. The resulting data will be made available to the EMO, to establish a baseline for monitoring and evaluating project benefits.

(ii) Socioeconomic Survey (SES): The SES is designed to provide a clear comparison of the success and/or failure of the resettlement program to restore their livelihoods and living standards. In general, if there is a significant lag time between census and SES and actual land acquisition, demographic and socio-economic factors may change significantly. For this project, if land acquisition does not occur for at least two years after the original SES, the EMO will carry out another SES.

(iii) A post resettlement survey will also be undertaken 6–12 months following completion of resettlement activities. Each time the SES is conducted, the same displaced people will be interviewed. Special attention is to be paid to ethnic minorities and the inclusion of women, poor, landless and other vulnerable groups, with set questions for women and other target groups. The database is to disaggregate information by gender, ethnicity, geographic area and social group.

(iv) Participatory rapid appraisals (PRA) methods: In the intervals between administrations of the SES, periodic PRA methods permit the EMO to consult with various stakeholders such as local authorities, resettlement committees, implementing agencies, NGOs, community leaders and displaced people. PRA methods will involve obtaining information, identifying problems and finding solutions through participatory means including: (a) key informant interviews with local leaders, NGOs and resettlement committees; (b) participatory consultations and discussions on specific topics such as compensation payment, income restoration and relocation; (c) community public meetings to discuss community losses, integration of resettled displaced people in host communities or construction work employment; (d) structure direct field observations, for example, of resettlement site development; (e) formal and informal interviews with displaced people, women, other vulnerable groups and host communities; and, (f) in-depth case studies of problems as identified by internal or external monitoring and required special efforts to resolve.

### B.3 Database Management and Storage

173. The EMO will maintain computerized resettlement databases that will be updated every six months. They will contain files on each displaced people household and will be updated
based on information collected on successive rounds of data collection. All monitoring databases will be fully accessible to implementing agencies and the ADB.

B.4 Reporting

174. Every six months, the EMO will submit an external monitoring report to the executing agency and directly to ADB. The report should summarize the findings of the EMO, including: (i) progress of resettlement plan updating and implementation, including any deviations from the provisions of the resettlement plan; (ii) identification of problem issues and recommended solutions so that implementing agencies are informed about the ongoing situation and can resolve problems in a timely manner; (iii) identification of specific Ethnic Minority issues related to vulnerable displaced people, as relevant; and, (iv) a report on progress of the follow-up of issues and problems identified in the previous report.

175. The monitoring reports will be discussed in a meeting between the EMO, the executing agency and PMU held after submission of the reports. Necessary remedial actions will be taken and documented. Please refer to suggested monitoring indicators in report annex (J3).

XI. INSTITUTIONAL ARRANGEMENTS

176. This section describes institutional arrangement responsibilities and mechanisms for carrying out the various measures of the EMDP. It also describes the process of including relevant local organizations and NGOs in carrying out the measures of the EMDP.

A. The Provincial People’s Committee

177. The PPC, thru the Department of Planning and Investment is the executing agency and will oversee all subproject activities including resettlement.

B. Project Management Unit

178. The PMU will provide technical assistance to the local administrative authorities, including resettlement planning and implementation. Together with the Project Supervision Consultants, the PMU will work closely with the administrative authorities and concerned departments by providing technical plans, designs and project activities and schedule of the proposed project in order for all parties to identify and minimize the potential effects on land and people and to make sure that all resettlement plan activities are properly addressed and implemented prior to construction activities. The PMU will be responsible for the preparation of quarterly resettlement progress reports.

C. Resettlement Committee

179. A Resettlement Committee will be established under the PPC and/or under each People’s Committee at the level of District in each of the subproject areas. Details related to the establishment and composition will be determined by the PPC of Lang Son province. The role of the resettlement committee will include the following: (i) coordinate and manage resettlement activities with PMU and commune People’s Committees; (ii) verify census and oversee conduct of the detailed measurement survey; (iii) carry out consultation and disclosure activities, (iv) develop and implement income restoration programs; (v) along with the relevant local administrative authorities, carry out timely delivery of compensation payment and other entitlements to affected persons; and (vi) act as members of the grievance redress committee.
D. Local Administrative Authorities

180. The concerned local administrative authorities play a very important role in the planning and implementation of resettlement-related activities. Their roles and responsibilities are to:

- Coordinate and work closely with the concerned stakeholders in relation to the conduct of consultation, census and DMS and other resettlement-related activities;
- Act as grievance officers and ensure that grievance are resolved;
- Assist displaced people during the negotiation and compensation process;
- Involve the local-based organizations to carry out the resettlement plan activities;
- Certify the list of displaced people and sign compensation documents; and
- Monitor and register new settlers in the area. The local authorities will be responsible for informing residents and new settlers not to construct houses or structures in the areas where there will be improvement/ construction.

E. Local Mass Organizations

181. Mass organizations relevant to the various displaced people profiles, needs and impacts will participate in the development and implementation of assistance measures for displaced people. Mass organizations in Vietnam are types of community-based organizations. Such organizations would include the Fatherland Front, Women’s Union, Farmer’s Union and other relevant organizations.

F. Committee for Ethnic Minorities and Mountainous Areas (CEMMA)

182. The CEMMA of Lang Son is implementing the Program 135 for the poor and remote communes and districts of Lang Son, and is the designated mass organization representing ethnic minority special interests in the project area. The CEMMA is to be actively engaged by the project.

G. Project Supervision Consultants

183. The project supervision consultants will also include one international resettlement specialist and at least one local resettlement specialist, and community and livelihood specialists on an intermittent basis to assist and supervise all social and resettlement-related activities. Their responsibilities include the following:

- Work closely with the PMU, Centre for Development of Land and Housing, local authorities and resettlement committees at all levels on all resettlement-related activities;
- Assist in the conduct of the information campaigns and community participation;
- Assist in the verification of census, inventory of losses and detailed measurement survey activities;
- Check the accuracy of the displaced people database prepared and provide improvements if necessary;
- Assist in the preparation of an updated resettlement plan;
- Assist and improve, if necessary, procedures for the coordination of resettlement and compensation activities;
Ensure that grievances are addressed promptly and properly;
Establish and implement liaison mechanisms to ensure proper technical and logistical support to PMU, local administrative authorities, resettlement committees and concerned government departments;
Establish and implement procedures for ongoing internal monitoring;
Design and deliver capacity development activities for all relevant agencies, as needed, in the areas of ADB resettlement policy; participation and communication; gender and development; and livelihood restoration.

XII. BUDGET, STAFF AND FINANCING

A. Required technical assistance human resources to support development and implementation of the EMDP

<table>
<thead>
<tr>
<th>EMDP</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Supervision Consultants.</td>
<td>To budget, 6 TA proposed positions:</td>
</tr>
<tr>
<td>(Project Design and Implementation Phases).</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>A. Social Specialists</strong> (with gender and indigenous peoples expertise)</td>
</tr>
<tr>
<td></td>
<td>1. International: 2 months design, 4 months implementation phase.</td>
</tr>
<tr>
<td></td>
<td>2. National: 2 months design, 6 months implementation.</td>
</tr>
<tr>
<td></td>
<td><strong>B. Resettlement Specialists:</strong></td>
</tr>
<tr>
<td></td>
<td>3. International: 3 months design phase.</td>
</tr>
<tr>
<td></td>
<td><strong>C. Community Livelihoods and Development Specialists:</strong></td>
</tr>
<tr>
<td></td>
<td>5. International: 2 month design phase, 2 months implementation.</td>
</tr>
<tr>
<td></td>
<td>6. National: 2 months design, 12 months implementation</td>
</tr>
</tbody>
</table>

EMDP = ethnic minority development plan, TA = technical assistance.

184. Above technical assistance in support of the responsibility of the Social and Environment Unit within the PMU to design and implement these measures together with responsible government agencies.

B. Summary of Costs to be allocated to EMDP Activities

<table>
<thead>
<tr>
<th>Item</th>
<th>Remarks</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dong Dang Resettlement Plan</td>
<td>Budget assigned under Dong Dang Resettlement Plan (direct costs + indirect costs + administration + contingency)</td>
<td>1,218,728</td>
</tr>
<tr>
<td>Dong Dang CAP</td>
<td>Budget assigned under Dong Dang CAP (direct resettlement costs + administration + contingency. Indirect resettlement costs for CAP included in Dong Dang Resettlement Plan)</td>
<td>1,053,671</td>
</tr>
<tr>
<td>Livelihood Disruption Assistance to vendors at Dong Dang Market</td>
<td>Budget assigned under this EMDP</td>
<td>50,000</td>
</tr>
<tr>
<td>Dong Dang HAPP &amp; HTPP activities</td>
<td>Budget assigned under Poverty Reduction and Social Strategy for HAPP and HTPP. Amount indicated is estimated allocation for the Dong Dang Project area.</td>
<td>100,000</td>
</tr>
</tbody>
</table>

**Total** 2,422,399

CAP = corrective action plan, EMDP = ethnic minority development plan, HAP = HIV/AIDS Awareness and Prevention Program, HTPP = Human Trafficking Prevention Program.

185. Please refer to the Resettlement Plan and CAP which are publically disclosed documents for full details on budget estimates. The above costs are estimates and will be updated at the commencement of Project detailed design.
C. **Budget Estimate for Livelihood Disruption Assistance at Dong Dang Market**

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Quantity</th>
<th>Unit Cost ($)</th>
<th>Total ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Income Substitution Assistance</td>
<td>Affected Businesses</td>
<td>165</td>
<td>300</td>
<td>49,500</td>
</tr>
</tbody>
</table>

Budget allocated under Dong Dang Ethnic Minority Development Plan

186. The HIV/AIDS and human trafficking mitigation programs (HAPP/HTPP) have an estimated budget of $300,000 for the entire Project (covering three cities), of which approximately $100,000 would be allocated to the Dong Dang project area. The budget for this is allocated under the Poverty Reduction and Social Strategy component.

D. **Comprehensive Socioeconomic Development Project, Ethnic Minority Development Plan**

**Guiding Principles**

- Equal project benefits and opportunity sharing between main ethnic group and ethnic minorities in the project area.
- Project activities will seek to systematically reduce socio-cultural and ethnic inequalities in the project areas.
- A targeted approach address the needs of ethnic minorities, poor women and other vulnerable groups, including the elderly and those displaced by resettlement.
- Collection and monitoring of ethnic minority disaggregated data, with ethnic minority sensitive indicators developed for each evaluation framework output.
- Organization of ethnic minority households and their groups as part of the wider project social mobilization process.
- Increased representation of ethnic minorities in decision-making bodies at all levels.

**Activity**

**Road and border gate infrastructure sub-components**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Indicators/targets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community consultation is conducted encouraging ethnic minority household or individual participation; consultation conducted at times conducive to community participation.</td>
<td>Prior to sub-component approval, documentation of consultation clearly indicates ethnic minority and their representation’s involvement.</td>
</tr>
<tr>
<td>Project policy to specify work presented first to local residents and resettled households.</td>
<td>The selection criteria for subprojects supports the use of local labor and minimizes or avoids the development of construction-camps.</td>
</tr>
<tr>
<td>Bidding terms for contractors will also specify engagement of ethnic minority affected people’s labor for roads and related construction with quotas established for female and ethnic minority employment.</td>
<td>Local contractors will employ at least 30% women, and at least 30% of ethnic minority in construction works.</td>
</tr>
<tr>
<td>Contractors will be required to provide safe working conditions, and ensure that no child labor is employed.</td>
<td>Women and/or men will be provided equal pay for equal type work.</td>
</tr>
<tr>
<td></td>
<td>Safe working conditions are developed for both men and women workers.</td>
</tr>
<tr>
<td></td>
<td>Local contractors will not employ child labor.</td>
</tr>
<tr>
<td>Activity</td>
<td>Indicators/targets</td>
</tr>
<tr>
<td>----------</td>
<td>-------------------</td>
</tr>
<tr>
<td>(The potential of contractor-provided day-care might be explored in the design phase).</td>
<td></td>
</tr>
<tr>
<td>Contractors will be required to collaborate with local women’s union or local health department to provide HIV/AIDs message to construction workers.</td>
<td>Local contractors provided HIV/AIDs materials by the project; information vetted with women’s union or health department. (Information dissemination monitored by project supervision consultants as a part of the evaluation framework).</td>
</tr>
<tr>
<td>CBMCs in project impacted villages or residential units, where ethnic minorities occupy at least 30% of available positions. Huu Nghi border gate facility design includes appropriate female and male toilet facilities, access for people with disabilities.</td>
<td>Ethnic minority households will comprise 30% of CBMC membership in Dong Dang. Final project border gate facility construction design.</td>
</tr>
<tr>
<td><strong>Solid waste; flood proofing</strong></td>
<td>Project consultation documentation.</td>
</tr>
<tr>
<td>Community consultation regarding coverage and affordability of solid waste and flood-water improvements conducted to encourage the participation of Dong Dang area ethnic minorities.</td>
<td>Waste characterization study to highlight benefits of improved sanitation on ethnic minority households.</td>
</tr>
<tr>
<td>Waste characterization study identifies poor ethnic minority households, including households led by women, with/without proper sanitation facilities. Project mediates where necessary access to credit for investment in wastewater and solid waste treatment system, including potential credit options through the Bank for the Poor.</td>
<td>Waste characterization study, report with disaggregated data. Waste characterization study, report with disaggregated ethnic minority data. Project reports highlight applicable program linkages made to Government and area credit options.</td>
</tr>
<tr>
<td>Ethnic minority representation on the CBWMGs made a clear requirement, where ethnic minorities will occupy at least 30% of available positions.</td>
<td>Ethnic minority occupying 30% of CBWMG membership.</td>
</tr>
<tr>
<td><strong>Resettlement and livelihood restoration</strong></td>
<td>Internal project resettlement and livelihood monitoring data disaggregated, income and ethnicity to support resettlement and livelihood planning and monitoring.</td>
</tr>
<tr>
<td>Ethnic minority disaggregated resettlement and livelihood data collected at household and individual levels.</td>
<td>Project restoration strategy accounting for current and alternative livelihood potentials of women and ethnic minorities.</td>
</tr>
<tr>
<td>The role of ethnic minority household current economic activities carefully considered in restoring livelihoods and living standards. Special focus on poor women-headed and ethnic minority households.</td>
<td>Resettlement Due Diligence Study documenting acquisition agreements.</td>
</tr>
<tr>
<td>Ethnic minority women’s needs addressed and ethnic minority women consulted separately and jointly during resettlement implementation; both husband and wife will be required to sign</td>
<td></td>
</tr>
<tr>
<td>Activity</td>
<td>Indicators/targets</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>acquisition agreements.</td>
<td></td>
</tr>
<tr>
<td>Land-use titles representing the names of both male and female household heads in co-ownership.</td>
<td>Land-use titles issues with names of household heads in co-ownership.</td>
</tr>
<tr>
<td>Ethnic minority women and their groups are engaged in resettlement implementation.</td>
<td>Training provided to WU, project reports.</td>
</tr>
<tr>
<td>Grievance and complaint procedures developed and tracking all a) resettlement and b) livelihood issues raised.</td>
<td>Project grievance procedures accounting for both resettlement and livelihood issues, and particularly of women, ethnic minorities, and poor households.</td>
</tr>
<tr>
<td>Access and enrollment in project a) vocational training and b) existing Government/area credit for women, ethnic minorities, and poor households disaggregated and monitored.</td>
<td>Project evaluation framework</td>
</tr>
<tr>
<td>Project sponsored vocational training and curriculum development clearly indicates gender, disability and ethnic diversity.</td>
<td>Project vocational training, curriculum.</td>
</tr>
</tbody>
</table>

**Project Communication Strategy**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Indicators/targets</th>
</tr>
</thead>
<tbody>
<tr>
<td>In collaboration with Women’s Union, local health department and border patrol, HIV/STD and human trafficking education are developed and integrated into project (and particularly border control operations).</td>
<td>Communications highlight young ethnic minority women’s vulnerability to HIV/AIDS/STDs and human trafficking. Communication materials are developed in language suitable to ethnic minority households.</td>
</tr>
<tr>
<td>Dong Dang market closure. Consultation with market vendors and general public accessing the market.</td>
<td>Public informed of market closure and alternative arrangements developed.</td>
</tr>
</tbody>
</table>

CBMC = community-based monitoring committee; CBWMG = community-based waste management group.
Comprehensive Socioeconomic Urban Development Project (Viet Tri, Hung Yen and Dong Dang) PUBLIC INFORMATION BOOKLET - DONG DANG TOWN

1. QUESTION: What is the ADB Comprehensive Socioeconomic Urban Development Project?

ANSWER: The Government of the Socialist Republic of Vietnam proposes to develop Viet Tri, Hung Yen, and Dong Dang to complement Hanoi as northern Vietnam's economic centers and to contribute to the development of the North-South economic corridor. The project will provide improved urban infrastructure and municipal services in the project cities/town as well as strengthen local governments' urban management capacities. The Project will be financed by the Asian Development Bank (ADB).

In Dong Dang, the Project comprises two components:

(i) Dong Dang drainage and flood protection. The project will improve the drainage networks and build riverbank protection to protect Dong Dang town from inundation. Drainage pipelines have been laid along one side of roads, however, the capacity of these pipelines is not sufficient, and overflowing on the road surface during heavy rain is a common phenomenon. The market place is suffering from frequent events of flooding due to inefficient drainage conditions. This component will help increase the capacity of existing drainage networks and protect the market from frequent inundation.

(ii) Dong Dang Border Gate Facility. This component aims to improve handling of immigration and emigration of cross-border passengers and custom clearance of goods for import and export at the Huu Nghi border gate. The project will build (a) office buildings and footbridges connecting the buildings, (b) infrastructure within the border gate complex such as roads with drainage and car park, and (c) Vietnamese section of the connecting road between the Vietnamese and Chinese border gates for transportation of goods. The government requested the mission to change the alignment of the road for goods transportation. It was confirmed that the proposed change will be considered during detailed design and the additional cost incurred by this change will be paid by the government counterpart funds.

2. QUESTION: Who is responsible for the Project?

ANSWER: The Government of the Socialist Republic of Vietnam will be represented Lang Son Province People's Committee (PPC) as the project owner and executing agency of the Project. The Lang Son PPC has established a Project Management Unit (PMU) to manage the implementation of the Project. A Social and Environmental Unit (SEU) will be established within the PMU to implement and monitor the Resettlement Plan.

3. QUESTION: Are the improvements to the drainage and development of the cross border facility intended to benefit us?

ANSWER: Yes. Improvements to the drainage facilities will reduce the impacts of flooding and make a significant contribution to improving general environmental sanitation in Dong Dang Town. The cross border facility will play an important role in contributing to cross-border trade and tourism between Vietnam and the People’s Republic of China. This will have an important impact on Vietnam’s economy as well as local economic development.

4. QUESTION: Will any land be acquired for the Project and if so how will we be affected?

ANSWER: The Project is expected to require the acquisition of approximately 850 square meters (m²) of land to improve the river embankment as part of the overall drainage improvements. It is estimated that 43 households will experience loss of land and/or housing as a result. Installation of drainage pipes will rely on existing public
easements (such as roads) and will not require land acquisition. Construction of the cross border facility (CBF) will require the acquisition of approximately 15 hectares of land. A total of 42 households will be affected by the loss of land for the CBF and 2 households will have their houses fully affected and be required to relocate.

During the detailed design phases efforts will be made to further reduce impacts on housing and land acquisition through review of technical designs and through consultations with the affected communities. In case the effects on land, house and structures cannot be avoided, affected persons will be properly compensated in cash or in kind for their land use, houses, structures, crops and trees, as well as communal properties in order for them to restore their lost asset, resource, or income. Rehabilitation assistance will also be provided to affected persons who will be required to relocate to another location.

5. QUESTION: What if my land will be affected by the Project?

ANSWER: For affected land, compensation can be in the form of replacement land or cash at current market value. If land has been the agreed form of compensation between affected persons and the Project, the replacement land should be of equal or better productive capacity of the lost land and satisfactory to affected persons. If replacement land is not available then the only option offered will be cash compensation at market value.

6. QUESTION: What are the entitlements that we have in order to be compensated?

ANSWER: There will be a cut-off date for entitlement to compensation and assistance which will be set and publically announced by the Lang Son People's Committee. Those affected persons who have occupied and used the land prior to this cut-off date are entitled to compensation if the project construction affects their land and/or structures. And for anyone who has encroached and occupied the land after the cut-off date will not be eligible for compensation or assistance.

7. QUESTION: Does compensation apply to my affected houses or structures?

ANSWER: Yes. Houses and structures that will be affected by the Project shall be compensated at replacement cost without deduction for depreciation or salvageable materials. Partially affected houses will be compensated for the lost affected portion as well as repair costs. Other structures (e.g. fences, wells, pavement) will also be compensated at replacement cost.

8. QUESTION: What about my crops and trees?

ANSWER: For annual crops, affected persons will be given 2-months notice that the land on which their crops are planted will be used by the Project and that they must harvest their crops in time. If standing crops are ripening and cannot be harvested, eligible affected persons can be compensated for the loss of the unharvested crops at the current market value. For perennial crops, affected persons will be compensated for the loss of fruit and timber trees at replacement value, which value will take account of lost potential income and time required to re-establish the perennial trees. This will compensate for lost income until the newly planted seedlings bear fruit. Affected persons will be awarded the full value of any lost crops where the plants are near or ready to harvest.

9. QUESTION: Will the installation of drainage pipes cause disruptions?

ANSWER: The project design, including civil works arrangements will make every effort to minimize disruptions to local communities. However, it is likely that there will be some temporary disruptions while the drainage pipes are installed.

For most locations the impacts are considered to be not significant. However, it is likely that the installation of the new drainage system will cause significant disruptions to the normal operations of Dong Dang Market for 2–3 months. All efforts will be made to minimize the disruptions to the market and, if feasible, to enable the continued opening of the market during construction. If any market vendors and not capable of operating their businesses during this period, the project is
prepared to provide temporary assistance to minimize the impact on livelihoods. These impacts and mitigation measures will be discussed in detail with those affected prior to commencement of construction works.

Communities will also be kept informed of any civil works to take place near their homes or place of business well in advance. Appropriate measures will be put in place to mitigate risks to safety.

10. QUESTION: What about our common property resources like school building, cooperative land?

ANSWER: The initial inventory of losses indicated that no common property would be affected by the project. However, if any common property resources were to be affected, the affected property will be replaced in areas identified in consultation with affected communities and relevant organizations. Affected building and structures will be restored to original or better condition. Cooperative farming land will be replaced with either other land (if available) or an alternative resource to benefit the material welfare of the affected community.

11. QUESTION: If in case there will be relocation of houses or businesses involved, how can the Project help me rebuild my house during relocation?

ANSWER: Affected persons will be offered option to choose between (i) arranging their own relocation with the compensation and assistance money received; (ii) assisted resettlement at a resettlement site, including plot of land and ready constructed house; and (iii) partially assisted resettlement consisting of resettlement lot but arranging the construction of their replacement housing themselves using the compensation money received. Resettlement sites are to be suitably located and have adequate infrastructure and access to services. Affected persons will be consulted on the selection and design of the resettlement sites.

In addition to the above, affected households persons will also be entitled to allowances consisting of: (i) Transportation allowance; (ii) Rental assistance for a limited period (if needed); (iii) Additional cash allowances for those who self-relocate; (iv) Stabilization assistance for those who lose more than 10% of their productive land in addition to being required to relocate; (v) Incentive bonus for those who relocate before announced project target dates for site clearance. The specific amounts for compensation rates as well as allowances and assistance will be advised at the time the resettlement plan is updated.

12. QUESTION: If in case our livelihoods are affected, how can the Project help me restore my livelihood and living standards?

ANSWER: The census and detailed measurement survey (DMS) will take note of the livelihoods of affected persons and any impacts the Project may have. The Project will provide various forms of assistance to enable affected people to restore their livelihoods and living conditions to at least pre-project levels. For vulnerable households (e.g. those classed as poor, disabled, etc.), the Project will seek to improve living standards to at least minimum national standards. Such forms of assistance will include: (i) cash subsistence allowances to households losing more than 10% of the productive assets equivalent to 30 kilograms of rice per household member per month for periods ranging from 6 to 36 months depending on the severity of impact and circumstances of the household; (ii) for those losing productive land, livelihood transition allowance equivalent to 2–3 times the compensation of the affected land; (iii) agricultural extension assistance; (iv) vocational training free of charge within the province for household members of working age for a limited period of time; (v) for vulnerable households cash social support allowances for 3 years, the level of such support will depend on the severity and type of loss; (vi) potentially other forms of livelihood restoration support if deemed needed based on consultation with affected persons and project stakeholder during preparation of the updated resettlement plan. In addition the Project will seek to maximize project work opportunities to adults in the affected local communities (both men and women) during the implementation phases. Such opportunities will be announced in the local areas.
If there are to be temporary impacts on livelihoods of businesses during construction, the specific assistance measures will be discussed in detail prior to commencement of civil works. The objective of the assistance will be to mitigate any temporary impacts on livelihoods.

13. QUESTION: When will the detailed measurement survey be conducted?

ANSWER: The activity will be carried out after the actual alignment has been determined. The activity will only be carried out in the presence of the affected persons. The Affected persons and the local authorities will be informed prior to the activity.

14. QUESTION: What other impacts has the Project considered?

ANSWER: The Project has considered potential effects on local indigenous culture, livelihood patterns, welfare. To assist the Project to ensure that the interests of local ethnic minority communities hosting the Project are addressed throughout the project and to promote opportunities for development, the Project has prepared an Ethnic Minority Development Plan (EMDP). The main objective of the EMDP is to ensure that any potential negative impacts are properly mitigated and that ethnic minority communities in the local areas are meaningfully consulted throughout project preparation and implementation. The EMDP will be disclosed to local communities.

The Project has also considered the potential of increased risks of HIV/AIDS transmission as well as increased risks of human trafficking – especially of women and children. It is considered that the project-associated risks will be highest during the construction phase. The Project will implement a HIV/AIDS Awareness and Prevention Program as well as a Human Trafficking Prevention Program which will commence prior to any civil works activities. The project will also aim to restore impacts on livelihoods and promote work opportunities as another measure to reduce such risks to the local community. Further details will be provided and discussed prior to implementation.

15. QUESTION: How will the Project consult with me and provide information?

ANSWER: The Project has prepared a communication and consultation plan. The Project will keep local communities informed of significant activities. Regular information will be provided to the ward/commune People’s Committees, village chiefs and local mass organizations. The local People’s Committees will maintain a public notice board where significant information and schedules will be posted. In addition to this affected households will be consulted directly through public consultation meetings on significant matters affecting them. Such public consultation meetings will take place (i) prior to the conduct of the DMS (to advise survey schedules and procedures), (ii) following the DMS (to advise of DMS results and proposed mitigation measures), (iii) during preparation of the updated resettlement plan (to identify appropriate livelihood restoration measures, advise of compensation rates and details of allowances and assistance measures as well as details of resettlement arrangements); (iv) on-going through implementation of the resettlement plan. In addition the Project will publically disclose the approved updated resettlement plan and EMDP through public information brochures (distributed to affected households and local communities), by providing a translated version to each local People’s Committee for public access and by uploading it on ADB’s website (www.adb.org).

16. QUESTION: If I disagree or problems arise during project implementation such as compensation, technical, and other project-related issues, do I have the right to voice my complaint?

ANSWER: Yes. If the affected persons is not clear about or not satisfied with the compensation package offered or, if for any reason, the compensation does not materialize according to the agreed schedule, the affected persons has the right to lodge a complaint. Likewise if local communities consider that the Project harms the interests of local ethnic minority communities such grievances may also be presented and discussed. Grievance/queries from affected persons at the first
instance may be lodged verbally or in written form with the Ward/Commune People’s Committee. The complaint shall be discussed in an informal meeting with the People’s Committee which will be required to provide a decision/further advice on the issue within 15 days from the date the complaint is received. All meetings shall be recorded and copies of the minutes of meetings will be provided to affected persons. If no amicable solution can be reached or if no response is received from local People’s Committee within 15 days of registering the complaint, the affected persons can elevate the matter to the City Resettlement Committee (CRC) within 45 days of originally lodging the complaint. The CRC is expected to respond within 1 month upon receiving the grievance. If the affected person is not satisfied with the decision of the CRC or in the absence of any response, the affected person may present the grievance to the City Resettlement Committee (CRC) within 45 days of originally lodging the complaint. The CRC is expected to respond within 1 month upon receiving the grievance. If the affected person is not satisfied with the decision of the CRC or in the absence of any response, the affected person has the right to directly discuss their concerns or problems with the ADB Southeast Asia Department either directly (at 6 ADB Avenue, Mandaluyong City, Philippines), or through the ADB Vietnam Resident Mission.

17. QUESTION: When is the project expected to start?

ANSWER: The project is expected to commence in December 2011. The updated resettlement plan will require at least 4 months to prepare and site clearance is expected to commence in the 4th quarter of 2012 at the earliest. Affected communities will be kept informed of updated activity schedules from January 2012.

18. QUESTION: How will you know if these undertakings are kept and the objectives of this Project are met?

ANSWER: All project activities will be monitored by the SEU of the PMU and by an External Monitoring Organization (EMO).

Monthly Report and Quarterly Reports will be prepared and submitted to ADB. A post-resettlement impact evaluation will also be undertaken to assess whether impacts of the Project have been mitigated adequately and the pre-project standard of living of affected persons have been restored as a result of the resettlement and project. ADB will also monitor these activities in its regular supervision missions during project implementation. Semi-annual reports of the EMO will be disclosed to affected communities.

19. If you have further queries and suggestions, please contact us at:

Project Management Unit, Comprehensive Socioeconomic Urban Development Project
Attention: Social and Environment Unit
Address: Lang Son Provincial People’s Committee,
2 Hung Vuong Street, Phuong Chi Lang,
Lang Son City, Lang Son Province