

Social Monitoring Report

August 2012

VIE: Yen Vien-Lao Cai Railway Upgrading Project

Prepared by Railway Projects Management Unit of Viet Nam Railway for the Asian Development Bank.

NOTE

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INTERNAL INSPECTION REPORT

RESETTLEMENT PLAN

YEN VIEN – LAO CAI RAILWAY UPGRADING PROJECT

Hanoi, August 2012

Hanoi, August 6th 2012

To: ASIA DEVELOPMENT BANK (ADB)

Railway Projects Management Units (RPMU) refers to submit the Internal Inspection Report, Yen Vien – Lao Cai Railway Upgrading Project.

In this report, RPMU shall represent the internal inspection result, the Clearance and Resettlement Plan implementation including (i) Disbursement of Compensation and Assistance; (ii) Relocation and Resettlement; (iii) Implementation of Income Restoration Measures; (iv) Gender and Indigenous Peoples; (v) Public Information, Consultation and Disclosure; (vi) Grievance Redress Mechanism; (vii) Restoration of Public Facilities and Infrastructure; (viii) Handing Over of Land for Civil Work; (ix) Planned Activities for the Next Reporting Period; (x) Summary and recommendation issued in the internal inspection trip in July 2012.

Please check and comment.

Best regards,

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ACRONYM LIST

ADB	Asia Development Bank
BTHT&TĐC	Compensation, supporting and resettlement
BAH	Affected
DCARB	Province Compensation and clearance unit
UBND	People Committee
EMA	External Monitoring Agency
DMS	Detailed Measurement Survey
IOL	Inventory of Losses
EM	Ethnic Minority
RPMU	Railway Projects Management Unit
RP	Resettlement Plan
TTPTQĐ	Land fund Development Unit (Manage and Process Resettlement Plan)
DA NCTĐS	Railway rehabilitating and upgrading Project
TĐC	Resettlement
CRIP	Cambodia Resettlement Implement Policy
SAP	Seriously Affected People
TOR	Terms of References
SES	Socioeconomic Survey
FHH	Female Householder
USD	United State Dollar
VND	Vietnam Dong
PSC	Project Consultant Supervisor

I. Disbursement of Compensation and Assistance.

The total number of affected households at the inspection time is 470 households, and 08 organizations. Up to present, 08 organizations and 460 households have received compensation. 04 households of those agree to receive compensation after being supported resettlement land lot. Recently, there are 06 households have not received compensation, including: 01 household in Van Phu station area, 01 household in Yen Ninh realignment area, 03 households in Dao Thinh realignment area, 01 household in Mau Dong station area due to be not clear about the agricultural land price, building items price, quantity check incorrectly... Land fund Development Unit of Yen Bai Province is looking for replacing solution for these shortcomings.

Resettlement areas set-up: plan clearance, roads construction, drainage ditch built. In 40 households which have to move, only 03 could arrange the new places by their selves, 37 households are arranged in the resettlement area.

The cost for compensation, supporting and resettlement for 470 households and 08 organizations is **20,656,724.737 billion VND**. The list of affected households is created with the detailed plans of paying land compensation, buildings, trees and others supporting attached.

The cost of building 3 resettlement areas: Van Phu, Dao Thinh, Lang Thip is **10,270,605,000 billion VND**.

II. Relocation and Resettlement

03 resettlement areas built: Van Phu, Dao Thinh, and Lang Thip. Each resettlement area is about 200m² on average. The price for each lot is from 120.000 – 160.000 VND/m². The Van Phu station area in particular has 02 resettlement areas next to the existing station's precinct. All the resettlement areas have roads, local roads, and low voltage cable but some of the households still have to wait for the electricity supplying procedure. Households in the resettlement area are supported to dig wells, estimated from 6,000,000 VND to 10,000,000 VND but there is only one household which received 10,000,000 VND, the other affected households are still waiting for the decision from the province People Committee. The communes anticipate using the last lot in the resettlement area for building houses of culture for the community's social activities.

The households move to the resettlement areas process a fairness of choosing the land lot in random and undertake to handover the plan in 20days after receiving the compensation. The local is completing the procedure of certifying the Landownership for each household in the resettlement area.

Up to 31/07/2012, 40 households of 65 households estimated in RP have to move. 37 over 40 households have already got the land lot in the resettlement area by random choosing.

Recently, among 37 households in the resettlement area, 10 households build new houses including: 05 households in Van Phu station area, 1 household in Dao Thinh area and 04 households in Lang Thip area. Households in Van Phu and Lang Thip have carried out wells digging by themselves and now have freshwater. 01 household in particular in Dao Thinh area has already built house but when the well was digged 13m it met the hard rock layer so until now they have not yet have freshwater (Pham Van Khoa household), they expect the support from the project. Another case is a single old woman in Dao Thinh area (Ha Thi Doi) who already chose the

land lot but now expects the project to intervene to change in order to settle next to her son (Do Ngoc Son)

III. Implementation of Income Restoration Measures

Supporting for life settlement: affected households that lost at least 10% of productive land will receive the support by cash which is equivalent to 30 Kg rice for each household in 6-24 months, specified in the RP.

Supporting for moving houses: affected households who lost agricultural land will receive compensation in cash which is twice as much as the price for affected land.

Vocational education: members of the households who are in working-age will join free in vocational education courses in the province.

Agriculture development: households who lost productive land will be supported from the specialized organizations such as planting, breeding.

During the RP implementation: Society Development Bank and Agriculture Development Bank have cooperated with Land fund Development Unit of the province to pay compensation, support for propaganda, consult the affected households to put money in saving, planning for planting and breeding. Not yet have the summarized data of households have money saving accounts.

Organizations responsible for vocational education have not yet had the plan of educating for households who should be supported.

IV. Gender and Indigenous Peoples

Requests of sexes and minority ethnic have been stated in RP. Female householders or minority ethnic householders (aboriginal) have been interviewed in affected communes on information collecting, DMS, compensation applied, supporting. All are paid fully, no discriminatory treatment.

Yen Bai People Committee issued the Decision No. 1973/2010/QĐ-UB, supporting for sensitive households according to the ADB framework in the Yen Vien – Lao Cai railway upgrading project. 22 households are recorded to receive support according to this policy at the price of 6.000.000 VND/household (Appendix 2 attached).

V. Public Information, Consultation and Disclosure

In CP2, RPMU and local authorities (province/district/commune related) have been processing Information dissemination, community correspondence to 478 affected households in 17 districts including: 4 groups/districts in Yen Bai city, 4 districts in Tran Yen commune, and 9 districts in Van Yen commune. All the information of the project about name of the project, the Employer, ADB donor, authorities, authorities responsible for compensation, supporting and resettlement, claims resolved authorities, acquisition region, law frame of compensative price, supporting... have been informed in affected people's community's meetings and in public communication system (TV, radio...). On the other hand, all the documents are announced and published in People Committee offices in districts. Local staff and the villages' leaders are intensified to resolve claims and questions from local people.

The detailed investigation about affected households and assets (DMS) as well as the inspection of price changes in the project are informed and corresponded in affected areas.

The resettlement arrangement is also announced on TV, propagated in cooperation with community correspondence to come to the final agreement of choosing land lots in resettlement areas by random choices. The result is the random choosing and land plan, infrastructure likes electricity, drainages, are also announced publicly.

To the households that do not meet the requirements to move in to resettlement areas but still have the need of using the resettlement land can also pay according to the local regulations as required, could be approved and then choose the land lot with all other conditions in the resettlement area like the other households in resettled policy.

Up to present, there are 472 households that have received compensation and start building new houses, settle down in resettlement areas. Recently, there are 6 households that have not yet received the compensation, RPMU and local authorities are still working on the methods of supporting in order to solve the problems.

VI. Grievance Redress Mechanism

Claim addressing mechanism is made with four claim stages complying with claim law of Government mentioned in the approved RP. Generally, if removed people are not satisfied with the decision of authorized organization such as Resettlement Unit, Land Clearance Council of commune/district/province have the right to claim according to each level and even litigate to district council where they live if they still have not been satisfied yet.

Up to now, no affected household has claimed or litigated about project's compensation, support and resettlement.

18 affected households recommended to support additionally about structure and plant price support or wanted to use land in resettlement area with their payment. Most of households wanting to use land in resettlement area were met by project through approval decision of People's Committee of the Province. Yen Bai Land Fund Development Center made the report to ask for supporting money for some households having not received compensation yet, being waiting provincial People's Committee to review.

VII. Restoration of Public Facilities and Infrastructure

Main infrastructure and public works are electricity, road, fiber cable and dual purpose ditch along railway line.

There has not been issue about electricity and public road needing to be rehabilitated yet. Affected part of dual purpose ditch were estimated and reconstructed or renewed by project. Fiber cable was paid according to regulation of Government to organize to manage fiber cable, remove or replace newly to ensure private requirement.

VIII. Handing Over of Land for Civil Works

CP2 of project was constructed on December 27th, 2011 at Van Phu station area, Yen Bai city by Contractor Namkwang-Sampyo (Korea) and it is estimated to complete work items within 36

months. RPMU handed over the scope of project repossess and clearing land for Contractor to construct (Namkwang Sampyo) and subcontractors in the whole line including bridges, realignment sections, slope protection sections, level crossing on March 11st, 2012.

Up to now, Project has began to construct 3 bridges : Lan Mau (Yen Bai city), 6 bridge and Nuoc Chay bridge (Tran Yen district) and is expected to carry out more bridges, culverts and slope protection sections in August, 2012.

At Van Phu station area, Contractor has difficulty in constructing the service road because three households received money but have not been supported well digging support cost yet. Although they built new house in resettlement area, want to receive well digging support cost before demolishing old house

Dao Think realignment area has three households having not received compensation yet. Because they want to be supported further about structure, plant, they have not handed over the plan. It is expected that realignment section will be constructed at the end of third quarter, 2012. RPMU will continue to cooperate with Yen Bai Land Fund Development Center to have other compensations in order that households agree to hand over the plan for construction of the Project.

IX. Planned Activities for the Next Reporting Period

Continue to supervise the RP implementation progress of CP2 in Yen Bai, focus on supporting additionally, recovering income for existing affected households and carrying out the plan improving HIV/AIDS and Human trafficking fighting awareness of Contractor to meet project's requirement. Focus on controlling to address issues having not yet received compensation and handed over the plan for the project to construct.

Supervise the preparation; complete the RP submission and approval of CP3 and CP1. After RP is approved, complying with RP will be supervised strictly.

Cooperate with Engineer, independent supervisor of the project to ensure that the project meets objectives according to approved RP.

X. Summary and recommendation

**VIETNAM RAILWAY
RAILWAY PROJECTS MANAGEMENT UNIT
INTERNAL REPORT ON RESETTLEMENT PLAN IMPLEMENTATION – YEN BAI PROVINCE**

RPMU needs to force further the region to submit and approve the compensation for some households having not yet received compensation to address early the issues according to memorandum with ADB.

RPMU needs to have the letter to remind the region implementing RP, CP2 to complete early the connecting power line procedure for each household in resettlement area and have early the approval decision on paying the well digging support for resettlement households according to the consulted method and carry out the additional plan for the existing households who have questions about the structure's unit price.

Continue to mobilize consultant about resettlement and social safety policies to meet the required supervision progress.

Annex 1 (Masterlist)

Annex 2

<i>No.</i>	<i>Householder</i>	<i>Address</i>	<i>Supporting cost (VNĐ)</i>	<i>Note</i>
1	Dinh Trong Duc	Phu Ninh – Yen Bai city	6.000.000	Affected>10% Not yet received
2	Ha Thi Thuy	Mau Dong- Van Yen	6.000.000	Affected>10%
3	Bui Thi Tham	An Binh – Van Yen	6.000.000	Affected>10%
4	Ha Thi My	Dong Cuong - Van Yen	6.000.000	Affected>10%
5	Nong Minh Vuong	Dong Cuong - Van Yen	6.000.000	Affected>10%
6	Nong Manh Cuong	Lang Thip - Van Yen	6.000.000	Affected>10%
7	Hoang Thi Kim Thuy	Dao Thinh – Tran Yen	6.000.000	Affected>10%
8	Hoang Thi Thao	Dao Thinh – Tran Yen	6.000.000	Affected>10%
9	Le Thi Keo	Lam Giang - Van Yen	6.000.000	Affected>10%
10	Nguyen Thi Bau	Lang Thip - Van Yen	6.000.000	Affected>10%
11	Nguyen Van Thinh	Yen Ninh – Yen Bai	6.000.000	Affected>10%

**VIETNAM RAILWAY
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12	Nguyen Thi Hai Yen	Lang Thip- Van Yen	6.000.000	Affected>10%
13	Nguyen Thi Hong Tam	Yen Ninh – Yen Bai	6.000.000	Affected>10%
14	Nguyen Thi Xiem	An Binh - Van Yen	6.000.000	Affected>10%
15	Pham Thi Thon	Lang Thip- Van Yen	6.000.000	Affected>10%
16	Vu Thi Hop	An Binh- Van Yen	6.000.000	Affected>10%
17	Cao Ngoc Phu	Lang Thip Station	5.000.000	Remuneration for plan handover progress
18	Le Hong Phong	Lang Thip Station	5.000.000	Remuneration for plan handover progress
19	Dong Tat Thanh	Lang Thip Station	5.000.000	Remuneration for plan handover progress
20	Nguyen Xua Thuy	Lang Thip Station	5.000.000	Remuneration for plan handover progress
21	Hoang Dinh Nho	Lang Thip Station	5.000.000	Remuneration for plan handover progress
22	Mai Thi Nhai	Lang Thip Station	5.000.000	Remuneration for plan handover progress