

Resettlement and Ethnic Minorities Monitoring Report

Semi-annual Report
October 2013

Viet Nam: Sustainable Rural Infrastructure Development Project in Northern Mountain Provinces – Subprojects in Thai Nguyen, Cao Bang, Bac Kan, Bac Giang and Lang Son Provinces

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**SUSTANABLE RURAL INFRASTRUCTURE
DEVELOPMENT PROJECT
(IN NORTHERN PROVINCES- PROJECT NUMBER 41461)**

**INDEPENDENT MONITORING
for Resettlement and Ethnic Minorities Development
Plans in Thai Nguyen, Cao Bang, Bac Kan, Bac Giang
and Lang Son Provinces**

REPORT NO.1 – October, 2013

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ABBREVIATIONS

ADB	-	Asian Development Bank
AH	-	Affected Household
AP	-	Affected Person
CARP	-	Compensation, Assistance and Resettlement Plan
CPC	-	Commune Peoples, Committee
CPMU	-	Central Project Management Unit
DARD	-	Department of Agriculture and Rural Development
DCARB	-	District Compensation, Assistance, Resettlement Board
DCARC	-	District Compensation, Assistance, Resettlement Committee
DLFDC	-	District Land Fund Development Center
DMS	-	Detailed Measurement Survey
DOF	-	Department of Finance
DONRE	-	Department of Natural Resources and Environment
DPC	-	District Peoples, Committee
DPI	-	Department of Planning and Investment
EA	-	Executing Agency
EM	-	Ethnic Minority
FS	-	Feasibility Study
GOV	-	Government of Vietnam
IMO		Independent Monitoring Organization
IOL	-	Inventory of Losses
LURC	-	Land Use Rights Certificate
MOF	-	Ministry of Finance
MOLISA	-	Ministry of Labor, Invalids and Social Assistance
MONRE	-	Ministry of Natural Resources and Environment
MARD	-	Ministry of Agriculture and Rural Development
NTP	-	Notice to Proceed
PCARB	-	Provincial Compensation, Assistance and Resettlement Board

PIB	-	Project Information Booklet
PPC	-	Provincial People Committee
PPMU	-	Provincial Project Management Unit
RCS	-	Replacement Cost Study
REMDP	-	Resettlement and Ethnic Minorities Development Plan
RF	-	Resettlement Framework
RP	-	Resettlement Plan
SES	-	Socio-Economic Survey
VND	-	Vietnamese dong
VWU	-	Viet Nam Women's Union

GLOSSARY

- Affected person / Affected household - Means any person, household, firm or private institution who, on account of changes resulting from the Project, or any of its phases or sub-projects, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (including residential, commercial, agricultural, forest, salt mining and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement.
- In the case of affected household, it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components.
- Detailed Measurement Survey - With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of APs earlier done during RP preparation. The final cost of resettlement can be determined following completion of the DMS.
- Compensation - Means payment in cash or in kind to replace losses of land, housing, income and other assets caused by the Project. All compensation is based on the principle of replacement cost, which is the method of valuing assets to replace the loss at current market rates, plus any transaction costs such as administrative charges, taxes, registration and titling costs.
- Cut-off date - Means the date of completing DMS for which land and/or assets affected by the Project are measured. The APs will be informed of the cut-off date for each subproject component, and any people or assets that settle in the subproject area after the cut-off date will not be entitled to compensation and assistance under the subproject.
- Ethnic minority - People with a group status having a social or cultural identity distinct from that of the dominant or mainstream society.
- Entitlement - Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income

substitution, relocation support, etc. which are due to the APs, depending on the type and severity of their losses, to restore their economic and social base.

- Host community - Means the community already in residence at a proposed resettlement or relocation site.
- Income restoration - This is the re-establishment of sources of income and livelihood of the affected households.
- Income restoration program - A program designed with various activities that aim to support affected persons to recover their income / livelihood to pre-project levels. The program is designed to address the specific needs of the affected persons based on the socio-economic survey and consultations
- Inventory of Losses - This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project right-of-way (PROJECT AREA) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of APs will be determined.
- Land acquisition - Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
- Rehabilitation - This refers to additional support provided to APs losing productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.
- Relocation - This is the physical relocation of an AP from her/his pre-project place of residence and/or business.
- Resettlement and Ethnic Minority - A plan for resettlement of an ethnic minority population, combining the resettlement plan with specific ethnic minority

Development Plan		concerns and cultural sensitivity for the specific needs of the ethnic minority groups.
Replacement cost		- The amount needed to replace an affected asset net of transaction costs such as administrative charges, taxes, registration and titling costs.
Replacement Cost Study		- This refers to the process involved in determining replacement costs of affected assets based on empirical data.
Resettlement		- This includes all measures taken to mitigate any and all adverse impacts of a project on AP property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation as needed.
Resettlement Plan		- This is a time-bound action plan with budget setting out compensation and resettlement strategies, objectives, entitlement, actions, responsibilities, monitoring and evaluation.
Severely affected households		- This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate;
Stakeholders		- Individuals, groups, or institutions that have an interest or stake in the outcome of a project. The term also applies to those potentially affected by a project. Stakeholders include land users, country, regional and local governments, implementing agencies, project executing agencies, groups contracted to conduct project activities at various stages of the project, and other groups in the civil society which may have an interest in the project.
Vulnerable groups		- These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) single-female headed households with dependents, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) children and the elderly households who are landless and with no other means of support.

EXECUTIVE SUMMARY

1. INTRODUCTION

A contract of independent monitoring for implementing the REMDP/RP of the project was signed between Central Project Management Unit Sustainable Rural Infrastructure Development Project in the Northern Mountain Provinces and EPC Branch in Ha Noi on 18/4/2013.

An inception report was prepared by EPC Branch in Ha Noi in May-2013, reviewed by CPMU, revised by EPC Branch in Ha Noi, and accepted by CPMU right after. This report covers the first mission of independent monitoring by EPC Branch in Ha Noi. Information on the project background, scopes of work for independent monitoring, methodology, monitoring arrangements, main findings and recommendation are provided.

Findings and suggestions after the first monitoring mission by EPC Branch in Ha Noi are summarized below.

2. THE PROJECT

Overview

The Sustainable Rural Infrastructure Development Project in the Northern Mountain Provinces is funded by Asian Development Bank (ADB) for 15 Northern Mountain Provinces: Ha Giang, Cao Bang, Bac Kan, Tuyen Quang, Lao Cai, Yen Bai, Thai Nguyen, Lang Son, Bac Giang, Phu Tho, Dien Bien, Lai Chau, Son La, Hoa Binh, Vinh Phuc. Total investment cost is US\$138 million. The project started on February 2011 and is expected to be completed on June 2017.

Project Objectives

The goal of the Project is to rehabilitate existing and establish strategic new rural infrastructure including commune to district, inter-commune and commune to village rural roads, small to medium scale irrigation system, drainage facilities, stream bank revetment, potable water supply, and district and commune markets.

The project impacts will be sustained socio-economic development in the Northern mountain provinces of Viet Nam. The outcomes will be increased access to, and use of priority rural infrastructure by the poor and ethnic minorities.

Scope of the Project

The project will have two main outputs: (i) priority rural infrastructures rehabilitated or upgraded, and (ii) improved capacities for project management and rural infrastructure use and sustainability.

The first output for rehabilitated or upgraded rural infrastructure will include: (i) irrigation and drainage rehabilitation; (ii) rural road and market improvement; and (iii) supporting initiatives to ensure the poor have equitable access to subproject benefits. Funds

provided for rural infrastructure Improvement is considered sufficient to fund 45 subprojects or up to three subprojects per participating province.

The second output will build the capacity of implementing agency staff and other stakeholders involved in the implementation of the project and its subprojects as well as those responsible for their use and operation and maintenance thereafter. Project management support will comprise both training and the provision of support for implementation. The activities that will be implemented by CPMU include: (i) building the capacity of the executing and implementing agency staff in the critical areas of procurement, financial management and compliance to ADB procedures; (ii) the conduct of annual training needs assessment, from which subsequent capacity building activities are to be developed, focusing on agency staff capacities in social and environmental safeguards as well as in climate change awareness and its implication for subproject design.

Land Acquisition Impacts and Ethnic Minority issues are identified and assessed, and the RP/REMDP are prepared by the Social Safeguard Consultant of CPMU and PPMUs at the Provincial level. As per the project objectives and scale, most of the subprojects have small scale land acquisition impacts and resettlement.

3. SERVICE OF INDEPENDENT MONITORING FOR THE REMDP/RP IMPLEMENTATION

A contract to conduct independent monitoring for REMDP/RP implementation of the SRIDP was signed between Central Project Management Unit (CPMU) Sustainable Rural Infrastructure Development Project in the Northern Mountain Provinces (SRIDP) and EPC Branch in Ha Noi on 18/4/2013. The monitoring coverage of EPC Branch in Ha Noi are the subprojects in the Provinces of Thai Nguyen, Cao Bang, Bac Kan, Bac Giang and Lang Son.

Objectives of External Monitoring

The main objective of external monitoring is to provide an independent periodic review and assessment of: (i) achievement of resettlement objectives; (ii) changes in living standards and livelihoods; (iii) restoration and/or improvement of the economic and social base of the affected people; (iv) effectiveness and sustainability of entitlements; and (v) the need for further mitigation measures. The details of tasks, methodology, monitoring indicators, schedule, deliverables, reporting schedule, etc. required from EPC Branch in Ha Noi were described in the inception report of EPC Branch in Ha Noi dated May-2013.

Activities Conducted During the First Monitoring Mission

In the first monitoring mission, the monitoring team focused on the specific issues as follows:

- a. Public consultation and awareness of resettlement policies and entitlements of APs;
- b. DMS of affected assets and compensation payment as per policies in the approved REMDP/RPs;
- c. Payment of compensation and allowances for APs
- d. Coordination of resettlement activities with construction schedules;

- e. Land acquisition and transfer procedures;
- f. Construction/rebuilding of replacement houses and structures on residual land or to new relocation sites;
- g. Level of satisfaction of APs with the provisions and implementation of the REMDP/RPs;
- h. Grievance redress (documentation, process, resolution and satisfaction of APs);
- i. Effectiveness and sustainability of entitlements and income rehabilitation measures for APs;
- j. Gender impacts and strategy;
- k. Indigenous People Development Plans;
- l. Capacity of APs to restore/re-establish livelihoods and living standards. Special attention provided or to be provided to severely affected and vulnerable households;
- m. Resettlement impacts caused during construction activities;
- n. Participation of APs in REMDP planning, updating and implementation;
- o. Institutional capacity, internal monitoring and reporting; and
- p. Channeling of government funds for compensation payment and allowances for severely APs or displaced APs.

Based on a progress of implementation up to date of monitoring mission, some tasks of implementing REMDP have not yet done by PPMU, therefore this report just covers only for the works which were done at the time of the first monitoring mission. The other tasks would be continued to be monitored and evaluated in the subsequent monitoring mission

4. MONITORING ARRANGEMENTS AND MONITORING METHODOLOGY

The monitoring team composed of 6 persons, carried out the mandated tasks in the provinces of Cao Bang, Bac Kan, Thai Nguyen, Lang Son and Bac Giang from 11 to 27 June 2013. The team has reviewed the works which have been done from PPMU to the district and commune level up to time of the first monitoring mission. The works to be done by each province for the coming months will be monitored and evaluated by the subsequent missions. The team composition and relevant Decrees, Circulars related to land acquisition, compensation and assistance is shown in Annex 1.

The EPC Branch in Ha Noi has collected data and information from the following sources:

- Central Project Management Unit (CPMU), and relevant Provincial Project Management Units (PPMUs);
- Provincial / district Resettlement, Support and Compensations Committees;
- Commune People's Committees (CPCs), and
- Affected people.

However, as mentioned above, the first mission was carried out at the beginning of the REMDP/RP implementation, therefore, most of the major REMDP/RP activities have

not yet been implemented especially compensation payment, thus the number of project affected people interviewed are limited and will be done by the next missions.

5. MAIN RESULTS AND FINDING AND RECOMMENDATIONS AFTER THE FIRST MONITORING MISSION

The status up to the time of the first mission monitoring is mainly related to the commencement of REMDP/RP implementation. Therefore the monitoring team did not carry out interviews with the affected households, as well as in-depth interviews with some key stakeholders at the time. These activities will be done by the subsequent missions. The detailed findings and suggestions for improving the REMDP/RP implementation status of the subprojects are attached to this report as Annex 2.

It is worth mentioning at this point that none of the 14 RP/REMDPs had been approved by the respective PPCs. In view of this, the DCARC/LFDC are not yet obliged to follow Project Resettlement Framework thus resulting in the occurrence of deficiencies in the DMS data collection, and gaps in the payment of compensation and allowance most especially for severely affected persons and vulnerable groups. Details of these deficiencies in the resettlement implementation by the respective DCARC/LFDC as described in the subsequent sections can be remedied following the approval of the RP/REMDP. At the time of the first monitoring, only one REMDP had been forwarded and 13 RP/REMDPs are in the process of being forwarded to the respective PPCs by the PPMUs.

5.1. Internal Monitoring on REMDP of PPMU

The PPMUs have not yet prepared any internal monitoring report on the implementation of their respective RP/REMDPs. The arrangements for resettlement implementation and database management at each PPMU is still weak, personnel have limited capacity and thus conditions need to be improved thru the need help from CPMU and the LIC consultant for social safeguards. This is the same status and recommendation for the District Compensation, Assistance and Resettlement Committees/ District Land Fund Development Centers.

All project provinces (Cao Bang, Bac Kan, Thai Nguyen, Bac Giang and Lang Son) have established their PPMUs and their DCARC. However, to implement the REMDP/RP smoothly, the safeguard staffs of the provinces and district need a capacity building on the needs of internal monitoring report; database management and capacity on the arrangements of implementing the RP/REMDP. At the time of the first monitoring mission, all of the PPMUs covered by EPC, have just started with the RP/REMDP implementation, thus, it is still early to comment about the internal monitoring arrangement of each PPMU. This aspect will be focused on during the second external monitoring mission. It suggested that CPMU and its social consultants should have a training plan for building the capacity to the provincial and district levels in implementing resettlement work following ADB social safeguard policy guidelines, and if possible to have a operational manual or guidance on the social safeguards with standard formats, requirements of internal report, database management, information disclosure, and DMS protocol, etc.

5.2. Information Disclosure

All provinces have disseminated the project compensation and resettlement information to the lower levels and the subproject affected households. The information disclosure to the affected households and the subproject districts, communes including the information on the project background; the project benefits; land acquisition needs and the compensation and resettlement policy; grievance redress mechanisms, as well as monitoring of the RP/REMDP implementation. Information dissemination through the distribution of a booklet on compensation and resettlement.

However, the monitoring team sees that the information disclosure by the PPMU is still very limited and need to be improved, especially on the following aspects: (i) Social safeguard policies of ADB; (ii) the subproject and RP/REMDP implementation schedule; (iii) Clearer mechanisms of complaint and grievances and process of public consultation and participation; (iv) tools of information disclosures such as pamphlet, loud speakers; meetings etc. and the communes and districts need to obtain the feedback from the subproject communities and from the affected households related to the subproject in general and specific concerns about the RP/REMDP implementation. The quarterly schedule of information disclosure need to be prepared by each PPMU based on their consultation with the districts and communes authorities.

5.3. Detailed Measurement Survey

All provinces are either completed 03 SPs or carrying out 02 SPs the DMS for the affected households. The AHs are informed about the schedule and process of DMS and they participated in the DMS process.

The DMS recorded the affected properties and their nature, which is required by the law as the basis to determine the compensation, assistance and resettlement. However, the DMS do not cover all information needed for determining the entitlements set forth in the RP/REMDP such as lacking information about percent of land loss by total area of land which households are holding, and no information related to the vulnerable groups. The external monitoring team requests all PPMU to instruct the District Compensation, Assistance and Resettlement Board (or District Land Fund Development Center) to add to the DMS form, the information needed for determining the entitlements as set forth in the project policy such as information about the vulnerable groups; information about the affected area, and the total area which the household is holding etc. in order to determine the entitlements as set forth in the RP/REMDPs. Therefore, the DMS form need to be revised by the PPMU and the additional information need to be supplemented to meet the need for calculation of entitlement according to the policy set forth in RP/REMDP.

5.4. Compensation plans, Payment and Relocation

The compensation, assistance and resettlement plans were prepared for 03 SPs by the DCARC, in which CARP of SP07 has been approved by Cao Bang PPC and CARPs of SP06 and SP22 are waiting for the review of the provincial departments and then approval by the provinces or by the districts. With information lacking from the DMS, the

entitlement calculated by the district compensation, assistance and resettlement plans do not cover all entitlements as set forth in the project entitlement matrix. Especially the entitlement for the vulnerable groups and entitlement related to the severely affected households (on productive land).

The compensation unit costs for properties are enacted by the provinces and applied to determine the compensation cost of affected lands and non-movable non-land assets. According to the provincial and district authorities, the unit cost enacted by the provinces are the same as market prices or replacement costs. However, no replacement cost study was conducted by independent evaluators. As mentioned above, the database in the DMS need to be supplemented to fill in the gaps between entitlements set forth in RP/REMDP and actual implementation that was based on Province policy. The compensation plans were disclosed at the communes before submission to the authorities, and after the approval of the authorities.

It is recommended that all compensation plans need to be calculated using the replacement costs for the affected assets, and all assistance defined in RP/REMDP, including assistance for severely affected households (loosing $\geq 10\%$ to $>30\%$ productive land and other income sources) and vulnerable groups. This issue will be closely monitored the performance evaluated in the subsequent missions.

No subproject will require the physical relocation of AHs, and site clearing has not yet been done in most of the Project participating provinces.

5.5. Income and livelihood restoration

The compensation plans for the affected households were calculated with cash assistance following the policies contained in Decree 197; and Decree 69 of the GOV and the Policies on compensation, assistance and resettlement of the project participating provinces. However, no income restoration activities are implemented to help the affected households sustain their means of livelihood (long term restoration). The PPMU and the District Compensation, Assistance and Resettlement Committees need to develop this livelihood activities based on consultation with the severely affected households and stakeholders. Locally based organizations and training institutions such as vocational training centers, farmer associations, women union, agricultural extension centers etc. can be tapped to help develop and implement the livelihood programs to help the affected households be restore or to improve their livelihood after a transition period following land acquisition. The PPMU and the DCARCs need to follow the eligibility, process of preparing and implementing the programs as well as monitoring and evaluation for the livelihood programs as described in the RP/REMDP.

5.6. Ethnic Minority

There are 1,124 HHs (Tay, Nung, Cao Lan, San Diu, Thai, Muong, Dao) ethnic minorities affected by the subprojects identified by the DMS work, that were inventoried up to time for the first monitoring mission.

The RP/REMDP are implementing with the participation and consultation with stakeholders. It is learned that the EMs in the subproject areas are not vulnerable. However, the external monitoring team will spend more time during the next mission to have a clearer information on the affected EMs and then would provide appropriate recommendations (if necessary).

5.7. Grievances

Currently no complaint or grievances have been lodged by the affected households because still no compensation payment has been implemented. This issue will be continued to be monitored by the next external monitoring mission.

5.8. Compliance with Schedule for Civil Works

Still have no construction works have started in the project participating provinces. The monitoring team requests that the PPMU and the DCARCs need to pay full compensation and assistance package, and if necessary complete the physical relocation of any displaced HH prior to land handover and commencement of civil works as set forth in the RP/REMDP.

5.9. Evaluation of Affected People and Other Stakeholders

The monitoring team sees that the implementation of RP/REMDP in all project participating provinces have just started in most districts (07/13 Districts) of the project participating provinces. Therefore, it is still too early for the affected people to give their evaluation of the resettlement implementation by the relevant agencies and local authorities. The external monitoring team will spend more time in next missions to interview affected people and others stakeholders on their evaluation of resettlement implementation the project participating provinces.

6. SCHEDULE OF THE SECOND MISSION OF MONITORING

Next monitoring mission is planned in September 2013, and the main task of the second mission would be focused on:

- (i) The status of corrective measures proposed in this mission report.
- (ii) Approval of the RP/REMDPs by the concerned PPCs
- (iii) Conduct of replacement costs survey (RCS) by independent evaluators and approvals of the project provinces for the replacement cost study.
- (iv) Compensation payment to the affected households
- (v) Complaints and grievances; and
- (vi) Ethnic minorities and Gender Issues.

Preparation for the monitoring and evaluation mission is described in Annex 1.

Annex 1. Team arrangement and preparations

1. Team Arrangements

The team composition and responsibilities for monitoring and evaluation are given in table 1 below.

Table 1: Team composition and tasks for each team member

No.	Name	Background and Position assigned	Responsibility
1	Vu Hong	Senior Social Development Specialist-Advisor	Guiding the team to carry out tasks and prepare reports.
2	Le Duc Huy	Resettlement Specialist-Team Leader	<ul style="list-style-type: none"> - Responsible for surveying, interviewing stakeholders at the provincial and ministerial level (if needed). - Responsible for monitoring the implementation organization, implementation capacity in the implementing agencies, preparing information materials and their dissemination.
3	Pham Minh Anh	Doctor of Sociology-Community Specialist-Team Member	- Responsible for Community development issues related to DMS, compensation payment, participation and consultation and complaints.
4	Phan Thi Thanh Mai	Bachelor of Sociology - EM and Gender-Team member	Responsible for monitoring of ethnic minorities and other vulnerable groups, gender issues and Grievances and Complaints.
5	Nguyen Quan Tung	Bachelor of Economics-Member	- Responsible for interviewing AH, DP and stakeholders at district and commune levels, and also responsible for data processing and analysis.
6	Nguyen Van Bang	Bachelor of Accounting-Member	- Responsible for selecting and checking sample of affected households in the DMS, compensation plans, the decision of the government on land acquisition, review and approval mechanisms, payment and resettlement arrangements...
7	Nguyen Duc Viet	Driver	- Logistic concerns.

2. Office works

The monitoring work plan was prepared at the EPC office before going to the subproject sites that was scheduled from 5 to 10 June 2013. The work plan includes:

- Prepared and sent the letter request to proceed for the schedule mission to the subproject provinces of Cao Bang, Bac Kan, Bac Giang, Thai Nguyen and Lang Son; and obtained their (provinces) acceptances on the proposed schedule by EPC Branch in Ha Noi.
- Review the inception report, May-2013 for the scope of works, discussed about methodology, schedule, stakeholders and tasks of team members. The stakeholders for the first mission are the same as the stakeholders described in the Inception report (May 2013).
- Prepared the questionnaire, interview form, agenda of meetings, and interviews with the different stakeholders.
- Training the team on the tasks ahead, conducted by a Senior Social Development Specialist.
- Studied the decisions and compensation, resettlement and assistance policies of the provinces related to the subprojects, that includes:
 - ✓ Decision No. 733/QĐ-UBND; dated 12/6/2012 of Cao Bang PPC approved for the investment project.
 - ✓ Decision No. 3336/2009/QĐ-UBND, dated 31/12/2009 of Cao Bang PPC on Land acquisition, Assistance and Resettlement in the locality of the province and Decision No. 638/2011/QĐ-UBND, dated 09/4/2011 amending for the decision 3336/2009/QĐ-UBND, dated 31/12/2009;
 - ✓ Decision No. 2088/2012/QĐ-UBND, dated 21/12/2012 of Cao Bang PPC on the unit cost for land in 2013.
 - ✓ Decision No. 229/2012/QĐ-UBND, dated 29/02/2012 of Cao Bang PPC on the prices for the buildings and other structures.
 - ✓ Decision No. 891/2011/QĐ-UBND, dated 20/05/2011 of Cao Bang PPC on prices for crops, trees and fishery products.
 - ✓ Decision No. 593/QĐ-UBND, dated 16/5/2013 of Cao Bang PPC on the compensation unit costs for the properties which affected by the subprojects Thi Hoa- Co Ngan (Ha Giang district) and Trieu Au (Phuc Hoa district).
 - ✓ Decision No. 594/QĐ-UBND, dated 16/5/2013 of Cao Bang PPC on land acquisition, assistance and resettlement for the subprojects compensation unit costs for Thi Hoa- Co Ngan (Ha Giang district) and Trieu Au (Phuc Hoa district).

Annex 2. General and Specific Findings and Suggestions

1. General Status of implementation up to time of the first monitoring mission in the project participating Provinces

1.1. Findings

At CPMU level there are 03 persons who are responsible for the safeguard implementation, and all PPMUs and DCARCs were established to implement the subproject, including the subproject safeguards.

The team visits the subproject sites of the provinces Thai Nguyen, Cao Bang, Bac Kan, Bac Giang and Lang Son. A status of RP/REMDP implementation in these provinces up to time of monitoring are summarized in tables 2 below.

Table 2: A status of RP/REMDP implementation in these provinces up to time of monitoring

No.	Subproject name	No. of AHs (HH)		Land acquisition area (m ²)						HHs with Affected residential land (HH)		HHs with Affected Agriculture land (HH)		Progress at monitoring time
				Residential Land		Agriculture land		Other land		REMDP	DMS	REMDP	DMS	
		REMDP	DMS	REMDP	DMS	REMDP	DMS	REMDP	DMS					
I	Bac Giang	328	-	1,220	-	26,651	-	-	-	24	-	304	-	
1	SP01: Upgrading rural road of Tân Hiệp – Tam Tiến; Hương Lạc – Hương Sơn, Yên Thế District	68	-	1,220	-	5,964	-	-	-	24	-	44	-	Not yet install the bench marks on the ground. No meetings held with commune leaders and households.
2	SP02: Upgrading pumping station of Xuân Hương, Lạng Giang District	179	-	-	-	13,697	-	-	-	-	-	179	-	Not yet install the bench marks on the ground. No meetings held with commune leaders and households.
3	SP03: Upgrading pumping station of Ngô Không 1, Hiệp Hòa District	81	-	-	-	6,990	-	-	-	-	-	81	-	Not yet implemented

No.	Subproject name	No. of AHs (HH)		Land acquisition area (m ²)						HHs with Affected residential land (HH)		HHs with Affected Agriculture land (HH)		Progress at monitoring time
				Residential Land		Agriculture land		Other land		REMDP	DMS	REMDP	DMS	
		REMDP	DMS	REMDP	DMS	REMDP	DMS	REMDP	DMS					
II	Bac Kan	217	100	456	-	28,312	6,872	52	52	-	-	217	100	
4	SP04: Construction of embankment in Cầu River, Cho Moi district	46	-	-	-	4,508	-	-	-	-	-	46	-	A working group established to, prepared and implement resettlement work.
5	SP05: Upgrading rural road of Đèo Giàng - Vũ Muộn, Bạch Thông District	104	-	456	-	14,602	-	-	-	-	-	104	-	Not yet implemented, Proposing the establishment of a working group
6	SP06: Upgrading rural road of Bằng Lăng - Yên Nhuận, Chợ Đồn District	67	100	-	-	9,202	6,872	52	52	-	-	67	100	DMS done, preparing the compensation plans
III	Cao Bang	258	311	1,246	959	19,214	25,076	-	-	39	36	219	275	
7	SP07: Upgrading rural road of Thị Hoa - Cô Ngân (Hạ Lang District) - Triệu Ấu (Phục Hòa District)	221	311	1,231	959	15,794	25,076	-	-	38	36	183	275	Prepared 2 compensation plans. Plans for approval.

No.	Subproject name	No. of AHs (HH)		Land acquisition area (m ²)						HHs with Affected residential land (HH)		HHs with Affected Agriculture land (HH)		Progress at monitoring time
				Residential Land		Agriculture land		Other land		REMDP	DMS	REMDP	DMS	
		REMDP	DMS	REMDP	DMS	REMDP	DMS	REMDP	DMS					
8	SP08: Upgrading irrigation system of Đình Phong Commune, Trùng Khánh District	37	-	15	-	3,420	-	-	-	1	-	36	-	Compensation Committee has just been established, no DMS yet
IV	Lang Son	180	94	4,310	1,586	64,076	6,630	-	-	66	52	114	42	
9	SP22: Upgrading irrigation system of Tà Keo, Lộc Bình District	51	94	764	1,586	1,102	6,630	-	-	20	52	31	42	DMS done, Preparing compensation plans
10	SP23: Upgrading irrigation system of Bản Chành Lake, Lộc Bình District	47	-	884	-	3,057	-	-	-	22	-	25	-	Compensation Committee has just been established, no DMS yet
11	SP24: Upgrading rural road of Khau Ra – Quang Trung	82	-	2,662	-	59,917	-	-	-	24		58	-	DMS in progress
V	Thai Nguyen	764	-	13,392	-	90,168	-	-	-	273	-	491	-	

No.	Subproject name	No. of AHs (HH)		Land acquisition area (m ²)						HHs with Affected residential land (HH)		HHs with Affected Agriculture land (HH)		Progress at monitoring time
				Residential Land		Agriculture land		Other land						
		REMDP	DMS	REMDP	DMS	REMDP	DMS	REMDP	DMS	REMDP	DMS	REMDP	DMS	
12	SP34: Upgrading road: Linh Nham - Đèo Nhâu and Văn Hán - Đồng Hỷ market t	601		13,392	-	66,875	-	-	-	248	-	353	-	Land donation letter had been issued by AHs
13	SP35: Upgrading road: Tràng Xá - Đèo Nhâu, Võ Nhai district	55		-	-	5,736	-	-	-	-	-	55	-	Land donation letter had been issued by AHs.
14	SP36: Upgrading road: Phú Lý - Yên Trạch, Phú Lương district	108		-	-	17,557	-	-	-	25	-	83	-	Not approved detailed drawings, so bench marks not yet installed on the ground.
TOTAL		1,747	505	20,624	2,545	228,421	38,578	52	52	402	88	1,345	417	

The Findings enumerated in table 2 shows that up to time of the first monitoring mission, there are only four subprojects where DMS has started and the compensation plans for the affected households are either completed or under preparation, they are (i) SP06 of Bac Kan Province; (ii) SP07 of Cao Bang Province and (iii) SP22 of Lang Son Province.

There are subcomponents of SP24 (Lang Son Province) with on-going DMS.

There had been reports that land donation had been secured by Thai Nguyen province from the affected households. Land donation forms had been provided to the AHs to support the donation. The next monitoring mission will review the process followed and interview the APs to validate their willingness to donate the affected lands”.

1.2. Suggestion:

The monitoring team requests the CPMU to check with the PPMU of Thai Nguyen PPMU to determine the rationale why such action had been pursued, and enumerate the process followed. This move is necessary to ascertain if the action done by Thai Nguyen province is acceptable or not, following the Project Resettlement Framework.

2. DETAILED FINDINGS AND SUGGESTIONS BY EACH PROVINCE

2.1. Cao Bang Provinces

2.1.1. Meetings with stakeholders

2.1.1.1. Findings

A monitoring team held meetings with stakeholders of Cao Bang province (Cao Bang PPMU, Key Departments of Province, Districts, etc.). The meetings reviewed the status of REMDP implementation in areas of: i) DMS; ii) preparing, review and approval of compensation, assistance and resettlement plans (CARPs); iii) information disclosure; iv) compensation payments made; v) income restoration needs; vi) resettlement arrangements (if need); vii) participation of and consultation with stakeholders, complaint and settling of grievances, etc. A list of meetings and participants in Cao Bang Province is shown in table 3.

Table 3: Meetings and their participants held in Cao Bang province

No.	Name	Address	Position	Date of meeting
1	PPMU			
1.1	Luong Van Tien	PPMU	Safeguard staff	12/06/2013
2	Departments			
2.1	Hoang Thi Kieu Oanh	DOC	Economics Specialist	13/06/2013

No.	Name	Address	Position	Date of meeting
2.2	Ninh Thị Hồng	DONRE	Manager of Land Management Department	13/06/2013
2.3	Trần Thị Kim Diệu	DONRE	Specialist	13/06/2013
2.4	Chu Thị Thu	DOF	Head of Department	13/06/2013
3	Phuc Hoa district			
3.1	Đàm Văn Độ	DPC	Vice President and Chairman of DCC	13/06/2013
3.2	Nguyễn Thị Hồng	District Women Union	Specialist	13/06/2013
4	Ha Lang district			
4.1	Hà Thị Danh	DPC	Vice President and Chairman of DCC	13/06/2013
4.2	Hà Thị Cảnh	District Women Union	Chairperson	13/06/2013
4.3	Nông Thị Hà	Nha village, Co Ngan commune	Affected person	13/06/2013
4.4	Phan Văn Lương	Nha village, Co Ngan commune	Affected person	13/06/2013
5	Trung Khanh district			
5.1	La Văn Hồng	DPC	Vice President and Chairman of DCC	14/06/2013

A general implementation progress and findings up to time of monitoring in Cao Bang Province is found in Table 4.

Table 4: Status of implementing REMDP in Cao Bang Province

#	Content	SP07: Upgrading rural road of Thị Hoa - Cô Ngân (Hạ Lang District) - Triệu Âu (Phục Hòa District)	SP08: Upgrading irrigation system of Đình Phong Commune, Trùng Khánh District
1	Submission and Approval of REMDP		
1.1	PPMU submitted to PPC	Not yet	Not yet
1.2	PPC approved REMDP	Not yet	Not yet
2	Information dissemination and publication of the project Resettlement Policy Framework		REMDP has not yet been implemented at the time of monitoring

#	Content	SP07: Upgrading rural road of Thị Hoa - Cô Ngán (Hạ Lang District) - Triệu Âu (Phục Hòa District)	SP08: Upgrading irrigation system of Đình Phong Commune, Trùng Khánh District
2.1	Information dissemination about REMDP	Not yet conducted, DCARB & PPMU organized a meeting with the people and provided information on the compensation, allowance and resettlement plan following Province policy	-
2.2	Meeting/Information dissemination date	March 2012	-
2.3	Participants of Information dissemination activity	CPCs leaders, affected households	-
2.4	Mode	Meeting	-
2.5	Location	CPCs	-
3	Inventory and DMS		REMDP has not yet been implemented at the time of monitoring
3.1	Starting date	Done	-
3.2	Completion date	Done	-
3.3	Total of affected households covered in DMS	311	-
3.4	No. of AHs not covered in DMS	0	-
3.5	Expected completion DMS	Done	-
4	Prepare compensation, assistance and resettlement plans (CARP)		REMDP has not yet been implemented at the time of monitoring
4.1	Prepare CARP	Done	-
4.2	Publicly post plans	Done	-
4.3	Synthesis of comments and improve plans	Done	-
5	Appraisal and approval		REMDP has not yet been implemented at the time of monitoring

#	Content	SP07: Upgrading rural road of Thị Hoa - Cô Ngán (Hạ Lang District) - Triệu Âu (Phục Hòa District)	SP08: Upgrading irrigation system of Đình Phong Commune, Trùng Khánh District
5.1	Submit CARP for appraisal	Done	-
5.2	Completion of CARP appraisal	Done	-
5.3	Submit CARP for approval	Done	-
5.4	Completion of approval Process	Done	-
5.5	Public announcement of approval	<ul style="list-style-type: none"> • Not yet. • Expected approval within July 2013 	-
6	Negotiation and payment of compensation	-	REMDP has not yet been implemented at the time of monitoring
6.1	Negotiation	<ul style="list-style-type: none"> • Not yet. • Expected approval within July 2013 	-
6.2	Total of households under the plan	<ul style="list-style-type: none"> • Not yet known, • Information available within September 2013 	-
6.3	Total amount under the plan	<ul style="list-style-type: none"> • Not yet known, • Information available within September 2013 	-
6.4	Number of households paid for phase 1	<ul style="list-style-type: none"> • Not yet known, • Information available within September 2013 	-
6.5	Amount paid for phase 1	<ul style="list-style-type: none"> • Not yet available, • Information available within September 2013 	-
7	Hand over sites to the SUBproject	-	REMDP has not yet been implemented at the time of monitoring

#	Content	SP07: Upgrading rural road of Thị Hoa - Cô Ngân (Hạ Lang District) - Triệu Âu (Phục Hòa District)	SP08: Upgrading irrigation system of Đình Phong Commune, Trùng Khánh District
7.1	Phase 1: Households and date	<ul style="list-style-type: none"> • Not yet available. • Information available within September 2013 	-
7.2	Phase 2: Households and date	<ul style="list-style-type: none"> • Not yet available. • Information available within September 2013 	-
8	Resettlement Arrangement		REMDP has not yet been implemented at the time of monitoring
8.1	Arrangement for AHs relocation	No displaced households	
8.2	Mode of resettlement arrangement	No displaced households	
9	Complaints and Grievances	None yet	REMDP has not yet been implemented at the time of monitoring
9.1	Number of households with complaints	None yet	
9.2	Content complaint	None yet	
9.3	Settlement of complaints	None yet	
9.4	Shortcomings	None yet	
10	Construction commencement date	December 2013	January 2014

The resettlement work for SP07 is on-going, but SP08 has not yet commenced. The SP07 will not affect any house and therefore, no relocation arrangement is required.

2.1.1.2. Suggestions

The PPMU of Cao Bang should prepare an information dissemination plan and send to the districts as guidance for the district to implement. The plan should at least included the following: (i) what information need to be disclosed and disseminated; (ii) the number of times needed for information disclose of relevant information; (iii) to whom the relevant information should be disseminated to; (iv) channels to obtain the feedback from stakeholders after the information disclosure.

The PPMU of Cao Bang needs to prepare a consultation plan that calls for the participation of stakeholders, especially the affected persons and implementing agencies. The plan should also include information such as: (i) when the stakeholders need to be consulted; (ii) for what purpose; (iii) how to organize the consultation and participation; and (iv) actions needed after consultation and participation.

These preparations should be done by no later than end of October-2013 for the CPMU's review and concurrence.

2.2. Institutional Arrangement

2.2. 1. Findings

At the Provincial level

The PPMU was established in April 2011 under the supervision of DARD, Cao Bang Province. Its office is located at 25 Be Van Dan, Hop Giang ward, Cao Bang City. It is composed of the Deputy Director of DARD and staff of the subproject which includes 10 persons, where 4 will be working fulltime and 1 person is responsible for the safeguards of the subprojects.

According to Decision No.274/QD-SNN-TCCB dated 14/4/2011 of Cao Bang Department of Agriculture and Rural Development on the establishment of the Provincial Project Management Unit for the Northern Mountainous province Sustainable Rural Infrastructure Development Project in Cao Bang province (PPMU Cao Bang), Cao Bang PPMU is responsible for management, organization of the deployment of the objectives, schedules, quality and resources mentioned in the project documentation approved by the competent authorities and the ODA international treaty signed with the funder and under the guidance and coordination of the Central Project Management Unit. Cao Bang PPMU is responsible to the Provincial People Committee, the Department of Agriculture and Rural Development on the results of the project implementation in Cao Bang province. It is responsible for organizing, implementing the subproject components, subproject management and subproject coordination as well as monitoring and evaluation of activities of the whole subproject in the province. It is responsible for developing work plans, financial institution management and periodic reports on the situation of irregular implementation of the subproject according to regulations. The PPMU will build action plans, organize financial management and periodical reports and sudden report on the subproject implementation, as well as build the mechanism for action organization and job description for the main positions of titles to submit the Department of Agriculture and Rural Development for approval. The PPMU office will be located within the building of the Department of Agriculture and Rural Development.

At the district level

DCARC were established with detailed information below.

- Establishment Time:
 - Phuc Hoa district, July 2012

- Ha Lang district, July 2012
- Trung Khanh district, October 2012
- The organizational structural: The District Compensation, Assistance and Resettlement Committee (DCARC) is led by Vice-Chairman of the district People's Committees and the members come from the specialized departments and organizations at district level such as Natural Resource and Environment Department, Financial and Planning Department, Trade and Industry Department, Farmers' Unions, Fatherland Front Committees of the district and representatives of the PPMU and Chairmen of Commune People's Committees in addition to heads of villages where land is acquired for the subproject. The DCARC have task forces that include: staff and specialists from the Natural Resource and Environment Departments of the districts– acting as team leaders and members from the Chambers of Trade, PPMU and cadastral staff in the subproject communes. The DCARC and the task forces work part-time with no separate office and their equipment are from their governed agencies.
- Experience: 3 districts has extensively experienced in land acquisition and site clearance for national funded projects.
- Currently, REMDP has not been submitted to the DCARC. However, representatives of the DCARC were trained on ADB policies and SRIDP safeguard policies by the CPMU in 5/2013 in Tuyen Quang province.

According to Decision No.913/QD-UBND dated 20/7/2012 of Phuc Hoa People's Committee on the establishment of the DCARC for land acquisition of the State in the subproject beneficiary communes and Hoa Thuat town of Phuc Hoa district. The DCARC is responsible for the compensation, assistance and resettlement, site clearance in the communes and Hoa Thuat town, Phuc Hoa district, in accordance with the current regulations.

The Decision No.01/QD-UBND dated 20/7/2012 of the DCARC established the task force that supports the compensation and site clearance work for SP07 – the Northern Mountainous province Sustainable Rural Infrastructure Development Project in Cao Bang province - ADB loan. The task force reports to the DCARC and is responsible for coordinating with the Client to implement the compensation, assistance and site clearance, documentation, planning, cost estimation of the compensation and assistance, according to the documents prescribed by law.

Decision No.779/QD-UBND dated 26/7/2012 of Ha Lang People's Committee established the DCARC for SP07 and the task force that supports the DCARC. The DCARC and the task force will be responsible for the DMS, preparing and implementing the compensation, assistance and site clearance under the provisions of law.

2.2.2. Suggestions

The monitoring Team sees that with the estimated subproject land acquisition impact, the existing concerned organizations at the provincial and lower levels are

sufficient enough to do the job. However, the monitoring team suggests that the PPMU and the DCARC need to prepare a clear assignments for the task forces and responsibilities to each staff, implementation schedule for each task of land acquisition and resettlement needs such as (i) putting the bench marks on the ground; (ii) prepare a cadastral map for the land acquisition areas; (iii) carry out for DMS; (iv) preparing for the compensation plans for each affected household; (v) obtain review and approval from competent authorities; (vi) payment and acquire properties for the subproject; and (vii) settling grievances, etc.

More detailed assessment on the capacity of PPMU and DCARC will be provided in the next monitoring mission when the land acquisition, compensation and resettlement work are actually implemented.

2.3. Consultation and information Disclosure

2.3.1. Findings

PPMU held consultations with representatives of the leadership of the People's Committees of Phuc Hoa and Ha Lang; and leaders of the 3 communes Thi Hoa, Co Ngan and Trieu Au road on 12/9/2012. The meetings were held to inform the participants on the magnitude of land acquisition, land acquisition policy for the subproject and DMS plan, at the same time, informing the participants on the grievance redress mechanism and guidance to families on the procedure on how they can clarify or get more detailed information related to the subproject resettlement work. PPMU has not published the REMDP policy yet. Project information leaflets are being designed in accordance to the REMDP, and are expected to be delivered to affected households on 07/2013.

Meetings with affected people and stakeholders were held on 4- 5 May 2012 at the office of the people's committees to disseminate subproject information, subproject planning and resettlement policy contained in the REMDP prepared by the National Safeguard Consultant.

2.3.2. Suggestions

The PPMU needs to design a pamphlet on Compensation, Assistance and Resettlement following the contents of a pamphlet suggested in the REMDP, and make sure that, at the pamphlet covers: (i) the subproject background; (ii) land acquisition impacts; (iii) objectives and principles of compensation and resettlement and other aspects related to Ethnic Minorities, vulnerable groups and gender issues; (iv) Eligibility and Entitlement; (v) Resettlement Arrangements and income restoration; (vi) Participation and consultation process; (vii) implementation arrangements; and (viii) grievances and monitoring. This pamphlet should be prepared and disseminated to all affected households in during the month of September 2013.

The consultation and participation also need to be carried out through DMS and entitlement calculation by the district and commune authorities, especially feedback from the affected households on the DMS and draft compensation plans before they are

submitted to the District Compensation, Assistance and Resettlement Committee and Provincial Appraisal Committee for review and approval.

2.4. Detail Measurement Survey (DMS)

2.4.1. Findings

- Cao Bang has 2 sub-projects: (1) SP07 with the 311 total numbers of households affected. At the first monitoring mission, PPMU and DCARC of Ha Lang, Phuc Hoa district have completed 100% DMS; (2) SP08. At the first monitoring mission, DCARC for SP08 has not started their DMS.
- The records of detailed measurement survey: the sample records from the detailed measurement survey being made do not have enough information for determining all entitlements as prescribed in the REMDP. Specifically, the records of DMS do not contain the percentage of acquired land (the total land households are using and total land acquired for the subproject), and vulnerable group (e.g., lack of information about single women-headed households, poor households and elderly households, disabled households).
- PPMU and DCARCs gave prior notices to the communes and affected households on the schedule for the holding of the DMS in October and November 2012;
- Households fully participated, confirmed their amount of loss and signed on the DMS records. DMS records are signed by the concerned parties which include: representatives of affected households, village leaders, commune cadastral staff, People's Committees, Director of the DCARC and the recorders.
- The individual AH were not provided with a copy of their DMS records.

2.4.2. Suggestions

- The DMS needs to be supplemented with the following information, to make sure that it (DMS) have enough information for computing all entitlements and other benefits due to each affected households:
 - General information about households and their members: age, sex and occupation.
 - Percentage of productive land lost from the total landholding, and households losing 10-30% of productive land.
 - Information about APs total land holding and acquired land should be provided to determine the residual land area.
 - Information on vulnerable group defined in REMDP.
 - The signature and full name of the recorders should be affixed to the DMS.
 - Information about policy families (people who were involved in the Revolution before 1945, Heroes of the Armed Forces, Vietnam Hero Mother, Hero of Labor, relatives of martyrs who receive monthly food allowance, martyrs' families, families who helped the Revolution and earned monthly allowance, wounded soldiers, people who are entitled to policies as invalids or poor people).

- These supplemental information to the DMS need to be done before the DMS can be used for calculating compensation, assistance and resettlement entitlement for the affected households.
- The preparation of the cadastral map of the affected area and DMS should be started for SP08.

2.5. Preparing Compensation Plans for the households (SP07)

2.5.1. Findings

- As of the time of monitoring, Cao Bang Province has 02 compensation, assistance and resettlement plans, that were prepared for the subproject SP07. The plans were prepared by the DCARCs of Ha Lang and Phuc Hoa districts in 01/2013 and Cao Bang People’s Committee approved it on 16 May 2013. The two plans for the 311 affected households, covers the 24 households in Phuc Hoa district and the other for the 287 households in Ha Lang district.
- The legality of the compensation records: the PPMU has not submitted the REMDP of the 2 subprojects (SP07 and SP08) in Cao Bang province to the Provincial People’s Committee for approval. The legality for calculating compensation, assistance and resettlement now only applied the current provisions of Government as Decree 197/2004/ND-CP; Decree 69/2009/ND-CP and policies on compensation, allowance and resettlement of Cao Bang province. The compensation records lack the signatures of the recorders.
- Legal basis and unit prices of compensation: At the time of monitoring, REMDP has not been approved by the Provincial People’s Committee, so there is no basis for the application of the project policy as contained in the REMDP. The task force and the DCARC is doing the resettlement work based on the policy and the unit prices contained in the current decisions issued by Cao Bang province. The policy and unit price decisions include:
 - Decision No.3336/2009/QD-UBND dated 31/12/2009 of Cao Bang province, promulgating regulations on compensation, assistance and resettlement when the State acquires land in the province and Decision No.638/2011/QD-UBND dated 09/4/2011 of the Provincial People’s Committee, amending and supplementing some articles of Decision No.3336/2009/QD-UBND dated 31/12/2009;
 - Decision No.2088/2012/QD-UBND dated 21/12/2012 of Cao Bang People’s Committee, promulgating land prices of land in 2013 in Cao Bang province;
 - Decision No.229/2012/QD-UBND dated 29/02/2012 of Cao Bang province, issuing prices of houses and construction works on land for the compensation calculation when the State acquires land in Cao Bang province;
 - Decision No.891/2011/QD-UBND dated 20/05/2011 of Cao Bang People’s Committee, issuing the compensation prices for trees, crops and fisheries in Cao Bang province.

- According to officials from DONRE, DOF, DOC, the unit prices are close to the market prices. However, to date the compensation has not been paid, so there is no feedback from affected people on their level of satisfaction for the compensation units.
- The assistance policies: The compensation, assistance and resettlement plan applied the province's current policy and not the policy contained in the REMDP, for example, there is no financial support for vulnerable groups.

2.5.2. Suggestions

- The PPMU need to mobilize a Replacement Cost Survey (RCS) to determine the replacement cost values of affected properties (lands, assets on land), give a comparisons of the unit costs based on the RCS and those enacted by Cao Bang PPC to make sure that the households are paid replacements costs. This need to be done before compensation payment submitted to the PPC for the approval.
- The DCARC to revise the entitlement for the affected households to meet with the policy set forth in REMDP (such as entitlement for vulnerable groups) or prepare a supplemental decision containing the additional compensation and allowance that will fill in the gap between the GOV and ADB land acquisition and resettlement policies which are actually contained in the RP/REMDP.
- The comparison of Entitlement in REMDP and actual implementation is attached as in Annex 3 for PPMU of Cao Bang and other PPMUs to check and to improve for the implementation of REMDP.
- The DCARC of Trung Khanh district (SP08) need to take into account the suggestions for Phuc Hoa district.

2.6. Review, Approval of Compensation, Assistance and Resettlement Plans, and payment (SP07)

2.6.1. Findings

Appraisal and approval of the compensation, assistance and resettlement:

- The SP07's 20 km long road goes through 02 districts of Ha Lang and Phuc Hoa. The compensation, assistance and resettlement plan prepared for all 311 households affected by the SP07 was approved by the Cao Bang People's Committee on 16/5/2013 with the issuance of decisions: No.594/QD-UBND and No.593/QD-UBND. The affected assets and cost is broken down by district as follows:
- Ha Lang district, Cao Bang province: The compensation plan is intended for 287 households with the total cost of VND 3,604,876,000:
 - Compensation for affected land : 785,496,160 VND
 - Compensation for affected crops : 490,163,795 VND
 - Compensation for affected assets and structures : 501,736,407 VND
 - Assistance for changing job and employment : 1,811,780,160 VND
 - Compensation for graves : 12,100,000 VND

- Appraisal cost : 3,600,000 VND
- Phuc Hoa district, Cao Bang province: The compensation plan is intended for 24 affected households having a total cost of VND 136,011,000.
 - Compensation for affected land : 24,256,000 VND
 - Compensation for affected crops : 19,807,486 VND
 - Compensation for affected assets and structures : 30,205,196 VND
 - Assistance for changing job and employment : 61,606,800 VND
 - Compensation for graves : 12,100,000 VND
 - Appraisal cost : 135,000 VND
- According to DCARC, no one will lose more than 10% of agricultural land, nor will require relocation as a result of subproject implementation. However there are 36 households whose land is partly affected, 275 households whose agricultural land is affected and 53 households whose buildings and structures are affected.

Negotiation and payment of compensation

- According to PPMU, they will publicize the approved compensation, assistance and resettlement plan, and organize the compensation payment in July 2013. Funding for the compensation payment to the affected households will be fully paid using provincial budget. The total cost for compensation and assistance approved for SP07 is VND 3,740,876,000.

2.6.2. Suggestions

- The compensation, assistance and resettlement plans for the households need to be supplemented with the entitlement as defined in the REMDP, such as assistance to the vulnerable groups. The DCARC need to prepare the supplemental compensation, assistance and resettlement plan, have it reviewed and approved by the authorities and then pay the severely affected and vulnerable households.
- The district and province stated that there are no households affected with more than 10% of their productive land, and therefore, there is no need for implementing the income restoration activities. However, no evidence presented that can show how the percentage of total land will be lost by the AH. There is a need to have the total areas of land holdings of each AH documented, and be carefully checked by the district. The IMO EPC team will check these supporting documents during the next of independent monitoring mission.
- There is a need for an independent valuation of the affected assets to help ensure that replacement costs rates are used in the payment of compensation.

2.7. Arrangement of resettlement and income restoration programs

No households will have their houses affected, so there is no need for relocation. However, 53 households will have their buildings and minor structures affected.

No households will lose 10% or more of their agricultural land, so no income restoration programs will be necessary.

2.8. Community consultation and participation and land acquired households

2.8.1. Findings

During the preparation of REMDP, affected households were consulted about road alignment options, subproject impacts and subproject resettlement policies. Also, affected persons participated in community meetings organized in May 2012 by the National Safeguard Consultants, where the APs got to know about the implementation of the compensation, assistance and resettlement.

During the implementation of REMDP, a meeting was organized by the PPMU and the DCARC in September 2012, where the affected persons were invited and gave ideas on the implementation of DMS, compensation, assistance and resettlement. Affected persons were directly involved in the DMS process with the Task Forces and the DCARC, and confirmed the results of their DMS.

2.8.2. Suggestions

The feedback of stakeholders in the consultation meetings need to be recorded and included in the internal monitoring report to be submitted to the relevant agencies such as provincial, district and commune authorities, PPMU, CPMU and ADB.

Consultation need to be carried with the different groups of affected households and other stakeholders and on the different aspects of compensation, assistance and resettlement implementation.

2.9. Complaints and grievance redress

2.9.1. Findings

Households were aware of the Grievance Procedures. The Procedure was introduced by the Safeguard Policy Consultant at the community consultation meetings in the communes held in May 2012, and the DCARC presented it in a meeting about the land acquisition policy and announcement of DMS plans in October 2012.

Complaints and grievance redress: So far there is no complaint filed, except for a petition about the adjustment of the road alignment passing Cau Dong village, Thi Hoa commune, Ha Lang district, which has been settled.

2.9.2. Suggestions

With no complaint recorded, no suggestions are proposed at this time, but grievances would continue to be monitored in the subsequent missions.

2.10. Database management and reporting

2.10.1. Findings

- Compensation documents were organized and managed by the PPMU. However, it is incomplete and is not organized in chronological and numerical order. Specifically:
 - For paper documents: Outfitted filing cabinets were organized but records are incomplete. Documents such as meeting records are not included in

compensation plans. No compensation summary tables for each household provided in the compensation plans. The files are not arranged by month or quarter of the year and by subprojects. Numbering of compensation records needs improvement and there are insufficient copies of records reproduced, to allow each affected household to have their own personal copy for.

- Electronic Data is organized in folders of MS Excel and MSWord, but there is no separate software for efficient database management. The safety of data is not given high priority since records have no record backup, in at least another computer, and only copied periodically.
- No organization is monitoring the work progress on a map for each sub-project. However, the general progress for each sub-project is tabulated.

2.10.2. Suggestions

Recommendations: A complete set of original compensation records must be stored at the office of the DCARC and 01 complete set stored at the PPMU office. The compensation records must be managed and stored by year and by sub-project. Letter approvals and land acquisition decisions must be included in compensation plans. The PPMU is recommended to put in the map the location of each subproject and monitor the progress of the compensation, assistance and resettlement. Each households need to have one code for the electronic database management and files need to be secured with passwords.

The PPMU and the DCARC need to design the filing system for use in the internal monitoring and reporting preparation which shall contain information such as cadastral map, DMS implementation status, status of approval CARPs; status of payment, complaint and settling for the complaints, and monthly, quarterly, semiannually, annually reports etc.

2.11. Ethnic minorities and Gender

The monitoring team sees the same status of implementing the REMDP and Gender in all project participating provinces, therefore, the findings and suggestions below are for all provinces.

2.11.1. Findings

The Ethnic Minorities living within the subproject areas of Cao Bang province mainly consists of Tay and Nung tribes. Kinh people make up a very low percentage. The subproject (SP07) affects 311 households, which are 100% Tay and Nung ethnic minorities

At the 1st monitoring mission, Cao Bang PPMU has not prepared a gender action and EM plan. In the implementation stage, women's unions are not invited to participate in the plan and they have not been informed of a gender action program. The women's unions are aware of the subproject through the community consultation meetings during the REMDP preparation period.

2.11.2. Suggestions

The PPMU and district need to analyze the socioeconomic conditions of the affected ethnic minorities to see if they are vulnerable. The PPMU and DCARC need to implement the ethnic minority development plans as set forth in the REMDP.

The consultation and participation of the affected EMs also need to be carried out in their languages in order to make sure that the affected people understand the contents of consultation and could give feedback through the consultation and participation process.

The PPMU of subproject provinces and the DCARC need to study and then implement the EM and gender plans which were developed in the REMDP and summarized with information from REMDP in table 5 below.

Table 5: Information about EM from REMDP of subprojects in Provinces

#	Subproject name	Vulnerable households													
		No. of AHs		EMs		Poor		Disability		Single female-headed		Elderly		Social policy	
		REMDP	DMS	REMDP	DMS	REMDP	DMS	REMDP	DMS	REMDP	DMS	REMDP	DMS	REMDP	DMS
I	Bac Giang	328	0	43	0	16	0	5	0	11	0	30	0	19	0
1	SP01: Upgrading rural road of Tân Hiệp – Tam Tiến; Hương Lạc – Hương Sơn, Yên Thế District	68		40		4		0		10		12		4	
2	SP02: Upgrading pumping station of Xuân Hương, Lạng Giang District	179		3		8		3		0		11		10	
3	SP03: Upgrading pumping station of Ngõ Khổng 1, Hiệp Hòa District	81		0		4		2		1		7		5	
II	Bac Kan	217	100	207	95	8	11	1	2	4	1	0	1	0	6
4	SP04: Construction of embankment in Cầu River, Cho Moi district.	46		43		7		0		1		0		0	
5	SP05: Upgrading rural road of Đèo Giàng - Vũ Muộn, Bạch Thông District	104		99		0		0		0		0		0	
6	SP06: Upgrading rural road of Bằng Lăng - Yên Nhuận, Chợ Đồn District	67	100	65	95	1	11	1	2	3	1	0	1	0	6
III	Cao Bang	258	311	253	311	95	62	0	0	10	4	14	0	0	0
7	SP07: Upgrading rural road of Thị Hoa - Cô Ngân (Hạ Lang District) - Triệu Âu (Phục Hòa District)	221	311	216	311	94	62	0	0	10	4	13	0	0	0

#	Subproject name	Vulnerable households													
		No. of AHs		EMs		Poor		Disability		Single female-headed		Elderly		Social policy	
		REMDP	DMS	REMDP	DMS	REMDP	DMS	REMDP	DMS	REMDP	DMS	REMDP	DMS	REMDP	DMS
8	SP08: Upgrading irrigation system of Đình Phong Commune, Trùng Khánh District	37		37		1		0		0		1		0	
IV	Lang Son	180	94	180	94	41	5	2	1	0	1	0	0	0	0
9	SP22: Upgrading irrigation system of Tả Keo, Lộc Bình District	51	94	51	94	16	5	0	1	0	1	0	0	0	0
10	SP23: Upgrading irrigation system of Bản Chành Lake, Lộc Bình District	47		47		24		1		0		0		0	
11	SP24: Upgrading rural road of Khau Ra – Quang Trung	82		82		1		1		0		0		0	
V	Thai Nguyen	764	0	273	0	71	0	0	0	1	0	0	0	0	0
12	SP34: Upgrading road: Linh Nham - Đèo Nhâu and Văn Hán - Đồng Hỷ market	601		151		68		0		0		0		0	
13	SP35: Upgrading road: Tràng Xá - Đèo Nhâu, Võ Nhai district	55		14		0		0		1		0		0	
14	SP36: Upgrading road: Phú Lý - Yên Trạch, Phú Lương district	108		108		3		0		0		0		0	
	Total	1,747	505	956	500	231	78	8	3	26	6	44	1	19	6

2.12. Advantages and disadvantages

- Advantages: there is a wide consensus from households and local authorities on the project construction policy. The land acquisition scale is small and the severity of impact on households is low because the subproject is upgraded and widened to mostly within the existing road ROW. No AH will have lose 10% or more of their agricultural land, and no households have to physically relocate as a result of subproject implementation.
- Disadvantages: the subproject is located mostly far from residential areas and so it does not improve the transport convenience of local residents.

2.2. Bac Kan province

2.2.1 Meetings with stakeholders

2.2.1.1. Findings

A monitoring team held meetings with stakeholders of Bac Kan province (Bac Kan PPMU, Key Departments of Province, Districts etc.). The meetings reviewed the status of REMDP implementation in areas of DMS; preparation, review and approval of CARP; information disclosure, payment, income restoration needs, resettlement arrangement needs, participation of and consultation with stakeholders, complaint and resolving complaints, etc. A list of meetings and participants in Bac Kan Province is shown in Table 6.

Table 6: Meetings held with stakeholders in Bac Kan province

No.	Name	Office	Position	Date of meeting
1	PPMU			
1.1	Hà Kim Oanh	PPMU	Deputy Director	15/06/2013
1.2	Nguyễn Thanh Tùng	PPMU	Technical staff	15/06/2013
1.3	Nguyễn Thái Huy	PPMU	Safeguard staff	15/06/2013
2	Departments			
2.1	Bé Ngọc Thuần	Provincial Ethnic Minorities Committee	Head of Policy Department	16/06/2013
3	Cho Don district			
3.1	Hoàng Văn Mão	DPC	Vice chairman and Chairman of DCRC	16/06/2013
3.2	Nông Đức Trọng	District DONRE	Deputy Director of Land Management Office	16/06/2013

No.	Name	Office	Position	Date of meeting
3.3	Triệu Thị Thu	District Women Union	Chairperson	16/06/2013
4	Cho Moi district			
4.1	Nguyễn Văn Sơn	District DONRE	Head of Division	17/06/2013

A general implementation progress and findings up to the day of monitoring in Bac Kan Province is provided in Table 7 below.

Table 7: Status of implementing REMDP in Bac Kan Province

#	Content	SP06: Upgrading rural road of Bằng Lãng - Yên Nhuận, Chợ Đồn District	SP05: Upgrading rural road of Đèo Giàng - Vũ Muộn, Bạch Thông District	SP04: Construction of embankment in Cầu River, Cho Moi district
1	Submission and Approval of REMDP			
1.1	PPMU submitted to PPC	Not yet	Not yet	Not yet
1.2	PPC approved REMDP	Not yet	Not yet	Not yet
2	Information dissemination and publication of project Resettlement Policy Framework	-	REMDP has not yet been implemented at the time of monitoring	REMDP has not yet been implemented at the time of monitoring
2.1	Information dissemination about REMDP	<ul style="list-style-type: none"> • Not yet • Meetings have been organized with local people and resettlement activities being implemented based on Province Policy 	-	-
2.2	Meeting/Information dissemination date	March 2012	-	-
2.3	Participants of Information dissemination	CPCs leaders, and affected households	-	-

#	Content	SP06: Upgrading rural road of Bằng Lãng - Yên Nhuận, Chợ Đồn District	SP05: Upgrading rural road of Đèo Giàng - Vũ Muộn, Bạch Thông District	SP04: Construction of embankment in Cầu River, Cho Moi district
	activity			
2.4	Mode	Meeting	-	-
2.5	Location	CPCs	-	-
3	Inventory and DMS		REMDP has not yet been implemented at the time of monitoring	REMDP has not yet been implemented at the time of monitoring
3.1	Starting date	Done	-	-
3.2	Completion date	Done	-	-
3.3	Total of affected households covered in DMS	100	-	-
3.4	No. of AHs not covered in DMS	0	-	-
3.5	Expected completion DMS	Done	-	-
4	Prepare compensation, assistance and resettlement plans (CARP)		REMDP has not yet been implemented at the time of monitoring	REMDP has not yet been implemented at the time of monitoring
4.1	Preparation of CARP	Done	-	-
4.2	Publicly post CARP	Done	-	-
4.3	Synthesis of comments and improve CARP	Done	-	-
5	CARP Appraisal and approval		REMDP has not yet been implemented at the time of monitoring	REMDP has not yet been implemented at the time of monitoring
5.1	Submit CARP for appraisal	July 2013	-	-
5.2	Completion of CARP appraisal	July 2013	-	-
5.3	Submit CARP for approval	July 2013	-	-
5.4	Completion of approval Process	July 2013	-	-

#	Content	SP06: Upgrading rural road of Bằng Lăng - Yên Nhuận, Chợ Đồn District	SP05: Upgrading rural road of Đèo Giàng - Vũ Muộn, Bạch Thông District	SP04: Construction of embankment in Cầu River, Cho Moi district
5.5	Public announcement of approval	July 2013	-	-
6	Negotiation and payment of compensation	July 2013	REMDP has not yet been implemented at the time of monitoring	REMDP has not yet been implemented at the time of monitoring
6.1	Negotiation			
6.2	Total of households under the plan	-	-	-
6.3	Total amount under the plan	-	-	-
6.4	Number of households paid of phase 1	-	-	-
6.5	Amount paid of phase 1	-	-	-
7	Hand over sites to the project	August 2013	REMDP has not implemented at time monitoring	REMDP has not implemented at time monitoring
7.1	Phase 1: Households and date	-	-	-
7.2	Phase 2: Households and date	-	-	-
8	Resettlement Arrangement	No resettled households	REMDP has not yet been implemented at the time of monitoring	REMDP has not yet been implemented at the time of monitoring
8.1	Arrangement for AHs relocation	-	-	-
8.2	Mode of resettlement arrangement	-	-	-
9	Complaints and Grievances	No complaints at time monitoring	REMDP has not yet been implemented at the time of monitoring	REMDP has not yet been implemented at the time of monitoring

#	Content	SP06: Upgrading rural road of Bằng Lăng - Yên Nhuận, Chợ Đồn District	SP05: Upgrading rural road of Đèo Giàng - Vũ Muộn, Bạch Thông District	SP04: Construction of embankment in Cầu River, Cho Moi district
9.1	Number of households with complaints	-	-	-
9.2	Content complaint	-	-	-
9.3	Settlement of complaints	-	-	-
9.4	Shortcomings	-	-	-
10	Construction commencement date	October 2013	March 2014	December 2013

Resettlement work for SP06 is on-going and DMS had been completed; Compensation, Assistance and Resettlement plans for the affected households were prepared and being reviewed and appraisal by DCARC, but resettlement work in SP05 and SP04 have not yet started. The SP06 will not affect any house and therefore no relocation arrangement is required.

2.2.1.2. Suggestions

Similar to the suggestions provided in the Cao Bang Province monitoring, the PPMU of Bac Kan should prepare the public information dissemination plan and send the information materials to the concerned districts as a guide for the districts to implement. The plan should at least included: (i) what information need to be disclosed and disseminated; (ii) number of times the information is to be disclosed ; (iii) to whom should the relevant information be disseminated; (iv) channels from where to obtain the feedback from stakeholders after the information disclosure.

The PPMU of Bac Kan needs to prepare a mechanism for consultation and participation by the stakeholders, especially the subproject affected persons and implementing agencies. The need for this mechanism should include: (i) when stakeholders need to be consulted; (ii) for what purpose; (iii) how to organize consultation and participation; and (iv) follow-on actions after consultation and participation.

These preparations should be done no later than end of October 2013 for the CPMU's review and concurrence. These preparations also need to start for SP05 and SP04.

2.2.2. Institutional Arrangement

2.2.2.1. Findings

PPMU: Establishment time: March 2011

- Organization structure: Including Director, Deputy Director, Technical Department, and Administrative – Accounting Department.

- Number of Personnel: PPMU has 09 people, including 05 officers, and safeguard staff.

The DCARC and the task forces:

- Establishment time:
 - Cho Don district: Decision No.1396/QD-UBND dated 13/10/2012 of Cho Don district People's Committee on the establishment of the statistical task force for the land acquisition and compensation of the SP06.
 - Cho Moi Market district: Decision No.912/QD-UBND dated 13/5/2013 of Cho Moi district People's Committee on the establishment of the task force for the land acquisition and compensation implementation of the SP04.
 - Bach Thong district: Decision for the approval of the detailed design drawings has not yet been made, so the DCARB has yet been set up. The PPMU is requesting the province People's Committee to establish the DCARB.
- The structural organization: The DCARC are led by Chairman of the district People's Committees and the members come from the specialized departments and organizations at district level such as the Directors of the Natural Resource and Environment Department, Financial and Planning Departments, the Chambers of Trade, Farmers' Unions, Fatherland Front Committees of the district and representatives of the PPMU and chairmen of Commune People's Committees in addition to heads of villages where land is to be acquired for the subproject. The DCARB have task forces that include: PPMU representatives are team leaders and vice team leaders and representatives from the Natural Resource and Environment Departments of the districts, the Chambers of Trade, Financial and Planning Departments are members. PPMU staffs, chairpersons of people's committees, cadastral staff and village leaders in the project communes are members. The DCARB and the task forces work part-time with no separate office and their equipment are from their mother agencies.
- Experiences: The DCARB of Cho Moi district has extensively experienced in the project land acquisition and resettlement, funded by the state budget and ODA loans like ADB Provincial Road 255, which is on-going.

According to Decision No.1396/QD-UBND dated 03/10/2012 of Cho Don District People's Committee, the technical task force for the land acquisition and compensation of the SP06 was established.

Likewise, Decision No.912/QD-UBND dated 13/5/2013 of Cho Moi district People's Committee established the task force for the land acquisition and compensation of the SP04.

The monitoring mission sees that, there are staff of PPMU and DCARC that are experienced in the area of land acquisition, compensation, assistance and resettlement as well as with ODA funded projects. The PPMU and DCARC are provided with enough logistical support for carrying out their tasks.

2.2.2.2. Suggestions

The monitoring Team sees that with the subprojects scale of impacts on land acquisition in the districts (with marginal impact only), the organizations at the provincial and lower levels are sufficient enough to do the job. However, the monitoring team suggests that the PPMU and the DCARC need to prepare a clear assignment for the task forces and specific responsibilities for each staff, implementation schedule for each task such as: (i) establishment of the bench marks on the ground; (ii) preparation of cadastral maps for the land acquisition areas; (iii) carrying out the DMS; (iv) preparing the compensation plans for each affected household; (v) review and approval of plan by the competent authorities; (vi) payment and hand-over of affected properties for the subproject; and (vii) settling of grievances.

More detailed findings about the capacity of PPMU and DCARC will be provided in the next monitoring mission when the land acquisition, compensation and resettlement are actually implemented.

The PPMU of Bac Kan to propose to Bach Thong DPC to establish the DCARC of Bach Thong district.

2.2.3. Consultation and information Disclosure

2.2.3.1. Findings

- The PPMU sent REMDP to the DCARC of Cho Don district for review and as a basis for compensation. REMDP document has not yet been sent to the DCARC of Cho Moi district because their DMS has not started. The DCARC of Bach Thong district has not been established yet, so the PPMU has not sent REMDP to them.
- SP06 held meeting for announcement of land acquisition policy based on the national procedure by DCARB and PPMU. The records of DMS, after households certified and signed, will be delivered one copy by the task force for keeping. The compensation plan of SP06 is being established and will be open to households before the submission for evaluation.

2.2.3.2. Suggestions

The PPMU to soon send the REMDP to Cho Moi and Bach Thong districts.

The information disclosure to the district mainly mentioned about the national policy on land acquisition, assistance and resettlement, and lack information on the requirement of ADB safeguard policies, therefore, the PPMU and the DCARC need to disclose the requirements of ADB on social safeguards to the subproject stakeholders .

The PPMU needs to design a pamphlet on Compensation, Assistance and Resettlement similar to the pamphlet suggested in the REMDP, and make sure that, the pamphlet contain the following information: (i) the project background; (ii) land acquisition impacts; (iii) objectives and principles of compensation and resettlement and other aspects related to Ethnic Minorities, vulnerable groups and gender issues; (iv) Eligibility and Entitlement; (v) Resettlement Arrangements and income restoration; (vi) Participation and consultation process; (vii) implementation arrangements; and (viii)

grievance redress and monitoring. This pamphlet should be prepared and disseminated to all affected households in September 2013.

The consultation and participation also need to be carried out through the DMS and entitlement calculation by the district and commune authorities. Likewise the feedback from the affected households on the DMS results need to be taken into account before the draft compensation plans are submitted to DPC for review and approval.

2.2.4. Detailed Measurement Survey (DMS) (made for SP06)

2.2.4.1. Findings

Detailed Measurement Survey (Only covers SP06; DMS not yet conducted for SP04 and SP05).

- DMS records: The sample from DMS records appears to comply with the provincial regulations. The support policies is based on the REMDP the PPMU and the Task Force made in separate annex such as collecting information on vulnerable group.
- The PPMU and the DCARC notified earlier the affected households on the schedule for DMS. The DMS is complete covering all 100 affected households in SP06. As earlier mentioned, there were no DMS work conducted for SP04 and SP05.
- The SP06 households fully participated, verified their amount of loss and signed on DMS records;

2.2.4.2. Suggestions

The PPMU and the DCARC is recommended to provide one set of DMS records to affected households to enable them to monitor, check and compare.

The preparation of the cadastral map of the affected area and DMS should be started for SP04. At the time of monitoring, the DMS for SP05 had not yet commenced.

2.2.5. Preparing Compensation Plans for the households

2.2.5.1. Findings

Planning compensation, assistance and resettlement (being prepared for SP06). The monitoring team reviewed many samples of compensation, assistance and resettlement plans prepared by the Cho Don district, Bac Kan and observe that:

- The legality of the compensation records: the unit prices and the compensation policy are only applied under the provisions of the Provincial People's Committee (Decision No.628/2010/QD-UBND dated 08/4/2010 of Bac Kan Decision about the regulations of some specific policies on compensation, assistance and resettlement when the State acquires land in Bac Kan province; Decision No.2222/2012/QD-UBND dated 25/12/2012 of Bac Kan province, promulgating the unit prices of land in 2013 in Bac Kan province; and Decision No.601/2011/QD-UBND dated 15/04/2011 of the People's Committee of Bac Kan province, issuing the compensation prices for site clearance of crops and livestock when the State

acquires land in Bac Kan province. The prepared plan clearly shows the coverage of the entitlements, the calculations are accurate, with complete signatures and seals of the parties involved.

- The compensation prices: Currently the Task Force is applying the unit prices approved by the prevailing decisions of the People's Committee of Bac Kan province. According to the evaluation of officials of the specialized agencies, the unit prices are close to market prices. In addition, after the compensation plan was announced, no households have raised any question or complaint about the unit prices. In the next monitoring mission, when the compensation for households is paid, the monitoring team will assess the level of satisfaction of subproject affected persons.
- The support policies: According to the PPMU, the support for the vulnerable groups based on the REMDP has not yet been calculated. The DCARC and the Task Force have no basis to do so because the REMDPs have not yet been approved. Currently it applied the current provincial policies, and no allowances were paid for vulnerable group as defined in REMDP nor severely affected households losing with between 10% to 30% of productive land.

Appraisal and approval of compensation, assistance and resettlement plan (SP06)

- The compensation plan for SP06 is currently being submitted to the DCARC of Cho Don district for evaluation and approval. According to the PPMU, the compensation plan will be approved in early July 2013.
- For this subproject, no AH will lose their house and therefore, resettlement arrangements are not necessary for this subproject.

Negotiation and payment of compensation

The compensation plan is being evaluated by the district competent authorities, so the payment has not yet been made to affected households. It is expected that the compensation payment for SP06 AHs will be done in July 2013. The compensation, assistance will be paid one time by the PPMU and DCARC.

2.2.5.2. Suggestions

Despite comments from authorities that the compensation unit cost enacted by the PPC are close to market prices, the PPMU of Bac Kan needs to have the independent evaluators on the values of affected properties (land and assets on land), to give a comparison to the unit costs enacted by Bac Kan PPC to make sure that the households are paid the replacements costs. This need to be done before compensation payment is submitted to the DPC for the approval.

Having the same problem as of Cao Bang Province, the DCARC need to revise the entitlement for the affected households to conform to the policy set forth in the REMDP (such as entitlement for vulnerable groups, and households losing 10-30% of their productive land). If payments have already been made using the Province policy,

then a supplemental CARP is prepared for approval of the PPC/DPC covering the compensation and allowance gap following the REMDP.

The comparison of Entitlements in REMDP and actual implementation is attached in Annex 3 for PPMU of Bac Kan and other PPMU to check and to improve for the implementation of the REMDP.

The DCARC for SP04 and SP05 need to take into account the suggestions for Cho Don district.

2.2.6. Consultation and participation

2.2.6.1. Findings

During the preparation of REMDP, affected households were consulted about road alignment options, subproject impacts and subproject resettlement policies. Also, affected persons participated in community meetings and gave ideas about the implementation of the compensation, assistance and resettlement.

During the implementation of REMDP, the PPMU and DCARC organized a meeting on October 2012 where affected persons were invited to and allowed to give their ideas on the implementation of DMS, compensation, assistance and resettlement. Affected persons were directly involved in the DMS process with the Task Forces and the DCARC and confirmed the results of their DMS.

2.2.6.2. Suggestions

The feedback of stakeholders in the consultation meetings need to be recorded and then reported to relevant agencies such as provincial, district and commune authorities, PPMU, CPMU; as well as include in the internal monitoring report submitted to ADB.

Consultation need to be carried with the different groups of affected households and other stakeholders on the different aspects of compensation, assistance and resettlement implementation

2.2.7. Complaint and Settlement of complaints

2.2.7.1. Findings

Households were aware of the Grievance Redress Mechanism available should they have any complaint to rise related to the subproject.

Complaints and grievance redress: So far there is no complaint.

2.2.7.2. Suggestions

With no complaint recorded, no suggestions are proposed at this time, but grievances would continue to be monitored by the subsequent missions.

2.2.8. Database management and reporting

2.2.8.1. Findings

- At PPMU level: The PPMU is responsible for keeping all compensation records in their filing cabinet. Currently, only the DMS records are organized with AH records

orderly numbered. However, the compensation plans have yet to be filed since these have not yet been organized.

- At the district and commune levels: there is no single organization responsible for the orderly storage of resettlement work records. The compensation records are kept at the office of the Department of Natural Resources and Environment and the Office for Land Registration. However, there are no filing cabinets to contain all the compensation records from the subprojects.
- The DCARC is recommended to provide separate cabinets for the storage and management of all compensation records.

2.2.8.2. *Suggestions*

Recommendation: One complete set of original compensation records must be stored at the office of the DCARC and 01 complete set kept at the PPMU office. The compensation records must be managed and stored by year and by subproject. The PPMU is recommended to put in a map the location of each subproject and monitor the progress of the compensation, assistance and resettlement. Each households need to have a reference number/code for use in the electronic database and the files need to be secured with passwords.

The PPMU and the DCARC need to design the filing system for use in the internal monitoring, which would report the status of the resettlement work such as preparation of cadastral map, DMS implementation, status of approval for CARP; status of payment, complaint and settling of complaints and periodic reports (monthly, quarterly, semiannually, and annually).

2.3. Thai Nguyen province

2.3.1. Meetings with stakeholders

2.3.1.1. *Findings*

A monitoring team held meetings with stakeholders of Thai Nguyen province. The meetings reviewed the status of REMDP implementation in areas such as DMS, preparing, review and approval of compensation, assistance and resettlement plan (CARP), information disclosure, payment, income restoration need, relocation arrangements need, participation of and consultation with stakeholders, complaint and settling of complaint, etc.

A general implementation progress and findings up to the day of monitoring in Thai Nguyen Province is found in Table 8 below.

Table 8: Status of implementing REMDP in Thai Nguyen Province

#	Content	SP34: Upgrading road: Linh Nham - Đèo Nhâu and Văn Hán - Đồng Hỷ market	SP35: Upgrading road: Tràng Xá - Đèo Nhâu, Võ Nhai district	SP36: Upgrading road: Phủ Lý - Yên Trạch, Phú Lương district
1	Submission and Approval of REMDP			

#	Content	SP34: Upgrading road: Linh Nham - Đèo Nhâu and Văn Hán - Đồng Hỷ market	SP35: Upgrading road: Trảng Xá - Đèo Nhâu, Võ Nhai district	SP36: Upgrading road: Phú Lý - Yên Trạch, Phú Lương district
1.1	PPMU submitted to PPC	Not yet	Not yet	Not yet
1.2	PPC approved REMDP	Not yet	Not yet	Not yet
2	Information dissemination and publication of project Resettlement Policy Framework			
2.1	Information dissemination about REMDP	<ul style="list-style-type: none"> • Not yet, • A meeting was with people for the implementation of the compensation, assistance and resettlement based on province policy 	Not yet	Not yet
2.2	Meeting/Information dissemination date	March 2012	Not yet	Not yet
2.3	Participants of Information dissemination activity	CPCs leaders, affected households	Not yet	Not yet
2.4	Mode	Meeting	Not yet	Not yet
2.5	Location	CPCs	Not yet	Not yet
3	Inventory and DMS			
3.1	Starting date	June 2013	June 2013	August 2013
3.2	Completion date	Not yet	Not yet	Not yet
3.3	Total of affected households covered in DMS	Not yet	Not yet	Not yet
3.4	No. of AHs not covered in DMS	Not yet	Not yet	Not yet
3.5	Expected completion DMS	July 2013	July 2013	August 2013
4	Prepare compensation, assistance and resettlement plans (CARP)			
4.1	Prepare CARP	July 2013	July 2013	August 2013

#	Content	SP34: Upgrading road: Linh Nham - Đèo Nhâu and Văn Hán - Đồng Hỷ market	SP35: Upgrading road: Trảng Xá - Đèo Nhâu, Võ Nhai district	SP36: Upgrading road: Phủ Lý - Yên Trạch, Phú Lương district
4.2	Publicly post plans	July 2013	July 2013	August 2013
4.3	Synthesis of comments and improve plans	July 2013	July 2013	August 2013
5	Appraisal and approval			
5.1	Submit CARP for appraisal	August 2013	August 2013	September 2013
5.2	Completion of CARP appraisal	August 2013	August 2013	September 2013
5.3	Submit CARP for approval	August 2013	August 2013	September 2013
5.4	Completion of approval Process	August 2013	August 2013	September 2013
5.5	Public announcement of approval	August 2013	August 2013	September 2013
6	Negotiation and payment of compensation	Donation of Land and Assets on land	Donation of Land and Assets on land	Donation of Land and Assets on land
6.1	Negotiation			
6.2	Total of households under the plan			
6.3	Total amount under the plan			
6.4	Number of households paid of phase 1			
6.5	Amount paid of phase 1			
7	Hand over sites to the project	Donation of Land and Assets on land	Donation of Land and Assets on land	Donation of Land and Assets on land
7.1	Phase 1: Households and date			
7.2	Phase 2: Households and date			
8	Resettlement Arrangement			
8.1	Arrangement for AHs relocation			

#	Content	SP34: Upgrading road: Linh Nham - Đèo Nhâu and Văn Hán - Đồng Hỷ market	SP35: Upgrading road: Trảng Xá - Đèo Nhâu, Võ Nhai district	SP36: Upgrading road: Phú Lý - Yên Trạch, Phú Lương district
8.2	Mode of resettlement arrangement			
9	Complaints and Grievances	No complaints at the time of monitoring	No complaints at the time of monitoring	No complaints at the time of monitoring
9.1	Number of households with complaints			
9.2	Content complaint			
9.3	Settlement of complaints			
9.4	Shortcomings			
10	Construction commencement date	September 2013	September 2013	December 2013

2.3.1.2. Suggestions

Similar to the suggestions in Cao Bang and Bac Kan Province, the PPMU of Thai Nguyen should prepare the public information dissemination plan, and send the information materials to the concerned districts as a guide for the districts to implement. The plan should at least included: (i) what information need to be disclosed and disseminated; (ii) number of times the information is to be disclosed; (iii) to whom should the relevant information be disseminated; and (iv) channels from where to obtain the feedback from stakeholders after the information disclosure.

The PPMU of Thai Nguyen needs to prepare the mechanism for consultation and participation by the stakeholders, especially the subproject affected persons and implementing agencies. The need for this mechanism should include: (i) when stakeholders need to be consulted; (ii) for what purpose; (iii) how to organize consultation and participation; and (iv) follow-on actions after consultation and participation.

These preparations should be done by no later than end of October-2013 for the CPMU's review and concurrence.

2.3.2. Institutional Arrangement

2.3.2.1. Findings

PPMU: Established in June 2011

- Structural organization: Includes the Director, Deputy Director, and staff.

- Personnel: PPMU has 12 people, this include 02 full time staff one of which is a social safeguard staff that have attended training courses on social safeguard policies conducted by the CPMU.

Source: Decision No.1286/QD-SNN dated 03/6/2011 of the Department of Agriculture and Rural Development of Thai Nguyen province on the establishment of the Provincial Project Management Unit (PPMU) for the Northern Mountainous Province Sustainable Rural Infrastructure Development Project in Thai Nguyen province.

The DCARC:

- Dong Hy district: There is a specialized DCARB. According to the report of the Vice Chairman of the District People’s Committee, the DPC does not set up a DCARC for each subproject, since there is already an existing DCARC for all subprojects in the district.
- Phu Luong district: There is no specialized DCARB. A DCARC has not been set up because the detailed design drawings are not yet approved.
- Vo Nhai district: There is no specialized existing DCARB. The compensation for land acquisition will be done by a DCARC, which has yet to be established.

- The structural organization:

- Phu Luong and Dong Hy specialized DCARBs. Vo Nhai district has no specialized DCARB. The locals have extensive experience in site clearance for road and irrigation projects. However, their experiences in ODA projects is only few. Dong Hy and Phu Luong districts had World Bank projects. Dong Hy district and Vo Nhai district are starting to implement resettlement work. Phu Luong district has not yet approved the detailed design drawings, so they cannot start subproject resettlement work.

- The coordination between the PPMU and subproject communes remains limited. In view of the locals busy schedule, they seldom take effort to know more on the subproject information.

- The PPMU are composed mostly of part-time staff, therefore arrangements should be made to ensure subproject implementation will be effectively pursued despite the difficult deployment schedule of PPMU personnel.

The DCARC office is located in the administrative area of Dong Hy district. The DCARC currently has 11 staff with the facilities and equipment to carry out the resettlement works. The DCARC has implemented the resettlement work for many domestic projects and participated in 1B Project, Thai Nguyen - Lang Son road which is funded by the World Bank.

The DCARC office is located in the administrative area of Phu Luong district. The DCARC currently has 9 staff with the facilities and equipment sufficient for them to carry on their mandated task. The DCARC has implemented the resettlement work for many domestic projects and participated in REII Project from 2008 up to date which is funded by the World Bank.

2.3.2.2. Suggestions

The monitoring team sees that, the staffs of the two districts are experienced with the WB financed projects, therefore, they could understand the requirements of the ADB policies on the social safeguards. However, to make sure that, the REMDP would be implemented smoothly, the same suggestions for these aspects to Cao Bang and Bac Kan Provinces need to be considered by PPMU and DCARC of Thai Nguyen Province.

2.3.3. Consultation and information Disclosure

2.3.3.1. Findings

Dissemination of information

The discussions with the representatives of the DCARC show that, the holding of the disclosure meeting where the subproject resettlement policy, DMS results, and land donation procedures is in accordance with the provincial regulations since the REMDPs have not yet been approved. The Monitoring Team recommends that the PPMU should continue the coordination with localities to organize information meetings and REMDP policy information for households after the REMDP is approved. At the same time the PPMU send the approved REMDP to the District People's Committees for the information dissemination, publicity and implementation.

2.3.3.2. Suggestions

The same suggestions for this part to Cao Bang and Bac Kan are proposed to PPMU and DCARC of Thai Nguyen Provinces

2.3.4. Detailed Measurement Survey (DMS)

2.3.4.1. Findings

Currently, the compensation payments of the 3 subprojects in 3 districts have not been implemented. According to subproject approval decision, the compensation cost will be taken from the districts' budget. However, the districts, currently, have not yet secured the budget for compensation. The district requested the affected households to voluntarily donate land and assets on land in favor of the subproject. According to the discussion held at the district level, the entire district's transportation projects implemented in Thai Nguyen province had campaign for the households to voluntarily donate land and fixed property on land for their projects.

2.3.4.2. Suggestions

The monitoring team would like to suggest that the PPMU of Thai Nguyen to prepare a proposal indicating the process they are following to secure the donation of affected assets in favor of the subproject for the review and consideration of CPMU and ADB. The proposal should cover: (i) reasons for securing donation; (ii) legal basis; (iii) process and mechanisms; and (iv) monitoring and supervision of implementation. In the next monitoring mission, the IMO team will study further, the details about the donation and then will provide recommendations to ADB and the CPMU for their considerations.

2.3.5. Preparing compensation plans for the households

After DMS, preparing the compensation plans, its review, approval, and payment (if the households do not agree to donate the affected properties for the subproject), it is

advised that the PPMU and DCARC of Thai Nguyen to consider the suggestions similar to Cao Bang and Bac Kan Provinces.

2.3.6. Complaint, database management and reporting

The similar findings and suggestions for Cao Bang and Bac Kan provinces are proposed to PPMU and DCARC of Thai Nguyen Province.

2.4. Lang Son province

2.4.1. Meetings with stakeholders

2.4.1.1. Findings

The monitoring team held meetings with stakeholders of Lang Son province. The meetings reviewed the status of REMDP implementation in areas of DMS; preparing, review and approval of CARP; information disclosure, compensation payment, income restoration, resettlement arrangements, participation of and consultation with stakeholders, complaint and settling of complaints.

Table 9: Status of implementing REMDP in Lang Son province

#	Content	SP22: Upgrading irrigation system of Tà Keo, Lộc Bình District	SP23: Upgrading irrigation system of Bản Chành Lake, Lộc Bình District	SP24: Upgrading rural road of Khau Ra – Quang Trung
1	Submission and Approval of REMDP			
1.1	PPMU submitted to PPC	Not yet	Not yet	Not yet
1.2	PPC approved REMDP	Not yet	Not yet	Not yet
2	Information dissemination and publication of project Resettlement Policy Framework			
2.1	Information dissemination about REMDP	<ul style="list-style-type: none"> • REMDP not yet disclosed. • A meeting was held with local people to disclose the approved compensation plan following province policy. 	Not yet	<ul style="list-style-type: none"> • REMDP not yet disclosed. • A meeting was held with local people to disclose the approved compensation plan following province policy.

#	Content	SP22: Upgrading irrigation system of Tà Keo, Lộc Bình District	SP23: Upgrading irrigation system of Bản Chành Lake, Lộc Bình District	SP24: Upgrading rural road of Khau Ra – Quang Trung
2.2	Meeting/Information dissemination date	March 2012	Not yet	June 2013
2.3	Participants of Information dissemination activity	CPCs leaders, affected households	Not yet	CPCs leaders, affected households
2.4	Mode	Meeting	Not yet	Meet directly with individual affected households
2.5	Location	CPCs	Not yet	At households
3	Inventory and DMS			
3.1	Starting date	Done	<ul style="list-style-type: none"> Not yet held, Expected on September 2013 	June 2013
3.2	Completion date	Done	<ul style="list-style-type: none"> Not yet done Expected on November 2013 	<ul style="list-style-type: none"> Not yet done, Expected on July 2013
3.3	Total of affected households covered in DMS	94	No information yet	No information yet
3.4	No. of AHs not covered in DMS	0	No information yet	No information yet
3.5	Expected completion DMS	Done	<ul style="list-style-type: none"> Not yet done, Expected on December 2013 	<ul style="list-style-type: none"> Not yet done Expected on July 2013
4	Prepare compensation, assistance and resettlement plans (CARP)			The plan was not yet prepared at the time of monitoring
4.1	Prepare CARP	Done	Not yet done	
4.2	Publicly post plans	Done	Not yet done	

#	Content	SP22: Upgrading irrigation system of Tà Keo, Lộc Bình District	SP23: Upgrading irrigation system of Bản Chành Lake, Lộc Bình District	SP24: Upgrading rural road of Khau Ra – Quang Trung
4.3	Synthesis of comments and improve plans	Done	Not yet done	
5	Appraisal and approval			<ul style="list-style-type: none"> • Not yet done, • Within July 2013
5.1	Submit CARP for appraisal	<ul style="list-style-type: none"> • Not yet done, • Expected within July 2013 	<ul style="list-style-type: none"> • Not yet done, • Expected within December 2013 	-
5.2	Completion of CARP appraisal	<ul style="list-style-type: none"> • Not yet done, • Expected within July 2013 	<ul style="list-style-type: none"> • Not yet done, • Expected within December 2013 	-
5.3	Submit CARP for approval	<ul style="list-style-type: none"> • Not yet done, • Expected within July 2013 	<ul style="list-style-type: none"> • Not yet done, • Expected within December 2013 	-
5.4	Completion of approval Process	<ul style="list-style-type: none"> • Not yet done, • Expected within July 2013 	<ul style="list-style-type: none"> • Not yet done, • Expected within December 2013 	-
5.5	Public announcement of approval	<ul style="list-style-type: none"> • Not yet done, • Expected within July 2013 	<ul style="list-style-type: none"> • Not yet, • Expected within December 2013 	-
6	Negotiation and payment of compensation	<ul style="list-style-type: none"> • Not yet done, • Expected within September 2013 	<ul style="list-style-type: none"> • Not yet done, • Expected within February 2014 	<ul style="list-style-type: none"> • Not yet done, • within October 2013
6.1	Negotiation			
6.2	Total of households under the plan	-	-	-
6.3	Total amount under the plan	-	-	-
6.4	Number of households paid of phase 1	-	-	-

#	Content	SP22: Upgrading irrigation system of Tà Keo, Lộc Bình District	SP23: Upgrading irrigation system of Bản Chành Lake, Lộc Bình District	SP24: Upgrading rural road of Khau Ra – Quang Trung
6.5	Amount paid of phase 1	-	-	-
7	Hand over sites to the project	<ul style="list-style-type: none"> Not yet done, Expected within September 2013 	<ul style="list-style-type: none"> Not yet done, Expected within February 2014 	<ul style="list-style-type: none"> Not yet done, Expected within October 2013
7.1	Phase 1: Households and date	-	-	-
7.2	Phase 2: Households and date	-	-	-
8	Resettlement Arrangement		Not yet determined	Not yet determined
8.1	Arrangement for AHs relocation	Not yet	-	-
8.2	Mode of resettlement arrangement	Not yet	-	-
9	Complaints and Grievances	No complaints at the time of monitoring	No complaints at the time of monitoring	No complaints at the time of monitoring
9.1	Number of households with complaints	-	-	-
9.2	Content complaint	-	-	-
9.3	Settlement of complaints	-	-	-
9.4	Shortcomings	-	-	-
10	Construction commencement date	October 2013	March 2014	December 2013

2.4.1.2. Suggestions

The same suggestions as with Cao Bang; Bac Kan and Thai Nguyen Provinces, where the PPMU of Lang Son should prepare the information dissemination plan, and send the information materials to the concerned districts as a guide for the districts to implement. The plan should at least included: (i) what information need to be disclosed

and disseminated; (ii) number of times the information is to be disclosed; (iii) to whom should the relevant information be disseminated; and (iv) channels to obtain the feedback from stakeholders after the information disclosure.

The PPMU of Lang Son needs to prepare for a mechanism for consultation and participation by the stakeholders, especially for the subproject affected persons and implementing agencies. The need for this mechanism should be included: (i) when stakeholders need to be consulted; (ii) for what purpose; (iii) how to organize consultation and participation; and (iv) follow-on actions after consultation and participation.

These preparations should be done no later than the end of October 2013 for the CPMU to review and concurrence.

2.4.2. Institutional Arrangement

2.4.2.1. Findings

PPMU: Established in August 2012

- Organization structure: Includes the Director, Deputy Director, and subproject staff.
- Personnel: PPMU has 8 staff, including 01 safeguard staff that have attended training courses on safeguard policies conducted by the CPMU.

Source: Decision No.623/QD-SNN dated 27/8/2012 of the Department of Agriculture and Rural Development of Lang Son province on the establishment of the Provincial Project Management Unit (PPMU) for the Northern Mountainous Province Sustainable Rural Infrastructure Development Project in Lang Son province.

The DCARC:

- Establishment time:
 - Binh Gia district: established under Decision No.1548/QD-UBND dated 27/03/2013 of the People's Committee of Gia Binh district on the establishment of the DCARC for the SP24 which belongs to the Northern Mountainous Province Sustainable Rural Infrastructure Development Project.
 - Loc Binh district: Established under Decision No.2142/QD-UBND dated 11/10/2012 of Loc Binh District People's Committee on the establishment of the DCARC for the SP22 which belongs to the Northern Mountainous Province Sustainable Rural Infrastructure Development Project.
- The structural organization:
 - The DCARC is led by the Chairman of the District People's Committee. All members work part-time. The members are nominated from the specialized departments and organizations at district level such as the Natural Resource and Environment Department, Financial and Planning Department, Infrastructure Economics Department, Labor, Invalids and Social Affairs Department, Ethnic Minority Department, District Land Fund Development Center, District

Fatherland Front, PPMU, Communal Chairman and Cadastral Staff where land is acquired and representatives of 2 households whose land is acquired.

- Binh Gia and Loc Binh districts have specialized units performing the compensation, assistance and resettlement, which are their respective District Land Fund Development Centers. The districts have commenced the implementation of the resettlement related work for the subprojects. The DMS has been implemented since the fourth quarter of 2012.
 - The coordination between the PPMU and DLFDCs are relatively well. Locals were mostly informed on the subproject ever since its preparation stage following the process prescribed in Project Resettlement Policy Framework.
 - The District Land Fund Development Centers have specialized staff and equipment, which are fully capable of carrying out the land acquisition and resettlement work for the subproject.
- Experience: The District Land Fund Development Centers staff have experience in land acquisition and resettlement for road and irrigation projects, however their experiences in projects funded by international organizations are limited. Some officials of Binh Gia district worked for ADB projects.

2.4.2.2. Suggestions

The monitoring team sees that, the Land Fund Development Center staff of Binh Gia district are experienced with the ADB financed project; therefore, they could understand the requirements of ADB social policy safeguards. However, the staff of PPMU and Loc Binh district is either without experience or just experience with national policy on land acquisition, compensation, assistance and resettlement. Therefore, to make sure that, the REMDP would be implemented smoothly the same suggestions for these aspects proposed to Cao Bang, Bac Kan and Thai Nguyen Provinces need to be considered by PPMU and Districts Land Fund Development Centers of Lang Son Province.

2.4.3. Consultation and information disclosure

2.4.3.1. Findings

- The PPMU has not sent REMDP to the DCARC because it has not been approved by the Provincial People's Committee.
- For SP22, the PPMU and DCARC organized meetings to relay basic information on the subproject, land acquisition, compensation policies under the law and the DMS plan. At the meeting on 12 November 2012, records for the minutes of the meeting were made. The subproject policies were not disclosed because REMDP has not yet been approved.
- The Monitoring Team exchanged with households and learned that families invited to consultation meetings were informed about the subproject and compensation policies for affected land and property on land when the State acquires land under the provincial regulations.

2.4.3.2. Suggestions

The same suggestions for this part to Cao Bang and Bac Kan are proposed to PPMU and DCARC of Lang Son Province.

2.4.4. Detailed Measurement Survey (DMS)

2.4.4.1. Findings

The Detailed Measurement Survey (DMS) (SP22)

- The DLFDC conducted DMS for SP22 since November 2012 and completed the works in March 2013. The District Land Fund Development Centre is waiting for the approval the land plot measurement in order to disclose the survey results to the public for their opinion, as well as the corresponding compensation.
- For SP24, the DLFDC had been conducting DMS since May 2013, and it is estimated that the DMS has been completed in 60% of the total length of the road.
- DMS records: The sample of DMS records reviewed, indicate that the DLFDC did not apply the harmonized resettlement policy contained in the REMDP that provides for the support for the gap on between Vietnam and ADB social safeguard policies, as discussed in REMDPs. Specifically, the records of detailed measurement survey do not contain the percentage of acquired land (the total land households are using and total land acquired for the subproject), vulnerable group (e.g., lack of information about single women-headed households, poor households and elderly households, disabled households, ethnic minority households).
- Households were informed of the DMS and they participated fully. They confirmed the amount of loss and signed on the DMS records;
- A copy of the individual DMS records is not provided to surveyed affected households. According to the Land Fund Development Center of Loc Binh district, they only hand over DMS records when people request for a copy.

2.4.4.2. Suggestions

The DMS needs to be supplemented with the following information, to make sure that it (DMS) could have enough information for determining entitlement for the affected households.

- General information about households: age, sex and occupation
- Percentage of acquired land from the total landholding and those households losing 10-30% of their productive land.
- Information about AHs total land holding and acquired area should be provided to determine the amount of remaining land.
- Information on vulnerable group: (1) households whose head are single women with no means of support, (2) poor households (3) ethnic minority households, (4) elderly households, and (5) disabled headed households;

▪ Information about policy families (Vietnam Hero Mother, Hero of Labor, relatives of martyrs who receive monthly food allowance, martyrs' families, families who helped the Revolution and earned monthly allowance, wounded soldiers, people who are entitled to policies as invalids or poor people....)

These supplemental information to be added to the DMS need to be secured before the DMS is used for calculating compensation, assistance and resettlement entitlement for the affected households.

2.4.5. Preparing for the compensation, assistance and resettlement plans for the affected households

2.4.5.1. Findings

Lang Son Province has 3 subprojects in 2 districts. At the time of monitoring, DMS is being conducted for 2 subprojects. DMS is already completed for Subproject SP22 in March 2013 and the Land Fund Development Center staff is integrating the DMS results for the preparation of compensation plans.

Appraisal and approval

The compensation plan for SP22 is being prepared. Currently SP22 is awaiting the province's evaluation results of cadastral measurements.

2.4.5.2. Suggestions

Having the same problem as of Cao Bang Province, the District Land Fund Development Centers, Lang Son Province; need to revise the DMS and then entitlement for the affected households to meet the policy set forth in the ADB approved REMDP (such as entitlement for vulnerable groups and assistance to the severely affected households).

2.4.6. Complaint, database management and reporting

2.4.6.1. Findings

- At the PPMU level: there is no compensation documents but only written documents and papers on compensation, assistance and resettlement that is managed and stored in filing cabinets by the PPMU.
- At the district level: compensation documents for household is managed and stored at the Land Fund Development Center of Loc Binh district. However, the document management and record keeping is not centralized, tattered and un-chronologically arranged for each subproject. There is no organization for subproject in computer folders.

2.4.6.2. Suggestions

The same suggestions for this part to Cao Bang and Bac Kan are proposed to Lang Son PPMU and DCARC of Lang Son Province.

2.5. Bac Giang province

2.5.1. Meetings with stakeholders and status of the project implementation

2.5.1.1. Findings

A monitoring team held meetings with stakeholders of Bac Giang province. The meetings reviewed the status of REMDP implementation in the aspects of: i) DMS; ii) preparing, review and approval of compensation, assistance and resettlement plans; iii) information disclosure, iv) compensation payment; v) income restoration needs, vi) resettlement arrangements; vii) participation of and consultation with stakeholders; and vii) grievances and settling of the complaints..

Table 10: Status of the project implementation in Bac Giang province

#	Content	SP01: Upgrading rural road of Tân Hiệp – Tam Tiến; Hương Lạc – Hương Sơn, Yên Thế District	SP02: Upgrading pumping station of Xuân Hương, Lạng Giang District	SP03: Upgrading pumping station of Ngô Khổng 1, Hiệp Hòa District
1	Submission and Approval of REMDP			<ul style="list-style-type: none"> • Not yet implemented • the project has not yet been approved
1.1	PPMU submitted to PPC	Not yet done	Submitted	Not yet done
1.2	PPC approved REMDP	Not yet done	Not yet done	Not yet done
2	Information dissemination and publication of project Resettlement Policy Framework	Not yet done	Not yet done	Not yet done
2.1	Information dissemination about REMDP	-	-	-
2.2	Meeting/Information dissemination date	-	-	-
2.3	Participants of Information dissemination activity	-	-	-
2.4	Mode	-	-	-
2.5	Location	-	-	-
3	Inventory and DMS	<ul style="list-style-type: none"> • Not yet done, • Expected on August 2013 	<ul style="list-style-type: none"> • Not yet done, • Expected on August 2013 	<ul style="list-style-type: none"> • Not yet implemented • the subproject has not yet been approved
3.1	Starting date	-	-	-

#	Content	SP01: Upgrading rural road of Tân Hiệp – Tam Tiến; Hương Lạc – Hương Sơn, Yên Thế District	SP02: Upgrading pumping station of Xuân Hương, Lạng Giang District	SP03: Upgrading pumping station of Ngô Khổng 1, Hiệp Hòa District
3.2	Completion date	-	-	-
3.3	Total of affected households covered in DMS	-	-	-
3.4	No. of AHs not covered in DMS	-	-	-
3.5	Expected completion DMS	<ul style="list-style-type: none"> • Not yet done, • Expected on September 2013 	<ul style="list-style-type: none"> • Not yet done • Expected on Sept 2013 	-
4	Prepare compensation, assistance and resettlement plans (CARP)	<ul style="list-style-type: none"> • Not yet done, • Expected on September 2013 	<ul style="list-style-type: none"> • Not yet done, • Expected on Sept 2013 	<ul style="list-style-type: none"> • Not yet implemented • The subproject has not yet been approved
4.1	Prepare CARP	-	-	-
4.2	Publicly post plans	-	-	-
4.3	Synthesis of comments and improve plans	-	-	-
5	Appraisal and approval	<ul style="list-style-type: none"> • Not yet done, • Expected on Sept 2013 	<ul style="list-style-type: none"> • Not yet done, • Expected on Sept 2013 	<ul style="list-style-type: none"> • Not yet implemented • the subproject has not yet been approved
5.1	Submit CARP for appraisal	-	-	-
5.2	Completion of CARP appraisal	-	-	-
5.3	Submit CARP for approval	-	-	-
5.4	Completion of approval Process	-	-	-
5.5	Public announcement of approval	-	-	-
6	Negotiation and payment of compensation	<ul style="list-style-type: none"> • Not yet done, • Expected on October 2013 	<ul style="list-style-type: none"> • Not yet done, • Expected on 	<ul style="list-style-type: none"> • Not yet implemented • the project

#	Content	SP01: Upgrading rural road of Tân Hiệp – Tam Tiến; Hương Lạc – Hương Sơn, Yên Thế District	SP02: Upgrading pumping station of Xuân Hương, Lạng Giang District	SP03: Upgrading pumping station of Ngô Khổng 1, Hiệp Hòa District
			October 2013	has not yet been approved
6.1	Negotiation	-	-	-
6.2	Total of households under the plan	-	-	-
6.3	Total amount under the plan	-	-	-
6.4	Number of households paid of phase 1	-	-	-
6.5	Amount paid of phase 1	-	-	-
7	Hand over sites to the project	<ul style="list-style-type: none"> • Not yet done • Expected on October 2013 	<ul style="list-style-type: none"> • Not yet done, • Expected on October 2013 	<ul style="list-style-type: none"> • Not yet implemented • The subproject has not yet been approved
7.1	Phase 1: Households and date	-	-	-
7.2	Phase 2: Households and date	-	-	-
8	Resettlement Arrangement	Not yet determined	Not yet determined	<ul style="list-style-type: none"> • Not yet implemented • the subproject has not yet approved
8.1	Arrangement for AHs relocation	-	-	-
8.2	Mode of resettlement arrangement	-	-	-
9	Complaints and Grievances	-	-	<ul style="list-style-type: none"> • Not yet implemented • The subproject has not yet

#	Content	SP01: Upgrading rural road of Tân Hiệp – Tam Tiến; Hương Lạc – Hương Sơn, Yên Thế District	SP02: Upgrading pumping station of Xuân Hương, Lạng Giang District	SP03: Upgrading pumping station of Ngô Khổng 1, Hiệp Hòa District
				been approved
9.1	Number of households with complaints	-	-	-
9.2	Content complaint	-	-	-
9.3	Settlement of complaints	-	-	-
9.4	Shortcomings	-	-	-
10	Construction commencement date	10/2013	10/2013	01/2014

2.5.1.2. Suggestions

The same suggestions for the need for mobilization as proposed in Bac Kan and Thai Nguyen provinces is also proposed in Bac Giang Province.

2.5.2. Institutional Arrangement

2.5.2.1. Findings

PPMU: Established in May 2012

- Organization structure: Includes director, two deputy directors and subproject staff.
- Personnel: PPMU has 10 people, including 01 safeguard staff that have attended the training courses on Social safeguards conducted by the CPMU.
- Coordination between PPMU and stakeholders within the subproject areas is relatively well. Local authorities have access to subproject information from the start of subproject preparation following the guidelines as stipulated in the Project Resettlement Framework.
- PPMU staff participated in the Social Safeguard trainings conducted by the CPMU. PPMU staffs are knowledgeable about the Social Safety policies of ADB. This will facilitate the implementation of the subproject to ensure compliance with donor policies as well as help facilitate the implementation progress of the subproject.

The DCARC:

- Establishment time:
 - Lang Giang district: did not establish DCARC, but instead directed the District Land Fund Development Center to carry out the resettlement task.

- Yen The District: DCARC will be established, there is no such unit at the moment
Hiep Hoa District: No DCARC have yet been formed since the subproject has not been approved.
- The structural organization: (1) Yen The district will establish the DCARC led by a chairman of the District People’s Committee. The members come from the specialized departments and organizations at district level and representatives of affected households whose land is acquired. The members work part-time with the support of the Task Force, (2) Lang Giang district will not establish a DCARC except the task force. The District Land Fund Development Center had been given the responsibility to implement the REMDP.
- Experience: The locals have experience in site clearance for road and irrigation projects. They have experience doing resettlement work for projects funded by international donors like World Bank and KFW.

The Land Fund Development Center of Lang Giang district was set up in 2010, which is under the District People’s Committee.

The Land Fund Development Center of Yen The district was set up in 2011, which is under the District People’s Committee and headquarters in Yen The district's administrative zone.

2.5.2.2. Suggestions

The monitoring team sees that, the staff of Lang Giang district are experienced with WB and KWF financed projects, therefore, they could understand the requirements of ADB social policy safeguards. However, to make sure that, the REMDP would be implemented smoothly, the same suggestions for these aspects of other Provinces need to be considered by PPMU and District Land Fund Development of Bac Giang Province.

2.5.3. Consultation and information disclosure

2.5.3.1. Findings

The dissemination of information

The PPMU and the Land Fund Development Center are preparing the land demarcation needed as guide for the DMS. The Monitoring Team recommended that when meetings with people are organized, subproject policy contained in the ADB approved REMDP will also be approved by the province, and should be disclosed to the public. The minutes of the meetings must be recorded and signed by the stakeholders and representatives of participating affected households.

2.5.3.2. Suggestions

The same suggestions for this part for Cao Bang, Bac Kan, Thai Nguyen and Lang Son are proposed to the PPMU and District Land Fund Development Center of Bac Giang Province.

2.5.4. Detailed Measurement Survey (DMS)

2.5.4.1. Findings

- DMS records: the DMS sample, being used for other subprojects in the province, has not applied the harmonized policy (between GOV and ADB policies) as contained in REMDPs. Specifically, the DMS records do not contain the data that defines the percentage of affected land over total land holding, and vulnerable group. It is suggested that the PPMU should coordinate with the District Land Fund Development Centers to secure additional information for the DMS records in order that when planning the DMS all compensation and allowances provided under the REMDP is calculated.
- Households must participate fully in the DMS, review and if correct, confirm the amount of loss contained in the records by duly certifying their individual DMS form;
- 01 copy of the original individual DMS record is to be provided to the concerned affected households.

2.5.4.2. Suggestions

The DMS needs to be supplemented with the following information, to make sure that the DMS records will have enough information for determining the complete entitlements for the affected households:

- General information about households: age, sex and occupation
- Percentage of acquired land from the total land holding, and households with 10-30% of their productive land affected.
- Information about total land holding and acquired area should be secured to determine remaining area left for each affected HH.
- Information on vulnerable group: (1) households whose head are single women with no means of support, (2) poor households (3) elderly-headed households, (4) disabled-headed households;
- Information about policy families (Vietnam Hero Mother, Hero of Labor, relatives of martyrs who receive monthly food allowance, martyrs' families, families who helped the Revolution and earned monthly allowance, wounded soldiers, people who are entitled to policies as invalids or poor people....)

These supplemental information to the DMS need to be secured before it (DMS) is used for calculating compensation, assistance and resettlement entitlement for the affected households.

2.5.5. Preparing for the compensation, assistance and resettlement plans for the households, Complaint, database management and reporting

Not yet implemented, therefore there are no findings and suggestions. However, to implement these tasks smoothly, Bac Giang PPMU and its Land Fund Development

Centers are advised to review the findings and suggestions of other provinces to avoid repeating the same problems with the other provinces.

3. General findings and Recommendation for PPMU and all project provinces.

- Only one staff at PPMU responsible for the safeguards is not enough and could be a potential risk of weak social safeguard implementation.

- PPMU and Relevant Department of the Province to prepare an operational manual for implementing RP/REMDP to guide the DCARC and the communes in the implementation of the RP/REMDP. The manual should at least include: (i) Project background; (ii) legal framework; (iii) objectives and principles of RP/REMDP; (iv) entitlement policy; (v) process of land acquisition, compensation and assistance; (v) Ethnic minority and gender strategy; (vi) mechanisms of consultation and participation and grievances; (vii) implementation arrangements; (viii) monitoring and evaluation; and (ix) reporting.

- The DMS standard form need to be developed for all DCARCs and this form need to have all information require to determine for the entitlement set forth in the RP/REMDP, especially the information related to the portion of land to be acquired by total land the households holdings and information about the vulnerable groups.

- The calculation of entitlement for the households that loose land need also to be developed with a standard format to make sure that all entitlement developed in RP/REMDP will be taken into account (entitlement required by GOV and by policies of ADB on the social safeguards).

- Independent evaluation on the compensation costs for the assets need to be done by the qualified agencies or individuals to make sure that the principle of replacement costs is paid to the PAPs.

- Results of DMS and Entitlements need to be disclosed before and after approvals of the competent authorities for the APs to check.

- Currently, several DCARCs are conducting DMS and the calculation of compensation and assistance to the affected households, however it seems that they do not apply all the entitlements provided in the ADB approved RP/REMDP. This deficiency need to be addressed immediately.

- The gaps between the project entitlement matrix and actual implementation are analyzed and given as in Annex 3.

Annex 3: Comparison of entitlement in REMDP and actual implementation (Entitlement Matrix).

The Entitlement Matrix to be applied for this Project is provided in Table below.

Table 11. Entitlement matrix

No.	Type of Loss/Impacts	Level of Impact	Eligible Persons	Entitlements	Implementation	Actual implementation
I	LAND					
1	Productive Land (Agricultural, Aquaculture, Forest, Garden).	Partially permanent loss (lose less than 10% of the total productive land of the household and the remaining unaffected portion is viable for continued use).	All affected households with LURC according to the IOL or legalizable	Cash compensation for acquired land at replacement cost. Compensation for non-land affected assets at replacement cost, see item II below.	Affected households will fully receive the compensation at the replacement cost before site clearance. They will keep the remaining part for their production purposes	<ul style="list-style-type: none"> Checked inventory records showed no information available to determine if the proportion of land acquire is $\geq 10\%$ or less than 10%. There are no household losing over 10% of total landholdings.
2	For the temporary use of land for agricultural purposes and permanently affected land with crops on it, crop compensation will be in cash equivalent to the average production yield for the recent three consecutive years.					Compensation was computed using the current unit cost enacted by Cao Bang PPC
3	Residential Land	Residential land with no assets	All affected households according to the IOL	Cash compensation for the portion to be acquired permanently at replacement cost.	Affected households will fully receive the compensation at the replacement cost before site clearance. They will keep the remaining part for their residential purposes	Compensation was computed using the current unit cost enacted by Cao Bang PPC.
II	STRUCTURES, CROPS AND TREES					
4	House and other structures	Houses and Secondary structures are partially affected	All affected households according to the IOL.	<ul style="list-style-type: none"> Cash compensation at replacement cost (i.e., no depreciation and no deduction for salvage materials) for the affected portion. Repair compensation equivalent to the actual cost of 	APs will demolish the affected area and improve/repair the structures themselves.	Compensation was computed using the current unit cost enacted by Cao Bang PPC.

No.	Type of Loss/Impacts	Level of Impact	Eligible Persons	Entitlements	Implementation	Actual implementation
				<p>repair.</p> <p>– If affected persons hand over the site as per the regulated schedule of the District-level CARB, they shall be awarded a bonus as per provincial regulations.</p>		
5	Crops and Trees, aquaculture products	Loss of or damage to assets	All affected households according to the IOL, regardless of land use status.	For the annual crops, aquaculture products, trees: cash compensation at replacement cost at the time of land acquisition.	<p>APs have the right to use salvageable trees.</p> <p>APs will be informed 90 days prior to land acquisition. So that they must harvest their crops on time.</p> <p>Base on Item 3, Article 24, Decree 197/2009/ ND-CP, APs will receive cash compensation at current market cost for any un-harvest crops that are near or ready to harvest at the time of land acquisition.</p>	Compensation was computed using the current unit cost enacted by Cao Bang PPC
6	Public Facilities	Loss of or damage to assets	Local power company	Cash compensation to cover the cost of restoring the facilities.	Payment will be given to the affiliate's district electricity.	Compensation was computed using the current unit cost enacted by Cao Bang PPC
III.	TRANSITION ASSISTANCE					
7	Allowance for job training/creation	Losing productive land	AHs who will lose productive land.	Cash assistance for vocational training/job creation as provided in the provincial policies (per affected m ² of agricultural land). This support is 3 time-higher than the value of land compensation.	Assistance will be paid before site clearance	Done using the current policy enacted by Cao Bang PPC
8	Allowance for vulnerable groups	Loss of land and non-land assets.	Affected vulnerable groups regardless of	Vulnerable households whose assets affected by the subproject, regardless of the legal status or the scale of impacts, will be given 3	Using the information from the resettlement surveys, the DCARB will prepare the list of vulnerable people.	No assistance provided for poor households and social policy households. Only the current policies enacted by Cao Bang

No.	Type of Loss/Impacts	Level of Impact	Eligible Persons	Entitlements	Implementation	Actual implementation
			severity of impacts (ethnic minority communities are the main population component in the subproject areas, ethnic minority households affected will not be assisted by the project).	months of 30 kg of rice/ person /month.	Assistance will be paid before the construction of the subproject in accordance with the PPC's regulations.	PPC was provided.