

# External Monitoring Report

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September 2013

VIE: Greater Mekong Subregion: Kunming- Hai  
Phong Transport Corridor – Yen Vien – Lao Cai  
Railway Upgrading Project

Prepared by Viet Nam Railways for the Asian Development Bank.

#### **NOTE**

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# **MONITORING REPOT ON RESETTLEMENT PLAN**

EXTERNAL MONITORING CONSULTANCY SERVICES (CS5)  
YEN VIEN – LAO CAI RAILWAY UPGRADING PROJECT,  
YEN BAI PROVINCE

ADB LOAN 2302-VIE

AFD CVN 6006 01

VIETNAM RAILWAYS  
RAILWAY PROJECTS MANAGEMENT UNIT  
EXTERNAL MONITORING REPORT ON RP IMPLEMENTATION – YEN BAI PROVINCE  
Hanoi, 27<sup>th</sup>. September 2013

Subject: *The third monitoring report on the resettlement monitoring consultancy services of Yen Vien – Lao Cai Railway upgrading Project, CP2 package, Yen Bai Province.*

TO: RAILWAY PROJECTS MANAGEMENT UNIT (RPMU)  
ASIAN DEVELOPMENT BANK (ADB)

EMA would like to submit the external monitoring report, resettlement monitoring consultancy services (CS5) of Yen Vien – Lao Cai Railway upgrading Project.

In this report, EMA will present the results of the 3<sup>rd</sup> monitoring, the implementation of land acquisition and resettlement plans (RP). In this report, EMA will also mention shortcomings recognized during the 2<sup>nd</sup> monitoring as well as shortcomings newly arising or additionally recognized in CP2 package in Yen Bai Province (through the third monitoring report in September, 2013).

Moreover, the report will present results gained during the settlement of questions, complaints of affected households in the territory of affected communes in Yen Bai City, Tran Yen District and Van Yen District, Yen Bai Province. The compliance with RP in the implementation of resettlement plan of Yen Bai province will be clearly stated in combination with recommendations of the EMA to enhance the cooperation and compliance to ensure the better implementation of the Resettlement Plan.

Comments and opinions from Railway Projects Management Unit and Asian Development Bank are highly appreciated.

*Sincerely,*

EXTERNAL MONITORING ADVISOR



**Ngo Duc Quan**

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**ABBREVIATIONS**

EM	Ethnic Minority
LA	Land Acquisition
CARB	Compensation and Resettlement Board
ADB	Asian Development Bank
EMA	External Monitoring Agency
PAPs	Project-affected people
PAHs	Project-affected households
PRA	Participatory Rural Appraisal
TOR	Terms of Reference
WB	World Bank
MPI	Ministry of Planning and Investment
NGO	Non-government Organization
NPV	Net present value
PIB	Project information book
PSA	Project social assessment
RP	Resettlement Plan
RPMU	Railway Projects Management Unit
LFDC	Land Fund Development Center
LURC	Land Use Right Certificate
PC	People's Committee
CARB	Compensation, Assistance and Resettlement Board
SAP	Severely affected people
SES	Socio-economic survey
DMS	Detailed Measurement Survey
VNR	Vietnam Railways
USD	US Dollar

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## SUMMARY

1. The report is made for the results gained from the monitoring of the implementation of compensation and land acquisition conducted in CP2 package in Yen Bai province in the third monitoring for Yen Bai city, Van Yen district and Tran Yen district. The second monitoring aims to review the settlement of shortcomings mentioned in the first monitoring report and shortcomings newly arising in this monitoring. In the third report, the EMA does not mention what have been mentioned in the second monitoring report but only puts an emphasis on shortcomings and the settlement of shortcomings as well as the comparison with the compliance with the approved RP.

2. The third monitoring results: In reference to the second monitoring report, some shortcomings have been actively resolved by Yen Bai Compensation Boards and gained some good results. However, there remain some problems that are being resolved. The specific results are as follows:

a. Activities related to land acquisition and resettlement in CP2 package of the project in Yen Bai province have been basically completed; however, there are still some shortcomings; with exception of one household, which is located in Van Phu Railway Station construction and upgrading area in Van Quy village, Van Tien commune, has not handed over the site.

b. Information dissemination and community consultation have been conducted by the district /city Land Fund Development Center, CARB; however, in order to make the PAPs to be clearly aware of the project information and their benefits, it is needed to have further activities to enhance the dissemination of coming information;

c. At the time of third monitoring, some decisions have been made and some shortcomings related to the compensation mentioned in the second monitoring have been settled. Nine households, not received compensation in the second monitoring, have been resolved and all the households have been received compensation as well as handed over the site with no complaint or ideas.

d. The assistance payment in the line of the Decision No. 1973 by Yen Bai People's Committee has been basically completed. Activities to recover livelihoods have not been implemented yet.

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e. The progress of resettlement area construction: At present, 03 resettlement areas of CP2 have been completely constructed (Van Phu railway station resettlement area has 02 resettlement locations that are 800m far from each other) and have been handed over to the resettlement households. Some households have built houses in the resettlement area. The resettlement areas have been paid wells support payment and the households have excavated wells using for domestic water. Infrastructures were provided with electricity installed; except for two resettlement areas of Van Phu Railway Station in Van Tien commune, the electric line is available but not installed with meters for households. The resettlement area No. 02 of Van Tien commune has been built embankment to prevent erosion.

f. All consulted households agree and support the project after receiving compensation for trees, crops, infrastructures and inflation assistance (20%) for the remaining households having not received compensation in the first and second monitoring.

## **I. INTRODUCTION**

Yen Vien – Lao Cai railway upgrading sub-project will upgrade the railway of 285 km long in the north – west direction from Yen Vien Ha Noi railway station to Lao Cai railway station at the border with China. This railway goes through 4 provinces including Lao Cai, Yen Bai, Phu Tho, Vinh Phuc and Ha Noi City. The scope of upgrading of the railway basically includes:

- (i) Selected upgrading in the horizontal and vertical direction of the railway and rail putting;
- (ii) Slope and embankment stabilization;
- (iii) Rail upgrading, including bypass;
- (iv) Bridges upgrading;
- (v) Enhancing the safety at selected level crossings;
- (vi) Upgrading of railway stations and bypass for trains whose loading capacity is up to 1,200 tons and length is of more than 400m;
- (vii) Modernization of auxiliary equipment and provision of maintenance equipment and facilities as well as engines and coaches.

The project will bring great socio – economic benefits; however, the implementation of the project will need the compulsory resettlement of some households in the locality. The compulsory resettlement will happen when the project affected people have to unexpectedly

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move their houses, assets, income resources and occupations to support such projects as Yen Vien – Lao Cai project for the greater benefits of the community. In case of having no reasonable and suitable measures to minimize impacts, negative social impacts may make project affected households (PAHs) be in a difficult and poor condition, particularly, poor households and vulnerable people.

In compliance with social safety policies of ADB and legal documents of Vietnamese Government, action plans approved by ADB and Vietnamese Government (November 2011), the resettlement plan of the project has been developed to close the gap between social security policy of ADB and the law and policies of Vietnam to ensure that PAHs at least can recover their living standards as them before the implementation of the project. The specific scope and level of impacts in the territory of Yen Bai are as follows:

Yen Bai City

- Van Phu railway station upgrading: The area of the withdrawn land is 28,193.5 m<sup>2</sup>, of which the residential land is 2,359.7m<sup>2</sup>; land of perennial plants is of 4,927.8m<sup>2</sup>; other kinds of land are of 20,906.0m<sup>2</sup>. The total number of households having land withdrawn is 27 households, the number of households having to move to other places is 12 households all of which register for a slot in the concentrated resettlement area and the number of households that have been officially allocated with resettlement land is 07 households. The total area of resettlement land handed over is 1,400m<sup>2</sup>.
- Bridge locations: the total area of withdrawn land is of 10,596.0m<sup>2</sup>, in which land of annual plants is of 8,396.0m<sup>2</sup>, other lands are of 2,200.0m<sup>2</sup>. The total number of households having land withdrawn is 29 households.
- Van Tien commune resettlement area: The total area of land withdrawn for the construction of the resettlement area is 7,079.3m<sup>2</sup>. In which the area of water rice is of 883.5m<sup>2</sup>, area of perennial plants is of 6,195.8m<sup>2</sup>, the number of households having land withdrawn for the construction of the resettlement area is 10 households.

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Tran Yen District

- Co Phuc railway station upgrading: The total area of withdrawn land is of 1,411.1m<sup>2</sup>. In which, the area of land reserved for water rice is of 761.2 m<sup>2</sup>; the area of land reserved for perennial plants is of 649.9 m<sup>2</sup>. The total number of households having their land withdrawn is 07 households.
- Route upgrading: The total area of withdrawn land is 44,698.8m<sup>2</sup>, of which, the area of residential land is of 2,909.8 m<sup>2</sup>; area for growing rice water is of 13,480.0m<sup>2</sup>; area for growing annual plants is of 5,060.9 m<sup>2</sup>; area for growing perennial plants is of 12,639.2 m<sup>2</sup>; area for growing forest is of 3,362.0m<sup>2</sup>; the remaining agricultural land is of 115.0m<sup>2</sup>; the area of other lands is 7,122.9m<sup>2</sup>. The total number of households having their land withdrawn is 100 households in which the number of households having to move to other places is 12 households; the total number of households officially registering for resettlement is 12 households.
- Bridge slopes: The total area of withdrawn land is 12,390.0 m<sup>2</sup>. In which: the area of perennial plants is of 9,690.0m<sup>2</sup>; the area of other lands is of 2,700 m<sup>2</sup>. The total number of households having their land withdrawn is 75 households.
- Dao Thinh commune resettlement area: The total area withdrawn for the construction of the resettlement area is 10,451.8 m<sup>2</sup>, of which the area of water rice is of 9,845.1m<sup>2</sup>; area of perennial plants is of 606.7m<sup>2</sup>. The total number of households having their land withdrawn is 31 households.

Van Yen District

- Mau Dong railway station upgrading: The total area of withdrawn land is 7,791.8m<sup>2</sup>. In which: the area of residential land is of 465.7 m<sup>2</sup>; the area of rice water is of 537.2 m<sup>2</sup>; area of annual plants is of 3,524.8 m<sup>2</sup>; area of perennial plants is of 1,652.3 m<sup>2</sup>; area of production forest is of 1,398.5 m<sup>2</sup>; area of other lands is of 213.3 m<sup>2</sup>. The total number of household having to move to other place is 01 household and the number of resettlement household is 01 household.

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- Lam Giang railway station upgrading: The total area of withdrawn land is 2,038.8m<sup>2</sup>. In which, the area of residential land is of 129.7 m<sup>2</sup>; area of water rice is 447.3m<sup>2</sup>; area of annual plants is 117.5 m<sup>2</sup>; area of perennial plants is 1,312.8 m<sup>2</sup>; area of other lands is 31.5 m<sup>2</sup>. The total number of household having land withdrawn is 8 households, the number of households having to move to other place is 01 household and the number of self-resettlement household is 01 household.
- Lang Thip railway station upgrading: The total area of land withdrawn is 5,638.4m<sup>2</sup> in which the area of residential land is 1,608.6 m<sup>2</sup>; the area of perennial plants is 1,439.2 m<sup>2</sup>; the area of other lands is 2,590.6 m<sup>2</sup>. The total number of households having their land withdrawn is 21 households; the number of households having to move to other places is 11 households and the number of households officially registering for resettlement is 11 households.
- Bridge slopes: The total area of withdrawn land is 71,421.0 m<sup>2</sup>. In which, area of annual plants is 15,953.0 m<sup>2</sup>; the area of perennial plants is 42,618.0 m<sup>2</sup>; area of other lands is 12,850.0 m<sup>2</sup>. The total number of households having their land withdrawn is 137 households.
- Lang Thip railway station resettlement area: The total area of withdrawn land is 4,298.9 m<sup>2</sup>. In which the area of residential land is 118.7 m<sup>2</sup>; area of water rice is 4,050.3m<sup>2</sup>; area of annual plants is 129.9 m<sup>2</sup>. The total number of households having their land withdrawn is 12 households.

## II. OBJECTIVES AND OBLIGATIONS OF THE EXTRA MONITORING

### 1. Objectives

The policies of ADB regulate the support for the living recovery for all seriously affected households due to the loss of production materials, income, jobs and occupations. Therefore, in order to have sufficient data to provide project managers at all levels and the local authorities where the resettlement policy is implemented as well as to recover the lives of project affected people (PAPs), objectives of the MEA must be specially identified as follows:

- i. To provide project management units with accurate data used as a tool to evaluate the efficiency of the implementation of land acquisition and resettlement plans in different periods;

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ii. To identify strengths and weaknesses in the current plans for land acquisition and resettlement;

iii. To identify existing problems and to immediately propose suitable measures to solve the problems to ensure the efficient implementation of policies;

iv. To provide data essential for the additional development and implementation of land acquisition and resettlement plans in the time to come;

v. To evaluate the efficiency of “income recovery” plan and other recovery plans applied for affected households and communities;

vi. To ensure the effective implementation of Ethnic Development plans in the Project area.

## **2. Objectives of 2nd external monitoring on resettlement surface**

The major objective of the external monitoring on land acquisition and resettlement is to prevent socio – cultural effects as well as to ensure the socio – economic effects of the project. The special emphasis is put on some issues as follows:

- The achievement of resettlement related objectives;
- Changes in the living standards and livelihoods;
- The recovery of socio – economic facilities of affected people;
- The efficiency, impacts and stableness in terms of rights.
- Additional needs for impact reduction measures (if essential);
- Strategic lessons learnt to support the policy planning and making implementation plans.

Another important objective of the project is to conduct community consultation in all stages with people and local leaders directly affected by the project to ensure their satisfaction about the selection, design, location and construction of basic routes and encourage the community to jointly take part in the maintenance of those assets.

## **3. Obligations of the external monitoring agency**

The major objectives of the EMA include:

- To check if the actual implementation of compensation and resettlement complies with RP policies of the project or not.
- To check whether the identified RP with impact reduction measures can ensure the equity and support PAPs to ensure that the living standards of the local people are better than or at least as good as that before the implementation of the project.

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- To review shortcomings mentioned in the 1<sup>st</sup> monitoring report.
- To evaluate the efficiency, impacts and sustainability of the resettlement.
- To propose essential amendment in the implementation of resettlement in the next components of the Project.

#### 4. Monitoring measures

The external monitoring is implemented in steps as follows:

- Review of records in the office;
- Observation;
- Direct interview.

#### Information collection resources

- Railway Project Management Unit (RPMU);
- Land Fund Development Center in Yen Bai Province;
- Land acquisition, assistance and compensation board in Van Yen district, Tran Yen district and Yen Bai city;
- People's committees of communes affected by Yen Vien – Lao Cai railway upgrading project going through Yen Bai province;
- Project affected households, seriously affected households and comments.

### III. REMAINING SHORTCOMINGS FROM THE SECOND MONITORING

- 10 households whose compensation plan has been approved have not received the compensation due to a wide range of reasons such as complaints about the low price of land, low price of the structures, insufficient DMS and so on.
- It is the long time between land acquisition, compensation payment and resettlement land receipt along with the huge fluctuation in the market price has led to questions and shortcomings of some PAHs;
- The progress of the resettlement area construction is quite good; however, the drawing to allocate slots for households has not been implemented due to the incompleteness of legal procedures.

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**IV. MONITORING RESULT OF THE THIRD RESETTLEMENT PLAN IMPLEMENTATION**

**1. Site clearance and compensation payment**

Yen Vien – Lao Cai Upgrading Railway Project going through Yen Bai province was officially implemented in July, 2009. Land Fund Development Centre of Lao Cai province is the Unit implementing compensation, support and resettlement for 469 affected households and total of compensation fund is VND 20.801.820.000, including:

- Compensation for land: 7.953.930.800 VND
- Compensation for structures: 6.190.264.500 VND
- Compensation for tree and crops: 1.379.924.700 VND
- Other: 5.277.700.000 VND

For the total number of the households approved the compensation plan was received compensation. 11 households of the first monitoring have not received compensation in which Mrs. Ha Thi Doi household has agreed on receiving compensation which was mentioned in the second monitoring report and the 10 remaining households have not been received compensation.

For the 10 remaining households in the second monitoring, 1 household which have total compensation is VND 31.088.200, has not received compensation due to reason that the household supposed to be compensated the remaining parts of their house and structures (the part is nearly located with the acquired parts but not included in the acquired areas. Total of the acquired land is 16, 3 m2 of residential land, the remaining area is enough for the household to live). The Railway Project Management Unit has reviewed design of the acquired area of the household and had concluded that the acquired land of the household is not located in the construction safety corridor so The Railway Project Management Unit issued official note in August, 2012 to adjust and not acquire the land area of the household.

Thus, by the time of the beginning of April, 2013 there were nine households not received compensation payment and not handed over their land acquisition area.

Total number of households not received compensation payment is nine ones which include:

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- (i) Household of Mrs. Trần Thị thu, Van Quy village, Van Tien Commune, Yen Bai city
- (ii) Household of Mr. Dinh Trong Duc, group 39 of Yen Ninh ward, Yen Bai city
- (iii) Household of Mrs Hoang Thi Thu, Bao Dap commune, Tran Yen district
- (iv) Household of Mr. Pham Hong Luat, Dao Thinh commune, Tran Yen district
- (v) Household of Mr. Do Ngoc Dung, Dao Thinh commune, Tran Yen district
- (vi) Household of Mr. Le Khac Hung, Dao Thinh commune, Tran Yen district
- (vii) Household of Mr. Nguyen Nang Hong, Mau Dong commune, Van Yen district
- (viii) Household of Mr. Vu Van Quyen, village 3, Dao Thinh commune, Tran Yen district
- (ix) Household of Mr. Pham Van Minh, village 3, Dao Thinh commune, Tran Yen district

The shortcomings in the second monitoring phase have been resolved in the third monitoring phase on September 16, 2013. The Compensation Committees of Yen Bai province have issued decisions for each of districts on additional payment for households having received compensation payment and the ones not having received compensation payment in the second monitoring. The legal framework for implementation of the additional payment as follows:

- ✓ Decree No. 197/2004/NĐ – CP dated December 03, 2004 by the Government regarding resettlement compensation and support when the State acquires land;
- ✓ Decree No. 84/2007/NĐ – CP dated May 25, 2007 by the Government regulating supplements to land use right providing, land acquisition, land use right implementation, resettlement compensation and support procedures when the State acquires land and resolves complaints about the land;
- ✓ Decree No. 69/2009/NĐ – CP dated August 13, 2009 by the Government regulating supplements to land use planning, land acquisition, land price, resettlement support and compensation;
- ✓ Decision No. 02/2010/QĐ – UBND dated October 21, 2010 by Yen Bai provincial people committee on issuing procedure of policy for resettlement compensation and support implementation when the State acquires land;

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- ✓ Decision No. 04/QĐ - UBND dated January 24, 2011 by Yen Bai provincial people committee on modification and supplementation to some articles regulating procedure of policy for resettlement compensation and support implementation when the State acquires land
- ✓ Decision No. 27/2011/QĐ – UBND dated August 22, 2011 by Yen Bai Provincial People Committee on adjustment, modification and supplementation to price unit for trees, crops on land acquired by the State to use for purposes of army, security, the State's benefits, public benefits and economic development in Yen Bai province according to Decision No. 02/2010/QĐ – UBND dated January 21, 2010 by Yen Bai provincial people committee:
- ✓ Decision No. 29/2012/QĐ – UBND Dated August 31, 2012 by Yen Bai provincial People Committee regulating compensation for houses, constructions and structures; the compensation unit price for houses, constructions and structures;
- ✓ Based on Official note No. 725/ĐS – RPMU dated April 10, 2013 by Vietnam Railway regarding resolutions of remaining shortcomings of compensation, site clearance of Yen Vien – Lao Cai Railway Upgrading Project passing Yen Bai Provincial area;
- ✓ Implementation of Official not No. 677/UBND – TNMT dated April 18, 2013 by Yen Bai Provincial People Committee 18/4/2013 regarding resolution of shortcomings during compensation and site clearance of constructions: improvement and upgrading of Yen Vien – Lao Cai railway going through Yen Bai Province;
- ✓ Reviewing the submission No. 05/TTr – TTPTQDD dated April 25, 2013;
- ✓ Considering recommendation of Appraisal Council from the submission No. 18/TTr – HĐTĐ dated July 22, 2013.

❖ Yen Bai City:

- ✓ Decision No. 1169/QĐ – UBND dated April 26, 2013 by Yen Bai Provincial People Committee regarding supplementation to compensation, support and resettlement plan of constructions: Improvement and upgrading of Yen Vien – Lao Cai railway passing through Van Tien and Van Phu communes, Nguyen Phuc ward, Yen Bai city.

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- ✓ Scale of compensation and support: Compensation and support supplement for structures, trees, crops, and inflation support for 68 households, individuals which are managing and using them in Van Tien and Van Phu communes, Nguyen Phuc and Yen Ninh wards, Yen Bai city having land acquired by Improvement and Upgrading of Yen Vien – Lao Cai Railway Project going through Yen Bai city of Yen Bai province.

The total approved compensation fund is VND 1.022.196.023.

Including:

- Compensation and support payment for houses and structures: VND 790.044.058
- Compensation payment for trees and crops: VND 96.777.450
- Compensation payment for inflation is VND 115.284.015
- Payment for organizing compensation implementation: VND 20.090.500

❖ Tran Yen District:

- ✓ Decision No. 447/QĐ – UBND dated April 25, 2013 by Tran Yen People Committee on approval of compensation, support and resettlement fund of constructions: Improvement and Upgrading of Yen Vien – Lao Cai Railway Project which is located at Viet Thanh, Dao Thinh, Bao Dap communes, Tran Yen district. Total number of approved households, individuals and organizations is 179 in which households and individuals are 178.

Total amount of compensation, support and resettlement fund is VND 1.672.158.531

Including:

- Compensation payment for trees and crops is VND 189.174.554
- Compensation payment for structures is VND 1.269.719.425
- Compensation payment for inflation is VND 213.264.552

- ❖ Decision No. 868/QĐ – UBND dated July 23, 2013 by Tran Yen District People Committee on approval of compensation, support and resettlement fund: Improvement and upgrading of Yen Vien – Lao Cai railway. Located at Dao Thinh commune, Tran Yen district. Total amount of compensation and inflation support fund is VND 53.682.031

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for two households which are the households of  
village 3, Dao Thinh commune.

❖ Van Yen District:

- ✓ Decision No. 554/QĐ – UBND dated April 25, 2013 by Van Yen District People Committee on supplementation to compensation, support and resettlement fund for the construction: Improvement and upgrading of Yen Vien – Lao Cai going through Van Yen district, Yen Bai province. Total of compensation fund is VND 1.231.550.003.

Including:

- Compensation payment for structures: VND 1.018.105.810
- Compensation payment for trees, crops: VND 177.379.960
- Compensation payment for inflation: VND 11.916.194
- Payment for organizing compensation, support and resettlement implementation (2%) : VND 24.148.039

**2. Resolution of remaining shortcomings:**

Up to the time of monitoring starting from September 16, 2013 in Yen Bai provincial area, all remaining issues from the first monitoring to now have been basically resolved. All the remaining households having not been received compensation in the first and second monitoring have received compensation for their affected property in which includes inflation support (20%). With the exception of one household, an arising remaining situation will be presented in the arising remaining issues below.

All the affected households by the project have been paid the additional support compensation for trees, crops, constructions and structures on land according to the unit price of Decision No. 27/2011/QĐ- UBND dated on August 22, 2011 and Decision No. 29/2012/QĐ - UBND dated August 31, 2012 by Yen Bai Provincial People Committee.

Yen Bai Provincial Land Fund Development Centre has coordinated with Districts and Communes' People Committee to pay assistance payment of wells for all resettlement households of three districts with total amount of fund is VND 10 million according to Decision No. 2584/QĐ - UBND dated September 06, 2012 by Yen Bai Provincial People Committee.

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❖ Arising remaining issues:

The third monitoring for CP2 package -Yen Bai, there is one arising remaining household which affect construction and upgrading process of Van Phu Railway Station Project as follows:

Household of . . . . . Van Quy village, Van Tien commune is the one living alone, 80 years old, having a temporary house (cottage) with two living spaces (it is about 20m<sup>2</sup> in widths) located in Van Phu Railway Station area. The household was affected by Van Expansion of Van Phu Railway Station project, Yen Bai city 10 years ago, in 2003 the household was received compensation. For the present Improvement and Upgrading of Van Phu Railway project the household of . . . . . is not belonged to benefited subjects' group of the project (not in the compensation list and database of Van Phu Land Fund Development Centre) thus, the household has not been compensated. However, . . . . . having a temporary house as mentioned above, which is dilapidated, and living with her daughter.

The household has not handed over to the project which affects construction process. Her aspiration is to have an application to Compensation Assistant and Resettlement Board to have permission for buying a resettlement plot in resettlement area No.2, Van Tien commune according to regulated price unit. Currently Yen Bai Provincial Land Fund Development Centre has been in co-ordination to carry out the aspiration, Yen Bai Provincial Land Fund Development Centre has had Official note submitted to Yen Bai Department of Environment and natural Resource and also submitted to Yen Bai Provincial People Committee to resolve the resettlement plot for . . . . . as soon as possible.

### 3. Resettlement

CP2 package, in Yen Bai provincial area, has three resettlement areas with four resettlement locations which are Van Phu railway station of Van Tien commune including two resettlement locations; Dao Thinh resettlement area and Lang Thip resettlement area; land handing over situation in the resettlement areas as follows:

#### 3.1. Resettlement area of Van Tien commune

Work leveling and construction of infrastructures of the zone 1 and 2 have been basically completed. Yen Bai Provincial People Committee has issued Decision on handing over land in resettlement area to the households having regulated conditions. Provincial Land Fund

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Development Centre has handed over land in the resettlement areas to 13 households. Yen Bai Provincial People Committee has provided Land Use Right Certificate for the households. Both resettlement areas have been installed electricity line by Yen Bai Power Corporation, currently it is being installed meters and electricity connection to households. Compensation for wells has been paid to the resettlement households.

### 3.2. Dao Thinh Resettlement Area

Work leveling and construction of infrastructures have been basically completed. Provincial Land Fund Development Centre has co-ordinated with Dao Thinh Communal People Committee and relevant Units to handover land to 14 households. 11 households have been provided Land Use Right Certificate as regulated.

The resettlement area has been installed electricity line and meters by the project. Dao Thinh Land Fund Development Centre has handed over electricity system in the resettlement area to Tran Yen Power to control. Compensation for wells has been paid to the resettlement households.

### 3.3. Lang Thip resettlement area

Lang Thip resettlement area, Van Yen district has completed work leveling and construction of infrastructure. The Provincial Land Fund Development Centre has co-ordinated with Thang Lip communal people committee to hand over site plot to 14 households (in which 11 households is officially handed over the site plot and three households had to pay money to own land plot). Van Yen district people committee has provided land use right certificate for 14 households.

The resettlement area has electric line and meters of the project. Land Fund Development Centre has handed over electric system of the resettlement area to Van Yen Power Corporation to manage. The resettlement households have received wells support compensation.

## V. CONCLUSION AND RECOMMENDATION

### 1. Conclusion

- . Site clearance and Resettlement of CP2 package of Yen Vein – Lao Cai Railway Improvement and Upgrading Project has been implemented quite well with high effort. RP

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implementation plan has initially brought in success. Co-operation between Investor Unit, RPMU, and Yen Bai Provincial Land Fund Development Centre is quite good and brought in high effectiveness;

- Site clearance, resettlement, compensation payment implementation and relocation have been basically complied with process shown in RP when carrying out the project, such as: pricing pressure for types of properties, supplementation and support compensation payment have been in compliance with replacement cost.
- Information disclosure, community consultation, details measurement survey and OIL steps have been implemented by the Resettlement Project Management Unit co-ordinated with districts, communes and Land Fund Development Centre of the district to comply with process and bring effectiveness. However the information disclosure and community consultation have still had shortcomings, not insufficient and not infrequency;
- Supportive policies for Project-affected people and vulnerable have been specially taken care by Yen Bai District People Committee. Yen Bai District People Committee has issued a private Decision No. 1973/QĐ-UBND) on-supporting the project to comply the legal framework of ADB.
- Compensation payment was basically completed. Nine remaining households have been received compensation and inflation support 09 (equal to 20%) according to Decision approved dated April 25, 2013 and one Decision dated July 23, 2013 for two households which are the households of Mr. Vu Van Quyen and Mr. Pham Van Minh, village 3, Dao Thinh commune, Tran Yen district. All affected households of the district have been received supplementation compensation for trees, crops and structures...Some households having aspiration to live in the concentrated resettlement area has been resolved;
- Exception of some arising households mentioned above, all remaining, ideas and aspiration of project affected people have been resolved by Provincial Compensation Boards co-ordinated with Resettlement Project Management Unit. People feel satisfied with the resolution.

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**2. Recommendation**

- Yen Bai Provincial Compensation, Assistance and Resettlement Board urgently needs to coordinate with Yen Bai Provincial Power Corporation to connect meters and provide electricity for the households (the households affected by Van Phu Railway Station Upgrading and Improvement Project in Van Tien commune) in two resettlement areas No. 1 and 2 (currently the households are using electricity by asking for connecting from next households);
- Yen Bai Provincial Compensation, Assistance and Resettlement Board urgently completes legal frameworks in order that Yen Bai Provincial People Committee issues Decision on providing resettlement land for the household of according to her aspiration and carries out compensation implementation (If any) to motivate the household to hand over site to the project to construct on schedule;
- Yen Bai Provincial Compensation Boards should review households receiving plot in resettlement areas and motivate the provincial authorities to provide Land Use Right Certificate for the ones to make them feel secure and stabilize their living.
- Information disclosure need being carried out during the project implementation until the households have stable living and restored income.
- RPMU and CARB need planning and implementing income restoration program for adversely affected households and vulnerable groups according to legal framework and policy mentioned in RP.

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**ANNEX I: LIST OF INTERVIEWED PEOPLE**

No.	Full name	Position	Address	Notes
1	Phan Long	Deputy Director of Yen Bai LFDC	Yen Bai LFDC	Kinh people
2	Vu Le Thanh	Deputy Director of Yen Bai LFDC	Yen Bai LFDC	Kinh people
3	Nguyen Van Liem	Staff of Yen Bai LFDC	Yen Bai LFDC	Kinh people
5	Tran Manh Cuong	Chairman of Van Tien commune	Van Phu railway station area	Kinh people
6	Tran Thi Thu	Household having affected residential land and of resettlement	Van Phu railway station area	Kinh people
7	Dinh Trong Duc	Household having affected agricultural land	Yen Ninh ward	Kinh people
8	Hoang Thi Thu	Household having affected residential land	Bao Dap commune PC	Kinh people
9	Do Van Thuc	Chairman of Dao Thinh commune	Dao Thinh commune PC	Kinh people
10	Tran Quang Thuc	Land administration of Dao Thinh commune	Dao Thinh commune PC	Kinh people
11	Vu Truong Xuyen	Chairman of Lang Thip commune	Lang Thip commune PC	Kinh people
12	Nguyen Van Vinh	Vice - Chairman of Lang Thip commune	Lang Thip commune PC	Kinh people
13	Bui Anh Hung	Land administration of Lang Thip commune	Lang Thip commune PC	Kinh people

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No.	Full name	Position	Address	Notes
14	Tran Quang Trung	Chairman of Bao Dap commune	Bao Dap commune PC	Kinh people
15	Nguyen Thanh Hung	Land administration of Bao Dap commune	Bao Dap commune PC	Kinh people
16	Dao Thi Thang	PAH relocating for resettlement	Van Quy village, Van Tien commune	Kinh people
17	Nguyen Trong Su	PAH relocating for resettlement	Van Quy village, Van Tien commune	Kinh people
19	Pham Hong Luat	PAH relocating for resettlement	Village No. 1, Dao Thinh commune	Kinh people
21	Le Khac Hung	PAH relocating for resettlement	Village No. 3, Dao Thinh commune	Kinh people
23	Vu Van Quyen	PAH relocating for resettlement	Village No. 3, Dao Thinh commune	Kinh people
26	Do Ngoc Dung	PAH relocating for resettlement	Village No. 2, Dao Thinh commune	Kinh people
32	Pham Van Khoa	PAH relocating for resettlement	Village No. 3, Dao Thinh commune	Kinh people
34	Do Duc Khoa	PAH relocating for resettlement	Doan Ket village, Lang Thip commune	Kinh people
35	Nguyen Nang Hong	Partially affected household	Mau Dong railway station	Kinh people
36	Vu Van Thanh	Resettlement household	Resettlement No.1, Van Tien commune	Kinh people

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## ANNEX II: SOME TYPICAL DEPTH INTERVIEWS

### 1. *Mr. Phan Long – Vice director of Yen Bai Provincial Land Fund Development Centre*

- The Land Fund Development Centre has implement supplement compensation payment for all affected households.
- For the remaining households (11 households) having been received compensation and also received inflation support equal to 20 % more.
- Resettlement households have been received VND 10 million for each of households which is compensation support for excavation of domestic wells.
- The resettlement areas have been handed over and some households have lived there as well as built their house to make their living stable.
- The resettlement areas have basic infrastructures such as electricity, water...
- At the present, affected households not have any complaints and support as well as satisfy with the project.

### 2. *Household of . . . . . The totally affected household and the household received compensation in April, 2013*

- The previous time, our household did not accept the compensation payment level due to the reason that the compensation was not reasonable and the household would be disadvantaged.
- For the previous price unit, our household would be received VND 400 million if accepted the compensation level and due to that the price unit for infrastructures was too low. Our household has just received total amount of compensation is VND 600 million which includes inflation support.
- Our household has handed over land to the project but still lived there because the project has not constructed on the land, we will relocate when the project needs and Compensation Board accepts.
- We have also received resettlement plot. We agree and support the State's project with no complaint or claim.

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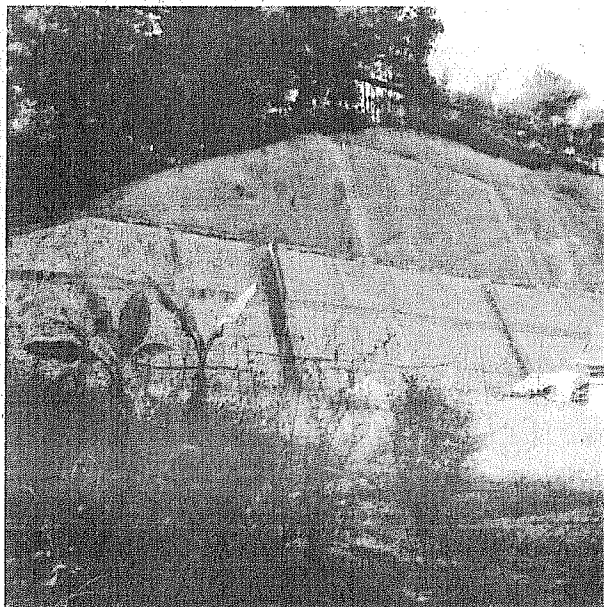
3. *The household of:*

*Resettlement area No. 2, Van Tien commune*

- Our household has received resettlement land and built house as well as stabilized our living.
- Recently, we have received supplementation compensation with total amount is about VND 40 million. We have also received assistance compensation for excavation of domestic wells.
- We support and agree with the project. We only have one question that electricity line is available but meter is not installed and households have not been used the electricity, at the present we are using electricity by asking for connecting the electricity from next households.

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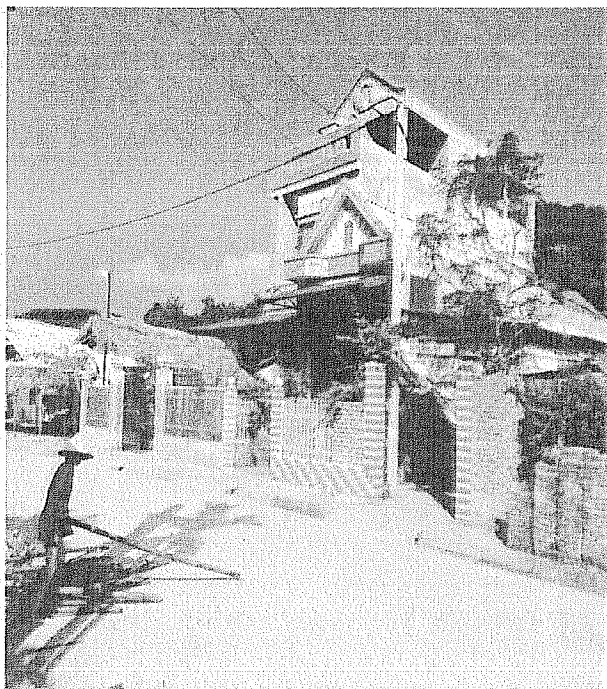
ANNEX III: SOME IMAGES AT SITE



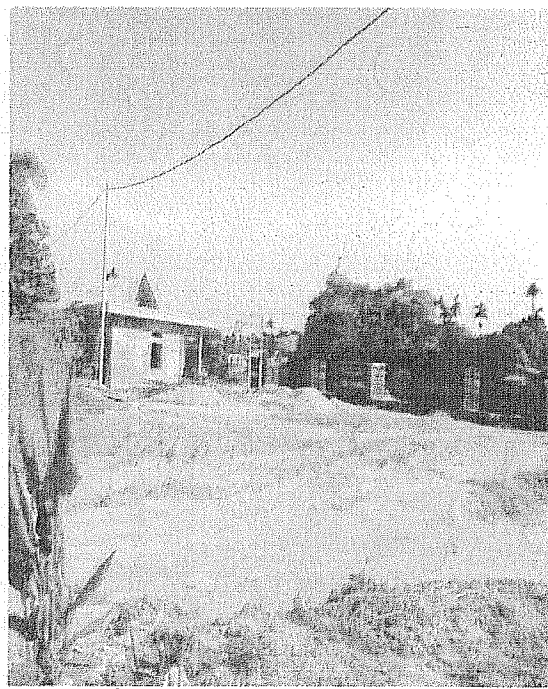
Resettlement area No. 01 has been embanked to prevent erosion



Resettlement area No. 01 has been embanked to prevent erosion



Houses were built in the resettlement No. 02, Van Tien commune

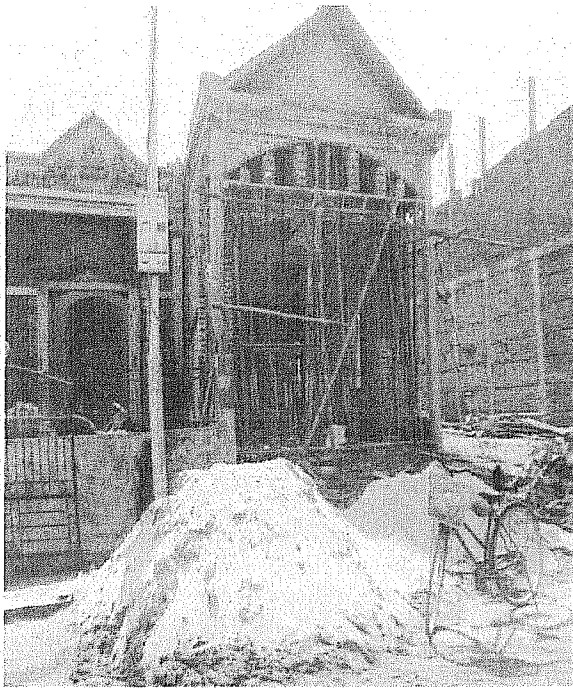


Van Phu railway station has been being constructed

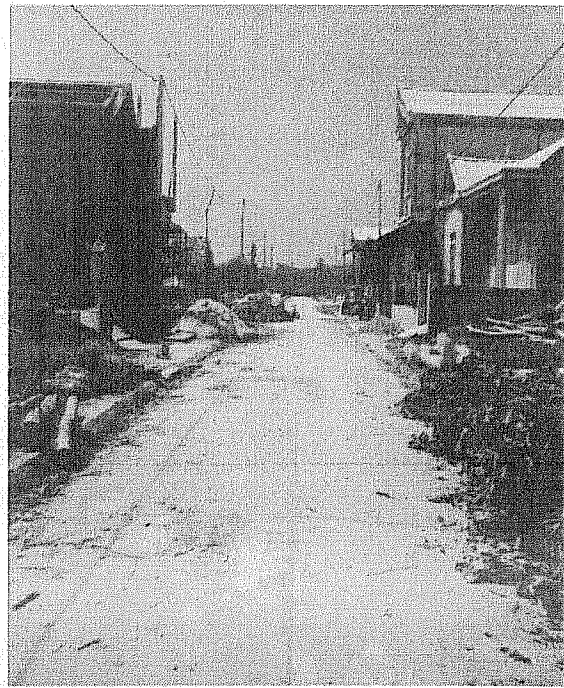
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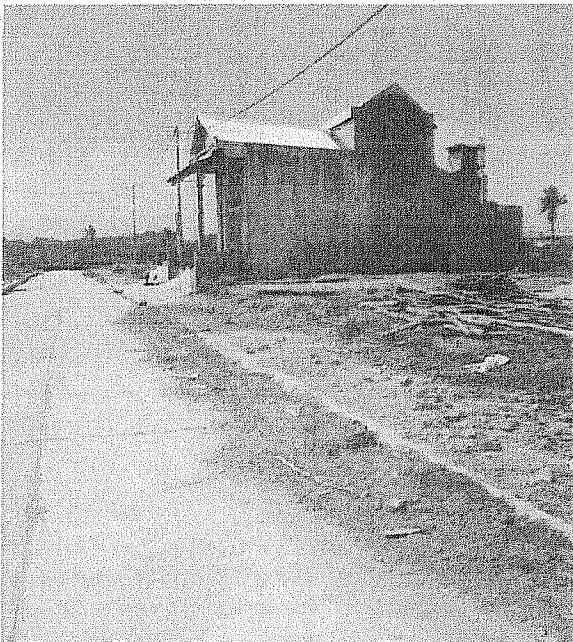
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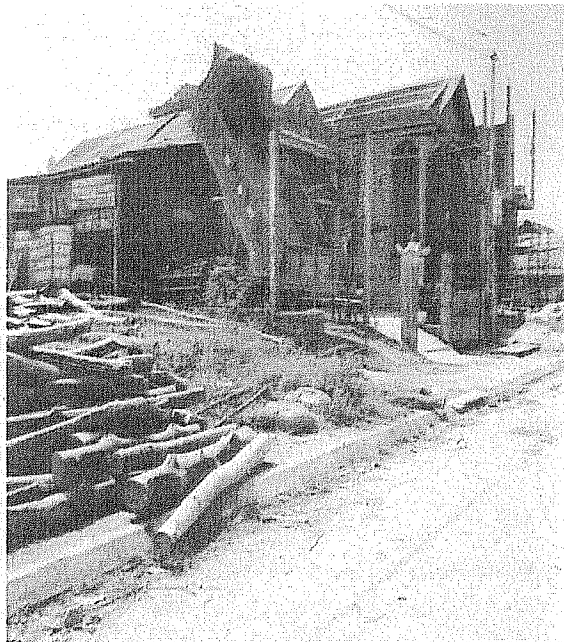
New houses are being built in Dao Thinh resettlement



Resettlement houses have been built in the  
resettlement area and installed infrastructures such as  
electricity, water...



Dao Thinh resettlement area



Resettlement households do service business at new  
place