

EXTERNAL RESETTLEMENT MONITORING REPORT

Seventh Quarter Report
December 2013

VIE: PHUOC HOA WATER RESOURCES PROJECT

Prepared by Institute of Sociology - external monitoring agency for the ICMB9 and the Asian Development Bank.

CURRENCY EQUIVALENTS

(as of December 2013)

Currency unit	–	VND
\$1.00	=	20,860VND

ABBREVIATIONS

AH	Affected household
AP	Affected person
CPC	Commune People's Committee
CPO	Central project office
DRC	District resettlement committee
GoV	Government of Vietnam
HH	Household
ICMB9	Investment Construction and management Board No. 9
IOS	Institute of Sociology
MARD	Ministry of Agriculture and Rural Development
MO	Independent Monitoring Organization
NWL	Normal Water Level
PPC	Provincial People's Committee
PPMB	Provincial Project Management Unit
PRC	Provincial resettlement committee
RC	Resettlement Committee
RF	Resettlement Framework
RP	Resettlement plan
VND	Vietnam Dong (Vietnamese currency)

NOTE

In this report, "\$" refers to US dollars.

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I. Project Introduction

1. Phuoc Hoa Water Resources Project is to provide additional water in the Sai Gon and Vam Co Dong river basins for developing irrigated agriculture and to supplement existing supplies for salinity control and domestic, municipal, and industrial (DMI) use in Ho Chi Minh city (HCMC) and the surrounding provinces. The project will adopt an integrated development approach to increasing agricultural production by promoting efficient and sustainable management of the water resources.
2. Water resources infrastructure to be developed will include the Phuoc Hoa headworks which will inundate 685 ha with the average water level at + 42.90m and a 40.5km long transfer canal to divert and convey water from the Be river to Dau Tieng reservoir on the Saigon river in the neighboring basin. From there, it will be diverted through Dau Tieng irrigation system for multiple uses such as for irrigated agriculture, supplementary water for DMI use, and salinity control in the Saigon and Vam Co Dong river basin.
3. Two new irrigation areas will be invested under the project: (i) Tan Bien Irrigation System in Tay Ninh province with the total command area of 13,390 ha, and (ii) Duc Hoa Irrigation System in Long An province with the total command area of 21,015 ha. The total irrigation command area upon completion of the project will be 33,405 ha. In addition, the scheme will provide about 10m³ per second of water for DMI use in Binh Duong and HCMC.
4. The project will affect 5 provinces of Binh Duong, Binh Phuoc, Tay Ninh, Long An, and HCMC. Main components of the project are as follows:
 - (i) *Phuoc Hoa Barrage*: Phuoc Hoa Barrage consists of one earth dam and a weir with reinforced concrete gate. The average water level of the barrage is 42.9 m. The headworks of the barrage include one administration house and 22KV electrical line locating in An Thai commune, Phu Giao district, Binh Duong province and Nha Bich and Minh Thanh communes, Chon Thanh district, Binh Phuoc province.
 - (ii) *Phuoc Hoa reservoir*: The reservoir lies mainly in Binh Phuoc province and a small part is in Binh Duong province. The inundating area of the reservoir is 685 ha. This remains the same because the barrage is designed for 20 year-peak floods if the upstream water level does not change through opening all gates of the weir during floods. With 50 year-peak floods, the water level will raise up to 44.8 m, the respective flooding area will be 1,100 ha.
 - (iii) *Construction Road*: Two roads have been constructed, including one road starting from the National Road No. 14 on the right bank of the Be river, passing Nha Bich and Minh Thanh communes with the total length of 8.5 km and the second road lies on the left bank of the Be river, passing An Thai commune with 3.0 km in length.
 - (iv) *Diversion Canal*. The Diversion Canal is approximately 40.5 km in length, being able to load flows from 65 to 75 m³/s. The width of the canal is 120 m (including the safety corridor). The canal shall divert water from Phuoc Hoa Barrage to Dau Tieng Reservoir and provide water for several industrial zones in Binh Duong.
 - (v) *Duc Hoa main canal*. The canal is 17.7km in length, being able to load flows about 4.3 m³/s, beginning from end of Tan Bien main canal and passing Loc Hung and An Tinh communes of Trang Bang district, Tay Ninh province, Thai My commune of Cu Chi district, HCMC and Tan My commune of Duc Hoa district, Long An province. Duc Hoa main canal will irrigate for 21,015ha, including 2,655ha in Trang

Bang-Tay Ninh, 800ha in Cu Chi-HCMC and 17,560ha in Duc Hoa-Long An, and provide water for domestic use and industrial areas in Trang Bang and Hau Nghia.

- (vi) *Tan Bien Irrigation System.* This is a complexity of gravity and pumping irrigation system, located in Tay Ninh province, including the Tan Bien Main Canal of 23.03km in length with the flow of 13.5m³/s, starting from the West Main Canal of Dau Tieng reservoir and a system of primary canals, secondary canals and tertiary canals to irrigate Tan Bien area with an area of 13,390 ha in Chau Thanh and Tan Bien districts.
- (vii) *Duc Hoa Irrigation System.* This system locates in Long An province, including Duc Hoa Main Canal of 17.7km in length and the flow is 4.3m³/s, originating from the end of Tan Bien Main Canal, passing Cu Chi district, HCMC and Hau Nghia town, Duc Hoa district, Long An province. Duc Hoa main canal will provide water for primary, secondary and tertiary canals system to be constructed and upgraded to irrigate 21,015ha, including 2,655 ha in Trang Bang – Tay Ninh, 800ha in Cu Chi and 17,560ha in Duc Hoa; also, it provides water for Trang Bang and Hau Nghia industrial zones.
- (viii) *Material Sites.* Most of materials sites for the headworks and the first session of the Diversion Canal locate in the planned reservoir. Filling materials for the Diversion Canal will be taken from excavated trenches and material sites, and vacant land is required in certain areas for disposal of redundant soil.

5. The project started its implementation phase by late 2005 with compensation and resettlement activities. Construction of various works has been commenced since 2006. According to ADB's safeguard policy, resettlement under ADB-funded projects must comply with the requirements of ADB's involuntary resettlement policy. Periodic resettlement independent monitoring – phase I – of Phuoc Hoa Water Resources Project ended with a report summarizing compliance of the required policy of the whole project (The Independent Monitoring Report No. 9 prepared by the Institute of Sociology, December 2011) to gain lessons learnt and necessary amendments for the next phase of the project.

6. Phase II of Phuoc Hoa Water Resources Project is being implemented and the resettlement independent monitoring for Phase II of the project has begun with quarterly monitoring of resettlement activities, starting from 3/2013. According to progress of project resettlement implementation and mobilization of ICMB9, IMO has implemented 6 monitoring missions and finding reports of the monitoring missions have been submitted to ICMB9 and ADB. This is 7th monitoring mission, implemented in provinces Binh Phuoc, Tay Ninh, Long An and Cu Chi - HCMC..

II. Scope of subprojects/components impacts

2.1 Duc Hoa Main Canal

7. Duc Hoa main canal will be constructed with 17.7km long, passing Trang Bang district–Tay Ninh province (8km), Cu Chi district-HCMC (6km), and Duc Hoa district-Long An province (3.7km). Compensation and resettlement of the canal is implemented by Center of Land fund development of Trang Bang, Cu Chi, and Duc Hoa districts.

8. The total number of HHs affected by Duc Hoa Main Canal is 758 HHs and six organizations, of which 370 HHs are severely affected with 77 displaced HHs and 333 HHs losing more than 20% of productive land. Number of vulnerable APs is 123 HHs, including women

headed households: 42, social policy families: 68, and poor APs: 13. There are no ethnic minority HHs affected by the project.

9. The canal requires mostly agricultural land of households. The total acquired area of various types of land is 147.7ha, of which the area of residential and non-agricultural land is 1.5ha, and the area of agricultural land is 146.2ha.

10. Other affected assets include: houses and attached auxiliary structures: 13,822 m²; wells: 253; tombs: 161; rice and crops: 73.5ha, and trees: 79,722. See more detailed in the Appendix 1.

2.2 Duc Hoa irrigation area

11. Đức Hòa irrigation area covers 12 communes and 01 town of Đức Hòa district, Long An province. The irrigation system will provide water for 13,821ha of Đức Hòa district. Construction of the irrigation system includes primary canals, secondary canals and tertiary canals.

12. Resettlement implementation of the irrigation area was carried out by CLFD of Duc Hoa district. Total number of AHs is 5,670 HHs and organizations, increasing 2,599 HHs comparing to updated RPs, of which 1,458 severely APs, increasing 789 HHs compared with updated RPs with 78 relocation HHs and 1380 HHs losing more than 20% of productive land.

13. Construction of Duc Hoa canal system requires mainly agricultural land of households and project communes PCs. Total land are acquired is 257.9ha, of which residential land: 2.03ha; agricultural land: 224ha and the remaining land (public land) is other land without compensation.

14. Other affected assets include: houses, structures, shops, wells, rice and crops, and trees. See details in Appendix 1.

2.3 Tân Biên Irrigation Area

15. Tân Biên irrigation Area covers 7 communes of two districts, including Châu Thành and Tân Biên districts, Tây Ninh province. This irrigation system will provide water to irrigate for 7,863 ha, of which Tân Biên district - about 5,000 ha and Châu Thành – 2,863ha. Construction of the irrigation system includes primary canals, secondary canals and tertiary canals.

16. Resettlement implementation of Tan Bien irrigation area in Chau Thanh and Tan Bien districts was carried out by CLFD of 2 districts. Total number of AHs is 833 HHs and 5 organizations, of which 48 severely APs with 19 relocating HHs and 31HHs losing more than 20% of productive land. Number of vulnerable HHs is 105 HHs, including 23 women headed HHs, 52 social policy HHs, poor households: 4. and ethnic minority HHs are 26 HHs.

17. Construction of Tan Bien canal system mainly acquires agricultural land of HHs and communal PCs. Total land are acquired permanently is 133.9ha, of which residential land: 1.14ha; agricultural land: 127.7ha and other land (public land) without compensation: 5.14ha.

18. Affected assets include: Houses and auxiliary structures: 2,619.2 m²; shops: 1,384m²; wells: 43 units; rice and other crops: 38.8ha; trees: 71,493. See details in Appendix 1 and 2.

III. Methodology of monitoring and implementation arrangement

3.1 Methodology

19. In this monitoring mission, quantitative method (sample survey and interview by questionnaire) in combination with qualitative method (in-depth interview and group discussion) with participation of different stakeholders were used to monitor. Besides, methods of document review and field observation were also applied for monitoring.

3.2 Monitoring methods

20. *Document review and analysis:* review and analysis of relevant project documents will provide basic information of the project and help understand reasons of on-going changes or no changes. On the other hand, this method can help to determine information gaps and main issues that need to be dealt with and further analysis and evaluation during monitoring. Sources of documents include the PPMUs, PPCs, DRCs, and the People's Committees of affected communes.

21. *The qualitative method:* quick interview, in-depth interview, and group discussion is applied to identify problems of affected people and collect general information and viewpoints on some specific issue or to clarify some issue from a small group of people selected to represent various viewpoints and APs (the poor, the ethnic minorities, severely APs, the complainers). Group discussion is a good method to evaluate comments on changes, assess quality of the project services, and determine improved areas.

22. *Sample survey method* (sample survey by questionnaire): aims to collect information from a number of APs by questionnaire with specific questions. Results of the survey are used for statistic analysis because they contain important information on implementation issues or specific indicators from a sample. This method requires a strategy of sample selection (presented below) to monitor and evaluation.

23. *Direct observation method:* this method enables timely collection of useful information that supplements collected data; also, it allows a clearer understanding of the contexts in which data and information are collected and explains survey results.

3.3 Implementation Arrangement

24. As requested in the letter from the Hydraulic Project Investment and Construction Management Board 9 (ICMB 9) for mobilization of the Independent Monitoring Consultant, the Institute of Sociology mobilized a team of specialists for resettlement monitoring – mission 7. Objectives of this monitoring mission are: (i) periodic monitoring of compensation and resettlement implementation for the project in Binh Phuoc, Tay Ninh, Long An and HCMC; (ii) verification of completion of compensation and allowance payment and resettlement for civil works packages of the project; (iii) review resolution for complaints and grievances of AHs raised in the monitoring report of mission 6.

25. Specialists of the monitoring team prepared various survey tools such as questionnaires, and guidelines on in-depth interview and group discussion. Forms for collection of compensation and resettlement information and data were also developed to collect supplementary resettlement data for the project resettlement monitoring data for following monitoring mission and reports.

26. To implement tasks of this monitoring mission, the specialist team was divided into 2 groups: group 1 conducted monitoring in communes of Tan Binh – Tan Bien district, An Tinh – Trang Bang

district, Tay Ninh province and communes of Mỹ Hạnh Nam, Mỹ Hạnh Bắc, Đức Hòa Thượng, Hòa Khánh Tây - Đức Hòa district, Long An province. Group 2 monitored resettlement implementation in Thai My commune, Cu Chi district – HCMC and communes of Minh Lập and Nha Bích, Chơn Thành district, Bình Phước province.

3.4 Selection of Survey Samples

27. As required in the TOR, the Consultant selected 100% of severely AHs and 10% of non-severely AHs of that had received compensation in surveyed packages of the above communes for survey by questionnaire. The total number of affected HHs selected for survey was 272 HHs. The monitoring team also conducted in-depth interviews with 25 staff of the Phuoc Hoa Water Resources Project Management Unit – Binh Phuoc, Tay Ninh and Long An provinces, CLFD of Duc Hoa district, leaders of various People's Committees, cadastral officials of affected communes, officials of affected villages, and representatives of some social organizations such as the Farmers' Unions, the Women's Unions, and the Vietnamese Fatherland Front of the project affected communes.

IV. Monitoring Results

4.1. Internal Work

28. The monitoring team reviewed documents and reports relating to compensation and resettlement of the project, including compensation plans approved by PPCs/DPCs and minutes of payment for AHs. Result of the review shows that DRCs have stored adequately documents of AHs in both file and hard copies for convenient management and use. All compensation plans have been approved by PPCs or DPCs (attached with decisions); minutes of payment have signatures of recipients and related parties. Quarterly internal monitoring reports were prepared by PPMUs and submitted to ICMB9 every quarter and ADB every 6 months with the support of BVI resettlement consultants and OSDP consultants. .

4.2. Information Disclosure and Community Consultation

29. From last mission as well as this mission, the AHs confirmed that at least they were involved in all community meetings organized by DRCs at CPC's Office or common house of Villages. These meetings were about:

- Project objectives and implementation plans,
- Rights and entitlements to compensation and resettlement of affected persons,
- Necessary assistance to severely affected HHs, relocated HHs, and vulnerable HHs,
- Income and livelihood restoration measures for affected persons,
- Grievance and grievance redress mechanisms,

30. Interviewed HHs informed that in addition to community meetings, they were delivered with the project *Information Brochure*, some communes disclosed through mass media such as loud speaker system of communes/villages. Result of group discussions also shows that APs obtained and understood about project information and compensation policy.

4.3. Detailed Measurement Survey of Affected Assets

31. Though some AHs complained about DMS of the assets affected by the project, but they confirmed that they were involved in process of DMS. However, in Long An province DMS for agricultural land were carried out without presence of AHs. Complaints of some HHs about miscounting their affected assets or inaccurate identification of land location were received by verified and resolved by DRCs if the complaints are true.

4.4. Compensation and Resettlement Plans

4.4.1 Legal Basis for Development of Compensation Plans

32. Preparation of compensation and resettlement plans of the project was based on following legal documents:

1. Constitution of the Socialist Republic of Vietnam dated 15 April 1992, issued on 14 April 1992, supplemented and revised under Resolution No. 51/2001/QH10 approved by the 10th National Assembly in the tenth meeting session on 25 December 2001;
2. Law on Land No. 13/2003/QH11 approved by the 11th National Assembly in the fourth meeting session on 26 November 2003;
3. Decree No. 188/2004/ND-CP dated 16 November 2004 and Decree 123/2007/ND-CP by the Government on methods of determining land prices and price framework for various types of land;
4. Decree No. 197/2004/ND-CP dated 3/12/2004 by the Government on compensation, allowances, and resettlement when the State acquires land.
5. Decree No. 181 /2004/ND-CP dated 29/10/2004 by the Government that guides implementation of Law of Land 2003;
6. Decree No. 17/2006/ND-CP revising and supplementing several articles of Decree No. 197.
7. Decree No. 84/2007/ND-CP dated 25 May 2007 that stipulates issuance of land use right certificates, land acquisition, implementation of land use right, procedures of compensation, allowance, and resettlement when the State acquires land, and settlement of grievance about land.
8. Decree No. 69/2009/ND-CP dated 13/08/2009 regulating further about Land use planning, land prices, land acquisition, compensation, assistance, and resettlement;
9. Decision No. 4425/QD/BNN-XD dated 7/10/2003, approved by the Minister of the Ministry of Agriculture and Rural Development about approval of the Resettlement Plans and the Resettlement Framework for Phuoc Hoa Water Resources Project – Binh Duong, Binh Phuoc, Tay Ninh, and Long An provinces and Ho Chi Minh city;
10. Decision No. 1082/QD/BNN-XD dated 16 May 2005 by the Minister of the Ministry of Agriculture and Rural Development about assignment of tasks of compensation, site clearance, and resettlement under Phuoc Hoa Water Resources Project to four provinces of Binh Duong, Binh Phuoc, Tay Ninh, and Long An, and Ho Chi Minh city;

11. Decision No. 3338/QD-BNN - TCCB dated 6 November 2006 by the Ministry of Agriculture and Rural Development on assignment of tasks of Phuoc Hoa Water Resources Project management and implementation arrangement;
12. Updated Resettlement Plan for Duc Hoa Main Canal, Duc Hoa irrigation area, and Tan Bien Irrigation Area approved by ADB in 2012.

Tay Ninh province

13. Decision No. 48/2011/QD-UBND dated 21/12/2011 on “Issuance of prices of various types of lands applicable in Tay Ninh province, 2012”;
14. Decision No. 44/2010/QD-UBND dated 19/8/2010 about “Issuance of several compensation, assistance, and resettlement policies when the State acquires land in Tay Ninh province”;
15. Decision No. 02/2012/QD-UBND dated 5/1/2012 on Price units of houses, construction works, and architectural structures in Tay Ninh province;
16. Decision No. 25/2012/ QD-UBND dated 04/5/2012 by Tay Ninh PPC on issuance of price units of trees and domestic animals in Tay Ninh province;
17. Decision No. 2702/QD – UBND dated 23/12/2011 by Tay Ninh PPC on approval of compensation, assistance, and resettlement plans for Phuoc Hoa Water Resources Project, works: Duc Hoa Main Canal, section passing Trang Bang district, Tay Ninh province.
18. Decision No. 1085/QD – UBND dated 01/6/2012 by Tay Ninh PPC on approval of compensation, assistance, and resettlement plans for Phuoc Hoa Water Resources Project, supplementary loan, phase 2, in An Co and Phuoc Vinh communes, Chau Thanh district.
19. Decision No. 1259/QD – UBND dated 29/6/2012 by Tay Ninh PPC on approval of compensation, assistance, and resettlement plans and cost estimates for Phuoc Hoa Water Resources Project, the loan for phase 2 (Tan Bien Irrigation Area) in Tan Bien district, Tay Ninh province.
20. Decision No. 1195/QD – UBND dated 20/6/2012 by Tay Ninh PPC on approval of revised and supplementary compensation and assistance plans and cost estimates for Phuoc Hoa Water Resources Project, works: Duc Hoa Main Canal, section passing Trang Bang district, Tay Ninh province.
21. Decision No. 2284/QD – UBND dated 12/11/2012 by Tay Ninh PPC on approval of (supplementary) compensation, assistance, and resettlement plans and cost estimates for Phuoc Hoa Water Resources Project, the loan for phase 2 (Tan Bien Irrigation Area) in Tan Bien district, Tay Ninh province.

Long An province

22. Decision No. 07/2010/QĐ-UBND dated 1/3/2010 by Long An PPC on implementation of Decree 69/2009/ND-CP on compensation, assistance, and resettlement in Long An province;
23. Decision No. 41/2010/QĐ-UBND dated 15/10/2010 by Long An PPC on revising and supplementing several items of Decision 07/2010/QĐ-UBND;
24. Decision No. 17/2011/QĐ-UBND dated 24/6/2011 by Long An PPC on revising and supplementing several items of Decision 07/2010/QĐ-UBND;
25. Decision No. 22/2011/QĐ-UBND dated 20/7/2011 by Long An PPC on issuance of compensation prices for trees, crops, domestic animals, costs for re-access to remaining land, graves, etc. in Long An province;
26. Decision No. 24/2011/QĐ-UBND dated 28/7/2011 on issuance of construction prices for houses and facilities in Long An province;
27. Decision No. 45/2011/QĐ-UBND dated 11/11/2011 by Long An PPC on issuance of regulations on and procedures of grievance against administrative decisions relating to compensation in Long An province;
28. Decision No. 55/2012/QĐ-UBND dated 20/12/2011 by Long An PPC on issuance of land price framework applicable for 2012 in Long An province;
29. Decision No. 1148/QĐ-UBND dated 10/4/2012 approving compensation and assistance plans for Duc Hoa Main Canal, material sites Nos. 1 and 2 at Tan My commune, Duc Hoa district.;
30. Decision No. 1150/QĐ-UBND dated 10/4/2012 approving allowance norms for the APs at Duc Hoa Irrigation Area, Duc Hoa district;
31. Decision No. 1616/QĐ-UBND dated 25/5/2012 on provision of supplementary compensation and allowances for the material site No. 3 and temporary land acquisition for the first ending section of the Canal at Tan My commune, Duc Hoa district.

Ho Chi Minh City

32. Decision No. 3415/QĐ-BNN-XD, dated 21/12/2010, issued by MARD, approved Phuoc Hoa water resources project, supplementary Loan 2747.
33. Letter No 1620/BNN-XD, dated 09/6/2011, issued by MARD, on accelerating progress of resettlement implementation for Đức Hòa main canal –Củ Chi section.
34. Letter No. 3290/BNN-XD, dated 26/9/2012, issued by MARD, on compensation and resettlement for Phước Hòa project - Phase 2.
35. Decision No. 517/QĐ/DƯ' ÁN 9-XD, dated 21/10/2010, issued by ICMB9, on approval of technical design and cost estimate for construction of Đức Hòa main canal.
36. Decision No. 12/2008/QĐ-UBND, dated 20/2/2008, issued by HCMC PC, on cost norm for construction works in HCMC.
37. Decision No. 35/2010/QĐ-UBND, dated 28/5/2010, issued by HCMC PC, on compensation, assistance and resettlement when state acquires land.

38. Letter No. 1609/UBND-CNN, dated 09/4/2011, issued by HCMC PC, on assignment of construction of Duc Hoa main canal – Cu Chi section in Thai My commune.
39. Letter No. 373/UBND-ĐTMT, dated 31/1/2012, issued by HCMC PC, on agreement of location of Duc Hoa main canal in Thái Mỹ commune, Củ Chi dist.
40. Decision No. 11929/QĐ-STC-BVG, dated 4/12/2012, issued by DOF of HCMC, on approval of compensation plan for Đức Hòa main canal- Củ Chi section.
41. Decision No. 488/QĐ-SNN, dated 19/11/2012, issued by DARD of HCMC, on approval of compensation cost estimate for Đức Hòa main canal- Củ Chi section.
42. Decision No. 7970/SXD-QLKTXD, dated 09/10/2012, issued by DOC of HCMC, on guidance of calculation of standard investment unit for supporting relocated HHs.
43. Compensation plan No. 7075/PABT, dated 08/10/2012, made by Cu Chi district resettlement committee for Duc Hoa main canal-Cu Chi section.
44. Decision No. 11013/QĐ-UBND, dated 13/13/2012, issued by HCMC PC, on approval of compensation plan for Duc Hoa main canal-Cu Chi section.
45. Announcement No. 57/TB-UBND, dated 08/2/2012, by Củ Chi DPC, on land acquisition for construction of Duc Hoa main canal-Cu Chi section.
46. Letter No. 4611/UBND-BTGPMB, dated 19/7/2012, issued by Củ Chi DPC, on approval of compensation prices for trees not listed in the price list of Decision No 35/2010/QĐ-UBND, dated 28/5/2010, of HCMC PC in Củ Chi dist.

4.4.2 Preparation of Compensation Plans

33. Process of preparation of the compensation plans made by DRCs has been complied with procedures of preparation and public announcement of compensation plans as stipulated in the RP. Details are as below:

- *Consulting the AHs about the draft compensation, assistance, and resettlement plans:* the RC sent each AH a copy of the compensation plan for their family together with a comment card so that they could check and comment.
- The RCs posted the draft compensation plans at CPCs' offices or villages within 20 days for people's information and comments.
- Receiving comments, queries, and grievances from people and the AHs. Reviewing and redressing grievances in compensation plans.
- Organizing RC meetings to finalize the compensation plans upon acknowledgement and supplementation of people's comments, completing necessary procedures to submit these plans to competent authorities for appraisal and approval.

4.4.3. Compensation Prices for Affected Assets

34. Compensation prices for various types of affected assets when the State acquired land were approved by project PPCs.

(i) *Land compensation prices:* compensation prices for lands were determined in accordance with following criteria: types of land (by purposes of usage), by areas (rural or urban areas), by land

locations, and by land productivity. Land replacement prices were updated during the DMS process and submitted to PPCs or City PCs for review and approval. Although there were no differences between the market prices and the land prices for 2013 issued by the PPC, the RC applied the land prices for 2013 issued by the PPC. Land compensation prices have been consulted with APs and most of them accepted.

(ii) *Compensation prices for houses and other structures*: Compensation prices for houses, construction works, and structure were applied in pursuance to the updated land prices for 2013 of the province. Most of the surveyed AHs said that they had been involved in discussion about compensation prices and accepted the prices. However, because of high inflation relocated households expect that the project will provide additional support for residential land and houses so that they can buy land to rebuild new houses.

35. Application of the compensation prices for 2013 by PPCs for the project affected assets has met expectations of most of the AHs. The survey results show that most of the HHs affected by the surveyed Packages agreed with the compensation prices. Several HHs seemed to be happy when receiving compensation, agreed with the compensation prices, and had no complaints. However, some surveyed HHs considered the compensation prices of land, houses, and architectural structures as low, particularly the HHs whose entire residential land and houses were acquired. According to them, the compensation amounts for their land and houses were not enough to purchase same land areas and re-build houses. As a result, these HHs required the PPCs to consider further support. Several HHs did not agree with land compensation prices, hence, they proposed “land-for-land” compensation.

4.4.4 Allowances and Assistance

36. In addition to compensation for affected assets, the severely AHs (losing 20% of productive land or more or have to be relocated) were also subject to assistance and allowances as specified in the RP and benefit from On-farm Social Development Program (OSDP). However, as last mission when being asked about allowances that the APs were entitled to, almost all of the interviewees said that they did not receive such amounts or they did not know; yet, review of the compensation plans revealed that all the HHs losing land were supported with occupation transition, the severely AHs were provided with subsistence allowance, and the displaced HHs were provided with transportation allowance, etc. Therefore, it can be said that the AHs did not read thoroughly the compensation plans delivered to them by the RCs for their comments prior to submission to the PPCs/DPCs for approval or they had read but they did not remember.

37. Allowances and assistances provided by provinces ở Tay Ninh, Long An and Binh Phuoc have been mentioned in reports of the previous missions. In HCMC, allowances provided for AHs is based on Decision No. 35/2010/QĐ-UBND dated 28/5/2010, issued by HCMC PC, on compensation and resettlement when state acquires land, and specified in compensation plan No. 7075/PABT, dated 8/10/2012, made by Cu Chi DRC. Details are as shown in Table 1 below:

Table 1: Allowances for severely APs in HCMC

Nr	Allowances	Amounts
1	Support for agricultural land:	
	- Garden land, pond located in the same plot with house.	40% of the land plot price
	- Agricultural land within resident area (not exceed 5 times of land allocation quota)	50% of average residential land price in the area.
	- Agricultural land within resident area	50% of average residential land price

Nr	Allowances	Amounts
	(exceed 5 times of land allocation quota)	in the area, plus job training/creation, equal to 140.000đ/m2
2	Support for relocation: - Within the city - Other provinces	6.000.000đ/HH 10.000.000đ/HH
3	Support for stabilization of life and production - Losing from 20%-70% of agr. land (without relocation) - Losing from 20%-70% of agr. land (with relocation) - Losing more than 70% of agr. land (without relocation) - Losing more than 70% of agr. land (with relocation) Losing more than 70% of agr. land (with relocation to harsh condition area) Support for non-farming HHs losing all residential land and houses and relocation	- 300.000đ/person/month*6months 300.000đ/person/month*12months 300.000đ/ person/month*12months 300.000đ/ person/month*24months 300.000đ/ person/month*36months 1.000.000đ/person
4	Support for social policy HHs - VN heroic mother - War invalid, revolutionary martyr family - Credit for making revolution family	6.000.000đ/HH 4.000.000đ/HH 2.000.000đ/HH
5	Support for households directly cultivating on farm	40% of residential land price, plus 140.000đ/m2 (for job creation)
6	Incentive bonus for relocation on time - For organization - For Individual/HH	10.000.000đ/time 5.000.000đ/time

Source: Cu Chi DRC

4.5. Compensation Payment

38. After compensation plans of civil works packages were approved by PPCs/DPCs, DRCs in combination with PPMUs paid compensation to the AHs. Progress of compensation and allowance payment in project provinces as of 30/11/2013 is shown in Table 2.

Table 2: Progress of compensation and allowance payment as of 30/11/2013

ĐỊA PHƯƠNG	TỔNG SỐ HỘ BAH	SỐ HỘ ĐÃ NHẬN BỒI THƯỜNG	SỐ HỘ CHƯA NHẬN BỒI THƯỜNG	TIẾN ĐỘ (% theo hộ)
CỦ CHI - TPHCM	138	138	0	100
TÂY NINH				
Tân Biên	633	627	6	99.1
Trảng Bàng	349	346	5	99.1
Châu Thành	366	366	0	100
H. ĐỨC HOA -LONG AN				

Kênh chính ĐH	114	111	3	97.4
Bãi VL số 1	72	69	3	95.8
Bãi VL số 2+3	95	91	4	95.8
Bãi VL số 5	38	38	0	100
Gói thầu số 1	433	398	35	98.5
Gói thầu số 2	552	526	26	98.4
Gói thầu số 3 (8 tuyến kênh)	159	139	20	87.4
Gói thầu số 3 (3 tuyến kênh)	326	284	42	87.1
Gói thầu số 4	545	497	48	95.4
Gói thầu số 5	351	324	27	100
Gói thầu số 6	577	525	52	95.8
Gói thầu số 7	571	490	81	85.8
Gói thầu số 8 (12 tuyến kênh)	706	473	233	67.0
Gói thầu số 8 (3 tuyến kênh)	77	72	5	93.5
Gói thầu số 9	357	324	33	90.8
Gói thầu số 10	146	137	9	93.8
Overall progress				97.6

Source: The DRCs

39. Generally, the progress of resettlement implementation for the remaining packages reaches 97.6% as of 30 November 2013. DRCs of the project have implemented compensation and resettlement in slow progress in this quarter, but it does not affect progress of the civil works because each package includes some canals and compensation and resettlement is implemented by canal. AHs have not received compensation because of following reasons:

- In Tay Ninh province, 09 AHs complained about incorrect identification of land location leading to low compensation price. Only one HH with small amount (200,000VND) of compensation did not come to receive. The DRC will pay at the household.
- In Long An, except 238 AHs of package No 8 (12 canals) have not been paid compensation due to resettlement implemented late, AHs of other packages have not been paid because some HHs were absent in communes during resettlement implementation or had complaints of incorrect identification of land location leading to low compensation price.

4.6. Resettlement issues

40. In Long An, the HHs whose houses were dismantled and relocation was required could register to move to Hiep Hoa resettlement site provided by the PPC. As reported by Long An PMU, this resettlement site located at Hiep Hoa town with relatively adequate infrastructure and the AHs could settle down their lives promptly. Yet, all the AHs would prefer compensation in cash and self-relocation. At time of the monitoring, 77/82 relocation HHs have received compensation and self-resettled within project communes. The remaining HHs are preparing procedures for receiving compensation and resettlement.

41. In Cu Chi district, 16 relocated HHs selected cash compensation and self-relocation, so HCMC does not prepare resettlement site for them. However, to help relocated HHs could stabilize

their lives as soon as, HCMC PC supported for their affected residential land. At time of the monitoring mission, all 16 HHs have completed construction of new house and relocated and handed over their land to the project.

42. In Binh Phuoc province, at time of the monitoring mission, progress of land allocation in resettlement sites is in good progress, specially:

- *Ta Thiet resettlement site – Loc Ninh district*: all 106 AHs have been allocated land plots in the settled agriculture site and 117 AHs have received land plot in the resettlement site. DONRE of Loc Ninh district is making procedures to issue LURC for the AHs.
- *Resettlement site of 10 ha*: Construction of infrastructure for the site is basically completed in the site, except water supply system. At time of the monitoring mission, 54/57 AHs have been received plots, of which 45 AHs have been provided LURC.
- *Resettlement site of 80ha*: Construction of infrastructure for the site is basically completed in the site. DRC and PPMU have allocated plots for 447/568 AHs; 27 AHs prefer cash, and the remaining AHs have not registered yet. PPMU informed to the remaining about the deadline of 31/12/2013 for register. If no AH registers after the deadline, they will receive cash according to regulations of PPC.

43. The monitoring team met some eligible HHs who have received land plots and knew that they have not any complaint but expect to receive LURCs as soon as possible.

4.7 Livelihood restoration program

44. Beside of allowances for severe AHs, project has designed a On-farm Social Development Program (OSDP) to help severe AHs restore their livelihoods and income as soon as. According to OSDP consultant, 05 components were designed for this program in Đức Hòa irrigation area – Long An, including: (i) micro credit for improving production and strengthening capacity of livelihoods; (ii) support scholarship for students of severe AHs at second and high school; (iii) support for vocational training for one member of AHs at labor age; (iv) support for AHs with difficulties; and (v) agricultural extension. Total cost estimate for these components is VND17,485,000,000. At time of mission 7 (7/2013), all activities of OSDP in Long An have been implemented for phase 1. OSDP for phase 2 was submitted to AFD for approval. IMO will monitor and evaluate the implementation of the program and report on next mission.

4.8 Grievance redress

45. In previous monitoring reports, IMO has reflected that project districts established Boards of Grievance Redress. Complaints of low compensation prices, inaccurate identification of land locations, ... were received by Boards and DRCs and resolved timely and satisfactorily. Results of resolving complaints raised in the sixth report are presented in Table 3 below.

Table 3: Results of AHs' grievance redress raised in the sixth monitoring report

The AHs' comments	Address	Results
DUC LAP THUONG COMMUNE		
Bui Quang Dua refused compensation because of low compensation price, miscounting affected assets and not provided compensation plan of the HH	Nhon Hoa 2 village	Resolved successfully and received compensation

The AHs' comments	Address	Results
DUC LAP THUONG COMMUNE		
		(N3-8-3NH2)
The HH of Nguyen Van Duoc said that CLFD miscounted some affected assets of the HE and required to compensation for them before handing over land to the project.	Nhon Hoa 2 village	Received additional compensation.
The HHs of Nguyễn Văn Dung said that his affected land were those at the front of roads but the compensation price was low, requested to reconsider.	Nhon Hoa 2 village	Received additional compensation (N3-8-3-1A)
The HH of Nguyen Doi said that CLFD miscounted one drilled well and requested to get back LURC from the RC.	Nhon Hoa 2 village	No name in the compensation plan. Verifying by CPC and Duc Hoa CLFD
The HH of Lam Van Tu and Tran Thi Khoe said that their affected land was at the front of a 3m-width road (of which the compensation price was VND 334,000/m2) but the compensation price of rice land was applied (VND 55,000/m2). The PMU was requested to consider this case.	Nhon Hoa 2 village	Received additional compensation. (N3-8-3).
The HH of Le Thi Hang, Nguyen Van Hai and Le Thi Coi said that affected land of some HHs (such as Huynh Thi Cuong) was not at the front of a 3m-width road but compensated with the same price with that land. PPMU is requested to check.	Nhon Hoa 2 village	Resolved and agreed. (N3-8-3, NH2)
The HH of Nguyen Van Danh said that name of household head is Tran Thi Thoi (his mother) and name in LURC is Nguyen Van Dang, so compensation is not paid for him.	Nhon Hoa 2 village	Paid
Dao Van Thu said that new canal will go through his field causing difficulty in production. He required to construct a bridge crossing the canal.	Nhon Hoa 2 village	According to the design, there are two banks of canal in combination with rural road.
Tran Thi Ba requested that PPMU should complete procedures regarding land onership for her to receive compensation soon.	Nhon Hoa 2 village	Resolved and received compensation (N3-8-3-4)
Nguyen Van Gia, Nguyen Thi Buoc, and Hua Thi Go requested the project acquire their the remaining land which are small and not enough conditions for cultivation	Nhon Hoa 1 village	Acquired the remaining land and paid additional compensation. (N3-13)
Đoan Van Chau said CLFD miscounted one drilled well on temporarily acquired land	Nhon Hoa 1 village	Received additional compensation (N3, NH1)
Le Van Tha said an area of 200m2 affected by project is not compensated yet	Nhon Hoa 1 village	No name in compensation plan. Verifying by CPC and CLFD.
Pham Van Buot complained about not paid an affected fence	Nhon Hoa 1 village	Paid additional compensation

The AHs' comments	Address	Results
DUC LAP THUONG COMMUNE		
Nguyen Minh Hiep, Huynh Van Thinh, Hua Van Than said they have a road affected by project but not compensated	Nhon Hoa 1 village	Paid additional compensation (N3-13)
Huỳnh Thị Nhơn, Trần Văn Tiểu, Nguyễn Thị Riêng, Trương Thị Lan, Nguyễn Thị Riết, Bùi Thị Ngọc Mai complain low compensation price for land next the road with 3m width		Identified but these HHs required road with 6m width. Verifying by CONRE
Bùi Hương Ngát, Bùi Văn Phước, Phạm Văn Rơm, Phan Văn Dự, Lương Thị Thu Vân, Huỳnh Trí Linh said their affected land was at front 3m-width road but compensated equal to agricultural land and requested to adjust additionally.	Nhon Hoa 1 village	Paid additional compensation (N3, NH1)
Nguyen Van Binh said his land without LURC but in the same parcel with his neighbor's land with LURC, his neighbor got compensation for land at front 3m-width road while he got compensation for agricultural land.	Nhon Hoa 1 village	Paid additional compensation (N3, NH1)
Le Van Duc requested to receive compensation soonest	Nhon Hoa 1 village	Paid
Pham Van Khuc said CLFD miscounted many affected assets of the HE and requested to reemeasure	Nhon Hoa 1 village	Prepared additional compensation plan and submitted for approval
Huynh Thi Nhi, Huynh Thi Gai, Vo Van Dut said their land is at front 3m-width road but compensated with agricultural land price	Nhon Hoa 1 village	Paid additional compensation (N3-8, N3-11-1, N3-8-3)
Tran Thi Sao said her land is at front 8m-width road but compensated with agricultural land price	Nhon Hoa 1 village	No name in compensation plan. Verifying by CPC and CLFD
Nguyen Van Duc was not paid due to no name in the old cadastral map, but CPC certified land use right of HH.	Nhon Hoa 1 village	Received
Nguyen Thi Hong Cuc, Le Viet Hung, Nguyen Thi Phi complained about low compensation price for land near the roads	Nhon Hoa 1 village	Paid additional compensation (N3, NH1)
Vo Van Moi is not paid compensation due to lack of land documentation	Nhon Hoa 1 village	Paid and Received .
Tran Van Xuong, Nguyen Thi Phi the remaining land is small causing difficulty in production and requested to acquire all	Nhon Hoa 1 village	Received additional compensation. (N3-8-3).
Nguyen Van Linh complained about miscounting 47m2 of land	Hau Hoa village	Verified and no complaint so far (N3-9-2).
Tran Van Cao complained about his house was cracked during construction.	Hau Hoa village	Verified and no complaint so far .

The AHs' comments	Address	Results
DUC LAP THUONG COMMUNE		
Nguyen Hoang Trang said her land is near road but low compensation price and requested increasing	Hau Hoa village	Verified and no adjustment (N3-11-2)
Tran Thi Cuc, Truong Thanh Do required to acquire the remaining land with the width of 1m because it is not enough conditions for production	Hau Hoa village	No name in compensation plan. Verifying by CPC and CLFD.
Tran Thi Cuc complained about miscounting 1 drilled well	Hau Hoa village	No name in compensation plan. Verifying by CPC and CLFD
Truong Van Hung refused compensation due to low compensation price	Hau Hoa village	Received (N3-11-4)
Nguyen Thi Nghien complained that she lost 200m2 of agricultural land but compensated 9,000,000VND, low price.	Binh Huu village	
Do Ngoc Sang: not paid compensation due to LURC deposited in the bank	Binh Huu village	Paid
Do To van Son required to acquire the remaining land of 120m2 due to not enough conditions for cultivation	Binh Huu village	Waiting for approval of PPC
Hoa Khanh Dong commune		
Nguyen Van Trung, Nguyen Ngoc On, Nguyen Van Ho, Cao Van Kich, Ngo Van Lan said that new canal will go through their field and required to construct a bridge crossing the canal.	Binh Loi village	There are two banks in combination with rural road
Trinh Cong Tuan required to acquire the remaining land of 23m2		No name in compensation plan. Verifying by CPC and CLFD
Le Thi Mau requested to pay compensation for her as soon as	Binh Loi village	No name in compensation plan. Verifying by CPC and CLFD
Miscounting one brick yard of Vo Van Thanh and one drilled well of Nguyen Kim Duong	Binh Loi village	No name in compensation plan. Verifying by CPC and CLFD
Hoa Khanh Tay commune		
Nguyen Tan Hung complained about miscounting 11 Tam Vang trees	Lap Thanh village	No name in compensation plan. Verifying by CPC and CLFD
Nguyễn Tấn Hưng, Nguyễn Văn Cáp, Nguyễn Văn Kiệt, Huỳnh Văn Phước, Nguyễn Thanh Dân, Nguyễn Văn Dài, Thế Văn Đoàn, Dương Văn Xuân, Lương Văn Lung, Huỳnh Công Tuấn, Lê Thị Năm, Nguyễn Văn Trí, Dương Văn Ne, Nguyễn Văn Quẹo, Nguyễn Trí	Lap Thanh village	Compensated for land and assets on the land acquired by the project

The AHs' comments	Address	Results
DUC LAP THUONG COMMUNE		
Công, Nguyễn Văn Nhỏ, Trần Thị Khanh complained that they were not paid compensation for land acquired for constructing the old canal while people in Hoa Khanh Nam commune with the same situation were paid for land		
Pham Chi Cong: miscounting one toilet; Tran Thi Khanh: miscounting one drilled well; Le Thi Nhi: miscounting one cow cage; Luong Van Nung: miscounting one lotus pond	Lap Thanh village	No name in compensation plan. Verifying by CPC and CLFD.
Duong Van Xuan: not paid the remaining house and land	Lap Thanh village	No name in compensation plan. Verifying by CPC and CLFD.
Nguyen Van Cup: not compensated for plot 28 and requested to acquire the remaining land of 75m2	Lap Thanh village	No name in compensation plan. Verifying by CPC and CLFD.
Huynh Thi Hue: acquired 7 m of canal and 4m of road but not compensated	Lap Thanh village	No name in compensation plan. Verifying by CPC and CLFD.
Huynh Thi Tu: not compensated for trees on affected land and if canal affects graves they must be compensated	Lap Thanh village	No name in compensation plan. Verifying by CPC and CLFD.
My Hanh Bac commune		
Nguyen Thi Luyen: losing the same land area as of Nguyen Thi Chanh in the same location but compensated less than Chanh's HH	Rung Sen village	Verified and paid (N3-15-5)
Chau Thi Anh: losing land area larger than that of Chau HH in the same location but compensated less than Chau's HH	Rung Sen village	Verified and paid (N3-111-4B)
Phung Chi Huan: affected land is at front Luc Vien road with compensation price of 1,341,000/m2 but compensated lower.	Tram Lac village	Prepared additional compensation plan and submitted for approval
Nguyen Thi Xuan Mai: affected land is at front Luc Vien road with compensation price of 1,341,000/m2 but compensated lower.	Rung Dau village	Prepared additional compensation plan and submitted for approval
Nguyen Van Doan (relocation HH): affected land is at front Luc Vien road with compensation price of 1,341,000/m2 but compensated lower, and requested to acquire the remaining land not enough for cultivation	Tram Lac village	Prepared additional compensation plan and submitted for approval
Mai Van Thu: miscounting one drilled well, 3 Tram trees, 2 Sanh trees	Tram Lac village	Prepared additional compensation plan and submitted for approval
Tran Cong Tuan, Tran Van Qua, Nguyen Van Nhung: miscounting their a drilled well of each.	Tram Lac village	Prepared additional compensation plan and submitted for approval
Duc Lap Ha commune		

The AHs' comments	Address	Results
DUC LAP THUONG COMMUNE		
Đặng Văn Xô: affected land at front 3m-width road but compensated with price for agricultural land	Duc Hanh 2 village	No name in compensation plan. Verifying by CPC and CLFD
Nguyễn Văn Tiệp: the remaining land is small and not enough conditions for cultivation, requested to acquire all	Duc Hanh 1 village	No name in compensation plan. Verifying by CPC and CLFD
Nguyễn Văn Đến, Trần Văn Hùng, Võ Văn Hiệp, Huỳnh Văn Phi: miscounting one drilled well of each HH	Tan Hoa village	No name in compensation plan. Verifying by CPC and CLFD
Nguyễn Văn Nhiễm: miscounting a power pole	Tan Hoa village	No name in compensation plan. Verifying by CPC and CLFD
Nguyễn Thị Giây, Nguyễn Văn Chòi, Võ Thị Hiệp: the remaining land is small and not enough conditions for cultivation, requested to acquire all	Tan Hoa village	No name in compensation plan. Verifying by CPC and CLFD
Nguyễn Chí Thân: authorized for her sister to receive compensation but without authorized letter because she is in hospital, requested to transfer to her sister.	Tan Hoa village	No name in compensation plan. Verifying by CPC and CLFD
Hộ Nguyễn Văn Thao: miscounting one drilled well and not paid vulnerable allowances	Tan Hoa village	No name in compensation plan. Verifying by CPC and CLFD
Nguyễn Thị Hực, Nguyễn Thị Dân: affected land at front 3m-width road but compensated with price for agricultural land	Tan Hoa village	No name in compensation plan. Verifying by CPC and CLFD

Source: Results of the survey

V. Outstanding Issues and grievance of APs

5.1. The AHs' General Comments

46. The monitoring results show that the AHs' comments focus mainly on following issues:

- (i) The HHs that have not agreed with compensation prices wish that the PMU and the district RCs will recommend the competent agencies to increase compensation prices of land, houses, and architectural structures as close to market prices as possible or price escalation allowances can be provided so that AHs can purchase land with the same area as their acquired land and build new houses of equivalent technical standards.
- (ii) The HHs that have not received compensation request the PMU and the district RCs to allocate sufficient budget so that payment can be made to these HHs as soon as possible in order to avoid damages to the AHs due to price escalation.

- (iii) After their land is acquired, all the AHs whose remaining land is limited, in bad shape, and difficult to be cultivated request the project to acquire the remaining land and provide compensation accordingly.
- (iv) The HHs whose assets are missed during inventory request the RCs to verify the missing assets and provide additional compensation.

5.2. The AHs' Specific complaints

47. The following table lists the AHs' complaints raised to the monitoring team and for which the authorities' attention is required:

Table 4: Outstanding issues in the surveyed packages

APs' complaints	Address
ĐỨC HÒA - LONG AN	
MỸ HẠNH BẮC COMMUNE	
Most of surveyed HHs required that: - PPMUs and District Resettlement Committees (DRC) should restore the landmarks so that they can identify the remaining land for cultivation; - PPMUs and Resettlement Committees inform the time of land acquisition so that AHs can arrange time to harvest and hand over land to the project; - The project needs to construct drainage culverts to protect flood and build bridges crossing canals for transportation.	Rung Dau village
Huỳnh Văn Bảo and Nguyễn Văn Hai said that DRC compensated for one crop while they cultivate 3 crops, so they required compensation for 3 crops.	Rung Dau village
Lê Văn Long said his affected land area is 81m ² (27mx3m) but compensated for 55m ² , lack of 26m ² .	Rung Dau village
Nguyễn Thị Khích required supporting for removal of electric line, woman headed household, and increasing compensation price for land.	Rung Dau village
Trần Thị Lệ complained that DRC miscounted some fruit trees, one grave, and lack of support for excavated land.	Rung Dau village
Nguyễn Thị Lơ is affected by canal N3-15-2 but DMS was not conducted for her land and assets due to land owner died. The HHs submitted LURC to DONRE of district in 2008 but not returned so far.	Rung Dau village
Lê Văn Khuyến affected by canal N3-15-2 required compensation for road made by HH and for 3 crops.	Rung Dau village
Lê Văn Sang required re-measuring his affected land because it locates next the road wider 3m but determined as 3m width only.	Rung Dau village
Lê Văn Cang said that his affected land is next the road with 3m width but compensated with price of agricultural land.	Rung Dau village
Lê Văn Tài said a culvert in temporary acquisition land is not compensated. He also required increasing compensation price for areca palm	Rung Dau village
Lê Hải Đông said his affected land locates next the road with 5m width but identified as 3 m width.	Rung Dau village
Lê Văn Tinh và Lê Văn Cang requested support in accordance with "wounded war soldier's family" policy for their household	Rung Dau village
Nguyễn Văn Dũng said that DMS was inadequate, miscounting 3 trees	Rừng Sến village
Nguyễn Văn Hồng said that 01 well has not been compensated	Rừng Sến village

Nguyễn Văn Bân said that his household was 100m ² less than total area indicated in the title book	Rừng Sến village
Nguyễn Văn Mát said that his household's affected land is frontage land but was classified as farmland during DMS	Rừng Sến village
XÃ HÒA KHÁNH TÂY	
Nguyễn Thanh Tùng has not received compensation because compensation amount is small (800,000 VND) while procedures are too cumbersome	Lập Thành village
Thân Trọng Minh said that 78 Mai Vang D and 56 Mai Vang E have not been compensated . Stated price according to compensation plan is 121,000đ/m ² , but compensation was at 48.000đ/m ² , very much lower than actual value.	Lập Thành village
Nguyễn Văn Cường, Phạm Văn Trầy said that their households should be compensated 100% for culverts, instead of 40 % as done.	Lập Thành village
Nguyễn Ngọc Châu requested an increase in Compensation Rate for Cajuput because current Compensation Rate of 30.000đ/tree is too low.	Lập Thành village
Nguyễn Thị Thúy Hòa proposed the following : - Reassesses the location and owner of land in order to determine the right price. - Determine the correct volume leveled (currently at 121.92 m ³ while actual volume leveled was 282m ³) - Provide job transition allowance for her household	Lập Thành village
Nguyễn Văn Thành, Phạm Văn Trầy, Nguyễn Thị Gát, requested that project conducts remeasurement and demarcation, set up the drainage system and increase compensation for households' assets on land and on the banks of the canal.	Lập Thành village
Đặng Thị Huệ said that measurement left out areas of kitchen, warehouse (about 70m ²) and concrete barriers	Lập Thành village
ĐỨC HÒA THUẬN COMMUNE	
Võ Văn Giới: Family has lost 2/3 of their total land holding but not classified as severely affected household because DMS were done separately by Duc Hoa CLFD and RECC of Long An. Suggested two bodies synthesize the DMS results so that his household can be entitled to support for severely affected households .	Nhon Hòa 1 village
Lê Quang Nhựt: Similar to Mr. Gioi's household , Mr. Nhựt's household lost 50 % of their agricultural land but not entitled to support for severely affected households because this land area is along canals N3 and N3 – 15, where measurement was done by Duc Hoa CLFD and RECC of Long An.	Nhon Hòa 1 village
Nguyễn Văn Đức: Currently the family does not know the exact size of area affected. RECC of Long An checked on 5/9/2013, but has not informed the family of outcomes.	Nhon Hòa 1 village
Huỳnh Hữu Phước: People are not involved in measurement of affected land. They are only informed of their respective areas of land lost when they received payments. He suggested the project makes demarcation promptly so that people know how much land area they have left to cultivate and produce. The current demarcation implies excessive loss of land, baffling the people. - Family has land near the end of the canal N3 - 15 . The drawings indicate remaining land of a triangular shape with area of 8m x 9m = 72 square meters. The family lost 36 m ² of frontage land but received no additional compensation. Family reflected this to project officer, but the matter was not resolved.	Nhon Hòa 1 village
Lê Quang Nhựt reflected that household of Mr Duong was affected 05 plots but compensated for 04 plots. Similarly, Mr. Bo was affected 02 plots but compensated for 01. Please check.	Nhon Hòa 1 village
Nguyễn Dân did not receive compensation due to disagreement with DMS outcome. Has not received compensation calculation sheet, either. Requested for	Nhon Hòa 1 village

remeasurement (DMS).	
Ngô Văn Đức and Ngô Văn Tấn have not received payments because household is in the middle of procedures for parcel separation as well as bank collateralization of LURC.	Nhon Hòa 1 village
Nguyễn Văn Đức and Nguyễn Văn Lây have not received payment because LURC misrecorded as Nguyễn Văn Đức. Correction is under way, looking forward to receiving compensation soon.	Nhon Hòa 1 village
Lê Văn Hở has not received payment because there is no address. During DMS, officer recorded "owners absent ". Mr Ho filed enquiry to CLFD but yet to receive compensation .	Nhon Hòa 1 village
Nguyễn Văn Thám and Lê Thị Lạc have not received payments because household is in the middle of procedures for parcel separation; Have 200m2 near-harvest peanut affected by the construction, amounting to losses of 12 million . Family petitioned in writing but yet to receive a reply.	Nhon Hòa 1 village
Thái Văn Tum reflected that his neighbor has 30m2 affected land, getting 80 million in compensation , while Mr. Tum has 170m2 affected, receiving only 99 million. He petitioned in writing but yet to receive a reply.	Nhon Hòa 1 village
Nguyễn Thị Hiệp was an affected household but not yet received compensation due to incorrect name recorded in LURC.	Nhon Hòa 1 village
Phạm Văn Ước has not received payment because owner was absent during DMS. Currently, family is obstructing construction and demanding compensation	Nhon Hòa 1 village
Nguyễn Hoà Chiến has not received compensation because LURC record land area incorrectly. Actual area is 3000m2 while recorded 200m2 on LURC only. Family petitioned in writing, and awaiting for correction.	Nhon Hòa 1 village
MỸ HẠNH NAM COMMUNE	
Lại Văn Khải and Lại Thị Út have not received compensation (about VND200million) due to enquiry regarding incorrect identification of land location.	
Nguyễn Ngọc Khanh: No payment received because LURC initially record the name of Nguyen Ngoc Khanh but subsequently transferred to Nguyen Thi Trinh.	
Phạm Thị Hạnh: No receipt because DMS showed 10,600 trees but payment was tendered for only 1,106 trees. DMS was conducted again (in August), but the family has not received a new compensation calculation sheet.	
Lê Thị Út requested an additional compensation for 4 culverts and 8m2 brick-paved courtyard	
<p>Nguyễn Văn Cu proposed the following:</p> <ul style="list-style-type: none"> - The family's land was close to 3m wide road; 4 plots of paddy field, constructed canal has separated the plots, leading no walking path; - Cajuput planted along the canal bank were not compensated; multiple-plot paddy fields were compensated with low price; - People were not notified of the timing of construction. As a result, they unknowingly planted rice seeds which were completely destroyed during subsequent construction. - Will the deposit material site be returned to its original condition? 	
Nguyễn Tấn Đạt reflected that DMS showed 220m2 but only received compensation for 190m2. When family questioned, PMU staff cited canal narrowing as the cause.	
Nguyễn Văn Phá has received compensation but lack of 2 wells and 2 culverts, worth over 3 million .	
Hồ Văn Nhất has not receive payment because of low prices . Petitioned in writing but yet to receive a reply.	
Đỗ Văn Mỹ said that calculation sheet showed 95 million but only received 75 million. Requested for an explanation.	

Hà Văn Lợi: Received compensation but did not agree with the identification of land positions, miscounting of trees	
Nguyễn Văn Hồ said that 5 culverts were miscounting, each worth 500 thousand.	
Trịnh Đình Thành has not received compensation because 186m2 residential land is affected, but lack of 11,5 m2; fence length of 16.5 m and pond of 7m2 have not been compensated.	
Trương Văn Hiếu has not received compensation because DMS was not performed on-site measurement but based on cadastral maps leading to confusion among households. According to compensation calculation sheet, the amount of compensation was 27 million but based on actually affected land, compensation should be around 150 million .	
Nguyễn Văn Dân said they have not received compensation due to procedures and documentation.	
H. TÂN BIÊN – TÂY NINH	
TÂN BÌNH COMMUNE	
<p>Nguyễn Văn Sang said :</p> <ul style="list-style-type: none"> - Low compensation price, initial estimation was 26.000VND/m2 but then actual applied price was only 13,000 VND/m2. - This household suggested on-site checking in order to determine proper compensation because the household has land on inter-communal road, 100m from communal border. The household proposed that 2013 compensation prices be applied. 	Ấp Tân Thạnh
Nguyễn Văn Quế has received compensation for 4/5 parcels affected. The parcel of land that has not been compensated for has been used by the household since 1982 but due to its location on the border dividing the communes Binh Tan and Thanh Tay, could not be separated. The project acquired 1,257m2 but compensated at low prices. The land was used for rubber plantation but only compensated for at price of that used for annual crops at 13,000d/m2. The household proposed compensation at price level of perennial crop land.	Tân Thanh village
<p>Nguyễn Văn Trung said :</p> <ul style="list-style-type: none"> - Because they were not invited to meetings, they did not alter the purpose of land use in time. Therefore, their land used for rubber plantations were only compensated at price of annual crop land. According to the household, land was compensated at 13.000d/m2, while actual value is 75.000d/m2, 10 year-old rubber trees were compensated at 400.000d/tree while actual value is 500.000d/tree. - This household proposed compensation at 2013 prices. - The household also suggested re-determining land positions to compensate for actual value of land because their land is only 60 meters from the road, but compensation price applied was that of position 3. 	Tân Thanh village
Nguyễn Văn Thịnh said that compensation rate at 18,000 vnd/m2 was low and suggested rate similar to neighboring households at 42.000vnd/m2.	Tân Thanh village
Nguyễn Văn Sang requested that remaining land area is unfit for cultivation be acquired.	Tân Thanh village
<p>Nguyễn Thanh Tùng said :</p> <ul style="list-style-type: none"> - They have not received the compensation and have worked with the various departments and agencies without arriving at a final conclusion. This household suggested that CLFD of Tan Bien district as well as other relevant authorities reevaluate the status of affected land and issue official reply in writing. If there is an official written reply, they will accept compensation. (Mr. Nguyen Thanh Tung is an official working at CPC of Tan Binh - Tan Bien) - They also suggest re-determining age of rubber trees in order to price them fairly 	

because in 2011, household rubber trees were 4 years old while in 2013, they are 7 years old.	
TRẢNG BÀNG DISTRICT – TÂY NINH	
AN TỈNH COMMUNE	
Nguyễn Văn Riếp: Due to the closure of water source for construction purpose, farmers could not cultivate leading to lost revenue. Requested for support.	Bầu Mây village
Phan Thị Út: compensation price was too low, unable to buy house	Bầu Mây village
Trần Ngọc said : - The household used their land for perennial crop, adjoining Mrs. Le Thi Phuong's land. But Mrs. Phuong was compensated at type 1 price while compensated at type 3 price for the household. Family petitioned in writing but was rejected; - Biogas tunnel construction cost was 14 million but compensated at only 1.7 million.	Bầu Mây village
Nguyễn Thị Bui (Hà Văn Rạch) has not been supported from OSDP, expecting for support.	Bầu Mây village
Trần Thị Cụt: Female-headed household but did not receive corresponding support - Land area on LURC was 266m2 but only compensated for 196.3 m2; - Families have petitioned in writing but not been answered.	Bầu Mây village
Phạm Thị Môi: Did not know about insurance assistance program and is now without insurance. Looking forward to receiving insurance benefits.	Bầu Mây village
Nguyễn Thị Hời thought that compensation price for 4 family tombs was insufficient for rebuilding. Currently they have moved but not rebuilt the tombs.	Bầu Mây village
Mr. Cương: Affected land of 512m2 was not compensated at frontage land price. Mr. Nguyen Van Hook and Nguyễn Văn Treo: Currently family has 4m x 29 m that they suggested that the project acquires this remaining land. The family made the request in writing for resolution.	Suối Sâu village
Mr Sai: His household lost land, but do not know exactly how much is lost. Currently 3m of frontage land left is not sufficient to build a house. Mr Thung: Family has 1,500 m2 of land used for chilli plantation. The project acquired the land but has not compensated for chilli on the affected land.	Suối Sâu village
Mr Xuân: Household with 2,800 of affected agricultural land has received compensation. The household is apply for LURC for the remaining of 80m2.	Suối Sâu village
Mrs Nguyệt: 400 m2 of affected land is 50 meters road-adjacent but not compensated at road-adjacent price	Suối Sâu village
TỈNH BÌNH PHƯỚC	
MINH LẬP COMMUNE – CHƠN THÀNH	
Bùi Văn Thành, Phạm Văn Sử, Nguyễn Văn Thέ, Bùi Văn Linh represent households affected by additional flooding after water reservoir creation but not yet received additional compensation. Household assets have been flooded for 2 years but not been compensated.	

Source: Results of the survey

VI. Conformity between Resettlement Implementation Progress and Construction Progress

48. In Tay Ninh, Long An provinces and Cu Chi – HCMC, the progress of compensation implementation and site clearance met the progress of civil works contract award. At the monitoring time, compensation payment has basically been completed for almost all civil works contracts, meeting the requirements of handing over construction sites. In Binh Phuoc province, payment of additional compensation for AHs whose land and assets are additionally flooded after storing up water in the reservoir does not affect progress of civil works because the headwork has been constructed already.

VII. Conclusions and Recommendations

7.1. Conclusions

49. In general, the implementation of compensation and resettlement for Phuoc Hoa water resources project in Tay Ninh, Long An, Binh Phuoc provinces and HCMC has substantially complied with the RF and RP approved by ADB. Information disclosure and community consultation were carried out adequately, in a open and democratic manner. The DMSs of affected assets, except measurement of agricultural land, was implemented with the AHs' representative participation. The compensation plans were prepared on the basis of the policies and the APs' entitlements stated in the RP and sent to the APs for comments prior to submission to the relevant authorities for approval. Compensation was paid publicly with witness of relating parties. Payment procedures were simple, time and venues of compensation payment were informed to each AH. Problems concerning payment procedures encountered by several HHs have been resolved properly under agreement of the APs.

50. Nevertheless, errors are unavoidable in the process of compensation and resettlement ; for instance, miscounting affected assets during DMSs, imprecise determination of land origins and land categorization, lower compensation prices in somewhere compared to market prices. All requests and complaints of the AHs were noticed and considered by the RCs. However, because of complexity of land origins and deficiencies of land management, settlement of the AHs' grievances was prolonged, and this has resulted in dissatisfaction of the concerned AHs. At time of the monitoring mission, complaints of AHs raised in last mission reports (sixth monitoring report) have been resolved basically and satisfactorily, complainants have received (additional) compensation and handed over land to the project. Some complicated cases are under resolving actively by responsible agencies and will be monitored in next mission.

51. Progress of compensation payment for AHs in package No.8 in Duc Hoa irrigation area, Long An is still going slowly, reaching 80.2%, but does not affect progress of civil works. If it is not speeded up, the progress of civil works will be affected seriously due to rainy season.

52. At the surveyed communes, the people are aware of the benefits provided by the project to their lives and productive activities. Therefore, they absolutely support the project and will facilitate the project implementation. Although compensation prices can be a little bit lower than the market prices at some places, most of the AHs accept and look forward to early construction so that they can enjoy the project benefits soon.

7.2. Recommendations

53. To ensure the APs' entitlements, it is requested that the PMUs and the district RCs to resolve the outstanding issues presented in this report and answers should be sent to the APs as soon as possible. Settlement of the APs' grievances must comply with the Grievance Settlement

Mechanism stated in the RP and the Vietnam Law on Grievances. All the APs' entitlements presented in the Matrix of Entitlements must be complied with.

54. Binh Phuoc PPMU and Chon Thanh DRC should pay compensation for additional AHs as soon as possible so that they could stabilize their lives and production soon. At present, they are facing with difficulty in livelihoods due to productive land flooded.

55. The RCs should consider and acquire the AHs' remaining land areas which are not proper for cultivation and production because those areas are small, in poor shapes, or are divided by various canals, and then pay compensation as per the policies of the project.

56. According to the monitoring results of payment progress, the IMO recommend ADB and AFD to allow commencing construction of the package no. 8 where compensation and resettlement have been completed in Duc Hoa Irrigation Area, Duc Hoa district – Long An.

Appendix 1: Resettlement data of Duc Hoa main canal – Long An section and Duc Hoa irrigation area

FORM 1: Number of AHs

Nr	Packages	Permanent AHs									Temp. AHs	Perm. AHs	Total
		Severe AHs			marginal AHs	Business	Vulnerable AHs						
		Amount	losing >20% of agr.land	relocation			poor	EM	Women headed	social AHs			
1	Duc Hoa main canal- Long An and 3 borow pits	166	154	24	115	2	12	0	11	28	0	283	283
2	Packages 1&2	125	120	5	862	6	12	0	6	32	-	987	987
3	Packages 3,5,6	260	245	15	1.086	9	11	0	90	56	-	1.355	1.355
4	Packages 4,7,9	219	218	6	938	18	2	0	22	113	-	1.175	1.175
5	Packages 8,10, and 4,9 (partly) and 5 borrow pits	207	195	15	1.367	22	33	0	14	109	-	1.574	1.574
	Total	977	932	65	4.368	57	70		143	338		5.368	5.368

FORM 2: Acquired land area

Nr.	Packages	Permanent acquisition (ha)						Temporary acquisition (ha)					
		Agr. Land	Residential land	Aquar land	Forest land	other land	amount	Agr. Land	Residential land	Aquar land	Forest land	other land	amount
1	Duc Hoa main canal-Long An and 3 borrow pits	87,01	0,49	0,00	0,00	1,40	88,70	0,00	0,00	0,00	0,00	0,00	0,00
2	Packages 1&2	44,80	0,94			1,30	47,00						38,25
3	Packages 3,5,6	53,90	1,60	0,00	0,00	0,02	63,80	0,00	0,00	0,00	0,00	0,00	44,29
4	Packages 4,7,9	41,10	0,00	0,00	0,00	9,30	50,60	44,40	0,00	0,00	0,00	1,78	46,19
5	Packages 8,10, and 4,9 (partly) and 5 borrow pits	84,10	0,00	0,00	0,00	12,30	96,50	51,90	0,00	0,00	0,00	3,30	55,21
	Total	310,91	3,03	0,00	0,00	24,32	346,60	96,30	0,00	0,00	0,00	5,08	183,94

FORM 3: Affected houses/structures and others

TT	Packages	Affected houses (m ²)	Crops (m ²)	Trees	Structures	Tombs (unit)	Wells (unit)
1	Duc Hoa main canal-Long An and 3 borrow pits	5.796	399.643	33.948	-	154	133
2	Packages 1&2	4.788	na	na	-	12	126
3	Packages 3,5,6	31.458	-	-	-	59	156
4	Packages 4,7,9	3.615	857.102	66.496	-	20	87
5	Packages 8,10, and 4,9 (partly) and 5 borrow pits	3.541	1.229.765	92.899	-	16	65
	Total	49.198	2.486.510	193.343		261	308

FORM 4: Status of payment as of 30/6/2013

Nr	Packages	Resettlement costs (VND)		Progress of payment (VND)			Status of receiving		Status of handing over	
		Estimated costs	Actual costs	Paid (VND)	To be paid	Paid (%)	#AHs received	#AHs not received	#AHs handed over	#AHs not handed over
1	Đức Hòa main canal and 3 borrow pits	158,121,000,000	137,566,000,000	130,936,000,000	6,629,000,000	95.2	268/283	15	268	15
	Package 1	67,638,000,000	55,902,000,000	55,046,000,000	856,000,000	98.5	393/432	39	393	39
2	Package 2	59,930,000,000	47,733,000,000	46,973,000,000	760,000,000	98.4	509/549	40	509	40
3	Package 3	70,062,000,000	56,652,000,000	39,050,000,000	17,602,000,000	87.4	340/427	87	340	87
4	Package 4	448,200,000,000	35,277,000,000	33,637,000,000	1,640,000,000	95.4	469/536	67	469	67
5	Package 5	65,636,000,000	55,325,000,000	56,925,000,000	-1,600,000,000	102.9	313/344	27	313	27
6	Package 6	64,980,000,000	53,009,000,000	50,768,000,000	2,241,000,000	95.8	489/562	73	489	73
7	Package 7	102,000,000,000	74,450,000,000	59,163,000,000	15,287,000,000	85.8	416/563	147	416	147
8	Package 8	91,576,000,000	71,121,000,000	7,497,000,000	63,624,000,000	80.2	64/760	696	64	696
9	Package 9	86,000,000,000	64,862,000,000	56,183,000,000	8,679,000,000	90.8	294/352	58	294	58
10	Package 10	144,537,000,000	115,985,000,000	91,432,000,000	24,553,000,000	93.8	601/762	161	601	161
	Total	955,300,000,000	767,882,000,000	627,610,000,000	140,271,000,000	97.6	4156/5670	1,514	4,156	1,514

Appendix 2: Resettlement data of Duc Hoa main canal – Tay Ninh section and Duc Hoa irrigation area

FORM 1: Number of AHs

FORM 1: Number of AHS

Nr	Packages	Permanent AHS								Temp. AHS	Total	
		Severe AHS			marginal AHS	Business	Vulnerable AHS					
		amount	losing >20% of agr. Land	relocation			poor AHS	EM AHS	Women headed			social AHS
1	Đức Hòa main canal – Tây Ninh section	139	120	37	198	7	1	0	31	40	0	337
2	Tân Biên irrigation area – Châu Thành district	34	25	9	343	0	4	0	8	25	0	377
3	Tân Biên irrigation area– Tân Biên district	14	6	10	442	0	0	26	15	27	0	456
4	Total	187	151	56	983	7	5	26	54	92		1.170

FORM 2: Acquired land area

Nr	Packages	Permanent acquired area(ha)						Temp. acquired area (ha)						Total
		Agr. Land	Residential land	Aqua. Land	Forest land	Others	Amount	Agr. Land	Residential land	Aqua. Land	Forest land	Others	Amount	
1	Đức Hòa main canal – Tây Ninh section	27,70	1	0	0	16,71	45,11	0,00	0,00	0,00	0,00	0,00	0,00	45,11
2	Tân Biên irrigation area – Châu Thành district	36,28	0,38	0	0	1,88	38,54	0,00	0,00	0,00	0,00	0,00	0,00	38,54
3	Tân Biên irrigation area– Tân Biên district	91,39	0,76	0	0	3,26	95,41	0,00	0,00	0,00	0,00	0,00	0,00	95,41
4	Total	155,37	1,83	0,00	0,00	21,85	179,06	0,00	0,00	0,00	0,00	0,00	0,00	179,06

FORM 3: Affected houses and others

Nr	Packages	Houses/ structures(m ²)	Shops (m2)	Crops (m ²)	Trees	Tombs (unit)	Well (unit)
1	Đức Hòa main canal – Tây Ninh section	5.975	1.384	65.557	45.774	7	90
2	Tân Biên irrigation area – Châu Thành district	731	0	227.428	16.138	0	26
3	Tân Biên irrigation area – Tân Biên district	1.889	0	160.659	55.355	0	17
5	Total	8.594	1.384	453.644	117.267	7	133

FORM 4: Status of payment as of 19/3/2013

Nr	Packages	Resettlement costs (VND)		Paid amount (VND)		Status of payment		Status of clearance	
		Approved amount	Actual amount	Paid	To be paid	Received AHs	Unreceived AHs	Handed AHs	Not handed AHs
1	Đức Hòa main canal – Tây Ninh section	92.885.400.000	91.513.000.000	71.591.000.000	19.922.000.000	320/343	23	320	23
2	Tân Biên irrigation area – Châu Thành district	40.005.680.000	35.719.000.000	33.716.000.000	2.000.000.000	439/466	27	439	27
3	Tân Biên irrigation area – Tân Biên district	100.548.460.000	97.521.000.000	96.421.000.000	8.756.000.000	593/633	40	593	40
	Total	233.439.540.000	224.753.000.000	201.728.000.000	30.678.000.000	1352/1442	90	1.352	90

