

Resettlement Monitoring Report

Annual Report
October 2012

Viet Nam: Central Region Small and Medium Towns Development - Dak Nong Subproject

Prepared by the InvestConsult Group for the Provincial People's Committee of Dak Nong Province and the Asian Development Bank.

**MINISTRY OF CONSTRUCTION
ADMINISTRATION OF TECHNICAL INFRASTRUCTURE
MANAGEMENT BOARD OF TECHNICAL INFRASTRUCTURE
DEVELOPMENT PROJECTS**

**Central Region Small and Medium Towns Development Project
ADB Loan No: 2272-VIE (SF)**

SECOND INDEPENDENT MONITORING REPORT

**CENTRAL REGION SMALL AND MEDIUM TOWNS DEVELOPMENT PROJECT
DAK NONG PROVINCE**



**InvestConsult Group
Deputy Director General**

LE CHI CUONG

October 2012

CONTENT

LIST OF TABLES	4
ABBREVIATION	5
I. PROJECT INTRODUCTION	6
1. Project's objectives	6
2. Location and scope of Dak Nong sub – project	6
3. Scope of project.....	7
3. Progress of project.....	9
4. Project's compensation policy.....	9
4.1. <i>The Vietnamese Legal Framework</i>	9
4.2. <i>Policy of ADB</i>	11
4.3. <i>Gaps between National Laws and ADB Policy</i>	13
4.4. <i>Principles and Entitlement Policy</i>	15
II. Monitoring and assessment.....	16
1. Objectives of monitoring and resettlement assessment.....	16
2. The issues to be monitored and evaluated	17
3. Methods of monitoring and assessment and selection of samples	17
3.1. <i>Methods</i>	17
3.2. <i>Selection of samples</i>	18
4. Implementation of monitoring and evaluation	19
5. Difficulties in the monitoring and evaluation process	21
III.RESULT OF MONITORING AND EVALUATION.....	22
1. Supplemental plan on compensation, support and resettlement of packages with site clearance.....	22
2. Progress of the site clearance and resettlement compensation.....	23
3. Progress of project implementation and households' impacts during construction:	24
4. Progress of disbursement of project's packages	29
5. Assessment on level of AHS' rehabilitation	30
5.1 <i>Rehabilitation programs</i>	32
5.2 <i>Some questions to assess level of households' rehabilitation and result of survey</i>	33
6. Opinion of leaders in wards/communes and people in project construction areas	35
IV. CONCLUSION	37

ANNEX 1. LIST OF CONTACTED OFFICERS	39
ANNEX 2. LIST OF INTERVIEWED HHs.....	40
ANNEX 3. IMAGES	45
ANNEX 4: SURVEY TOOL	48

LIST OF TABLES

Table 1: Scale of construction and installation packages	8
Table 2: Differences between Vietnam's policy and ADB's Policy on Involuntary Resettlement	13
Table 3: Number of AHs in each package	18
Table 4: Schedule and location of the second monitoring	19
Table 5: Personnel involved in the second monitoring	21
Table 6. Distribution of severely affected households and vulnerable groups	31
Table 7. Rehabilitation programs.....	32
Table 8. Result of monitoring and evaluation of rehabilitaion	33
Table 9. Result of surveying female householder during project construction.....	34
Table 10. Result of monitoring of householder of ethnic minorities during project construction	35

ABBREVIATION

ADB	Asian Development Bank
MOC	Ministry of Construction
MABUTIP	Management Board of Technical Infrastructure Development Projects
AH	Affected households
AP	Affected people
HH	Household
GOV	Government of Vietnam
SC	Site Clearance
NGO	Non – governmental organization
PPC	Provincial People’s Committee
PRC	Provincial Resettlement Council
DOC	Department of Construction
DOF	Department of Finance
DONRE	Department of Natural Resources and Environment
DOLISA	Department of Labors, Invalid and Social Affairs
DPC	District’s People’s Committee
DRC	District’s Resettlement Council
CPC	Communal People’s Committee
CRC	City’s Resettlement Council
DMS	Detailed Measurement Survey
IMO	Independent Monitoring Organization
IOL	Inventory of Losses
LAR	Land acquisition and resettlement
LURC	Land use rights’ certificate
PRA	Participatory Rural Assessment
PRC	Provincial Resettlement Council
RP	Resettlement Plan
TOR	Terms of Reference
VHLSS	Vietnamese households living standard survey
WSP	Water – supply plan
USD	US Dollar
VND	Vietnam Dong

This resettlement monitoring report is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

I. PROJECT INTRODUCTION

The independent monitoring of resettlement plan (RP) under the Central Region Small and Medium Towns Development Project has been engaged on an intermittent basis for two years for two periodic monitoring sessions and 1 final report. This is the second monitoring report. Consultant updates figures in this report for independent monitoring of RP implementation until early September 2012.

1. Project's objectives

Central Region Small and Medium Towns Development Project (ADB Loan 2272-VIE(SF)) is implemented to improve urban environment and strengthen activities of hunger elimination and poverty reduction in the five provinces of Central Region of Vietnam.

The project is to improve living standard, maintain the urban economic development, and reduce poverty of people in project's areas through sustaining the water – supply service and environmental sanitation. The objectives of project include:

- (i) Improving the access of water – supply and sanitation services;
- (ii) Increasing ability to control water and waste-water drainage;
- (iii) Broadening services and enhancing ability to control solid waste;
- (iv) Developing community's awareness on the importance of keeping environmental sanitation and personal hygiene to decrease the risk to community's health;
- (v) Increasing ability to manage services of urban water drainage and environmental sanitation companies, operating the services upon a stable basis through mechanism of accurate calculation of water price, full recovery of capital and branch management ability strengthening; and
- (vi) Intensifying the participation of community and private sector to ensure the sustainable water – supply and environmental sanitation.

The overall objective of resettlement plan is to ensure that all of APs will be compensated according to replacement cost, based on market price and matched with their losses, as well as to assure that they will receive recovery measures, including support for movement. Therefore, their lives after project's implementation will be at least equal to before project's implementation.

2. Location and scope of Dak Nong sub – project

Dak Nong sub – project in Dak Nong province is to improve the water supply system and develop an overall water supply network for Gia Nghia town, as well as to upgrade and develop the drainage system along main streets in Gia Nghia. Concurrently, Gia Nghia town will also benefit from a new waste landfills and other activities related to improving the system of solid waste management

Dak Nong sub-project includes three construction packages with site clearance:

+ Package DN3A/B/10/ICB (Drainage and wastewater system in Gia Nghia town): In the first phase, the project mainly focuses on construction of rain-water/wastewater drainage system in the metropolitan area of Gia Nghia town, Nghia Tan ward, Gia Nghia town. Acquired area is about 3.6 ha of agricultural land. The acquisition of land affected 06 households, but no household is severely affected, which means losing over 10% of the total area of owned agricultural land or being displaced.

+ Package DN3B/A/10/ICB (water supply system in Gia Nghia town):

The water supply system in Gia Nghia town acquired approximately 3.819 m² of agricultural land. All of this land is located in the wards of Duc Nghia and Nghia Phu, Gia Nghia town. This acquisition affected 06 households and 01 household was severely affected, which means losing over 10% of the total area of owned agricultural land. This package includes three components:

- Raw water pumping station was built in the southwestern of Gia Nghia town, located in Lake No. 2 of the Dak Tih Hydropower Construction Project, about 500 meters away from National Highway 14, 150 meters from dam 2A and channel to transfer raw water from Lake No. 2 to pool No. 4.
- Water treatment plant supplying water to Gia Nghia town is built right next to Water supply and urban constructions management company in Dak Nong province, 1.6Km away from the raw water pumping station
- 500m³ per day and night booster pump station is built near the Nguyen Thi Minh Khai school, on a land area of 16m x 34m = 544m².

+ Package DN4/C/10/NCB (landfill)

Waste landfill is built in Dong Tien village, Dak Nia commune, which is 9km away from the center of Gia Nghia town in the southeast, located on the hillside next to the access road to the Dak Nong hydropower plant. The total construction area of landfills as planned for both two stages is 6.57 ha. The acquisition of land affected 07 households without any severely affected households, which means losing over 10% of the total area of owned agricultural land or being displaced.

3. Scope of project

There are five packages in Dak Nong province:

+ Package DN3A/B/10/ICB (Drainage and wastewater system in Gia Nghia town):

+ Package DN3B/A/10/ICB (Water supply system in Gia Nghia town):

+ Package DN4/C/10/NCB (landfills)

+ Package DN5/C/09/ICB (equipment, operation and maintenance)

+ Package DN6/A/10/FA (tertiary pipeline and household connections)

Dak Nong sub-project includes 3 construction and installation packages that directly affected households in term of site clearance. See scales of the 3 packages in Table 1 below:

Table 1: Scale of construction and installation packages

Location	Package	Construction	Comment
Gia Nghia	DN3A/B/10/ICB (Drainage and wastewater system in Gia Nghia town)	<ul style="list-style-type: none"> - Drains - Sewrage -Wastewater pumping station No 2 (PS2) - Wastewater pumping station No. 3 (PS3) - Wastewater pumping station No. 9 (PS9) - Wastewater treament plant 	Construction is mainly on current streets
	DN3B/A/10/ICB (Water supply system in Gia Nghia town)	<ul style="list-style-type: none"> -Raw water pumping station: pumping water from the hydroelectric plant No. 2 to Sung Duc water treatment plants by submersible pumps. Raw water is transmitted by DN400 - diameter pipeline 1.7km long, installation equipment of phase 1 having capacity of 12.000m3 per day and night, 3 submersible machines which include 2 operating machines and one spare machine. - Water treatment plant includes: pipelien to transfer the raw water, complex of panks for mixing, interaction and sedimentation, filtration, clean water tank and backwash water, backwash pumping station, wackwash water collecting pond, sludge drying yard, chlorine room, chemical room and auxiliary buildings such as: operating house, house for protector, fence, gate ... - Construction of 2 booster pumping station: 500m3/per day and nigh and 300m3/per day and night 	Construction is mainly on current streets

Location	Package	Construction	Comment
	DN4/C/10/NCB (landfill)	<p>First phase: 3,33ha including: 1 landfill with area of 1,51ha, 1 administration house with area of 60m², 1 storage + 1 garage + workshops, 1 weighing station + house for protector, 1 underground room for car wash, the biological treatment tank to treat leachate, and the internal concrete roads, lighting on the landfill grounds.</p> <p>The average amount of garbage brought to landfills is about 39 tons/day, equivalent to 130m³/day, approximately 14,240 tons/year.</p>	Expansion of current landfill

3. Progress of project

The detailed design has now been approved. Public bidding for construction and installation packages will be deployed at the end of 2011 and finished in 2013. Estimated construction time for construction is as follow:

- + Package DN3A/B/10/ICB: Construction time: 18 months. Award of contract: November 8th 2011. Completion time: July 8th 2013.
- + Package DN3B/A/10/ICB: Construction time: 24 months. Award of contract: November 22 2011. Completion time: November 22 2013.
- + Package DN4/C/10/NCB: Construction time: 15 months. Award of contract: November 21 2011. Completion time: April 21 2013.

4. Project's compensation policy

4.1. The Vietnamese Legal Framework

In addition to the Constitution of the Socialist Republic of Viet Nam (April 1992), the GOV has enacted a number of laws, decrees and regulations that constitute the legal framework for land acquisition, compensation and resettlement. The principal documents include:

- (i) Land law passed by the National Assembly on 26 November 2003.
- (ii) Decree 181/2004/ND-CP, dated 29 November 2004, on executing Land Law.
- (iii) Decree 197/2004/ND-CP, dated 03 December 2004, on compensation, assistance and resettlement when the State acquires the land. This is arguably the key piece of legislation which replaces Decree 22/CP of 24 April 1998 which previously provided the primary basis for compensation and resettlement activities.
- (iv) Circular 116/2004/TT-BTC, dated 07 December 2004, of the Ministry of Finance providing guidelines on executing Decree 197 of the Government.

- (v) Decree 198/2004/ND-CP of the Government on charging fees on land use.
- (vi) Decree 188/2004/ND-CP, dated 16 November 2004, on methods to identify tariffs and the tariff frames for different types of land. Circular 114/2004/TT-BTC, guiding implementation of Decree 188.
- (vii) Circular 144/2004/TT-BTC, dated 26 November 2004, of the Ministry of Finance providing guidelines to executing Decree 188 of the Government.
- (viii) Decree 17/2001/ND-CP, dated 04 May 2001, relating to regulations on management and utilization of overseas development assistance.
- (ix) Decree 17/2006/ND-CP, dated 27 January 2006, relating to amendment and additions to Decrees 181 and 197 above.
- (x) Decree 84/2007/ND-CP, on 25th May 2007 on supplementary regulations on granting land use certificate, orders and procedures for compensation, assistance and resettlement when the State acquires land and settling complaints on land.
- (xi) Decree 69/2009/ND-CP, dated 13 August 2009, regulating additional planning of land use, land prices, land acquisition, compensation, assistance and resettlement.
- (xii) Decree 79/2003/ND-CP, promulgating the regulation on the exercise of democracy in communes, including requirements for consultation with and participation of people in communes.

In addition to the above laws and decrees, which create the legal framework that allows provincial and local level to implement up to regulations and decisions of each place and of law; especially regulate the price and compensation level used to calculate the compensation and other supporting payment for AHs, due to land acquisition and resettlement. Decisions of Dak Nong province include:

- Decision No 05/2010/QĐ-UBND dated 23/2/2010 of Dak Nong PPC on compensation, allowance and resettlement in case of State acquisition in the province.
- Decision No 12/2011/QĐ-UBND dated 1/3/2011 of Dak Nong PPC on amending, supplementing some articles of Decision No 05/2010/QĐ-UBND dated 23/2/2010 of Dak Nong PPC on compensation, allowance and resettlement in case of State acquisition in the province.
- Decision No 29/2009/QĐ-UBND dated 29/12/2009 of PPC on land price in the province.
- Decision No 18/2010/QĐ-UBND dated 14/7/2010 of PPC on construction price and works in the province; ratio of main constructions in total value of house and constructions, which is basis for estimating compensation and allowance.
- Decision No 19/2007/QĐ-UBND dated 24/10/2007 of PPC on price of plants, trees and livestock, which is basis for estimating compensation and allowance.
- Decision No 224/QĐ-UBND dated 10/2/2007 of Dak Nong PPC on approval of Feasibility Study Report of Central Region - Small and Medium Towns Development Project – Dak Nong sub-project.

- Decision No 1336/QĐ-UBND dated 30/12/2009 of Dak Nong PPC on approval of adjusted Feasibility Study Report of Central Region - Small and Medium Towns Development Project – Dak Nong sub-project.
- Dispatch No. 3528/UBND-CN, dated 30/12/2009 of Dak Nong PPC on agreement on construction location of Water supply treatment area, wastewater treatment plant, solid waste landfill, booster pumping station of water supply system, raw water/waste water pumping station.
- Dispatch No. 1012/UBND-NN, dated 16/4/2010 of Dak Nong PPC on authorizing land acquisition notification.
- Notice No 142/TB-UBND, dated 29/9/2010 of PC of Gia Nghia town on the acquisition of land for construction of Central Region - Small and Medium Towns Development Project – Dak Nong sub-project.
- Decision No 758/QĐ-UBND dated 29/7/2011 of PC of Gia Nghia town on approval of compensation, allowance and resettlement.

4.2. Policy of ADB

The aim of the ADB's Safeguard Policy Statement *on Involuntary Resettlement* (2009) is to avoid or minimize the impacts on people, households, businesses and others affected by the land acquisition required by the Project. The overall goal of the ADB policy is to compensate and assist affected people *to restore their living standards to levels equal to, if not better than, that which they had before the Project.*

The main objectives and principles of the policy are as follows:

- Screen the project early to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- Carry out meaningful consultations with affected persons, host communities, and concerned nongovernmental organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.

- Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and civic infrastructure and community services, as required.
- Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.
- Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.

- Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

4.3. Gaps between National Laws and ADB Policy

The 2003 Land Law and Decree 197/2004/ND-CP considerably reduced differences that had existed between GOV and ADB policies relating to involuntary resettlement prior to the enactment of this legislation. Decree 17/2006, Decree 84/2007 and Decree 69/2009 have just further reduced remaining gaps.

Table 2 highlights the key differences between Vietnam's policy on resettlement and the ADB's policy on involuntary resettlement. Measures to bridge the remaining differences in order to make local practices consonant with Bank policies and procedures are also provided.

Table 2: Differences between Vietnam's policy and ADB's Policy on Involuntary Resettlement

Decree 197/17/84/69	ADB Policy	Project Policy
<i>Article 6:</i> If persons who have land recovered by the State meet all conditions prescribed in Article 8 of the Decree 197/2004/ND-CP, they shall receive compensation; if they fail to meet all conditions for compensation, the Peoples' Committees of the provinces or centrally-run cities shall consider to provide support.	APs who are not entitled to compensation under domestic law will be assisted to restore their pre-project living standards.	No compensation for illegible land but assistance will be provided to restore their living level of APs to at least equal to pre-project level. All affected people by the Project, irrespective of tenure status, social or economic standing, will be equally entitled for compensation of their lost assets, incomes and businesses at full replacement cost, and provided with rehabilitation measures sufficient to assist them to improve or at least restore their pre-project living standards, income levels and productive capacity.
<i>Article 9:</i> The compensation rates for land shall be determined by the PPC in accordance with the Government regulations for	All affected houses and structures, irrespective of land tenure status, should be compensated at	Project staff and independent consultants will work with the Land Valuation Councils to carry out replacement cost surveys to ensure that project rates for all

Decree 197/17/84/69	ADB Policy	Project Policy
<p>the type of land which has been used for at the time of land acquisition.</p> <p>Decree 17/2006 provides for compensation to be based on market prices. Where there is a difference between current use and market values, a Land Valuation Council has to be set up to establish current market values.</p>	<p>the full replacement cost.</p>	<p>categories of loss will be equivalent to replacement cost at current market value. These compensation units will be updated at the time of compensation.</p>
<p><i>Article 18,19, 20 Decree 197:</i></p> <p>■ Houses and structures on non-eligible-for-compensation land, which have not violated announced land use plans or the right of way, will be assisted at 80 percent of replacement cost.</p> <p>■ Houses and structures on non-eligible-for-compensation land, which have violated announced land use plans or the right of way, will not be assisted. In special cases, the PPC will consider to assist on the case by-case basis.</p>	<p>All affected houses and structures, irrespective of land tenure status, should be compensated at the full replacement cost.</p>	<p>Full compensation at replacement cost will be paid for all affected structures based on current fair market price of new building materials and labor without any deductions for salvageable materials and labor or depreciation.</p>
<p><i>Articles 26, 28, Decree 197:</i> Only registered businesses are eligible for assistance.</p>	<p>All affected businesses are eligible for assistance.</p>	<p>All affected businesses are eligible for assistance.</p>
<p><i>Article 28,29, Decrees 197 and 69:</i> APs losing more than 30 percent of productive land will be entitled to living stabilization and training/job creation assistance.</p> <p>Decree 17/2006 strengthens</p>	<p>Severely affected AP, including AP losing 10 or more than 10 percent of productive income generating assets including productive land, will be entitled to</p>	<p>APs losing 10 or more than 10 percent of productive land will be entitled to rehabilitation assistance.</p> <p>Assistance will be available to vulnerable households.</p>

Decree 197/17/84/69	ADB Policy	Project Policy
this provision and provides for the long term assistance to poor households.	rehabilitation assistance.	
No provision for external monitoring.	External monitoring of the resettlement process by an independent and qualified institution is required.	Provision will be made for the independent external monitoring of the resettlement and income restoration process.

The project's RP is based on GOV's laws, regulations, and ADB's Involuntary Resettlement Policy (Safeguard Policy Statement in 2009). In recent years, GOV's policy on compensation, support and relocation has been significantly improved and nearly equivalent to requirements of ADB stated in its Involuntary Resettlement Policy. However, there remain some differences between these policies. The Vietnamese legal system of land tenure and right to compensation fully applies in the RP. There is an institutional structure through which people are informed and can appeal.

In application of the resettlement policy frameworks, project affected households have not only been informed but feedback has also been sought from those directly affected. All eligible affected households are entitled to compensation for their losses at replacement costs. Significantly affected households will receive additional assistance (the percentage of affected assets defining significant impact varies between the policy frameworks; it is set at 10 percent for the RP). Users without official documentation and non-legal users, micro-enterprises not holding a business certificate and employees without a contract are eligible provided if they have been in the project area prior to the cut-off date.

The deductions from assets compensation provided by the land law and its implementation decrees are not applicable. Houses and structures are compensated to rebuild the new ones with similar technical conditions. Vulnerable households are entitled to additional support in the restoration of their livelihoods.

4.4. Principles and Entitlement Policy

Resettlement for packages with directly AHs is implemented on the basis of four overall principles: (i) every effort has been made to minimize land acquisition impact and other adverse social impact; (ii) if resettlement, with or without relocation, is unavoidable, affected people will receive compensation so that their living standards and income-earning capacity will be at least as high as they would have been in the absence of the project; compensation is provided before land or other assets are acquired from APs; (iii) the project provides an opportunity for the local population to derive benefits from it; and (iv) the local population participates in planning and implementation.

September 30, 2010 is defined as the cut-off date. This date is when the detailed measurement survey census is completed. It determines eligibility to the status of APs.

The entitlement policy is fully defined by the resettlement policy, includes some specific principles as: (i) Compensation for assets other than land is provided at full replacement cost, without deduction for depreciation or salvage materials for houses and other structures; (ii) Compensation for agricultural land is provided through land of equal productive capacity acceptable to the displaced person, or in cash at replacement cost in accordance with AHs preference. Replacement of residential/premise land is made through land of equal size and productive capacity acceptable to the relocation AHs, or in cash at replacement cost, in accordance with the AHs' preference; (iii) Replacement residential and agricultural land is as close as possible to the land that was lost, and is acceptable to the AHs; (iv) The previous level of public infrastructure, community services and resources is maintained or improved; and (v) Plans for acquisition of land and other assets and provision of rehabilitation measures are carried out in consultation with the AHs.

Along with compensation for acquired land and property, there are other benefits to the affected households to maintain and / or improve their livelihood and earning capacity: (a) one-time allowance for the affected business households on the basis of annual income, (b) a subsidy for the transportation of households to move out of the project area, inside or outside the province, (c) monthly subsidies in cash equal to the price of rice in the transition period from 6 to 36 months, (d) provides one – time subsidy for households themselves selected to relocate within or outside the project area to improve facilities for a new home, and (i) additional support for vulnerable people.

II. Monitoring and assessment

RP implementation is a complex task, which is often associated with social security issues, so that donors and international organizations often require a system of monitoring the implementation of RP. Typically this monitoring system includes (i) internal monitoring which is usually directly performed by the investor, (ii) monitoring by the donors and (iii) independent monitoring performed by an agency which is not under management of the Investor. Independent monitoring is to provide independent information and objectivity on issues arising during the implementation of RP and demonstrate that RP is implemented in line with approved plan, and to propose recommendations to overcome the existing problems on that basis, if any.

1. Objectives of monitoring and resettlement assessment

The objective of independent monitoring is to monitor and evaluate:

- The implementation of the Resettlement Action Plan has been carried out according to the policies and procedures outlined in the Action Plan and Resettlement Policy Framework or not, and

- The main objectives stated in the RAP are achieved or not, specifically the implementation of RAP can be smoothly or not, as well as to monitor and maintain the implementation of the principle of "the lives of people affected will be improved or at least equal to the conditions they had prior to project implementation".

The specific objectives are:

- To assess whether the compensation and rehabilitation measures, and support programs and social development have been complete;
- To ensure the living standards of APs have been restored and improved;
- To identify problems and potential, and
- To propose timely solutions to solve or minimize those problems.

2. The issues to be monitored and evaluated

To accomplish the objectives of the independent monitoring plan for site clearance and resettlement, the Consultant has performed the following specific tasks:

- The consultant has considered and assessed the investigation, DMS and rights of APs, the documents relating to compensation, support and resettlement work, including inventory minutes, compensation solutions, internal monitoring reports and other relevant documents for the packages which have complaints after December 2011.
- Consider the contractors when they construct the packages if they have affected to APs' asset and compensation or not
- Consider and assess the efficiency, impacts and stability of support method for improving AP's livelihood, concurrently determine hindrance to such methods and propose solutions to such problems in a timely and efficient manner, especially focused on SAPs and VAPs.
- Monitor the progress of construction of resettlement areas (if any) and the provision of all necessary materials relating to the displacement of people, land use right certificate and new construction possession certificate.

3. Methods of monitoring and assessment and selection of samples

3.1. Methods

In the second monitoring and assessment, the Consultant has collected figures and information of PPMU, construction units and AHs. Information on monitoring has been collected from direct interview. The direct interview is to collect information from leaders, officials directly in charge of project implementation and AHs because they are persons who clearly and wholly understand the process of compensation and resettlement in survey area. The basic content of direct interview includes: information relating to provincial policy applied in compensation and site clearance, including information dissemination to people; assessment on level of project's impacts; lives of AHs and recovery methods; RAP implementation and process of consulting people; payment of compensation; complaints and solutions to handle difficulties.

3.2. Selection of samples

In the second monitoring and assessment, the Consultant has classified/selected AHs for survey to ensure the following principles of each package:

3.2.1. For households directly affected by packages

- Interview 100% of AHs of all the packages;
- The selection of AHs sample have to ensure the participation of vulnerable group such as households under special policy, poor households, ethnic minorities, households in which woman takes the main responsibility (to shoulder family's income).

3.2.2. For households affected by construction of packages:

- For 3 packages being under construction, besides people effected directly by site clearance, when construction in towns/communes, the Consultant also interviewed about 20 households in each town/commune to assess impacts on HHs during project construction process.
- DN6/A/10/FA – Tertiary drain and households connection has no impact on site clearance and construction has not been carried out so we didn't conduct interview.
- As 3 packages don't have many AHs, the consultant has interviewed all of AHs. The number of AHs surveyed is as follow:

Table 3: Number of AHs in each package

(unit: household)

Province	Package	Number of AHs	Number of interviewed AHs in ward/commune where package is constructed	Total
Dak Nong	DN3A/B/10/ICB - Drainage and wastewater system in Gia Nghia town	7	20	27

Province	Package	Number of AHs	Number of interviewed AHs in ward/commune where package is constructed	Total
	DN3B/A/10/ICB - Water supply system in Gia Nghia town	6	20	26
	DN4/C/10/NCB - Solid waste landfill	7	0	7
Total		20	40	60

4. Implementation of monitoring and evaluation

4.1. Location, Schedule and Staff for RP monitoring

Location for the second monitoring includes:

+ DN3/A/B/10/ICB (Drainage and wastewater system in Gia Nghia town): Nghia Tan ward, Gia Nghia town.

+ DN3B/A/10/ICB (Water supply system in Gia Nghia town): Nghia Phu and Nghia Duc wards, Gia Nghia town.

+ DN4/C/10/NCB (Solid waste landfill): Dong Tien village, Dak Nia commune, Gia Nghia town.

Location for monitoring is divided into 2 types: i) offices of related management authorities and (ii) construction site. Particularly, in construction site, the Consultant interviewed AHs and took photos of typical cases.

Schedule and location for the second monitoring is as follow:

Table 4: Schedule and location of the second monitoring

NO	Time	Place	Working content	Participants
1	13:00 – 15:30 on 5/9/2012	Dak Nong PMU and 3 constructors	Implement the second independent monitoring: - Progress of DMS; applying prices and compensation payment (if arising); - Situation of paying compensation to AHs (if arising); - Situation of the complaint and settlement of complaints from	Dak Nong PMU and InvestConsult and 3 constructors

			<p>households (if arising);</p> <ul style="list-style-type: none"> - Progress of the packages construction of constructors - Progress of the disbursement of the packages. 	
2	In the afternoon of 5/9/2012	<p>Nghia Tan ward PC and visit to the construction site – Drainage and sewage system in Gia Nghia town (DN3A/B/10/IC B)</p>	<ul style="list-style-type: none"> - Socio–economic situation of Nghia Tan ward - Situation of paying compensation to AHs; - Situation of the complaint and settlement of complaints from households - Interview AHs in Nghia Tan ward. - Visit construction site. 	Dak Nong PMU, InvestConsult Group and representative of commune
3	In the morning of 6/9/2012	<p>PC of Nghia Duc ward, Nghia Thanh ward, Nghia Trung ward and visit to construction site – Water supply system in Gia Nghia town (DN3B/A/10/IC B)</p>	<ul style="list-style-type: none"> - Socio–economic situation of Nghia Duc, Nghia Thanh, Nghia Trung wards. - Situation of paying compensation to AHs - Situation of the complaint and settlement of complaints from households. - Interview AHs in Nghia Duc, Nghia Thanh, Nghia Trung ward - Visit construction site 	Dak Nong PMU, InvestConsult Group and representative of commune
4	In the afternoon of 6/9/2012	<p>PC of Nghia Phu ward, Dac Nia commune and visit to construction site – Landfill (DN4/C/10/NC B)</p>	<ul style="list-style-type: none"> - Socio-economic situation of Nghia Phu ward, Dac Nia commune. - Situation of paying compensation to AHs - Situation of complaint and settlement complaints from households. - Interview AHs in Nghia Phu ward, Dac Nia commune - Visit construction site 	Dak Nong PMU, InvestConsult Group and representative of commune

Table 5: Personnel involved in the second monitoring

No	Name of specialist	Title
1	Le Chi Cuong	Team leader
2	Dang Thi Bao Khanh	Specialist on gender
3	Trinh Thi Thanh Thuy	Specialist on resettlement
4	Tran Thi Kim	Specialist on community development

4.2. Implementation of monitoring and evaluation

Discussion with MABUTIP

Prior to site visit, the consultant worked and discussed with MABUTIP on content of monitoring, implementation method and implementation plan. Upon the discussion and exchange, the two sides have clarified the specific requirement on content and time for implementation, key informants and supporters, landmarks of report and discussion between MABUTIP and the Consultant in order to ensure that the process of monitoring is thorough and follows the schedule.

Discussion with Dak Nong PMU

During the discussion with Dak Nong PMU, the consultant have discussed the following matters:

- Project's progress related to resettlement compensation,
- Progress of disbursement and transfer of compensation to compensation committees,
- Human resources to implement RP in locality,
- DMS and updated RP;
- Development of income recovery program, such as proposed programs, funding sources and expected time for implementation

Working content in local area

Based on TOR and consultation of Dak Nong PMU on the program and content of working during the monitoring process, the Consultant will prepare the content of discussion and interview that will be implemented at all levels in order to create favorable conditions for field survey and create consistency in terms of form for collected information.

5. Difficulties in the monitoring and evaluation process

As a result of prolonged and different RP activities in each stage, monitoring requires different ways of collecting information. In the period of the second monitoring, RP is updated at all communes/wards and ADB has approved the RP updated in each stage.

The collection of information from AHs sometimes faces difficulties as the residents go to work, it takes time for the interviewers to meet and interview them.

III.RESULT OF MONITORING AND EVALUATION

In Dak Nong, there are 4 packages, in which 3 packages have to carry out compensation, allowance, site clearance for AHs and all of such contents have been completed. Currently, construction units are constructing the works.

The main content will be considered in the second monitoring report includes: (i) reviewing the supplemental part of plan on compensation, support and resettlement of packages with site clearance;(ii) Progress of the site clearance and resettlement compensation (iii) Progress of project implementation and impacts on households during construction; (iv) Progress of disbursement of packages; (v) assessment on level of restoring lives of AHs; and (vi) opinions of wards/communes and people in construction area.

1. Supplemental plan on compensation, support and resettlement of packages with site clearance

In Dak Nong province, after the first monitoring, 4 AHs complained to Dak Nong PMU about reviewing their affected land. After reviewing complaints of 4 AHs, on April 3, 2012, Natural Resources and Environment Committee Division of Gia Nghia ward organized a meeting to additionally evaluate the plan of compensation, support and resettlement of 2 packages DN3A/B/10/ICN (Drainage system in Gia Nghia town) and DN3B/A/10/ICB (Water supply system in Gia Nghia town). Some specific cases have been settled as follow:

- Mr Nguyen Dang Truyen household in residential group 3, Nghia Thanh ward, Gia Nghia town is acquired 1.200m² of land, in which, 505 m² is located in traffic road. In the first plan of compensation, support and resettlement, PC of Gia Nghia town approved Decision no 758/QD-UBND dated July 29, 2011, stating that Mr Truyen's family does not have compensation and support for his land. That is because this land area is determined to be land for defence activities and shall be acquired according to Decision no 373/QD-UBND dated March 23, 2012 by PC of Dak Nong province. This Decision regulates the acquisition of 198.208m² of land that Provincial Military Headquarter assigned to Land Fund Development and Financial Services Center under Finance Department, and the confirmation of local authorities that this land's use origin is not clear. However, the local authorities has reviewed and found out that this land is reclaimed since 1993 and has been used stably, without any dispute until now. Therefore, comparing with the time of planning defence land (June 13, 1997), Mr Truyen's family is entitled for compensation. Then Mr Truyen's household is compensated and supported for 695m² of land. Detail compensation under Decision no 650/QD-UBND dated May 22, 2012 and receipt of compensation payment is presented in **Annex 4**.

- Mr Phan Van Duc's household and Mr Nguyen Thanh Luan's household in residential group 3, Nghia Tan ward have been acquired land which has certification of agricultural land use right. In the first compensation plan, Decision no 758/QD-UBND dated July 29, 2011 has approved that the area of agricultural land in the administrative boundaries of ward is supported 40% of average price of residential land. Currently, local authorities confirm that Mr Duc's household and Mr Luan's household have house and have lived stably on the acquired land area. Therefore, the additionally compensation will be calculated as 20% of price of acquired land, with 1500m² of land for each household. Detail compensation under Decision 650/QD-UBND dated May 22th 2012 and receipt of compensation payment is presented in **Annex 4**.

- Mr Nguyen Van Thong's HH and Mrs Nguyen Thi Thanh's HH have been acquired agricultural land, which don't have certification of land use right. In the first plan of compensation, support and resettlement, Decision no 758/QD-UBND dated July 29, 2011 has approved that Mrs Thanh's HH and Mr Thong's HH are supported 7,088m² and 2,038m², respectively. However, after compensation plan has been approved, Mr Thong complained that the acquired land of Mrs Thanh includes a part of his land area. On 20/9/2011, Dak Nong PMU coordinated with compensation planning unit, local department and those 2 HHs to check in field and establish the Minutes of determining situation of the current land use (this has been mentioned in the first monitoring report). Due to the situation of current land use, the evaluation unit agreed to reduce area of compensated land of Mrs Thanh's HH under Decision no 758/QD-UBND dated July 29, 2011 by Gia Nghia town PC, concurrently retrospectively collect 37,410,000 VND from Mrs Thanh's HH under Decision no 758/QD-UBND dated July 29, 2011 to give back to Mr Thong's HH. Detail compensation under Decision no 650/QD-UBND dated May 22, 2012 and receipt of compensation payment is presented in **Annex 4**.

2. Progress of the site clearance and resettlement compensation

At the 2nd drive of the mid-term monitoring, the site clearance and resettlement compensation has been completed. The progress of construction packages is as below:

2.1. Drainage and wastewater system in Gia Nghia town (DN3A/B/10/ICB)

+ Date of site handover to the construction unit is: January 24th, 2011 (Minutes of milestone handover and Minutes of site handover are attached at the annex 4).

+ The start and end date of compensation payment is from September 08th, 2011 to June 06th, 2012 (Bill of payment and Minutes of compensation payments of the Dak Nong PMU giving to AHs are attached at the annex 4).

2.2. Water supply system in Gia Nghia commune

+ Date of site handover to the construction unit is: December 06th, 2011 (Minutes of milestone handover and Minutes of site handover are attached at the annex 4).

+ The start and end date of compensation payment is from August 25th, 2011 to June 06th, 2012 (Bill of payment and Minutes of compensation payments of the Dak Nong PMU giving to AHs are attached at the annex 4).

2.3. Landfill

+ Date of site handover to the construction unit is: November 09th, 2012 (Minutes of milestone handover and Minutes of site handover are attached at the annex 4).

+ The start and end date of compensation payment is from August 17th, 2011 to September 08th, 2011 (Bill of payment and Minutes of compensation payments of the Dak Nong PMU giving to AHs are attached at the annex 4).

3. Progress of project implementation and households' impacts during construction:

3 packages in Dak Nong province have been mainly constructed near or on the sidewalk, which cause no impact on households. The progress of project implementation is as follow:

3.1. Drainage and wastewater system in Gia Nghia town (DN3A/B/10/ICB)

+ Starting date: 30/11/2011

+ Completion date: 30/12/2013

+ Contract duration: 25 months. Progress of implemented project is as follow:

NO	DESCRIPTION	AFTERTAX (VND)	TOTAL IMPLEMENTATION VALUE (VND)	% IMPLEMENTATION
I	Construction of water supply pipelines			
1	Water supply pipeline from pile 27 to pile 25	1,266,022,965	1,048,950,450	83%
2	Water supply pipeline from pile 3A to pile 302	714,057,422	307,225,429	43%
3	Water supply pipeline from pile 01 pile 04	864,773,386	343,036,183	40%
4	Water supply pipeline from pile 05 to pile 07	1,880,280,824	323,169,219	17%
5	Water supply pipeline from pile 19 to pile 18	1,200,974,491	656,301,619	55%
II	Construction of booster pumping station			
1	Booster	1,930,260,515	192,026,430	10%

NO	DESCRIPTION	AFTERTAX (VND)	TOTAL IMPLEMENTATION VALUE (VND)	% IMPLEMENTATION
	pumping station no 1			
2	Booster pumping station no 2	1,978,043,949	432,495,096	22%
III	Construction of raw water pumping station			
1	Raw water pipelines and entry pumping station	685,609,950	171,114,625	25%
IV	Construction of Water supply plants			
1	Reservoir 2000m3	6,591,601,666	3,832,829,380	58%
2	Filter-bed	3,098,445,643	979,715,325	32%
3	Chlorine house	395,958,745	249,492,983	63%
4	Operation house	2,042,891,727	1,269,408,461	62%
5	Chemical house	459,673,830	249,577,349	54%
6	Leveling, Gate, Fence, landscaping and stone steps	2,195,879,816	445,504,148	20%
7	Sludge drying ground	1,133,376,271	1,145,520,106	101%

3.2. Water supply system in Gia Nghia commune

+ Starting date: 22/11/2011

+ Completion date: 22/11/2013

+ Contract duration: 24 months. Progress of implemented project is as follow:

NO	Items	Unit	Volume		Completion ratio (%)	Note
			Contract volume	Implementation volume		
I	Drainage pipelines					
1	Drainage pipeline under Le Lai road - DN800	m	921.50	56	6%	
2	Drainage pipeline under Le Thanh Tong road-DN600	m	492.50	0	0%	
3	Drainage pipeline under Hung Vuong road-DN1500	m	375.50	0	0%	
4	Drainage pipeline under Chu Van An road-DN600	m	308.50	0	0%	
5	Drainage pipeline under Ba Trieu and Ly Thuong Kiet roads-DN600 và DN800	m	321.5	30	9%	
6	Drainage pipeline under Tran Hung Dao road-DN600, DN800, DN1000 và DN2000	m	499.4	0	0%	
7	Drainage pipeline under Vo Thi Sau	m	468.50	0	0%	

	road-DN1000					
8	Drainage pipeline under Highway No 14 road-DN800	m	532.50	0	0%	Not allowed
9	Drainage pipeline under Hai Ba Trung road-DN1000	m	195.00	0	0%	
2	Sewage Pipelines					
1	Sewage Gravity Pipeline under Hung Vuong road-uPVC300	m	372	0	0%	
2	Sewage Gravity Pipeline under Hai Ba Trung road-uPVC300	m	414	0	0%	
3	Sewage Gravity Pipeline under Ba Trieu and Ly Thuong Kiet roads-uPVC300	m	478	0	0%	
4	Sewage Gravity Pipeline under Chu Van An road-uPVC300	m	294	0	0%	
5	Sewage Gravity Pipeline under	m	850	0	0%	

	Tran Hung Dao road- uPVC300					
6	Sewage Gravity Pipeline under Highway no14 road-uPVC300	m	875.5	0	0%	Not allowed
7	Sewage Pressure Pipeline from PS2 to M176-HDPE200	m	722.5	0	0%	
8	Sewage Pressure Pipeline from PS3 to PS9-HDPE200	m	1326	0	0%	
9	Sewage Pressure Pipeline from PS9 to WWTP-HDPE200	m	2,560.5	0	0%	Not allowed
III	Wastewater Pumping Station					
1	Wastewater Pumping Station No 2	station	1.0	0	0%	
2	Wastewater Pumping Station No 3	station	1.0	0	0%	
3	Wastewater Pumping Station No 9	station	1.0	0	0%	
IV	Wastewater Treatment Plant					
1	Leveling		1.0	0	20%	
2	Wastewater treatment		1.0	0	0%	

	station Infrastructure					
3	Waste water Stabilization Ponds		1.0	0	0%	
4	Drainage Pipeline System		1.0	0	0%	
5	Permanent House		1.0	0	0%	

3.3. Landfill

+ Starting date: 21/11/2011

+ Completion date: 21/02/2013

+ Contract duration: 15 months. Progress of implemented project is mentioned in report of PPMU submitted to MABUTIP.

4. Progress of disbursement of project's packages

4.1. Drainage and Wastewater system in Gia Nghia town (DN3A/B/10/ICB)

No	Items	Unit	Total
1	Package value	VND	88.078.907.000
2	Advance payment		8.807.890.700
3	First advance payment		3.920.000.000

4.2. Water supply system in Gia Nghia town(DN3B/A/10/ICB)

No	Items	Unit	Total
1	Package value	VND	118.824.783.673
2	Advance payment		11.882.478.367
3	Stage 1		5.332.176.164
4	Second advance payment		7.614.027.902

4.3. Landfill (DN4/C/10/NCB)

No	Items	Unit	Total
1	Package value	VND	29.999.469.703
2	Phase 1		1.233.996.540
3	Phase 2		1.614.897.457
4	Third advance payment		2.655.314.022

5. Assessment on level of AHs' rehabilitation

Unlike projects using domestic capital, in projects funded by international organizations, especially in Dak Nong province, the severely affected group and the vulnerable group are specially paid attention to. According to RP, the severely affected households are the ones who (i) are acquired more than 10% of production land and/or assets; (ii) have to relocate and/or are affected from at least 10% of their incomes. The results of DMS have helped indentifying the severely affected households in each district. In addition to the severely affected households, RP updated 6 vulnerable groups, including: (i) female – headed households having many dependent members, (ii) households headed by the disabled, (iii) households having income under poor level, (iv) households having the elderly and children without land and way to earn money, (v) households without land and (vi) households who are the ethnic minorities. The distribution of severely affected households and vulnerable groups according to RP is updated in Table 6 below.

Table 6. Distribution of severely affected households and vulnerable groups

No	Package	Number of AHs							
		Severely affected households	Vulnerable groups						
			Households with difficulties	Poor households	Female – headed households	The elderly	Households having the disabled	Households of State's policy	Ethnic minorities
1	DN3A/B/10/ICB: Drainage and wastewater system in Gia Nghia town	0	0	0	8 (2)	0	0	0	0
2	DN3B/A/10/ICB: Water supply system in Gia Nghia town	1	0	0	11 (5)	0	0	0	0
3	DN4/C/10/NCB: Landfill	0	2	1	1	0	0	1	2
	Total	1	2	1	21	0	0	1	2

These groups need special attention in this project through rehabilitation programs.

5.1 Rehabilitation programs

RP has updated many rehabilitation programs for AHs. Basically, these programs are the ones that have already been applied in each province/city, but the objectives will be widened according to project's policy.

In Dak Nong province, both three packages have compensation for agricultural land, land planting industrial crops, assets, plants. DN4/C/10/NCB has one household affected (22.5m² of house includes: wood pole, wood-panel partition, soil base, sheet metal roof). Almost households are affected jobs or livelihood sources. When receiving compensation, all of AHs want to receive by cash. There are 2 reasons to receive by cash: firstly, Dak Nong province has more residential land and productive land than Phu Yen, Khanh Hoa, Ninh Thuan and Binh Thuan provinces; secondly, there are no affected households that have to relocate.

a) For AHs don't have productive land:

- Regarding current life: The lives of AHs losing productive land have difficulties. After losing productive land, some AHs work for HHs who have farming land, such as to cultivate and harvest cashew, rubber and coffee. Some other AHs bought land to cultivate. Therefore, in the near future, the ability of rehabilitation of these HHs is very low. However after receiving compensation, they have bought equipments for farming and repaired their house. They have supported each other to have a better life.
- Regarding the future life: although the lives of people still have many difficulties, their lives in future will be improved and facilitated a lot, as they are equipped with house and necessary things.

b) For AHs still have productive land:

- Regarding current life: their lives are as difficult as AHs that don't have productive land, because the area of land has been narrowed. Some AHs work for the HHs who have fields and do works such as harvesting cashew, rubber and coffee. Then their lives are not stable.
- Regarding the future life: their lives in the future will be improved and better than the current lives. Once they settled stably, their ability of rehabilitation is too much higher and faster than AHs that don't have productive land.

The payment of compensation for AHs who are affected land, assets and crops and support for their rehabilitation is updated in Table 7 below.

Table 7. Rehabilitation programs

No	Policy	Application objects	Level of support
1	Support for perennial plant	For all AHs losing land	Decision no 05/2010/QĐ-UBND dated 23/02/2010 and Decision no 12/QĐ-UBND dated 01/03/2011 of
2	Support for	For all of AHs	

No	Policy	Application objects	Level of support
	rehabilitation		Provincial People Committee issuing the specific guidelines on compensation, support and resettlement when the State acquires land in Dak Nong province.
3	Support for job changing and job creation	For all of AHs	

5.2 Some questions to assess level of households' rehabilitation and result of survey

In the second monitoring drive, all AHs have received compensation and supporting costs for production recovery and rehabilitation. However, the independent monitoring consultant has accessed to severely affected households and vulnerable groups who have received compensation to initially assess level of their rehabilitation. The main questions used to assess the rehabilitation of people in this monitoring drive are presented in Table 8 below.

Table 8. Result of assessment on rehabilitation

Main questions for assessment	Result of monitoring			
	Total	Yes	No	No idea/no change
1. Have AHs been consulted and disseminated the project information and entitlement policy in case of land acquisition?	20	20	0	0
2. Did AHs have opinion and sign in Minutes of Inventory?	20	20	0	0
3. Did households understand their compensation and assistance from the project?	20	20	0	0
4. Did households see the Table on discounted value of compensation before they sign and receive compensation?	20	20	0	0
5. Are households satisfied about the compensation price for land and assets?	20	20	0	0
6. Did households know about	20	20	0	0

Main questions for assessment	Result of monitoring			
	Total	Yes	No	No idea/no change
complaint procedures?				
7. General assessment of interviewees: is their life after receiving compensation equal to or better than before?	20	20	0	0

Result of survey shows that: 100% of AHs satisfied with the compensation price for land, assets and crops, though the compensation price is lower than market price. AHs said that their life has been changed, but they believe that their life in the future will be better.

For female-headed AHs, when they lost their land, almost of them stayed at home to do housewife and breeding. Some householder used compensation to invest in their children's education or buy household appliances. The job of female householders when they lost their productive land is showed in Table 9 below.

Table 9. Result of surveying female householder during project construction

No	Full name	Address	The jobs after losing productive land
1	Vo Thi Que	Residential group 6 Nghia Phu ward	Housewife and breeding
2	Nguyen Thi Ninh	Residential group 6 Nghia Phu ward	Housewife and breeding
3	Dinh Thi Thuyet	Residential group 6 Nghia Phu ward	Housewife and breeding
4	Dang Thi Tien	Residential group 6 Nghia Phu ward	Housewife and breeding
5	Dinh Ngoc Bich	Residential group 6 Nghia Phu ward	Housewife and breeding
6	Dao Thi Kim Thanh	Residential group 6 Nghia Tan ward	Housewife and breeding
7	Pham Thi Nong	Residential group 6 Nghia Tan ward	Housewife and breeding

No	Full name	Address	The jobs after losing
8	H'Gam	Dong Tien village Dac Nia commune	Housewife and breeding

Ms. Vo Thi Que, residential group 6, Nghia Phu ward said that: after receiving compensation, I have bought 2ha land (having 1 year old rubbers) to plant rubber and supported my child to buy house in city.

Ms. Pham Thi Nong, residential group 6, Nghia Tan ward said that: after receiving compensation, I have bought 2.5ha land (having 3 years rubber) to plant rubber.

In Dac Nong province, there are 2 ethnic minority households. Because they received a large amount of compensation while their level of education is low, the commune invited Agricultural and Rural development Bank and householder to the commune's office to conduct the compensation payment (The Bank counted money for 2 ethnic minority households). The job of ethnic minority householders when losing productive land is showed in Table 10 below:

Table 10. Result of monitoring headed ethnic minority householders during project construction

No	Full name	Address	The job when losing productive land
1	Y Krang	Dong Tien village, Dac Nia commune	Participating in Dac Nia Veterans
2	H'Gam	Dong Tien village, Dac Nia commune	Housewife and breeding

Mr Y Krang, Dong Tien village, Dac Nia commune said that: I'm a village patriarch and a contributor to the revolution, after receiving compensation, I have bought field and shared money for my children.

Ms. H'Gam, Dong Tien village, Dac Nia commune said that: after receiving compensation, I have bought field and household appliances, pigs and chickens.

6. Opinion of leaders in wards/communes and people in project construction areas

No	Full name	Position	Working place	Content of exchange
1	Hoang Van Nam	Chairman	PC of Nghia Tan ward	<ul style="list-style-type: none"> - Nghia Tan ward PC issued Document no 16/BC-UBND dated May 30th 2012 on settling complaints of HHs in residential group 6: the constructor of wastewater treatment plant have compensate for HHs when they transport materials to the construction site and affect public roads, plants and other constructions.
2	HHs in residential group 6, Nghia Tan ward (having complaint)			<ul style="list-style-type: none"> - Housing area is located in the entrance road into construction site, the road is narrow and transportation of materials caused damage on the road. - During material transportation, if the constructor affected plants and power lines, they are responsible for compensation for HHs.
3	Nguyen Tinh Nguyen	Chairman	Nghia Duc ward	<ul style="list-style-type: none"> - There is no complaint. - During construction, constructor should notify the ward. - Slow speed of construction affected the traveling of people.
4	Ngo Duc Hung	Vice Chairman	Nghia Thanh ward	<ul style="list-style-type: none"> - There is no complaint. - Slow speed of construction affected the traveling of people, because it's rainy season now, dirty road is very slippery.
5	Nguyen Van Chin	Chairman	Nghia Trung ward	<ul style="list-style-type: none"> - There is no complaint. - Don't know when the constructor will give back ground for people - Giving back the ground for people has not been implemented well.
6	Nguyen Thanh Hoang Vu	Vice Chairman	Nghia Phu ward	<ul style="list-style-type: none"> - Up to now, 2 HHs encroached construction site of raw water pumping station (Mr Nguyen Van Vang's family and Mr Nguyen Van Vien's family). Gia Nghia ward PC,

No	Full name	Position	Working place	Content of exchange
				<p>Dak Nong PMU, Nghia Trung ward PC, Dac R'Tik hydropower joint-stock company, Land fund development Center of town have verified land area and compensated under the Dak Nong province's policy. According to Document 586/UBND-VP dated June 25, 2012, if 2 HHs are not complied with provisions of the law, they are forced to implement as regulated by law. (document and working Mlnutes are attached)</p> <ul style="list-style-type: none"> - No complaint during construction - Slow speed of construction affected the traveling of people, because it's rainy season now, dirty road is very slippery.
7	Nguyen Tien Tung	Chairman	Dac Nua commune	<ul style="list-style-type: none"> - No complaint during construction - Urban area of Gia Nghia ward in the future will be expanded, I am afraid that residential area which is only about 3km far from the landfill will be affected by the odor of the landfill if the constructor don't treat landfill well. It is required to be well environmentally treated.

IV. CONCLUSION

In the second mid-term monitoring drive, the site clearance and compensation payment have been fully completed and construction is now carried out in order to meet the progress as in contract with Dak Nong PMU. Through the two monitoring drives, the Consultant can withdraw conclusion that:

*** About the project's information dissemination:** the Project's information dissemination has been paid attention to. Measurement and Environmental Resources Consultation Center of Dak Nong province has combined with relevant agencies to disseminate project's implementation policy, compensation policy framework, procedures of complaints and schedule of inventory and requirement about households' participation in the process of inventory. The project's information, project's policy framework is printed in leaflets and distributed to people via hand delivery, for their reference..

* **About the affected assets inventory:** AHs are invited to participate in process of inventory, directly sign in Minutes of Assets Inventory and keep a copy of the Minutes for following comparison. The detailed compensation plan has been publicized for households' reference. Households can comment directly on the spreadsheet of compensation price and support for their affected assets... Regarding the adequacy of affected assets, through the first check of compensation documents, all assets in Minutes of inventory have been applied the price regulated in compensation plan, which is publicized to all households. This shows that the adequacy of assets for compensation has been paid much attention to.

* **About compensation payment:** the current compensation price is based on price frame regulated by PC of province/city/town (Decision 758/QĐ-UBND dated July 29, 2011 on the approval of compensation, support and resettlement plan). However, according to assessments of many interviewed AHs, the compensation price is still low. It should be noted that the compensation price frame regulated by province is changed annually, particularly, the compensation price has been increased; however, the compensation price is still much lower than the market price. Even so, people have accepted the compensation price as they are aware of their benefits from this project' construction.

* **About the level of satisfaction and rehabilitation:**

- All AHs have received compensation. They are aware of their benefits brought by the project. Meanwhile, the local authorities pay much attention to solving compensation based on people's desire. Therefore, people generally satisfy with compensation, support policy of project.

- The complaints of AHs has been received, verified and responded by written documents by competent authorities, complying with procedures, process of Vietnam's law and regulation. Therefore, all complaints and questions have been fully and completely solved, until now, there is no complaint at all. Basically, people satisfy with process and method of complaints settlement by local authorities.

- Besides compensation as regulated, the investor don't implement any other support for HHs. For package DN3A, the investor added a road to the plant due to the request of people in this area, and they also propagate HHs on environmental sanitation. In the coming time, the Investor will combine with Provincial Women's Union to award scholarships to some poor students in ward through the information dissemination on communication awareness.

- The level of SAPs' rehabilitation is stable, as they used to be farmers. Now their lives do not face many difficulties. The female-headed households are not affected much. Households said that the compensation, support price is quite reasonable. They all received compensation, allowance and have no complaint.

* **About the resettlement compensation activities and construction progress:** for construction works of the Central Region Small and Medium Towns Development Project, the compulsory requirement of ADB is to completely hand over the site before construction. In Dak Nong province, all signed regulations have been fully complied with.

ANNEX 1. LIST OF CONTACTED OFFICERS

NO	Agency	Officer in charge	Position	Quantity
I	PMU of Central Region Small and Medium Urban Development Project – Dak Nong province			
1		Mr Pham Ngoc Uyen	Chief of PMU	1
2		Mr Nguyen Van Dung	Officer of PMU	1
3		Mr Hoang The Anh	Officer of PMU	1
III	PC of Nghia Tan ward, Gia Nghia town			
4		Mr Hoang Van Nam	President	1
IV	PC of Nghia Phu ward, Gia Nghia town			
5		Mr Nguyen Thanh Hoang Vu	Vice President	1
V	PC of Nghia Duc ward, Gia Nghia town			
6		Mr Nguyen Tinh Nguyen	Vice President	1
VI	PC of Nghia Thanh ward, Gia Nghia town			
7		Mr Ngo Duc Hung	Vice President	1
VIII	PC of Nghia Trung ward, Gia Nghia town			
8		Mr Nguyen Van Chin	President	1
IX	Pc of Dac Nia, Gia Nghia town			
9		Mr Nguyen Tien Tung	President	1
	Total			9

ANNEX 2. LIST OF INTERVIEWED HHs**List of interviewed AHs of the packages**

NO	Full name	Address	Gender	
			Female	Male
I	DN3B/A/10/ICB (WATER SUPPLY SYSTEM IN GIA NGHIA TOWN)			
1	Vo Thi Que	Residential group 6 - Nghia Phu ward	1	
2	Nguyen Thi Ninh	Residential group 6 - Nghia Phu ward	1	
3	Dinh Thi Thuyet	Residential group 6 - Nghia Phu ward	1	
4	Dang Thi Tien	Residential group 6 - Nghia Phu ward	1	
5	Nguyen Dang Truyen	Residential group 3 - Nghia Thanh ward		1
6	Dinh Ngoc Bich	Residential group 1 - Nghia Duc ward	1	
Total			5	1
II	DN3A/B/10/ICB (DRAINAGE SYSTEM)			
1	Nguyen Quang Trung	Residential group 6 - Nghia Tan ward		1
2	Phan Van Duc	Residential group 6 - Nghia Tan ward		1
3	Dao Thi Kim Thanh	Residential group 6 - Nghia Tan ward	1	
4	Nguyen Thanh Luan	Residential group 6 - Nghia Tan ward		1
5	Nguyen Quang Binh	Residential group 6 - Nghia Tan ward		1
6	Nguyen Hai Ly	Residential group 6 - Nghia		1

		Tan ward		
7	Pham Thi Nong	Residential group 2 - Nghia Tan ward	1	
Total			2	5
III	DN4/C/10/NCB (SOLID WASTE LANDFILL)			
1	Nguyen Van Thong	Dong Tien village - Dak Nia commune		1
2	Nguyen Thi Thanh	Dong Tien village - Dak Nia commune	1	
3	Y Krang	Dong Tien village - Dak Nia commune		1
4	H'Gam	Dong Tien village - Dak Nia commune	1	
5	Nghiem Duy Lich	Dong Tien village - Dak Nia commune		1
6	Pham Khac Loc	Dong Tien village - Dak Nia commune		1
7	Nghiem Duy Loi	Dong Tien village - Dak Nia commune		1
Total			2	5

List of interviewed HHs in ward/commune where constructing the packages

No	Fullname	Address	Gender	
			Female	Male
I	DN3B/A/10/ICB (WATER SUPPLY SYSTEM IN GIA NGHIA TOWN)			
1	Nguyen Xuan Ngoan	Le Duan street, Gia Nghia town		1
2	Nguyen Thi Be	Le Duan street, Gia Nghia town	1	
3	Nguyen Van Mot	Le Duan street, Gia Nghia town		1
4	Truong Van Thuong	Le Duan street, Gia Nghia town		1
5	Nguyen Thi Toi	Hung Vuong street, Gia Nghia town	1	
6	Pham Huu Thanh	Hung Vuong street, Gia Nghia town		1
7	Nguyen Van Phung	Hung Vuong street, Gia Nghia town		1
8	Pham Bien Hoa	Hung Vuong street, Gia Nghia town		1
9	Tran Huu Thang	Hai Ba Trung street, Gia Nghia town		1
10	Le Thi Bang	Hai Ba Trung street, Gia Nghia town	1	
11	Lai Thi Thua	Hai Ba Trung street, Gia Nghia town	1	
12	Nguyen Van Thong	Hai Ba Trung street, Gia Nghia town		1
13	Nguyen Van Khoi	Tran Hung Dao street, Gia Nghia town		1
14	Nguyen Van Chien	Tran Hung Dao street, Gia Nghia town		1
15	Tran Thi Hong	Tran Hung Dao street, Gia Nghia town	1	

No	Fullname	Address	Gender	
16	Nguyen Van Nam	Tran Hung Dao street, Gia Nghia town		1
17	Nguyen Thi Chinh	Ton Duc Thang street, Gia Nghia town	1	
18	Tran Van Son	Ton Duc Thang street, Gia Nghia town		1
19	Nguyen Van Khoi	Ton Duc Thang street, Gia Nghia town		1
20	Nguyen Van Truong	Ton Duc Thang street, Gia Nghia town		1
Total			6	14
II	DN3A/B/10/ICB (DRAINAGE SYSTEM IN GIA NGHIA TOWN)			
1	Nguyen Van Thoi	Le Lai street, Gia Nghia town		1
2	Vo Thi Dong	Le Lai street, Gia Nghia town	1	
3	Tran Thi Nam	Le Lai street, Gia Nghia town	1	
4	Nguyen Thi Ut	Le Lai street, Gia Nghia town	1	
5	Phan Van Nghi	Le Lai street, Gia Nghia town		1
6	Tran Cong Dinh	Le Lai street, Gia Nghia town		1
7	Le Van Dau	Le Lai street, Gia Nghia town		1
8	Mai Van Tam	Le Lai street, Gia Nghia town		1
9	Mai Van Hien	Le Lai street, Gia Nghia town		1
10	Le Van Huong	Le Lai street, Gia Nghia town		1
11	Le Van Chuyen	Ba Trieu street, Gia Nghia town		1
12	Le Thi Hanh	Ba Trieu street, Gia Nghia town	1	
13	Nguyen Thi Suong	Ba Trieu street, Gia Nghia town	1	
14	Pham Van Hai	Ba Trieu street, Gia Nghia town		1

No	Fullname	Address	Gender	
15	Nguyen Van Ca	Ba Trieu street, Gia Nghia town		1
16	Trinh Thi Yen	Ly Thuong Kiet street, Gia Nghia town	1	
17	Nguyen Van Sang	Ly Thuong Kiet street, Gia Nghia town		1
18	Nguyen Van Toan	Ly Thuong Kiet street, Gia Nghia town		1
19	Tran Quoc Minh	Ly Thuong Kiet street, Gia Nghia town		1
20	Tran Anh Quoc	Ly Thuong Kiet street, Gia Nghia town		1
Total			6	14

ANNEX 3. IMAGES



Working with the Dak Nong PMU



Le Duan street has completed the site



Tran Hung Dao street has completed the site



Ly Thuong Kiet street has completed the site



Wall around landfill



Landfill has been leveled



Pumping Station 1 has leveled the ground



Pumping Station 2 has leveled the ground



Site clearance in Tran Hung Dao street



Pipe gathering place



Part of water supply system in Gia nghia town



Part of water supply system in Gia Nghia town



Interview with Ms. H'gam in Dong Tien village Dac Nia commune



Interview with Mr Y Krang in Dong Tien village Dac Nia commune



Interview with Ms. Vo Thi Que in residential group 6 Nghia Phu ward



Interview with Ms. Pham Thi Nong in residential group 2 Nghia Tan ward

ANNEX 4: SURVEY TOOL

ANNEX 4A: CONSULTATION OF COMMUNE AUTHORITIES

1. Time of interview: datemonth year 201....
2. Name of interviewee:
3. Position:
4. Address:
5. Interview questionnaire:
 - a) **Has land in traffic safety corridor been compensated to households?**
 - No [] Yes [] if Yes, when?
 - b) **How many households owning land in the area of traffic safety corridor?**
 - Number of households:
 - In which: number of compensated households:
 - Number of households that have not received compensation:
 - Which year that compensation was taken:
 - (Specify Decisions relating to land acquisition of People's committee in province's traffic safety corridor):
 - c) **Compensation for which kind of assets?**
 - Land [] House [] Plants and farm produce []
 - d) **How is the compensation policy applied?**
 - e) **How many households complain about compensation?**
 - No [] Yes []
 - If yes, how many existing complaining households that has not been settled?
Number of households:
 - f) **Beside compensation, what's other kind of support that households received (specify kinds of support):**
.....
 - g) **Now compensated households have not used land in safety corridor is complying with agreement of which authorities?**

Interviewer

Interviewee

ANNEX 4B: INTERVIEW FORM OF AFFECTED HOUSEHOLDS

I. GENERAL INFORMATION OF HOUSEHOLD:

1. Full name of householder
2. Address:
3. Head of household.....
4. Children under 16:
5. Educational level of family's member in working age:
6. Income sources of household:

Income sources	Main income of household (Yes/No)	
	Before land acquisition	After land acquisition
Agriculture (such as aquaculture, gardening, rice cultivation, etc.)		
Poultry – breeding		
Goods buying and selling		
Food stores		
Company/ Manufacturer		
State officers/workers		
Employee in private companies		
Work in transportation field		
Drivers		
Subsidy from relatives (in Vietnam)		
Subsidy from relatives (abroad)		
Service work/house work		
Others		

How is the income of family before and after land acquisition?

☐ No changes...../

☐ Lower...../

☐ Higher/

7. Classify households as following classes?

- ☐ Ethnic minority
- ☐ Under social policy
- ☐ Women is householder (with/without children and without support)
- ☐ The old is householder without support
- ☐ The handicap is householder
- ☐ Poor households
- ☐ Others

II. IMPACTS CAUSED BY LAND ACQUISITION

Unit: m²

No	Kinds of affected land	Answer		Area of affected land	Total area of households' remaining land
		Yes	No		
1	Residential land without house and not be displaced				
2	Residential land with house and be displaced				
3	Land for planting crops				
4	Land for gardening				
5	Land for forestry				
6	Land for aquaculture				
7					
Do household have certificate of land use rights for the acquired land?				Yes	
				No	
				Other	
If "other", specify in detail					

III. COMPENSATION AND SUPPORT THAT HOUSEHOLDS RECEIVED AND ITS VALUE

8. Compensation and support that households received:

No	Description on reception (If the interviewee remember)	Total (VND)	Date of reception	Note (Compare compensation and market price)		
				More	Equal	Less
1	Residential land					
2	Agricultural land					
3	Houses and other construction					
4	Plants, crops					
5	Support (in detail) (a) (b) (c) (d)					

If the interviewee can't remember the compensation for affected assets, he may make general comment on compensation and comparison with market price at the compensated time

9. Affected assets have not been compensated (if any)

No	Description on affected assets that have not been compensated	Total (VND)	Reason	Was the settlement of this problem proposed to be settled? And when?
1				
2				
3				
4				
5				
6				

IV. PROJECT INFORMATION DISSEMINATION

10. Do you get information of the project?

☐1 Yes

☐2 No

11. From which source below that you got such information?

☐1 Posters

☐4 Local authorities

☐2 Notice board

☐5 Project staffs

☐3 Mass media (newspaper, radio...)

☐6 Population groups meetings

☐7 Others (in detail).....

12. Do you thoroughly understand content of compensation, rights and interests you are entitled to and procedure of complaining, through information dissemination?

☐1 Yes

☐2 No

If "No", why:

☐1 Unclear dissemination

☐3 Don't know who to ask

☐2 Didn't learn about it

☐4 Others, in detail:

Assets inventory

13. Have you been noticed in advance on time for measurement, inventory of your affected assets?

☐1 Yes

☐2 No

14. Did you participate in process of measurement, inventory of your affected assets?

☐1 Yes

☐2 No

15. Do you have any assets missing out?

☐1 Yes

☐2 No

If "Yes", which is it?

16. Is the measurement of affected land, houses implemented exactly?

☐1 Yes

☐2 No

17. Did you review and sign in inventory minutes?

☐1 Yes

☐2 No

18. Do you keep one copy worksheet of your affected assets?

☐1 Yes

☐2 No

Compensation and supported payment for displaced households/households whose business is affected

19. Do you feel satisfy with compensation price?

☐1 Yes

☐2 No

If "No", why:

.....

.....

.....

.....

Compensation and supported payment for households whose agricultural land is affected

20. Did you review the worksheet of compensation for your affected assets?

☐1 Yes

☐2 No

21. Did you receive any payment of compensation?

☐1 Yes

☐2 No

If "Yes", is it:

☐1 Land compensation

☐2 Plants, crops compensation

22. When did you receive your compensation/support?

☐1 Before construction

☐2 During construction

☐3 After construction

23. Which kind of support below that your household received?

☐1 Support for ratio of lost agricultural land

☐2 Support for vocational training

☐3 Support for production stabilization/income recovery

☐4 Support for family under policy

☐5 Other supports (in detail):

☐6 Do have support but have not received any payment

☐7 Do not have any support

24. Do you satisfy with compensation price?

☐1 Yes

☐2 No

If "No", why?

.....

.....

.....

.....

25. Does any member of household lose his/her job when land is acquired?

☐1 Yes

☐2 No

Complaints and complaints settlement

26. Do you have any complaint?

☐1 Yes

☐2 No

What is your complaint about?

.....

.....

.....

.....

27. Has your complaint been settled?

☐1 Yes

☐2 No

28. For how long.....

29. Why not (in detail):

VI General comment

Would your pleased comment on the Project (its benefits; changes of pre- and post-project living conditions, if any, how was it changed; do you agree with the project implementation?...)

.....

.....

.....

Date monthyear.....

Interviewee

(sign and full name)

Interviewer

(sign and full name)