

Resettlement Monitoring Report

Annual Report
October 2012

Viet Nam: Central Region Small and Medium Towns Development – Phu Yen Subproject

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

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

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

SECOND INDEPENDENT MONITORING REPORT

**CENTRAL REGION SMALL AND MEDIUM TOWN DEVELOPMENT PROJECT
– PHU YEN PROVINCE**



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ABBREVIATION

ADB	Asian Development Bank
MOC	Ministry of Construction
MABUTIP	Management Board of Technical Infrastructure Development Projects
PPMU	Provincial Project Management Unit
AH	Affected household
AP	Affected people
HH	Household
GOV	Government of Vietnam
GPMB	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 Labor, 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

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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 the middle of August 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 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 works of Phu Yen sub-project

Phu Yen sub – project will involve the rehabilitation and extension of the drainage system of Tuy Hoa city and Song Cau town, which requires construction of a wastewater management system (in combination with drainage system) in Tuy Hoa and establishment of a comprehensive solid waste management system in Song Cau town.

The package PY2A/B/10/ICB: Rain-water drainage system is built in some roads in Tuy Hoa City (Ward 7, Phu Dong ward)

The package PY2B/B/10/ICB: A wastewater treatment station is built in a rice field in Ward 8 and the pressure pipelines with booster pumping stations will be built along prolonged Tran Phu Street leading to internal drainage system of Tuy Hoa city, Phu Yen province. Approximately 5.3 ha of farmland will be acquired for the construction of Waste Stabilization Pond (WSP) in Tuy Hoa. The whole land is located in Ward 8 of the city and is now used to grow rice. A total of 46 households will be affected by this component, including 42 households severely affected by missing 10% of their agricultural land but no households would be relocated.

The package PY4/C/10/NCB: solid waste landfill is built in Xuan Phuong commune, Song Cau Town, Phu Yen province. About 45.820 m² of land for forestry production, land for traffic and streams will be acquired for construction of the landfill in Song Cau town. Recovered land area is located in Xuan Binh, Song Cau town. The land acquisition will affect 02 organizations and 03 households with total 16 people affected, of which no households are severely affected by losing more than 10% of the total area of agricultural land or being relocated.

The package PY5B/10/NCB: Rain-water drainage system in Song Cau is built to improve drainage for the town. In the future, sewage system and rain-water drainage system will be separately built according to the plan; at present, only rain-water drainage system is built, household's living-water is still drained off by absorbed hole.

3. Scope of Sub-project

Phu Yen sub-project has 5 packages as follow:

- PY2A/A/B/10/ICB: Drainage, operation and maintenance equipment for Tuy Hoa
- PY2B/B/10/ICB: A wastewater treatment station and pressure pipeline, with booster pumping station will be constructed and installed in Tuy Hoa city
- PY3/B/10/FA: Cleaning existing drains
- PY4/C/10/NCB: Solid Waste Landfill for Song Cau town
- PY5/B/10/NCB: Drainage system for Song Cau town

Phu Yen Sub-project has 04 construction packages, in which 2 packages have AHs directly affected by site clearance. See the Table 1 below about scope of 2 packages:

- PY2B/B/10/ICB: A wastewater treatment station, pressure pipeline and booster pumping station will be constructed and installed in Tuy Hoa city
- PY4/C/10/NCB: Solid Waste Landfill for Song Cau town.

Table 1: Two packages having AHs in Phu Yen province

Urban	Package	Construction Work
Tuy Hoa	Drainage, operation and maintenance equipment for Tuy Hoa City	Wastewater drainage: 409 km of primary drains and tertiary drains along the city Drainage: 14.79 km of primary drains

Urban	Package	Construction Work
Song Cau		Three wastewater pumping stations One Waste Stabilization Pond
	Solid Waste Landfill for Song Cau town	Construction of landfill and access road (to the landfill)

4. Project progress

Up to now, the packages has been implementing urgently, the progress of construction is as below:

- PY2A/A/B/10/ICB: Drainage, operation and maintenance equipment for Tuy Hoa. The duration of construction is 19 months, from November 8th 2011 to June 8th 2013.
- PY2B/B/10/ICB: A wastewater treatment station and pressure pipeline, with booster pumping station will be constructed and installed in Tuy Hoa city. The duration of construction is 21 months, from November 28th 2011 to August 29th 2013.
- PY4/C/10/NCB: Solid Waste Landfill for Song Cau town. The duration of construction is 15 months, from September 30th 2011 to December 31st 2012.
- PY5/B/10/NCB: Drainage system for Song Cau town/ The duration of construction is 15 months, from September 31st 2011 to December 31st 2012.

5. Project's compensation policy

5.1. The Vietnamese Legal Background

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, the decisions of Phu Yen province include:

- (i) Decision No 471/2010/QD-UB of Phu Yen PPC, dated 16 March 2010 on regulations of compensation, assistance and resettlement when the State acquires land in the province, according to Decree 69/2009/ND-CP;
- (ii) Decision No. 2391/2009/QD-UBND issued by the PPC, dated on 28/12/2009 on land prices in the province applied for 2010;
- (iii) Decision No. 168/2010/QD –UBND issued by the PPC, dated on 01/02/2010 on modification and supplementation of regulations on responsibility, delegation and assignment in management of construction investment for projects managed by the PPC;
- (iv) Decision No. 1782/2010/QD - UBND issued by the PPC, dated on 11/6/2010 on compensation prices for trees/crops; and
- (v) Decision No. 1747/2010/QD-UBND issued by PPC dated 29/10/2010 regarding the adjustment and supplementation of some provisions for Land Acquisition Support Policy in accordance with Decree no. 69/2009/ND-CP dated 13/8/2009 by the Government of Vietnam;
- (vi) Decision No. 1153/2011/QD-UBND issued by PPC dated 25/11/2011 on issuing unit prices of home & building attached to the land in the province of Phu Yen;

- (vii) Decision No. 2215/2010/QĐ-UBND issued by PPC dated 31/12/2010 on promulgating the price of land in the province in 2011;
- (viii) Decision No. 1755/QĐ-UBND issued by PPC dated 11/01/2010 on the order and procedures for land acquisition, land allocation, land lease, land-use extension on Phu Yen province;
- (ix) Decision No. 1342/QĐ-UBND issued by PPC dated 31/08/2011 on the acquisition or transfer of land use purpose and land to carry out works such as: roads and wastewater treatment stations of Central Region Small and Medium Towns Development Project, under Credit loan 2272-VIE (SF);
- (x) Decision No. 238/QĐ-UBND issued by PPC dated 02/16/2011 on the acquisition or transfer of land use purpose and land to carry out works such as: solid waste landfill (period 1) in Xuan Phuong commune, Song Cau town, of Central Region Small and Medium Towns Development Project, under Credit loan 2272-VIE (SF);
- (xi) Decision No. 6899/QĐ-UBND issued by Tuy Hoa People's Committee dated 09/01/2011 on approval of the compensation and resettlement method for implementing constructions such as: roads and sewage treatment stations of Central Region Small and Medium Towns Development Project, under Credit loan 2272-VIE (SF);
- (xii) Decision No. 725/QĐ-CT issued by PPC dated 21/02/2011 on approval of the compensation and resettlement method for implementing constructions such as: solid waste landfill (period 1) in Xuan Phuong commune, Song Cau town, of Central Region Small and Medium Towns Development Project, under Credit loan 2272-VIE (SF).

5.2. 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:

- (i) 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.

- (ii) 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.
- (iii) 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.
- (iv) 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.
- (v) 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.
- (vi) 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.
- (vii) 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.

- (viii) 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.
- (ix) 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.
- (x) 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.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xii) Monitor and evaluate 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.

5.3. 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	APs who are not entitled to compensation under domestic law will be assisted to restore their pre-project	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,

Decree 197/17/84/69	ADB Policy	Project Policy
<p>meet all conditions for compensation, the Peoples' Committees of the provinces or centrally-run cities shall consider to provide support.</p>	<p>living standards.</p>	<p>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.</p>
<p><i>Article 9:</i> The compensation rates for land shall be determined by the PPC in accordance with the Government regulations for 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>Land compensation should be based on replacement at current market values.</p>	<p>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 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</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>

Decree 197/17/84/69	ADB Policy	Project Policy
will consider to assist on the case by-case basis.		
<i>Articles 26, 28, Decree 197:</i> Only registered businesses are eligible for assistance.	All affected businesses are eligible for assistance.	All affected businesses are eligible for assistance.
<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. Decree 17/2006 strengthens this provision and provides for the long term assistance to poor households.	Severely affected AP, including AP losing more than 10 percent or more of productive income generating assets including productive land, will be entitled to rehabilitation assistance.	APs losing more than 10 percent of productive land will be entitled to rehabilitation assistance. Assistance will be available to vulnerable households.
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.

5.4. Principles and Entitlement Policy

Resettlement for 02 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 include

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

- Consider and assess the investigation, DMS and rights and interests of APs, documents relating to compensation, support and resettlement work, including inventory minutes, compensation solutions, decision of approved compensation solutions, internal monitoring reports and other relevant documents for contract packages having problems after December 2011.
- Consider the compensation payment and support to ensure that all APs are provided timely and completely with such programs.
- Consider and assess the efficiency, impacts and stability of support methods 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 sample

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 severely affected households of all 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 construction packages implemented in some wards/communes (package PY2A/A/B/10/ICB and PY5/B/10/NCB), the Consultant interviewed 20 households each package.

Number of surveyed households is detailed in the Table 3 below:

Table 3: Number of surveyed households of packages*(Unit: household)*

Province	Package	Number of AHs	Number of surveyed AHs in wards/communes where package is constructed	Total
Phu Yen	PY2A/A/B/10/ICB: Drainage, operation and maintenance equipment for Tuy Hoa City	0	20	20
	PY2B/B/10/ICB: A wastewater treatment station and pressure pipeline, with booster pumping station will be constructed and installed in Tuy Hoa city	45	0	45
	PY4/C/10/NCB: Solid Waste Landfill for Song Cau town	3	0	3
	PY5/B/10/NCB: Drainage system for Song Cau town	0	20	20
Total		48	40	88

4. Implementation of monitoring and evaluation

4.1. Location, time and staffs for RP monitoring

Location for the second monitoring are:

- + Package PY2A/A/B/10/ICB: Drainage, operation and maintenance equipment for Tuy Hoa city
- + Package PY2B/B/10/ICB: A wastewater treatment station and pressure pipeline, with booster pumping station will be constructed and installed in Tuy Hoa city
- + Package PY3/B/10/FA: Cleaning existing drains
- + Package PY4/C/10/NCB: Solid Waste Landfill for Song Cau town
- + Package PY5/B/10/NCB: Drainage system for Song Cau town

Location for monitoring is divided into 2 types: (i) offices of related management authorities and (ii) construction site. In particular:

In construction site, the Consultant interviewed AHs and took photos of typical cases.

Schedule and location of the second monitoring is as follow:

Table 4: Schedule and place of the 2nd time monitoring

No	Time	Location	Working Content	Participant
1	8h – 10h30 on 13 August 2012	Phu Yen PPMU and construction contractors	<p>Conduct the second monitoring:</p> <ul style="list-style-type: none"> - Progress of DMS; application of replacement price, and payment of compensation (if incurred). - The situation of compensation payment for households (if incurred). - The situation of the complaint and the complaint settlement for households (if any). - The construction progress of the packages of contractors. - Progress of disbursement of packages 	Phu Yen PPMU, InvestConsult and local representatives
2	Afternoon of 13/8/2012	PC of ward No.8 of Tuy Hoa city, the construction site of drainage water and operation-maintenance equipment for Tuy Hoa city. A wastewater treatment station and pressure pipeline, with booster pumping station will be constructed and installed in Tuy Hoa city (Package PY2A/A/B/10/ICB and package PY2B/B/10/ICB)	<ul style="list-style-type: none"> - Socio – economic situation of ward No.8. - Situation of payment of compensation for households. - The situation of the complaint and the complaint settlement for households. - Interview AHs in ward No.8. - Visit construction site. 	Phu Yen PPMU, InvestConsult and local representatives
3	Morning of 14/8/2012	PC of Xuan Phuong	- Socio – economic situation of Xuan Phuong commune.	Phu Yen PPMU,

		commune, Song Cau town and the construction site of solid waste landfill of Song Cau town (Package PY4/C/10/NCB)	<ul style="list-style-type: none"> - Situation of payment of compensation for households. - The situation of the complaint and the complaint settlement for households. - Interview AHs in ward No.8. - Visit construction site. 	InvestConsult and local representatives
4	Afternoon of 14/8/2012	PC of Xuan Phu ward, Song Cau town and construction site of Rain-water drainage system in Song Cau town (Package PY5/B/10/NCB)	<ul style="list-style-type: none"> - Socio – economic situation of Xuan Phu ward. - Situation of payment of compensation for households. - The situation of the complaint and the complaint settlement for households. - Interview AHs in Xuan Phu ward. - Visit construction site. 	Phu Yen PPMU, InvestConsult and local representatives

Table 5: Personnel involved in second monitoring

No	Name of specialists	Title
1	Le Chi Cuong	Team leader
2	Dang Bao Khanh	Specialist on gender
3	Trinh Thi Thanh Thuy	Specialist on migration - 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 had a meeting with MABUTIP on content of monitoring, method of implementation and work schedule. 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 Consultant unit, in order to ensure that the process of monitoring is thorough and follows the schedule.

Discussion with the PMU of Phu Yen

During the discussion with officers of Phu Yen PMU, the Consultant have discussed the following issues:

- 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.

Preparation of working contents in local area

Based on TOR and consultation of Phu Yen PMU on the program and working content of monitoring, the Consultant prepares the content of discussion and interview that will be implemented at all levels in order to create favorable conditions for site survey and get union in the form for collected information..

5. Difficulties in the process of monitoring and evaluation

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

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

III. Result of monitoring and evaluation

At Phu Yen, among 4 construction packages, there are 2 packages that have plan on compensation, support, site clearance and compensation payment for AHs, which is all completed. Currently, construction units are constructing the works.

The main content will be considered in the second monitoring report includes: (i) Progress of the site clearance and resettlement compensation, (ii) The progress of project implementation and impacts on the households during construction, (iii) Progress of disbursement of packages, (iv) assessment on level of AHs' rehabilitation, and (v) the opinion of the wards/communes in construction areas.

1. Progress of the site clearance and resettlement compensation

1.1. Package PY2A/A/B/10/ICB: Rain-water drainage system and operation-maintenance equipment in Tuy Hoa city

+ Date of site handover to the construction unit is: from November 14th, 2011 to November 07th, 2012 (Minutes of milestone handover is attached at the annex 3).

+ The start and end date of compensation payment: this package did not have the resettlement compensation.

1.2. Package PY2B/B/10/ICB: A wastewater treatment station and pressure pipeline, with booster pumping station will be constructed and installed in Tuy Hoa city

+ Date of site handover to the construction unit is: November 22nd, 2011 (Minutes of milestone handover is attached at the annex 3).

+ The start and end date of compensation payment is from October 01st, 2011 to October 14th, 2011 (The decision of compensation of the Phu Yen PMU giving to Ahs is attached at the annex 3).

1.3. Package PY4/C/10/NCB: Solid waste landfill in Song Cau town

+ Date of site handover to the construction unit is: October 07th, 2011.

+ The start and end date of compensation payment is: October 31st, 2011 (The decision of compensation of the Phu Yen PMU giving to Ahs is attached at the annex 3).

1.4. PY5/B/10/NCB Package: Rain-water drainage system in Song Cau town

+ Date of site handover to the construction unit is: October 07th, 2011.

+ The start and end date of compensation payment: this package did not have the resettlement compensation.

2. Progress of project implementation and impacts on households during construction progress:

The three packages in Phu Yen are mainly constructed near the pavement or on the pavement; therefore, there is no impact on households. The progress of project implementation is as follow:

2.1. Package PY2A/A/B/10/ICB: Rain-water drainage system and operation-maintenance equipment in Tuy Hoa city

+ Starting date: 08/11/2011

+ Completion date: 08/06/2013

+ Contract duration: 19 months. The progress of the package is as below:

Table 6. Progress of Package PY2A/A/B/10/ICB:

No	Items	Unit	Contract amount	Implemented	Ratio (%)
1	Nguyen Huu Tho Street	m	1.575	1.376	87%
	Manholes	piece	30	20	67%
2	Street 3/2	m	2.213	1.068	48%
	Manholes	piece			

3	Thang Long Street	m	642	613	95%
	Manholes	piece	13	13	100%
4	Vo Thi Sau Street	m	653	628	96%
	Manholes	piece	12	11	92%
5	Phan Chu Trinh Street	m	537	314	58%
	Manholes	piece	14	5	36%
6	Nguyen Van Cu Street	m	134	120	90%
	Manholes	piece	4	3	75%
7	Luong Tan Thinh Street	m	159	132	83%
	Manholes	piece	4	3	75%
8	Phan Luu Thanh Street	m	272	263	97%
	Manholes	piece	6	4	67%
9	Dong Khoi Street	m	275	260	95%
	Manholes	piece	6	5	83%
10	Hung Vuong Street	m	464	342	74%
	Manholes	piece	6	5	83%
	Outlet	piece	1	0	0%

11	Doc Lap Street	m	1.524	168	11%
	Manholes	piece	30	2	7%
	Outlet	piece	1	0	0%
12	Ba Trieu Street	m	156	0	0%
13	Ly Tu Trong Street	m	283	0	0%

2.2. Package PY2B/B/10/ICB: A wastewater treatment station and pressure pipeline, with booster pumping station will be constructed and installed in Tuy Hoa city

+ Starting date: 28/11/2011

+ Completion date: 29/08/2013

+ Duration of the contract: 21 months. Progress of the package is mentioned in report of PPMU submitted to MABUTIP.

2.3. Package PY4/C/10/NCB: Solid waste landfill in Song Cau town

+ Starting date: 30/09/2011

+ Completion date: 31/12/2012

+ Duration of contract: 15 months. The progress of packages is as below:

Table 7. Progress of package PY4/C/10/NCB

No	Items	Contract amount	Implemented amount
1	Embankment	100%	27%
2	Groove for drainage	100%	62%
3	Port, fencing wall	100%	0%
4	Internal road	100%	40%
5	Landfill cell	100%	21%
6	Wastewater treatment zone	100%	12%
7	Supplying equipment and materials	100%	2%

2.4. PY5/B/10/NCB Package: Rain-water drainage system in Song Cau town

+ Starting date: 31/09/2011

+ Completion date: 31/12/2012

+ Duration of contract: 15 months. The progress of the package is as below:

Table 8. The progress of package PY2A/A/B/10/ICB

Name of route, item of work	Unit	Contract amount (m)	Implemented (m)	Ratio (%)
1/ Phan Dinh Phung Street				
- D800	m	101	101	100%
- D600	m	94	94	100%
2/ The planned street No.4				
- D600	m	90	90	100%
3/ Ngo Quyen street				
- D600	m	97	97	100%
4/ Hung Vuong street				
- D600	m	134	134	100%
5/ Tay Cong Vien street				
- D1500	m	449	240	53,45%
- D800	m	329	329	100%
- Box culvert 2000x2000	m	300,5	0	0%
6/ Phan Boi Chau street				
- D1000	m	64	0	0%
- D800	m	116	116	100%
- D600	m	122	122	100%
7/ Le Loi street				
- D1200	m	297	39	13,13%
- D1000	m	150	150	100%
- D600	m	86,5	86,5	100%

8/ Nguyen Hong Son street				
- D1000	m	60	0	0%
- D800	m	251	0	0%
- D600	m	1089	0	0%

3. Progress of packages' disbursement:

3.1. Package PY2A/A/B/10/ICB: Rain-water drainage system and operation-maintenance equipment in Tuy Hoa city

No	Items	Unit	Total
1	Package value	VND	83,169,867,055
2	1 st phase		3,508,726,851
3	2 nd phase		4,575,619,059
4	3 rd phase		3,221,125,573
5	4 th phase		5,703,214,990
6	5 th phase		4,500,000,000

3.2. Package PY2B/B/10/ICB: A wastewater treatment station and pressure pipeline, with booster pumping station will be constructed and installed in Tuy Hoa city

No	Items	Unit	Total
1	Package value	VND	118,264,470,500
2	1 st phase		4,126,903,791
3	2 nd phase		7,541,731,590
4	3 rd phase		4,482,121,949

3.3. Package PY4/C/10/NCB: Solid waste landfill in Song Cau town

No	Items	Unit	Total
1	Package value	VND	12,493,152,344
2	1 st phase		1,231,104,655

3	2 nd phase		1,005,780,026
4	3 rd phase		1,465,181,095

3.4. Package PY5/B/10/NCB: Rain-water drainage system in Song Cau town

No	Items	Unit	Total
1	Package value	VND	23,708,100,016
2	Advance		2,370,810,002
3	1 st phase		1,842,229,429
4	2 nd phase		3,600,000,000
5	3 rd		3,500,000,000

4. Assessment on level of AHs' rehabilitation

Unlike projects using domestic capital, in projects funded by international organizations, especially in Phu Yen 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 9 below:

Table 9. Distribution of severely affected households and vulnerable groups

No	Package	Total number of AHs, in which:							
		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	PY2A/A/B/10/ICB: <i>Rain-water drainage and operation-maintenance equipment in Tuy Hoa city</i>	0	0	0	6	0	0	0	0
2	PY2B/B/10/ICB: <i>A wastewater treatment station and pressure pipeline, with booster pumping station will be constructed and installed in Tuy Hoa city</i>	38	10	0	17	1	0	0	0
	PY4/C/10/NCB: <i>Solid Waste Landfill in Song Cau town</i>	0	3	0	0	0	0	0	0

No	Package	Total number of AHs, in which:							
		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
	PY5/B/10/NCB: <i>Drainage system in Song Cau town</i>	0	0	0	7	0	0	0	0
	Total	38	13	0	30	1	0	0	0

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

4.1 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 Tuy Hoa city of Phu Yen province, the PC has a scheme No.1953/ĐA-UBND dated 10/12/2010 and the Decision No.4882/WDD-UBND dated 31/12/2010 on the vocational training for rural workers in Tuy Hoa City during the stage 2011 – 2015 and oriented to 2020.

In Phu Yen Province, there are two packages that have to implement the compensation. For package PY2B/B/10/ICB, AHs lost productive land; for package PY4/C/10/NCB, the trees of AHs are affected. All of AHs are affected jobs or livelihoods.

a) For AHs do not have productive land:

- Regarding current life: life of AHs that do not have productive land has many difficulties. Almost of them are employees. Some AHs have opened the grocery store at home. Their job is unstable, there are only 15 – 20 days in a month that they can do the job with the income of 10,000 VND – 35,000 VND/day. So in the current time, the ability to recover their life is very low. However, after receiving compensation, the households have rebuilt and repaired their house. The lifestyle of AHs is also changed to be more active. Their thought or way of thinking and way of doing business is also changed to be suitable with a new living environment and new community.
- Regarding the future life: although the life of people still have many difficulties, their life in the future will be improved and facilitated a lot, as they are equipped with house and necessary things.

b) For the AHs losing their trees:

- Regarding current life: like the AHs that do not have productive land, the life of AHs losing trees also has many difficulties. The main reason is that they only have the compensation for crops on land. The main income of these households comes from unstable job, therefore their life in the current time has not been stable.
- Regarding the future life: their life 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 10 below:

Table 10. Supporting programs

No	Policy	Application objects	Level of support
1	Support for residential land price	For all AHs losing land	Decision No.1747/2010/QĐ-UBND dated 29/10/2010 of

No	Policy	Application objects	Level of support
2	Support to stabilize life	For all AHs	PPC on amending and supplementing some articles of the support policy when the State acquires land according to provisions of Decree No.69/2009/NĐ-CP dated 13/8/2009 of Vietnam government.

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

In the second monitoring, all of AHs have received compensation and support for production and living recovery. However, the Consultants 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 the Table 11 below.

Table 11. Result of assessment on rehabilitation

Main questions used for assessment	Result of survey			
	Total	Yes	No	No idea/no change
1. Have the households been consulted and disseminated the project information and entitlement policy in the case of acquisition?	45	45	0	0
2. Did the households participate and sign in Minutes of Inventory?	45	45	0	0
3. Did the households clearly understand the compensation and allowance of the project?	45	45	0	0
4. Did the households see the table on discounted value before they sign and receive money?	45	45	0	0
5. Are the households satisfied about the compensation price for land and assets?	45	45	0	0
6. Do the households know complaint procedures?	45	45	0	0

Main questions used for assessment	Result of survey			
	Total	Yes	No	No idea/no change
7. General assessment of interviewees: Is their life after receiving compensation equal to or better than before?	45	45	0	0

The survey shows that 100% of the AHs are satisfied about compensation price for land, assets and crops, although compensation price is lower than market price.

About 23 households lost all of their agriculture land and they said that their life has been changed. Before losing land, some old householders, who are weak, allowed their children to use agricultural land. After receiving compensation, they shared the money for their children to buy land or to participate in vocational course such as driver, tailor, hairdresser, etc and deposited money into the bank to save for their old age. Some other households worked as employees as carpenter, rigger. Currently, their life is stable and presented in the Table below.

Table 12. Result of surveying households losing land

No	Full name	Address	Number of population	Area of acquired land (m2)	Ratio of losing agricultural land	Using the money after receiving compensation
1	Nguyen Thi Manh	Ward 2, Tuy Hoa city	11	2495.6	100%	Share the money for the children to do business and participate in vocational course, buy pigs and deposit money into the bank
2	Tran Thi Man	Ward 8, Tuy Hoa city	2	1109.9	100%	Repair house and buy pigs
3	Le Thi Tho	Ward 2, Tuy Hoa city	6	734.15	100%	Share the money for the children to do business, buy pigs and deposit

No	Full name	Address	Number of population	Area of acquired land (m2)	Ratio of losing agricultural land	Using the money after receiving compensation
						money into the bank
4	Nguyen Thi De	Ward 8, Tuy Hoa city	11	1813.8	100%	Share the money for the children to participate in vocational course such as repairer, buy pigs and deposit money into the bank
5	Le Van Hoa	Ward 8, Tuy Hoa city	5	1097.6	100%	Invest for the children and repair house, buy some equipment for house
6	Le Thi Bay	Ward 8, Tuy Hoa city	16	1198.1	100%	Share the money for the children to buy pigs and deposit money into the bank
7	Pham Bum	Ward 8, Tuy Hoa city	3	1558.8	100%	Invest in their children to open grocery shop
8	Pham Thi Hoa	Ward 8, Tuy Hoa city	3	683.7	100%	Open grocery shop
9	Le Tri	Ward 8, Tuy Hoa city	6	920.7	100%	Invest in the children

No	Full name	Address	Number of population	Area of acquired land (m2)	Ratio of losing agricultural land	Using the money after receiving compensation
10	Duong Thi Nay	Ward 8, Tuy Hoa city	10	2094.4	100%	Share for the children, buy pigs and deposit money into the Bank
11	Pham Quang Minh	Ward 8, Tuy Hoa city	4	750.7	100%	Invest in their children to learn rigger
12	Pham Ngoc Nam	Ward 8, Tuy Hoa city	4	700.1	100%	Invest in the children to learn sewer
13	Tran Lieu	Ward 2, Tuy Hoa city	8	732.2	100%	Share the money for the children and deposit money into the Bank
14	Pham Ngoc Hai	Ward 8, Tuy Hoa city	5	636.4	100%	Invest in the children and to be mason
15	Phan Dang	Ward 8, Tuy Hoa city	1	987	100%	Deposit money into the bank
16	Nguyen Hung	Ward 8, Tuy Hoa city	8	1300.8	100%	Invest in the children
17	Pham Thi Hong	Ward 8, Tuy Hoa city	2	385.5	100%	Open the grocery shop
18	Nguyen Ngo	Ward 8, Tuy Hoa city	17	3285.9	100%	Share for the children, buy pigs and deposit money into the bank
19	Phan Van	Ward 8, Tuy Hoa	4	750.1	100%	Invest in the

No	Full name	Address	Number of population	Area of acquired land (m2)	Ratio of losing agricultural land	Using the money after receiving compensation
	Tot	city				children
20	Pham Van Tu	Ward 8, Tuy Hoa city	12	2406.6	100%	Share for the children, buy pigs and deposit money into the bank
21	Ho Thi Hoa	Ward 8, Tuy Hoa city	10	2174.2	100%	Share for the children, buy pigs and deposit money into the bank
22	Pham Ngoc Hanh	Ward 8, Tuy Hoa city	7	205.3	100%	Share the money for the children to participate in vocational course, work as mason and deposit money into the bank
23	Le Cong Thinh	Ward 8, Tuy Hoa city	3	734.15	100%	Repair house, work as mason and deposit money into the bank

For the female – headed HHs, when losing productive land, almost of them have to work as employee and street vendor. 2 HHs open small grocery shop. Job of female householders when they lost their productive land is showed in Table 13 below.

Table 13. Result of surveying female householders during project construction

No	Full name	Address	Job after losing productive land
I	List of interviewed AHs of the packages		
1	Nguyen Thi Manh	Ward 2, Tuy Hoa city	Housewife and breeding

No	Full name	Address	Job after losing productive land
2	Tran Thi Man	Ward 8, Tuy Hoa city	Sewer and Housewife
3	Le Thi Tho	Ward 2, Tuy Hoa city	Street vendors and Housewife
4	Nguyen Thi De	Ward 8, Tuy Hoa city	Housewife
5	Le Thi Bay	Ward 8, Tuy Hoa city	Housewife
6	Nguyen Thi Manh	Ward 2, Tuy Hoa city	Sewer and Housewife
7	Pham Thi Hoa	Ward 8, Tuy Hoa city	Opening Grocery shop and Breeding
8	Huy Thi Rot	Ward 8, Tuy Hoa city	Housewife and breeding
9	Duong Thi Nay	Ward 8, Tuy Hoa city	Housewife
10	Huynh Thi Tu	Ward 2, Tuy Hoa city	Housewife
11	Pham Thi Hong	Ward 8, Tuy Hoa city	Opening Grocery shop and Breeding
12	Dang Ngoc Ha	Ward 8, Tuy Hoa city	Street vendors and Housewife
13	Nguyen Thi Nhin	Ward 8, Tuy Hoa city	Sewer and Housewife
14	Phan Thi Hoa	Ward 8, Tuy Hoa city	Housewife
15	Ho Thi Hoa	Ward 8, Tuy Hoa city	Sewer and Housewife
16	Nguyen Thi Co	Ward 2, Tuy Hoa city	Street vendors and Housewife
17	Ho Mai (Nguyen Thi Le)	Ward 8, Tuy Hoa city	Housewife
II	List of interviewed HHs in ward/commune where packages are constructed		
1	Hoang Dinh Cuc	Nguyen Huu Tho Str, Tuy Hoa city	Selling noodles
2	Nguyen Thi Thin	Nguyen Huu Tho Str, Tuy Hoa city	Sewer and Housewife
3	Nguyen Thi Tien	Thang Long Str, Tuy Hoa city	Selling grocery

No	Full name	Address	Job after losing productive land
4	Phan Thi Dao	Vo Thi Sau Str, Tuy Hoa city	Hairdresser
5	Phung Thanh Binh	Luong Tan Thinh Str, Tuy Hoa city	Selling water and Housewife
6	Nguyen Thi Suot	Phan Luu Thanh Str, Tuy Hoa city	Housewife and breeding
7	Lam Kha May	Phan Dinh Phung Str, Song Cau town	Selling water and Housewife
8	Dang Thi Huong	Phan Boi Chau Str, Song Cau town	Selling grocery and Housewife
9	Nguyen Thi Thai	Phan Boi Chau Str, Song Cau town	Selling Pho and Housewife
10	Nguyen Thi Dan	Ngo Quyen Str, Song Cau town	Selling rice and Housewife
11	Dinh Thi Sinh	Ngo Quyen Str, Song Cau town	Sewer and Housewife
12	Dang Thi Hoa	Planning road no 4, Song Cau town	Employee
13	Nguyen Thi Mai	Road near the west of central park, Song Cau town	Selling building materials

Ms Nguyen Thi Manh, No 34/7 Tran Phu str, Ward 2, Tuy Hoa city said that: "I'm the householder, my family lost all agricultural land (2.495,6m²). After receiving compensation and support cost for job changing, which is 588,000,000đ, I repaired my house, bought some pigs, chickens and deposited money into the bank".

Ms. Pham Thi Hong, No 30 Le Thanh Phuong str, ward 8, Tuy Hoa city said that: "Previously, my family used to work in agriculture. Currently, I and my husband are old, we give land for my son to work. My family is affected agricultural land (385,5m²). After receiving compensation and support cost for job changing, which is 232,500,000đ, I open the grocery shop. Currently our life is stable."

5. Opinons of leaders in wards/communes and people in project construction area

No	Full name	Position	Working place	Content of exchange
1	Le Hong Quan	Chairman	PC of Xuan Phu ward, Song Cau town	<ul style="list-style-type: none"> - When constructing, I directly arranged things to facilitate the road construction - Though during construction, the road is dusty and noisy, HHs still support the project's implementation
2	Tran Ngoc Ha	Vice Chairman	Xuan Phuong commune PC	Until now there is no impact on HHs. But I am afraid in the next time health of people near the landfill will be affected.
3	Nguyen Xuan Dinh	Chairman	PC ward 8	<ul style="list-style-type: none"> - My ward is mostly affected by wastewater treatment plant package in Tuy Hoa city - People fully received compensation and their life has been stable. - When constructing treatment plant, irrigation system is effected. PC of ward met Phu Yen PMU 3 times to reach agreement on the treatment of irrigation system for people in ward 8. (Minutes of working is in the Annex)
4	Some HHs in ward 8 and agricultural cooperatives in ward 8			<ul style="list-style-type: none"> - Additionally installing 1 culvert going through the temporary road for water flowing into the field - Embankment in fields

No	Full name	Position	Working place	Content of exchange
				<p>at the southwest of wastewater treatment zone</p> <p>- Pipeline D300 in Ong Duong mound has been treated, but it is slightly short. So we require that another 1.5 m of pipeline should be appended to this one to ensure the width of bank.</p> <p>- Rocks in the ditch should be collected and embankment in the treatment plant should be embanked again.</p>

IV. Conclusion

From the above analysis of the second monitoring, we can see that RP implementation until now has complied with the approved RP. The organization of RP implementation is agreed from investor to locality, all parties have followed every regulation provided in RP. The Consultant can withdraw the conclusion that:

*** About the project's information dissemination:** the Project's information dissemination has been paid attention to. Compensation and resettlement council and Phu Yen PMU have 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 thier reference..

*** About the affected assets inventory:** AHs are invited to participate in process of inventory, together with Compensation and resettlement council. Minutes of Assets Inventory and Minutes of Price application for affected assets of each household are publicly announced to all households. All types of papers, before announcing to all households, must be signed and sealed by relevant authorities in locality. AHs can keep a copy of the Minutes for following comparison.

* **About compensation payment:** in Phu Yen, the current compensation price is based on price frame regulated by PC of province/city/town through Decisions and Circulars including: Decree 69/2009/NĐ-CP dated 13/8/2009, regulating additional planning of land use, land prices, land acquisition, compensation, assistance and resettlement; Decree 197/2004/NĐ-CP dated 03/12/2004, on compensation, assistance and resettlement when the State acquires the land; Joint Circular 14/2008/TTLT/BTC-BTNMT dated 31/1/2008 of the Ministry of Natural Resources and Environment guiding the implementation of some articles of Decree 84/2007/NĐ-CP dated 25/5/2007 additionally regulating the issuance of land use right certificate, the implementation of land use right, procedure, process of compensation, allowance and resettlement when the State acquires land and land complaints settlement; Decision 471/2010/QĐ-UBND dated 16/3/2010 of Tuy Hoa city's PC on the supporting policy when the State acquires land as provided in Decree 69/2009/NĐ-CP dated 13/8/2009; and Decision 1747/2010/QĐ-UBND dated 29/10/2010 of Phu Yen PPC on supporting policy when the State acquires land. However, according to assessments of many interviewed AHs, the compensation price is still low. However, people have accepted the compensation price as they are aware of their benefits from this project's construction.

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

- The complaints of AHs has been received, varified 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.

- The level of SAPs' rehabilitation is stable, as they used to be farmers. For households losing all productive land, Tuy Hoa city PC wants them to participate in vocational courses but they didn't do that, they want to find a job themselves to support their family. Female – headed households said that compensation and support cost are reasonable. These households said that they received fully compensation, support cost and have no complaints about compensation. After receiving compensation, they use the money to earn a living such as opening grocery shop or buying pigs, chickens for breeding. Although losing productive land makes their life changed, currently their life is gradually stable.

* **About the resettlement compensation activities and construction progress:** In Phu Yen province, all resettlement compensation activities have been completed. All AHs received compensation and handed over site to Phu Yen PMU for construction. Progress of project's packages is mentioned in part 2, chapter 3 of this report.

ANNEX 1. LIST OF CONTACTED OFFICERS

	Agency	Responsible officers	Position	Quantity
I	PYPMU of Central region Medium and Small Towns development project			
1		Mr. Nguyen Phu	Director	1
2		Mr Do Quang Dung	Technical officer	1
3		Ms. Tran Ai Dieu Lien	Resettlement officer	1
II	Compensation and Resettlement Committee – Song Cau town			
4		Mr Nguyen Xuan Dinh	Chairman	1
III	PC of Xuan Phu ward, Tuy Hoa city, Phu Yen province			
5		Mr Le Dong Quan	Chairman	1
IV	Xuan Phuong commune, Song Cau town, Phu Yen province			
6		Mr. Tran Ngoc Ha	Vice chairman	1
V	Constructor of PY2A/B/10/ICB: Technology Development Construction JSC. (TDC)			
7		Mr. Hoang Xuan Ninh	Commander	1
VI	Constructor of PY2B/B/10/ICB: MTV 508 company			
8		Mr Tran Thanh Tung	Deputy commander	1
VII	Constructor of PY4/C/10/NCB: Hang An Group			
9		Mr Luong Nguyen Tien Khai	Commander	1
VIII	Constructor of PY5/B/10/NCB: Hang An Group			
10		Mr Dau Cong Hoan	Commander	1
Total		10		

ANNEX 2. LIST OF INTERVIEWED AHs

Annex 2.A. List of interviewed AHs of packages

No	Full name	Address	Gender	
			Female	Male
1	Nguyen Thi Manh	Ward 2, Tuy Hoa city	1	
2	Tran Thi Man	Ward 8, Tuy Hoa city	1	
3	Le Van Ngu	Ward 8, Tuy Hoa city		1
4	Le Thi Tho	Ward 2, Tuy Hoa city	1	
5	Nguyen Thi De	Ward 8, Tuy Hoa city	1	
6	Le Van Hoa	Ward 8, Tuy Hoa city		1
7	Le Thi Bay	Ward 8, Tuy Hoa city	1	
8	Pham Bum	Ward 8, Tuy Hoa city		1
9	Nguyen Thi Manh	Ward 2, Tuy Hoa city	1	
10	Pham Thi Hoa	Ward 8, Tuy Hoa city	1	
11	Phan Duong	Ward 8, Tuy Hoa city		1
12	Huynh Thi Rot	Ward 8, Tuy Hoa city	1	
13	Le Tri	Ward 8, Tuy Hoa city		1
14	Duong Thi Nay	Ward 8, Tuy Hoa city	1	
15	Pham Minh Quang	Ward 8, Tuy Hoa city		1
16	Pham Ngoc Nam	Ward 8, Tuy Hoa city		1
17	Nguyen Van Hung	Ward 2, Tuy Hoa city		1
18	Huynh Thi Tu	Ward 2, Tuy Hoa city	1	
19	Tran Lieu	Ward 2, Tuy Hoa city		1
20	Pham Ngoc Hai	Ward 8, Tuy Hoa city		1
21	Phan Dang	Ward 8, Tuy Hoa city		1
22	Ho Bong	Ward 8, Tuy Hoa city		1

23	Le Trung Thien	Ward 8, Tuy Hoa city		1
24	Nguyen Hung	Ward 8, Tuy Hoa city		1
25	Pham Thi Hong	Ward 8, Tuy Hoa city	1	
26	Nguyen Huu Te	Ward 2, Tuy Hoa city		1
27	Nguyen Ngo	Ward 8, Tuy Hoa city		1
28	Phan Van Tot	Ward 8, Tuy Hoa city		1
29	Pham Van Tu	Ward 8, Tuy Hoa city		1
30	Dang Ngoc Ha	Ward 8, Tuy Hoa city	1	
31	Phan Van Tu	Ward 8, Tuy Hoa city		1
32	Nguyen Thi Nhin	Ward 8, Tuy Hoa city	1	
33	Tran Ngoc Sac	Ward 8, Tuy Hoa city		1
34	Phan Thi Hoa	Ward 8, Tuy Hoa city	1	
35	Pham Hung	Ward 8, Tuy Hoa city		1
36	Ho Thi Hoa	Ward 8, Tuy Hoa city	1	
37	Pham Van Ngoc	Ward 2, Tuy Hoa city		1
38	Nguyen Thi Co	Ward 2, Tuy Hoa city	1	
39	Nguyen Van Minh	Ward 2, Tuy Hoa city		1
40	Ho Mai (Nguyen Thi Le)	Ward 8, Tuy Hoa city	1	
41	Pham Ngoc Hanh	Ward 8, Tuy Hoa city		1
42	Le Trung Son	Ward 8, Tuy Hoa city		1
43	Nguyen Van An	Ward 8, Tuy Hoa city		1
44	Pham Ba Luat	Ward 8, Tuy Hoa city		1
45	Le Cong Thinh	Ward 8, Tuy Hoa city		1
46	Nguyen Van Phat	Binh Thanh Nam village		1
47	Nguyen Van Quyen	Binh Thanh Nam village		1
48	Bui Xuan Thanh	Binh Thanh Nam village		1

TOTAL	17	31
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Annex 2.B. List of interviewed AHs in wards/ commune where constructing packages

No	Full name	Address	Gender	
			Female	Male
1	Hoang Dinh Cuc	Nguyen Huu Tho Str, Tuy Hoa city	1	
2	Nguyen Thi Thin	Nguyen Huu Tho Str, Tuy Hoa city	1	
3	Dao Trong Binh	Thang Long Str, Tuy Hoa city		1
4	Nguyen Thi Tien	Thang Long Str, Tuy Hoa city	1	
5	Phan Thi Dao	Vo Thi Sau Str, Tuy Hoa city	1	
6	Nguyen Ngoc Du	Vo Thi Sau Str, Tuy Hoa city		1
7	Le Dac Hung	Nguyen Van Cu Str, Tuy Hoa city		1
8	Dao Gia Thach	Nguyen Van Cu Str, Tuy Hoa city		1
9	Nguyen Van Dong	Đường Phan Chu Trinh, TP. Tuy Hòa		1
10	Phan Huu Luyen	Đường Phan Chu Trinh, TP. Tuy Hòa		1
11	Phung Thanh Binh	Luong Tan Thinh Str, Tuy Hoa city	1	
12	Tran Xuan Tue	Luong Tan Thinh Str, Tuy Hoa city		1
13	Dinh Hong Cam	Phan Luu Thanh Str, Tuy Hoa city		1
14	Nguyen Thi Suot	Phan Luu Thanh Str, Tuy Hoa city	1	
15	Nguyen Van Xam	Dong Khoi Str, Tuy Hoa city		1
16	Pham Van Thong	Dong Khoi Str, Tuy Hoa city		1

17	Pham Van Lai	Hung Vuong Str, Tuy Hoa city		1
18	Tran Cong Tam	Hung Vuong Str, Tuy Hoa city		1
19	Dao Quang Loan	Doc Lap Str, Tuy Hoa city		1
20	Nguyen Minh Chi	Doc Lap Str, Tuy Hoa city		1
21	Nguyen Van Chung	Hung Vuong Str, Song Cau town		1
22	Pham Lam Vi	Hung Vuong Str, Song Cau town		1
23	Pham Van Manh	Hung Vuong Str, Song Cau town		1
24	Nguyen Do Bien	Phan Dinh Phung Str, Song Cau town		1
25	Tran Quang Thuy	Phan Dinh Phung Str, Song Cau town		1
26	Lam Kha May	Phan Dinh Phung Str, Song Cau town	1	
27	Ha Van Thang	Le Loi Str, Song Cau town		1
28	Phan Lam Ry	Le Loi Str, Song Cau town		1
29	Phan Van Sam	Le Loi Str, Song Cau town		1
30	Nguyen Van Loi	Phan Boi Chau Str, Song Cau town		1
31	Dang Thi Huong	Phan Boi Chau Str, Song Cau town	1	
32	Nguyen Thi Thai	Phan Boi Chau Str, Song Cau town	1	
33	Nguyen Thi Dan	Ngo Quyen Str, Song Cau town	1	
34	Nguyen Van Nho	Ngo Quyen Str, Song Cau town		1
35	Dinh Thi Sinh	Ngo Quyen Str, Song Cau	1	

		town		
36	Dang Thi Hoa	Planning road no 4, Song Cau town	1	
37	Nguyen Xuan Tuong	Planning road no 4, Song Cau town		1
38	Vu Van Ta	Road near the west of central park, Song Cau town		1
39	Nguyen Thi Mai	Road near the west of central park, Song Cau town	1	
40	Bui Van Son	Road near the west of central park, Song Cau town		1
Total			13	27

ANNEX 3. IMAGES

	
Working with Phu Yen PPC	Wastewater treatment station
	
Wastewater treatment station	Hung Vuong boulevard is waiting for being asphalted
	
Road 3/2 of Tuy Hoa city is waiting for completing the site	Vo Thi Sau street of Tuy Hoa city is completing the site
	
Luong Tan Tinh road of Tuy Hoa city has completed the site	Landfill is under construction
	
The materials gathering place of landfill construction	The road in the west of the park has completed the site
	
Phan Boi Chau road is waiting for being asphalted	Le Loi road is waiting for being asphalted
	
Interview with Mrs, Nguyen Thi Manh;s household at her house (No 34/7, Tran Phu street, ward No.2, Tuy Hoa city)	Interview with Mrs. Pham Thi Hong's household at her house (No.30, Le Thanh Phuong street, ward No.8, Tuy Hoa city)

ANNEX 4: MONITORING TOOL

ANNEX 4A: CONSULTATION OF COMMUNE AUTHORITIES

1. Time of interview: datemonth year 2012
2. Name of interviewee:
3. Position:
4. Address:

5. Interview questionnaire:

a) Has land in project area been compensated to households?

- No [] Yes [] if Yes, when?

b) How many households owning land in project area?

- 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 project area):

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 project area 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?

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

☐1 Yes

☐2 No

Complaints and complaints settlement

25. Do you have any complaint?

☐1 Yes

☐2 No

What is your complaint about?

.....
.....
..... Has your complaint
been settled?

☐1 Yes

☐2 No

26. For how long.....

27. 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)