

# Due Diligence Report for Land Acquisition and Resettlement

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## VIE: INTEGRATED RURAL DEVELOPMENT SECTOR PROJECT IN CENTRAL PROVINCES - ADDITIONAL FINANCING

Subproject: Upgrading the Cham Canal and  
Management Road of the South primary canal of Nha  
Trinh - Lam Cam Irrigation System, Ninh Thuan Province

Prepared by the Ministry of Agriculture and Rural Development, Socialist Republic of Viet  
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## **CURRENCY EQUIVALENTS**

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## **ABBREVIATIONS**

ADB	- Asian Development Bank
AH	- Affected Household
APs	- Affected Persons
APMB	- Agricultural Project Management Board
CARB	- Compensation Assistance and Rehabilitation Board
CPC	- Commune Peoples' Committee
CPMU	- Central Project Management Unit
CSB	- Commune Supervisory Board
DARD	- Department of Agriculture and Rural Development
DLFDC	- District Land Fund Development Center
DMS	- Detailed Measurement Survey
DOF	- Department of Finance
DONRE	- Department of Natural Resources and Environment
DP	Displaced Person
DPC	District Peoples' Committee
DPI	- Department of Planning and Investment
DRC	- District Resettlement Committee
EA	- Executing Agency
EM	- Ethnic Minority
EMO	- External Monitoring Agency
FGD	- Focus Group Discussion
FS	- Feasibility Study
GAP	- Gender Action Plan
GOV	- Government of Vietnam
HHs	- Households
HIV-AIDS	- Human Immuno Virus-Acute Immune Deficiency Syndrome
IPP	- Indigenous Peoples' Plan
IOL	- Inventory of Losses
IRDSPCP	- Integrated Rural Development Sector Project in Central Provinces
IRMR	- Internal Resettlement Monitoring Report
LFDC	Land Fund Development Center
LIC	- Loan Implementation Consultant
LURC	- Land Use Rights Certificate
MARD	- Ministry of Agriculture and Rural Development
MOF	- Ministry of Finance
MOLISA	- Ministry of Labor, Invalids and Social Affairs
MONRE	- Ministry of Natural Resources and Environment
N-T-P	- Notice- to- Proceed
ODA	- Official Development Assistance

O&M	- Operation and Maintenance
PIB	- Project Information Booklet
PPC	- Provincial Peoples' Committee
PPMS	- Project Performance Monitoring System
PPMU	Provincial Project Management Unit
REMDf	- Resettlement and Ethnic Minority Development Framework
REMDP	Resettlement and Ethnic Minorities Development Plan
RCS	Replacement Cost Survey
ROW	Right-of-Way
RRCA	Rapid Replacement Cost Assessment
SAH	Severely Affected Household
SES	Socio-Economic Survey
SP	Subproject
SPS	- Safeguard Policy Statement
STI	- Sexually Transmitted Infection
USD	- United States Dollar
VAHs	Vulnerable affected households
VND	- Vietnamese Dong
VWU	- Viet Nam Women's Union
WUGs	- Water Users Groups

### **NOTE**

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## I. SUMMARY OF SUBPROJECT

1. The subproject (SP) “Lining Cham canal and management road of the South main canal under Nha Trinh - Lam Cam irrigation system, Ninh Thuan Province” is implemented in Ninh Phuoc district, Ninh Thuan province. The SP is located in Ninh Phuoc district, and comprised of four (4) communes, namely: Phuoc Hau, Phuoc Thai, Phuoc Vinh and Phuoc Son.
2. Nha Trinh - Lam Cam is a large irrigation system constructed over 100 years ago. The system's command area is 12,800 Ha, located in three districts of Ninh Thuan province, in which the South main canal has a total designed irrigation area of 6,800 ha and a canal length of 29kms.
3. Besides the upgrade and rehabilitation of the canal system, on-farm service road network is also rehabilitated and upgraded. The quality of the service road is poor and roads along the canal have a width of 3÷4m with fine texture soil surface. The ungraded soil of its base and surface causes landslide of the embankment to the canal's bed and its surface is also waterlogged and muddy during the rainy season, which makes it difficult to transit the road.
4. Cham Canal is a category 1 canal of the south main canal under Nha Trinh – Lam Cam irrigation system. The Cham canal directly gets water from the South main canal at K4+500m, which currently has a total length of 5.521kms. The Cham canal and branch canals are of category I and II and are natural (ungraded) earth canals. Out of the 50 kms of the total length of the canal system, only some canals of category II have some sections concrete lined such as Muong Chai (2.5kms), Muong Giang (542m), and Ho Tam (360m). The capacity of the Cham canal to supply water is quite high and water is abundant, potentially capable of meeting present and future demands for irrigation. However, due to its lengthy use, the effect of many floods and poor maintenance, the canal system is deformed, heavily sedimented its water conveyance capacity is severely reduced. Presently, only 1,500-2,000 Ha can be irrigated out of the total 2,800 ha of designed command area.
5. Canal and work items on the canal: All of the current canal routes are made of ungraded earth. The canal sides are mainly planted with bamboo, which limits visibility of transiting people. The water flow has a naturally carved curved shape; its operation and maintenance besides its annual dredging are difficult because of lack of a proper management/service road. The cross section of the canal has expanded due to erosion and landslides. It is observed that water seepage occurs all along the canal and on a permanent basis, lowering the efficiency of irrigation. There are 63 temporary structures on the canals made and maintained by the water users. The canal crosses a newly-concreted inter-commune bridge.
6. Management road of the South main canal: the upgrading and rehabilitation of the South main canal includes service roads along the canal 3 to 4m. wide, whose surface is made of fine texture soil. The canal road, aside from its use for irrigation purposes, also serves as a road which links Phuoc Hau, Phuoc Thai, Phuoc Vinh and Phuoc Son communes. During the annual harvest time, the canal road is the main road used by farmers in transporting their agricultural products to the markets. Since the road is only made of fine soil and was not hard surfaced it has severely deteriorated by rains that are causing the surface becoming muddy and hardly transitable. Moreover, with the mechanization of agriculture in the subproject area, more farm equipment and other vehicles transit the road, contributing to its serious degradation.

## **II. RATIONAL AND METHODOLOGY OF DUE DILIGENCE ASSESSMENT**

### **A. Rational of Due Diligence Assessment**

7. Currently, advance payment on compensation and assistance to affected household of the subproject have been made and procedures for site clearance completed as recorded in its related REMDP being submitted to ADB for approval. At the time of conducting this Due Diligence, all households affected by the SP received compensation on the basis of policies of the Government of Vietnam and Ninh Thuan province.
8. Ninh Thuan PPMU has draft an official letter concerning the above advance payment for affected households for land acquisition as recorded in Annex 1.
9. The main purpose of this Subproject Resettlement and Ethnic Minority due diligence investigations is to find out what activities have been done for compensation and assistance to Ahs as well as procedure applied during DMS and payment, including information disclosure, consultation and participation of affected household in these procedure, including reporting of any inconsistency detected between the compensation plan and its implementation and the prescriptions contained in the uREMDF. Where inconsistencies are identified plans will be formulated for necessary amending.
10. This report summarizes the findings of these investigations and proposes solutions with related action-plans to ensure that the due payment of these supplementary entitlements to APs are implemented and meet the requirement of the uREMDF approved measures and ADB's policy.

### **B. Methodology**

11. The following methods were applied in the preparation of this DDR: (i) collection of secondary data provided by the Ninh Thuan Provincial Project Management Unit (PPMU), and District Land fund development Center of Ninh Phuoc district (LFDC); (ii) discussions held with representatives of subproject communes on compensation and land acquisition activities, and (iii) interviews conducted with affected households (APs). Relevant details of the above are as follow:
  - Coordinate with local authorities and stakeholders (District and commune authorities and APs) to review the undertaking of information disclosure, delivers and receivers of information).
  - Review the redressing process following AP's complaints and present procedures applied.
  - Review and evaluate the impacts and income restoration strategy for severely affected households.
  - Interview representatives of LFDC about the DMS progress, compensation pricing and payment for APs etc.
  - Interview AHs who have already received compensation and assistance to get their feedback on compensation prices applied, assistance, participation of APs in compensation and resettlement, information disclosure modes to local people and local authorities etc.
  - Interview some APs who are regarded as severely Ahs, vulnerable groups such as female-headed households, ethnic minorities, poor APs etc.

- Compare the current resettlement policy with the approved uREMDF on compensation and resettlement, to analyze the differences between the implementation in the subproject and the approved uREMDF.

12. From May 4 to 7<sup>th</sup> 2016, LIC carried out surveys and interviews in four subproject communes, namely Phuoc Hau, Phuoc Thai, Phuoc Vinh and Phuoc Son and relevant agencies involved in the process, i.e., the Ninh Thuan PPMU and the Ninh Phuoc Land Fund Development Center. The main contents of the survey conducted focused on aspects like information disclosure, DMS process, compensation cost, land acquisition and compensation time, grievance and grievance's redress and compensation satisfaction as assessed by the APs.

13. Consultation with local authorities and affected household related to compensation and land acquisition activities have been conducted by each commune. Sample of minute of consultation meetings in Annex 3. Other minutes will be submitted as requested. Table below present the matrix of discussion with stakeholders:

**Table 1: Matrix of discussion with stakeholders:**

No	Agency	Discussed issues	Desired results
1	PPMU, LFDC, and CPCs	All aspects related to compensation and land acquisition activities	(i) Contents of information disclosure documents, stakeholders and number of participants and filing of minutes of information disclosure. Opinions of APs and responses of the authorities; (ii) DMS form, procedure and participation of APs in DMS process; DMS without AP head; (iii) AP categorization according to uREMDF including severely relocated APs, VAPs by localities, etc; (iv) Contracting of replacement cost appraisal consultant; (v) Minutes of approved detailed compensation options and negotiations; (vi) Compensation time; (vii) Number and percentage of APs with complaints (if any), and nature of grievance; and (viii) Income restoration program/s developed for this project and status of implementation.
2	APs	(i) Information dissemination and disclosure of the SP; (ii) DMS and compensation activities of the LFDC; (iii) Satisfaction of APs about compensation policy; (iv) Grievances and grievance's redressing	(i) To assess the impacts to APs and changes and ability to recover pre-project quality of life; (ii) To assess compliance to uREMDF on compensation and assistance; (iii) To determine grievances and documented issues and constraints in implementing compensation and land acquisition.

14. There were 52% (65 AHs) interviewed, including compensated APs in 2016 (consist of 48 SAHs). Number, lists of people who were interviewed, meetings that were held with local people and local institutions are attached to this report as Annex 2. The number of APs and local officers are in table below:



**Table 2: Number of local officer and AP to be consulted and interviewed**

No	Name of agencies	Number of Consulted and interviewed people of local authority	Number of AP to be Consulted and interviewed
1	Ninh Thuan PPMU and Ninh Phuoc LFDC	7	
2	Phuoc Hau commune	8	24
3	Phuoc Thai commune	9	11
4	Phuoc Vinh commune	6	14
5	Phuoc Son commune	9	16

15. Legal relevant documents on land acquisition have been collected. The list of documents is in table below:

**Table 3: Legal relevant documents on land acquisition for this subproject**

No.	Name of document	Number of Decision/ document	Date of issue	Issued by
1	Decision No. 2380/2010/QĐ-UBND dated on 21th December, 2010 by Ninh Thuan PPC on promulgating compensation, assistance and resettlement policy when land is acquired by the State in Ninh Thuan province	2380/2010/QĐ-UBND	21/12/2010	Ninh Thuan PPC
2	Decision 38/2012/Q-UBND dated August 8 <sup>th</sup> 2012 by Ninh Thuan PPC for remending and supplementing some articles in Decision No. 2380/2010/QĐ-UBND dated on 21th December 2010. (By consulting Ninh Phuoc LFDC, Ninh Thuan PPC has instruction to relevant agencies for preparing new Decision on compensation, assistance and resettlement according to Land Law 2013. It is expected that new Decision will be approved by Ninh Thuan PPC on May 2016).	38/2012/QĐ-UBND	9/8/2012	Ninh Thuan PPC
3	Decision No. 204/2010 dated on 4 <sup>th</sup> March 2010 by PPC on promulgating price unit for trees and crop in the territory of Ninh Thuan province.	204/2010/QĐ-UBND	4/3/2010	Ninh Thuan PPC
4	Decision 2374/QĐ-UBND dated December 16 <sup>th</sup> 2010 for adding annex 1 to table of crop, tree of Decision No. 204/2010 dated on 4 <sup>th</sup> March, 2010.	2374/2010/QĐ-UBND	16/12/2010	Ninh Thuan PPC
5	Decision No. 39/2011 by PPC on adjusting price unit for trees and crops promulgated with attachment of Decision No. 204/2010 by Ninh Thuan PPC. (Annex 2)	39/2011/QĐ-UBND	7/9/2011	Ninh Thuan PPC
6	Decision No. 106/2014/QĐ-UBND dated December 29 <sup>th</sup> , 2014 by Ninh Thuan PPC promulgating price unit for types of land in period of 2015-2019 in the territory of Ninh Thuan province	106/2014/QĐ-UBND	29/12/2014	Ninh Thuan PPC
7	Minutes of handing-over policy framework applied for land clearance compensation.		17/8/2015	Ninh Thuan DARD
8	Letter 3042/UBND-NC dated July 31 <sup>st</sup> , 2015 on implementation the compensation and land acquisition for projects in Ninh Thuan province	3042/UBND-NC	31/7/2015	Ninh Thuan PPC
9	Official letter no.1588/UBND-KT requesting for approval of adjustment coefficient of land price	1588/UBND-KT	20/8/2015	Ninh Phuoc

No.	Name of document	Number of Decision/ document	Date of issue	Issued by
	for the project of “Upgrading the Cham canal and management road of the South primary canal of Nha Trinh – Lam Cam irrigation system”			DPC
10	Report no. 3078/BC-STNMT on approval of defining specific land prices and compensation, land clearance for Cham canal subproject in 4 communes.	3078/BC-STNMT	4/9/2015	Ninh Thuan DONRE
11	Letter No. 4417/UBND-QHXD dated November 12 <sup>th</sup> 2015 for application detailed compensation price for land for this subproject	4417/UBND-QHXD	12/11/2015	Ninh Thuan PPC
12	Official letter no. 94/UBND-KT of Ninh Phuoc DPC on subsistence allowances for AHs losing 10- 30% of their total agricultural land area.		14/1/2016	Ninh Phuoc DPC
13	Decision no. 176/QĐ-UBND on approval of detailed plan and budget for compensation and allowance to 108 HHs and 02 organizations when the Government acquires land for Cham canal subproject.	176/QĐ-UBND	3/2/2016	Ninh Phuoc DPC
14	Decision No. 04/2016/QĐ-UBND prescribing the land compensation price adjustment in the year 2015 and land type by land use purpose for indentifying the land price in Ninh Thuan province.	04/2016/QĐ-UBND	3/3/2016	PPC
15	Letter No. 49/BQLDATHMTKVBS-KT on proposing income assistance for Ahs land from 10 to 30% and vulnerable Ahs for 02 subprojects.	49/BQLDATHMTK VBS-KT	14/3/2106	Ninh Thuan DARD
16	Official letter no. 488/SNNPTNT-QLXDCT on requestingfor guidance for implementing subsistence allowances for HHs who lost 10- 30% of their agricultural land in Cham canal and North Canal subprojects.	488/SNNPTNT-QLXDCT	24/3/2016	Ninh Thuan DARD
17	Official letter no. 58/BQLDATHMTKVBS-KT on implementatingpolicy framework for 02 subprojects of Cham canal and North Canal	58/BQLDATHMTK VBS-KT	30/3/2016	Ninh Thuan DARD
18	Official letter no. 588/SNNPTNT-QLXDCT on requestingfor guidance to implement resettlement policy framework and Ethnic minority approved ADB for Cham canal and North canal subprojects	588/SNNPTNT-QLXDCT	8/4/2016	Ninh Thuan DARD
19	Official letter no. 1357/UBND-TCD on recommendingthe approval by ADB of the Resettlement Policy Framework and Ethnic minority for Cham canal subproject	1357/UBND-TCD	13/4/2016	Ninh Thuan PPC
20	Report on addressing recommendations of DARD on implementation of resettlement policy framework and Ethnic minority	1365/BC-STNMT	21/4/2016	Ninh Thuan DONRE
21	Decision No. 308/QĐ-UBND on promoting the establishment of Ninh Phuoc LFDC.	308/QĐ-UBND	21/2/2012	Ninh Phuoc DPC
22	Decision no. 2066/QĐ-UBND on issuing organizational regulations and activities of LFDC	2066/QĐ-UBND	1/8/2012	Ninh Phuoc DPC
23	Phuoc Hau CPC- retrieved from Minute of the meeting with consultants-defining origin of land, types and location to make compensation plan.			CPC

No.	Name of document	Number of Decision/ document	Date of issue	Issued by
24	Phuoc Thai CPC- retrieved from Minute of the meeting with consultants- defining origin of land, types and location to make compensation plan.			CPC
25	Phuoc Vinh CPC - retrieved from Minute of the meeting with consultants- defining origin of land, types and location to make compensation plan.			CPC
26	Phuoc Son CPC – retrieved from Minute of the meeting with consultants- defining origin of land, types and location to make compensation plan.			CPC

### III. SCOPE OF IMPACTS

16. Main impacts of subproject was identified by Detailed Measurement Survey (DMS) conducted in August 2015 by Land fund Development Center of Ninh Phuoc DPC, based on the approved investment subproject, including:

#### A. Permanent impact:

##### 1. Affected households:

17. The subproject will impact on assets of 126 affected households/organizations consisting of 124 households (equal to 473 Aps with average HH size is 3.8 persons) and 02 organizations (Phuoc Hau and Phuoc Son CPC). Of the 124 affected households, 108 Ahs are affected on land and others assets, 16 Ahs are affected on crop and trees only. Out of 108 Ahs whose land was acquired, 48 Ahs (196 Aps) are severely affected (losing more than 10% of agriculture land). There is no relocated AH. Of 124 AHs, 08 HHs are ethnic minorities (07 Ethnic Ahs living in Phuoc Thai commune are Cham EM HHs and 01 AHs in Phuoc Vinh is Raclay EM HH) and the remaining Ahs (116) are Kinh ethnic majority.

18. The following table 4 describe in detail the affected households

**Table 4: Number of affected households**

Commune	Severely AHs (Losing 10% or more productive land)	EM HHs	Vulnerable HHs	Total		Note	
				AHs	APs	AH loss land	AH loss asset only
Phuoc Hau	10		8 <sup>1</sup>	37	138	25	12
Phuoc Thai	2	7	7 <sup>2</sup>	7	42	7	
Phuoc Vinh	12	1	8	27	104	26	1
Phuoc Son	24		14	53	189	50	3
Total	48	8	37	124	473	108	16

Source: DMS, 2016

##### 2. Affected land

19. The SP “Lining Cham canal and management road of the South main canal under Nha Trinh - Lam Cam irrigation system” in 04 Communes of Ninh Phuoc District will permanently affect a total area of 99,427.5 m2. Of this 60,667.3 m2 is agricultural land, of which 54,496.9 m2 belongs to 108 households and 6,170.4 m2 is land of organizations: (Phuoc Hau and Phuoc Son CPC). The 38,760.2 m2 of the remaining affected land consists of irrigated land

<sup>1</sup> Phuoc Hau commune has 01 Ahs who belong to 3 criteria of vulnerable: poor, women headed and family under preferential policy; And 01 Ahs is belong two criteria of vulnerable: poor and women headed

<sup>2</sup> Phuoc Thai has two VAHs who belong to 2 criteria of vulnerable: poor and Ethnic minority

(37,859.8 m<sup>2</sup>); transportation land (764.6 m<sup>2</sup>) and un-used land (135.8 m<sup>2</sup>). Of 60,667.3 m<sup>2</sup> of agricultural land, 55,536.8 m<sup>2</sup> is annual crop land and 5,130.5 m<sup>2</sup> is perennial trees plantations. No residential land will be required. The following tables summarizes affected land:

**Table 5: Affected land by type of land and ownership**

Ownerships	Agricultural land			Other land				Total
	Annual crop land	Perennial land	Total agricultural land	Irrigation land	Transportation land	Un-used land	Total other land	
Household	49,366.4	5,130.5	54,496.9					54,496.9
Public land	6,170.4		6,170.4	37,859.8	764.6	135.8	38,760.2	44,930.6
<b>Total</b>	<b>55,536.8</b>	<b>5,130.5</b>	<b>60,667.3</b>	<b>37,859.8</b>	<b>764.6</b>	<b>135.8</b>	<b>38,760.2</b>	<b>99,427.5</b>

Source: DMS 2016

**Table 6: Affected land by commune and number of AHs**

Com-munes	Annual crop land				Perennial land		Other land (m2)				Total	
	AHs		CPC	Total area (m <sup>2</sup> )	Ahs		Irrigation land	Transport-ation land	Un-used land	Total area of other land		
	No. of AHs	Area (m <sup>2</sup> )	Area (m <sup>2</sup> )		No. of AHs	Area (m <sup>2</sup> )						
Phuoc Hau	25 <sup>3</sup>	7,489.0	4,858.8	12,347.8	1	13.4	7,741.0	222.1		7,963.1	20,324.3	25
Phuoc Thai	7	3,511.4		3,511.4			4,255.2		135.8	4,391.0	7,902.4	7
Phuoc Vinh	26 <sup>4</sup>	10,704.8		10,704.8	8	3,065.3	8,401.4			8,401.4	22,171.5	26
Phuoc Son	50 <sup>5</sup>	27,661.2	1,311.6	28,972.8	5	2,051.8	17,462.2	542.5		18,004.7	49,029.3	50
Total	108	49,366	6,170	55,537	14	5,131				38,760	99,427.5	108

Source: DMS 2016

Affected crops and trees

20. Permanent agricultural land acquisition will have impacts on crops and trees of people in the subproject area. It is expected that a total of 45,749.25 m<sup>2</sup> of annual crops owned by 97 AHs will be affected and that 63 AHs that own 7143 of affected perennial trees will lose these when construction work will commence. Most of the annual crop is rice; other crop include potato, onion and other vegetables. Affected fruit trees include banana, saboche, mango, guava, jack-fruit, melon, dragon, tamarind, apple, star apple, star fruit, rambutan, lemon, coco, avocado, papaya. Small area of annual crop land is grass for livestock. Affected perennial tree are Acacia, sung, nem, gao, bamboo. Table below summarizes the quantities of annual crops and trees by commune.

**Table 7: Affected crop and tree**

Communes	Affected crop/tree			
	Annual crop		Perennial tree	
	Affected HH	Area (m <sup>2</sup> )	Ahs	Tree
Phuoc Hau	26	10,377.05	15	1,561
Phuoc Thai	7	3,511.4	3	4
Phuoc Vinh	17	7,265	17	2,335
Phuoc Son	47	24,595.8	28	3,243

<sup>3</sup> Phuoc Hau commune: 02 AHs lose 02 type of land

<sup>4</sup> Phuoc Vinh commune: 01 AHs lose 02 type of land;

<sup>5</sup> Phuoc Son commune: 03 AHs lose 02 type of land

<b>Total</b>	<b>97</b>	<b>45,749.25</b>	<b>63</b>	<b>7,143</b>
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### 3. **Affected houses and structures:**

21. 13 types of structures of 31 AHs will be affected.

### B. **Temporary impacts**

22. During construction, some lands will be temporarily acquired and rented as construction sites for worker camps, material storage etc. Likewise, there will be impacts to AHs along the road alignment. However, mitigation measures will be implemented to minimize the temporary negative impacts which are unavoidable, as civil works contracts shall include the following provisions: (i) contractor to pay rent for any land temporarily required for construction work; (ii) temporarily used land will be restored or improved by contractors to its pre-subproject condition before returning to AHs with confirmation of LIC.

## IV. **MAIN FINDINGS**

### A. **Implementation procedures**

23. Land acquisition and relevant implementation activities are summarized according to the timeline in table 9 below:

**Table 8: Implementation activities for land acquisition**

<b>No</b>	<b>Activities</b>	<b>Implementation schedule</b>	<b>Notes</b>
<b>I</b>	<b>Land acquisition</b>		
1	Decision no.1085/QĐ-UBND on the approval of invested sub-projects	on 19 May 2015	
2	Invite the local people to the meeting in which consultants disseminated project information as well as consulted the local people in the project areas ( <i>Public consultation</i> )	on 26 May 2015 and 27 May 2015	2 communes in one day
3	Measurement agency: measuring, setting out of acquired land area of each household, conducting a survey to get list and land areas of affected households.	From 10 June 2015 to 25 June 2015	
4	Issue the announcement of land acquisition of each household ( <i>Public Consultation</i> )	30 June 2015	
5	Make a minute of handing over measured assets, landmarks at site.	17 July 2015	
6	Conduct public consultation about affected assets and give announcement of land acquisition to each households, inventory of assets on acquired land area	29 July 2015 and on 30 July 2015	2 communes in one day
7	Invite people to join with land clearance board at site to conduct DMS within the acquired land area.	From 04 August 2015 to 15 August 2015	
8	Conduct investigation and review of land type, location, origin and percentage of loss at the CPC	From 31 August 2015 to 12 September 2015	
9	Conduct investigation and review of the vulnerable households including poor households, ethnic minority households, female-headed households and households under preferential treatment policies.	From 15 September 2015 to 25 September 2015	
10	Identify replacement cost of land, crops and structures	From 20 August 2015 to 12 November 2015	
11	Make detailed compensation plans for each household	From 12 November 2015 to 27 November 2015	

No	Activities	Implementation schedule	Notes
12	LFDC directly delivered the compensation plan for affected households and issued the compensation plan in the area.	01 December 2015 and 02 December 2015	
13	Decision no. 2904/QĐ-UBND on the approval of detailed design and total cost estimate	16 December 2015	Approved detailed design did not change the scale approved in Decision no. 1085/QĐ-UBND
14	Invite the local people to the meeting in which consultants disseminate project information as well as consult the local people in the project areas ( <i>Public consultation</i> )	December 22 <sup>nd</sup> 2015 and December 23 <sup>rd</sup> 2015	
15	Address complaints, and grievance of each affected household	From 18 December 2015 to 20 December 2015	06 households in 2 communes (Phuoc Hau, Phuoc Son) had complaints about the number of trees and the complaints were already solved.
16	Conduct a meeting to end announcement of compensation plan (Public consultation)	on 21 December 2015	
17	Submit the compensation plan to Division of Natural resources and Environment of Ninh Phuoc district for appraisal	on 31 December 2015	
18	Conduct a meeting of appraisal of the compensation plan for affected households.	on 08 January 2016	
19	Approve compensation plan and compensation fund	On 03 February 2016	
20	Finalize detailed plan of land acquisition for each household	On 23 February 2016	
21	Finalize compensation amount for each household	On 22/03/2016	
22	Conduct a meeting with the local people to publicize decision of compensation, and payment for each household.	From 24 March 2016 and 25 March 2016	<i>Payment in advance</i>
23	People agreed with compensation amount and signed in the commitment of handing over land area in time.	From 24 March 2016 and 25 March 2016	
24	At the scheduled time, the team pays site visit to check progress of handing-over land area and base on that to make the list of people who hand over their land as committed and give them awards.	From 27 March 2016 to 15 April 2016	
25	Pursuant to Article 35, term of Decision 2380/2010: within 60 days, the agency in charge of compensation sends a Report to Board of Appraisal to ask for consideration and approval of compensations given to the people.	On-going	
<b>II</b>	<b>Construction work</b>		
1	Construct the road for construction	From April 20 <sup>th</sup> , 2016	
2	Construction main canal	From April 30 <sup>th</sup> , 2016	

**B. Implemented public consultation and information disclosure activities**

24. Information disclosure and public consultation was organized by the local officials on a regular basis during subproject implementation from 2014 to date. All APs participated in DMS process and were consulted about the compensation plan as well as their entitlements.
25. The main information materials disseminated included: (i) General information about the subproject; (ii) The land acquisition needed for project implementation; (iii) The compensation and support policy to be applied; (iv) The declaration of DMS implementation plan in the field; (v) The compensation payment time; and (vi) The work construction time;
26. The information was disseminated via: (i) Meetings at communes; (ii) Loudspeakers of communes where land is to be acquired; (iii) Hand-over of documents, which consist of policy decisions on compensation, support and resettlement when the State acquisition land in Ninh Thuan province; and (iv) publicly posting the land acquisition notifications and compensation plans prescribed by the People's Committee of Ninh Thuan province.
27. The agencies/units in charge of the information dissemination were the LDFC and People's Committees of communes where the land is acquired.
28. On the basis of the land acquisition notification of Ninh Thuan Provincial People's Committee and the implementation plan for land acquisition, compensation, support and resettlement of subproject, the dissemination of information was conducted by LFDC and CPCs since June 2015.
29. During DDR assessment, consultation meeting was held for four communes and LFDC. The number of participants and their feedbacks is shown in table 10 below. Sample of minute of these meetings with the number of participants by gender and their feedbacks is presented in Annex 3. Other minutes will be presented when requested.
30. The results of discussions with LFDC, commune official and interviews with APs show that: all Aps agree with this subprojects as they understand the urgency of the construction schedule and accept the loss of one crop. Their expectetion is that the subproject shouldbe soon constructed.
31. However, some APs claim that they are not clear of detail of the construction drawings and some difficulty inidentifying the border of land acquisition by wooden land acquisition marker. Some households ask for the acquisition to include the left-over land area that becomes inconvenient to be cultivated after part of it is taken away. Table below is summarizing the feedback of local people and authorities.

**Table 9: Summary of feedbacks in consultation meetings**

Commune	Time	Number of participants				Summary of feedbacks/ discussion
		Total	Male	Female	Number of females	
<b>Ninh Phuoc LFDC</b>	4/5/2016	5	4	1	20	<ul style="list-style-type: none"> <li>- Acquired land of household areas from 22 March and paid at that time. At present, compensation and allowance payment is completed according to the Province's policies.</li> <li>- LFDC and CPC addressed some complaints raised by some households about DMS. Particularly, there are 6 cases of complaints (3 cases in Phuoc Hau commune, and 3 cases in Phuoc Son commune)</li> <li>- The center should continue conducting DMS to include missing cases due to wrong calculation</li> </ul>

Commune	Time	Number of participants				Summary of feedbacks/ discussion
		Total	Male	Female	Number of females	
						<ul style="list-style-type: none"> <li>- The center collects a list of members of households willing to join training courses on jobs' transfer; then also cooperates with PPMU, and Division of Labors, Invalids and Social Affairs to provide courses for severely affected households who have special needs;</li> <li>- Make pending payments after receiving instructions from PPC;</li> </ul>
<b>Phuoc Hau commune</b>	5/5/16	24	13	11	45.83	<ul style="list-style-type: none"> <li>- Information dissemination and public consultation was completed; however detailed design was not well displayed to the affected households. PPMU and CPC will disseminate it to the people and provide detailed training to the Community Supervision Board;</li> <li>- All affected households were involved in DMS;</li> <li>- AHs received compensation and allowances (for HHs losing over 30%). HHs losing 10 – 30% and the vulnerable group will be paid by PPC and LFDC;</li> <li>- HHs understand project policies</li> <li>- Some HHs request the project to acquire their uncultivable remaining land areas;</li> <li>- some HHs request the project to provide solutions in case there are some negative impacts during the construction.</li> <li>- Severely AHs want to borrow money with preferential rate for their job change;</li> </ul> <p>Conclusion: PPMU will cooperate with CPC to post the detailed design in the commune office and in some villages. CPC will work with organizations to support severely affected households with preferential interest loan from Bank for Social policies and Bank for the Poor. PPMU cooperates with LFDC to review the uncultivable land areas for acquisition.</p>
<b>Phuoc Vinh commune</b>	5/5/16	19	11	8	42.11	<p>All AHs agree with the project as well as its compensation price. The HHs understand water cut-off schedule for the construction and have to give up one crop.;</p> <ul style="list-style-type: none"> <li>- All HHs were informed about the project and took part in public consultation meeting, inventory and discussed compensation options</li> <li>- 2 HHs request to acquire their remaining land areas which are too small and difficult to cultivate.</li> <li>- Some HHs complained about extra acquired land areas which are not included in the inventory.</li> <li>- Some HHs complained that they did not get the amount of subsistence allowances from 10-30%.</li> <li>- Some HHs requested to remake land use</li> </ul>



Commune	Time	Number of participants				Summary of feedbacks/ discussion
		Total	Male	Female	Number of females	
						right certificates for remaining land areas. - Most of people did not know the master design of the project. They only knew their acquired land area.
<b>Phuoc Thai commune</b>	6/5/16	20	13	7	35	- All AHs agreed with the project and compensation plan; - 1 of 7 HH requested to acquire their remaining land area, which are small and uncultivable. - Some AHs complained that the marks delimiting the identified area of land clearance are made of bamboo wood, unsuitable to well define the acquired area. - According to cadastral staff, in the previous projects, contractors did not clean up the construction site at the end of their work, causing inconveniences to the local people. - It is requested to construct sluice valves in suitable locations with the existing ones to ensure supplying water for the people.
<b>Phuoc Son commune</b>	6/5/16	17	10	7	41.18	- AHs received the announcement of acquired land area, inventory method, and compensation for each HH. - Project information and design was not well displayed. - Some people complained about acquiring extra land during the construction. - All AHs supported the project and agreed with the compensation price; - The commune set up Community Supervision Board - Some AHs complained about impacts of construction activities - During the DMS and compensation plan preparation all affected people were involved. - Some AHs worried that the construction may cause some impacts for them and they don't know whom to meet to report this issue. LIC requested: + PPMU will cooperate with CPC to provide contractor's information and their mobile phone (hotline). + Community Supervision Board should be aware of the project scale and make sure that all construction activities are appropriate; + PPMU should discuss with the commune and CSB about the design, methods of construction and supervision of the contractors to prevent them from causing negative impacts to households.

### C. Resettlement policy framework applied for subproject:

32. The price for affected land was applied by Decision No. 4417/QĐ-UBND dated November 12<sup>th</sup> 2015 of Ninh Thuan PPC that regulate land price with adjustment factor for compensation upon land recovery by the State. According to this decision, the land cost applied for this subproject was equal to land price issued by the PPC for Ninh Phuoc district

in 2015 (Decision No. 106/2014/QĐ-UBND, dated December 29<sup>th</sup>, 2014, applicable from 2015 -2019). The compensation rate for affected asset (houses and structures, plants and crops) was applied per Decision of Ninh Thuan PPC. Affected household agree with these compensation price.

33. The cut-off date for “Lining Cham Canal and Management Road of the Southern Main Canal, Nha Trinh – Lam Cam irrigation system subproject” in Ninh Phuoc district, Ninh Thuan province is 30/6/2015; that is the date of the Decision for land acquisition for this sub-project issued by Ninh Phuoc DPC.

34. Regarding allowance, according to the uREMDF, depending on the level of impacts, the APs of SP could be entitled to receive the following allowances: (i) subsistence for severely AHs who lose 10% or more of agricultural production (ii) job changing/creation assistance in the event of agricultural land recovery by the State; (iii) assistance for vulnerable affected households. All AHs received compensation and allowances as per Ninh Thuan’s policy (All Ahs received allowance for losing more than 30% agriculture land according to Ninh THuan’s plicy). Remaining allowances for AHs loss from 10% to 30% and for vulnerable Ahs have not been paid yet . Ninh THuan PPMU drafted an official letter on the matter to DARD and DONRE to be submitted to PPC for approval. Each commune possesses minute recording the number of vulnerable households for any needed check.

#### **D. Grievance and grievance redress**

35. There was not a single complaint in writing; only 6 AHs (3 AHs in PHuoc Hau and 03 AHs in Phuoc Son commune) raised questions (verbally) to LFDC about missing out on some affected assets in the DMS and requested them to draft detailed compensation option to be publicly posted.

#### **E. Preparation and approval of compensation plans**

36. Compensation, support and resettlement plans for 4 communes of Ninh Phuoc district have been prepared and found in accordance with the entitlements under the policy of the People’s Committee of Ninh Thuan Province issued on the basis of Land Law 2003 and Decree 197/2004/ND-CP, Decree 84/2007/ND-CP, Decree 69/2009/ND-CP and Land Law 2013 and Decree 43/2014/ND-CP, Decree 44/2014/ND-CP, Decree 47/2014/ND-CP. The draft compensation plans were publicly posted for a period of 20 consecutive days at the office of the Commune People’s Committees. The compensation plans were appraised by the LFDC and submitted to the Chairmen of the District People’s Committees for approval.

37. By consulting Ninh Phuoc LFDC, Ninh Thuan PPC has instruction to relevant agencies for preparing new Decision on compensation, assistance and resettlement according to Land Law 2013. It is expected that new Decision will be approved by Ninh Thuan PPC on May 2016.

38. The working group assisting the LFDC made records on the public dissemination of plans, records of ending public posting and reports that summarize the comments from affected persons on the compensation made. The LFDC made a sum of questions of HHs to be solved and submitted it to the Appraisal Committees for the attention of the Chairman of the People’s Committees of the District for approval of the compensation plans. When the compensation plans were approved, the LFDC, in collaboration with the People’s Committees of the communes, posted copies of the compensation plans for the public at the People’s Committee Centers prior to the payment of compensation and other supports. The average period of publicly posting was 5 to 7 days.

39. The compensation, assistance and resettlement plan has fully computed the entitlements and rights following the policies of GoV and Ninh Thuan’s PPC. The Unit Price of the compensation is appropriate and equivalent to the market price at the time of compensation; the

unit price of agricultural land was surveyed by Ninh Thuan's PPC for setting-up the replacement cost and issued a price index of land valid for a period of 05 years, effective from 01 January, 2015 and at the same time conducted the land appraisal that started in 2015 in accordance with the Decree 44/2014/NĐ-CP and Circular 36/2014/TT-BTC.

#### **F. Payment of compensation:**

40. So far the subproject has paid for the number of households affected by land acquisition whose compensation plans were established according to PPC's policy. The LFDC of Ninh Phuoc District, in collaboration with the Commune People's Committees, organized the payment of compensation and support under the plans approved by the District People's Committees. The amount of compensations and allowances were paid at once for households included in the approved plans. The payment was carried out at the offices of the Commune People's Committees before the households handed-over the land for the subproject. The decisions on approving the compensation plans were publicly posted at the offices of the Commune People's Committees before compensations and allowances for affected households were paid. The households were informed about the time and place of compensation payment 3 to 7 days earlier.

41. Local people will have the right to monitor and provide their feedbacks on the construction of the sub-projects and the implementation of the REMDP. Representatives of AHs and beneficiaries join the Commune Supervisory Board (CSB) that was established for four communes to perform participatory monitoring of the implementation process.

42. According to uREMDF, the implementation of payment compensation and assistance to AHs are still missing assistance for severely AHs losing from 10 to 30% of agriculture land and assistance for vulnerable AHs.

#### **V. Gaps between uREMDF with implementation on compensation and assistance to AHs**

43. The payment of compensation and assistance to AHs before REMDP approval does not compile with ADB's policy then this DDR is prepared;

44. Missing allowances to AHs as prescribed in uREMDF, including (i) allowance for SAHs who lose 10% to 30% of agricultural production (ii) assistance for VAHs.

#### **VI. Conclusions**

45. Basically, land acquisition of this subproject is compliant with Ninh Thuan province policy as follow:

- i) APs participated in the project information disclosure and public consultation;
- ii) APs were consulted and involved in the process of land acquisition;
- iii) All APs participated in DMS process and signed on its minutes;
- iv) Draft detailed compensation plans were disclosed;
- v) Complaints were promptly solved by LFDC / CPC;
- vi) APs received compensation before the handing over site; and
- vii) All of affected households are satisfied and accepted the compensation cost.

46. In line with some gaps of applied payment on compensation and assistance to AHs as compared with the uREMDF mention in chapter 5, remedial actions are requested to implement by LFDC of Ninh Phuoc DPC and to be monitored by Ninh Thuan PPMU, together with other actions that is found during consultation meetings. Detailed correct action plan is in the next

chapter. All requested correction action plan are reported the third quarter internal resettlement report by Ninh Thuan PPMU.

## **VII. Recommendations**

47. In line with some gaps of applied payment on compensation and assistance to AHs as compared with the uREMDF mention in para. 44, remedial action is requested to implement by LFDC of Ninh Phuoc DPC and to be monitored by Ninh Thuan PPMU, including:

- i) Allowances are requested to pay to Ahs after REMDP approval and complete before August 30th 2016, including (i) allowance for SAHs who lose 10% to 30% of agricultural production (ii) assistance for VAHs ;
- ii) Arrange the budget for allowance for SAH who loss 10% to 30% of agricultural production is VND 126,000,000 (equivalent to USD 5,657.9) for 33 Ahs and budget for VAHs is VND 596,320,000 (equivalent to USD 26,776.9) for 37 VAHs;

48. Regarding to concerns/complaints of Ahs during consultation meeting, consist of (i) detail drawing; (ii) additional land acquisition after DMS; (iii) some affected asset was not measured (case of Ms. Dong in Phuoc Vinh commune for instance), PPMU is request to corporate with Ninh Phuoc LFDC and communes to re-public drawings in each commune during July 2016, and re-check the additional area as well as affected assets are missing in DMS then revise the compensation plan for those AHs accordingly. Any additional affected asset after checking will be paid to Ahs within one week after approval REMDP that is expected in June 2016.

49. In addition, other correction actions below are recommended to carry out and reported

- iii) PPMU is requested to coordinate with CPCs to monitor the income restoration of severely affected household, especially with Ahs losing more than 70% of their productive land (02 Ahs in Phuoc Haul, and 02 Ahs in Phuoc Vinh commune);
- iv) At the time of survey/interview with AHs, none of the Ahs registered for vocational training courses. However, PPMU is requested to coordinate with LFDC for reviewing the number of Ahs that requested to register for vocational training and to support them in borrowing the necessary money from Social Policy Bank (this is in particular the case of Mr. Can losing is more than 97% of his productive land)
- v) PPMU is requested to corporate with LFDC to check the request of some households for their remaining land that is now not anymore viable for cultivation, after part of it was curtailed, is also acquired (LFDC's report that more than 20 Ahs are in this case);
- vi) PPMU is requested that training to CSB that has been established in four communes for monitoring the construction to reduce the impacts to local people.

## VIII. Annexes

### Annex 1: Explanation letter of Ninh Thuan PPMU on advanced payment to AHs

**DEPARTMENT OF AGRICULTURE AND RURAL  
DEVELOPMENT OF NINH THUAN PROVINCE**

**SOCIALIST REPUBLIC OF VIETNAM**  
**Independence - Freedom – Happiness**

**PMU OF INTEGRATED RURAL DEVELOPMENT  
SECTOR PROJECT IN CENTRAL PROVINCES –  
ADDITIONAL FINANCING**

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No: 63/BQLDATHMT-KVBS

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*Ninh Thuan 15 April 2016*

On: explanation of advance payment for affected households when land is acquired by the State to construct Subproject of Upgrading the Cham canal and management road of the South primary canal of Nha Trinh – Lam Cam irrigation system, Ninh Thuan province

To: Central Project Management Unit – Integrated Rural Development Sector Project in the Central Provinces – Additional financing

To be paid attention by the Government, Ministries and Asian Development Bank (ADB), Ninh Thuan province is funded to implement two subprojects, including: (1) Upgrading beginning section of North primary canal of Nha Trinh – Lam Cam irrigation system and (ii) Upgrading the Cham canal and management road of the South primary canal of Nha Trinh – Lam Cam irrigation system, Ninh Thuan province;

The Subproject of Upgrading the Cham canal and management road of the South primary canal of Nha Trinh – Lam Cam irrigation system under the Integrated Rural Development Sector Project in the Central Provinces was approved on 19 May, 2016 by Ninh Thuan PPC in accordance with Decision No. 1085/QĐ-UBND.

Currently, the subproject has been completed procedures of compensation and site clearance and being submitted RP to ADB for approval.

Because the Subproject has specific characteristics, is only constructed in the time of cutting off water (40 days) and delays production of Summer-Autumn crop, compensation and site clearance activity is determined as much importance for the Subproject. Basing on this situation, Ninh Thuan Provincial Party Committee and People's Committee have paid attention to directing construction activity to meet the construction progress, ensure quality, put the works into use soon to serve production of people in the subproject area and minimize damage due to drought and water cut off schedule for construction of works.

With the attention and direction as above, the Subproject is allowed to make an advance by PPC to conduct advance payment for affected households in the subproject area to hand over construction site, prepare seedling for production of next crop season and be proactive in clean water resource for living activities during the time of cutting off water for construction of works due to delaying Summer- Autumn crop while economic condition of people is much difficult due to long term drought.

When the Subproject is completed and put into use, it will supply stable water resource for production and living of people, prevent water loss, increase gravity irrigation area, being proactive in irrigation and drainage to contribute to improving living condition of people, reducing poverty and increasing development of society, economy as well as ecological environment in Phuoc Son, Phuoc Hau, Phuoc Thai and Phuoc Thuan communes, Ninh Phuoc district, Ninh Thuan province.

From the urgent reasons, PPMU has conducted advance payment for affected households in the subproject area when cutting off water for construction. After RP is approved by ADB, compensation plan and resettlement plan will be publicized and then compensation payment will be implemented in accordance with regulation.

The above is the explanation content on the advance payment for affected households when land is acquired by the State to construct the Subproject of Upgrading the Cham canal and management road of the South primary canal of Nha Trinh – Lam Cam irrigation system. We would like to submit the explanation content to CPMU - Integrated Rural Development Sector Project in the Central Provinces – Additional financing to grasp the information to explain to ADB on the conditions of the subproject.

*Received:*

- As above
- Department of Agriculture and Rural Dep.
- Administrative, Accounting Dep.

**DIRECTOR**

**NGUYEN QUANG VINH**

## Annex 2: List of participants and interviewees

No.	Name	Position/organization	Phone Number
<b>PPMU and Ninh Phước Land Fund development Center (LFDC)</b>			
1	Lê Phan Giác	Vice Director PPMU	0903324006
2	Kiều Thanh Cao	Director LFDC	0949185900
3	Trần Bá Luật	Social staff of PPMU	0915017367
4	Cao Văn Dũng	Staff of LFDC	0933860892
5	Bạch Thị Kiên	Staff of LFDC	0905338303
<b>Phuoc Hau commune</b>			
1	Nguyễn Như Hùng Triết	Vice chairman of CPC	01678924769
2	Lê Văn Hùng	Cadastral staff	0945137087
3	Trần Thị Thanh Thảo	Women Union	0979334279
4	Nguyễn Văn Dũng	Farmer association	01663371359
5	Lưu Thị Thùy Linh	Vice chairman of Father front	0908302521
6	Huỳnh Thị Thúy	Village leader	0984636404
7	Trần Đức Thuận	Chủ tịch Hội Cựu chiến binh	0938046926
8	Nguyễn Thành Phi	Phó chủ tịch UBMTTQVN	0984940807
<b>Phuoc Thai commune</b>			
1	Nguyễn Ngọc Trường	Phó Chủ tịch UBND xã	01243812424
2	Hán Văn Lô	Cán Bộ Địa chính	0917538347
3	Quảng Đại Văn	Phó Chủ tịch Hội Nông Dân	01698267940
4	Hán Tấn Luận	Phó chủ tịch UBMTTQVN	01698751593
5	Hán Nữ Như Bình Ngọc	Chủ tịch Hội Phụ nữ	09066936525
6	Jakia Mạnh	Chủ tịch Hội Cựu chiến binh	01657965395
7	Thiên Tấn	Trưởng thôn Hoài Ni	0946436708
8	Lưu Văn Hiệp	Giám đốc Mt Hoài Tương	01666292216
9	Hán Thị Trun g	Thành viên ban GSCĐ	01682650529
<b>Phuoc Vinh commune</b>			
1	Lượng Văn Thạch	Cán Bộ Địa chính	0937009355
2	Nguyễn Thị Khánh Hải	Chủ tịch Hội Phụ nữ	0989991633
3	Mang Tý	Phó chủ tịch UBMTTQVN	01236591813
4	Lê Duy Hưng	Trưởng thôn PA 1	0977597782
5	Nguyễn Đăng Khoa	Phó Chủ tịch UBND xã	0938284043
6	Bạch Văn Quân	NN-PTMT	0978366382
<b>Phuoc Son Commune</b>			
1	Phạm Văn Lượm	Phó Chủ tịch UBND xã	01234141619
2	Nguyễn Thị Kiều Dung	Chủ tịch Hội Phụ nữ	01652665318
3	Nguyễn Hữu Lý	Phó Chủ tịch Hội Nông Dân	01283271094
4	Nguyễn Văn Bình	Trưởng thôn NQ2	01642943294
5	Nguyễn Đình Hóa	Trưởng Thôn PT3	0937210568
6	Đặng Tuấn Minh	Cán Bộ Địa chính	0913978840
7	Lê Tấn Lốp	MTTQVN	0988550006
8	Nguyễn Đức Hạnh	Hội Cựu Chiến Binh	0907631400
9	Trần Bá Luật	Cán bộ Chính sách PPMU	0915017367

### Annex 3: Sample of minute of consultation during due diligence assessment

This Annex is sample minute of meeting for one of total four subproject communes and other local agencies (PPMU, LFDC). Other minutes will be submitted when requested.

*Dự án Phát triển nông thôn tổng hợp các tỉnh miền Trung – Khoản vay bổ sung*

#### CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

#### DỰ ÁN PHÁT TRIỂN NÔNG THÔN TỔNG HỢP CÁC TỈNH MIỀN TRUNG

(Khoản vay bổ sung- L3173)

#### BIÊN BẢN LÀM VIỆC

Về Chính sách an toàn Tái định cư và Dân tộc thiểu số

Ninh Thuận, ngày 05 tháng 05 năm 2016

**Tên DATP:** Cải tạo, nâng cấp kênh Chàm và Đường giao thông quản lý kênh chính Nam thuộc hệ thống thủy lợi Nha Trinh - Lâm Cẩm

Xã... Phước Hải..., huyện... Ninh Phước..., tỉnh: Ninh Thuận

Chúng tôi gồm:

##### I. Đại diện nhóm CPMU/Tư vấn LIC:

- Ông/Bà... Lê Thị Ngọc Phương...	Chức vụ... CB. Giám...
- Ông/Bà... Nguyễn Thanh Hiền...	Chức vụ... CB. DTTS
- Ông/Bà... Phạm Anh Tuyết...	Chức vụ... CB. TDC
- Ông/Bà... Bùi Thị Yến...	Chức vụ... CB. hỗ trợ
- Ông/Bà...	Chức vụ...

##### II. Đại diện chính quyền địa phương:

- Ông/Bà... Trần Bá Luật...	Chức vụ... CB. chính sách an toàn
- Ông/Bà... Nguyễn Như Hùng Trích...	Chức vụ... Phó Chủ tịch xã
- Ông/Bà... Lê Văn Hùng...	Chức vụ... CB. Địa chính xã
- Ông/Bà... Trần Thị Thanh Thảo...	Chức vụ... Chủ tịch Hội Phụ nữ
- Ông/Bà... Lưu Thị Thuý Linh...	Chức vụ... h. Chủ tịch UBND TTQVN

##### A. Nội dung làm việc:

- Họp tham vấn cán bộ tỉnh, huyện, xã và các tổ chức đoàn thể ở các xã nêu trên về chính sách đền bù của tiểu dự án, tiến độ và các vấn đề liên quan đến chi trả bồi thường cho hộ BAH;
- Thảo luận về các nội dung, ý kiến của của chính quyền địa phương liên quan đến bồi thường, chi trả và giải phóng mặt bằng;

##### B. Các ý kiến trong cuộc họp

- Về phía bên Thông tin... tham vấn... cùng đồng... được...  
thực hiện... tuy nhiên việc tham vấn về BAH và...



- Tiền chưa được phổ biến rộng đến người dân vùng bị ảnh hưởng, Ban QLDA tỉnh và UBND sẽ tiếp tục phổ biến thêm cho người dân.
- Qua trình làm hồ sơ một đầu tư của người bị ảnh hưởng, để kịp
  - Các hộ đã được nhận bồi thường và hỗ trợ (với các hộ bị mất đất từ 30% trở lên). Phần hộ bị thiếu (từ 10% ÷ 30%) và nhận đủ bị tàn thủng sẽ được Ban QLDA tỉnh sẽ phối hợp chi trả tiếp.
  - Các hộ cũng nhận được chính sách của dự án
  - Một số kiến nghị: còn 1 số diện tích còn lại không còn tác dụng sẽ yêu cầu thu hồi nốt
  - Một số hộ đề nghị tăng quá trình thi công ảnh hưởng gia đình phải khó khăn
  - Các hộ bị ảnh hưởng đề nghị được vay ưu đãi để chuyển đổi nghề

### C. Tổng nhất/kết luận

- Ban QLDA tỉnh sẽ phối hợp với UBND xã sẽ trao bản vẽ tại UBND xã và tài trợ sẽ thối
- UBND xã sẽ hỗ trợ hộ bị ảnh hưởng đến Ngân hàng chính sách và vay ưu đãi
- Ban QLDA sẽ xem xét lại phần diện tích còn lại ko cần tái định cư thu hồi

Phước Hậu, ngày 05 tháng 05 năm 2016

Biên bản này đã được xác nhận bởi đại diện các bên tham gia và được lập thành hai (02) bản; mỗi bên lưu giữ một bản.

Đại diện của chính quyền địa phương



KT. CHỦ TỊCH  
HỒ CHỦ TỊCH

Nguyễn Hồng Phúc

Đại diện CPMU/ tư vấn LIC

Phước  
Lê Thị Nông Phước

**DỰ ÁN PHÁT TRIỂN NÔNG THÔN CÁC TỈNH MIỀN TRUNG-KHOAN VAY BÓ SUNG-L3173**  
**(INTEGRATED RURAL DEVELOPMENT SECTOR PROJECT IN CENTRAL PROVINCES – ADDITIONAL FINANCING)**

**DANH SÁCH THAM DỰ HỌP**  
**(LIST OF PARTICIPANTS OF MEETING ON COMPONENT 3-CBDRM)**

**Tiểu dự án Cải tạo và nâng cấp kênh Chàm và Đường giao thông kết hợp quản lý kênh chính Nam thuộc hệ thống thủy lợi Nha Trinh - Lâm Cẩm, tỉnh Ninh Thuận**

Ngày (date) : <u>Thứ Hai, 05/05/2016</u> .....		Địa điểm (Location) : <u>Phước Hải</u> .....				
STT (No.)	Họ tên (Name)	Chức vụ (Position)	Cơ quan/Đơn vị (Agency)	Chữ ký (Signature)	Điện thoại (Tel)	Ghi chú (Note)
1	Nguyễn Như Hùng Triết	Phó CT. UBND	UBND xã Phước Hải		01678924769	
2	Lê Văn Hưng	Cán bộ địa chính	"		0945137087	
3	Trần Thị Thanh Thảo	CT. Hợp tác xã	"		0979554279	
4	Nguyễn Văn Dũng	CT. Hợp tác xã	"		01663371959	
5	Lưu Thị Thuý Liên	P. CT UBND	"		0908302521	
6	Huyênh Thị Thuý	Trưởng Trạm HTV	Trạm HTV Phước Hải		0984636404	
7	Trần Đức Thuận	CT. HTV CCB	Trạm HTV Phước Hải		0938046326	
8	Nguyễn Thị Thanh Phi	P. CT UBND	"		0984940807	
9						
10						
11						
12						
13						
14						
15						



**DANH SÁCH ĐẠI BIỂU THAM DỰ CUỘC HỌP**

**Tham vấn cộng đồng về Chính sách an toàn Tái định cư**

(Đính kèm biên bản cuộc họp ngày ..05.. Tháng ..05.. năm 2016 tại xã ..Phước Hòa..

Tên DATP Cải tạo, nâng cấp kênh Chàm và Đường giao thông quản lý kênh chính Nam thuộc hệ thống thủy lợi Nha Trinh - Lâm Cẩm .....

Xã.....Phước Hòa.....

huyện.....Ninh Phước.....

tỉnh...Bình

Định.....Ninh Thuận.....

.STT	Họ và tên	Giới tính	Chức vụ/Địa chỉ	Ký tên
1	Hà Văn Quốc	Nam		Hà Văn Quốc
2	Nguyễn An	Nam		Nguyễn An
3	Nguyễn Văn Học	Nam		Nguyễn Văn Học
4	Nguyễn Thị Thảo	Nữ		Nguyễn Thị Thảo
5	Nguyễn Thị Mơ	Nữ		Nguyễn Thị Mơ
6	Nguyễn Trường Ninh Mễ			Nguyễn Trường Ninh Mễ
7	Nguyễn Thị Nhàn	Nữ		Nguyễn Thị Nhàn
8	Nguyễn Hữu Tấn	Nam		Nguyễn Hữu Tấn
9	Nguyễn Phúc	Nam		Nguyễn Phúc
10	Nguyễn Hữu Thái	Nam		Nguyễn Hữu Thái
11	Lê Văn Long	Nam		Lê Văn Long
12	Nguyễn Thị Bưởi	Nữ		Nguyễn Thị Bưởi
13	Nguyễn Thị Zân	Nữ		Nguyễn Thị Zân
14	Phan Thị Dân	Nữ		Phan Thị Dân
15	Nguyễn Hồng Căn	Nam		Nguyễn Hồng Căn
16	Lê Xuân Như	Nam		Lê Xuân Như



**Annex 4: Copied of affected household profile on land acquisition**

<b>No.</b>	<b>Name of document</b>	<b>Time</b>
1	Declaration paper of affected household	3-8-2015
2	Biên bản kiểm kê	4-8-2015
3	Identity card of headed household	
4	Family book	
5	Land use right certificated	
6	Verification paper for land and hafted assets on land	1-11-2015
7	Compensation plan	1-12-2015
8	Minute of checking status of land and affected assets on land for supplement to compensation plan	18-12-2015
9	Minute of ending time of publicity compensation plan when recovered by State	21-12-2015
10	Decision of land acquisition of Mr/Ms. ... for compensation, land clearance for subproject	29-2-2016
11	Decision of compensation and assistance for Mr./Ms ... when recovered by state for subproject	22-3-2016
12	Commitment paper of handing over acquired land	25-3-106
13	Minute of handing over the decisions to Ahs	25-3-106
14	Minute of handing over the acquired land in subproject area	27-3-2016