

# Safeguards Monitoring Report

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External Social Safeguards Monitoring Report  
March 2017

## Viet Nam: Hanoi Metro Rail System Project (Line 3: Nhon-Hanoi Station Section)

Prepared by the External Resettlement Monitor for the Ha Noi People's Committee and the Asian Development Bank.

#### **NOTE**

- (i) In this report, "\$" refers to US dollars.

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# Monitoring Report

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**Loan 2741-VIE: Hanoi Metro Rail System Project (Line 3: Nhon-Hanoi Station Section)**

## Monitoring the Status of Resettlement Implementation

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SC 106423 PHI: Resettlement Due Diligence for Various Transport Projects

6 March 2017

## ABBREVIATIONS

|       |   |                                       |
|-------|---|---------------------------------------|
| ADB   | - | Asian Development Bank                |
| AFD   | - | Agence Francaise de Developpement     |
| AH/AP | - | Affected household/affected person    |
| CP    | - | compensation plan                     |
| DMS   | - | detailed measurement survey           |
| EA    | - | executing agency                      |
| EIB   | - | European Investment Bank              |
| EM    | - | external monitor                      |
| ha    | - | hectare                               |
| HPC   | - | Hanoi People's Committee              |
| m     | - | meter                                 |
| MOC   | - | Ministry of Construction              |
| MOT   | - | Ministry of Transport                 |
| MRB   | - | Metropolitan Railway Management Board |
| PC    | - | People's Committee                    |
| RCS   | - | replacement cost study                |
| ROW   | - | right-of-way                          |
| RP    | - | resettlement plan                     |
| RS    | - | relocation site                       |
| SPS   | - | Safeguard Policy Statement (2009)     |
| URF   | - | Updated Resettlement Framework        |
| URP   | - | Updated Resettlement Plan             |

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## I. Background

1. The staff consultant resettlement specialist, acting as external monitor (EM), carried out on February 23–27, 2017 a mission to monitor the status of resettlement implementation in Loan 2741-VIE: Hanoi Metro Rail System Project (Line 3: Nhon-Hanoi Station Section).<sup>1</sup> The project (referred hereinafter as MRT3) involves the construction of about 12.5 km long railway line, in addition to a 16.18 ha depot and a 450 m long access line (i.e., spur railway line) that connects the depot to station 1 of MRT3 on Highway 32. The 12.5 km MRT3 consists of approximately 8.4 km elevated line with 8 stations, about 3.6 km underground line with 4 stations, and a 500 m ramp between the elevated and underground lines. The Asian Development Bank (ADB) in March 2011 approved MRT3 project.<sup>2</sup> The Hanoi People's Committee (HPC) is the executing agency (EA) while the Metropolitan Railway Management Board (MRB) is the implementing agency (IA).

**Table 1: Name and location of Stations**

| Section          | Name of Stations | Location of Stations                |
|------------------|------------------|-------------------------------------|
| Elevated Section | S1               | Nhon                                |
|                  | S2               | Minh Khai                           |
|                  | S3               | Phu Dien                            |
|                  | S4               | Cau Dien                            |
|                  | S5               | Le Duc Tho                          |
|                  | S6               | Viet Nam National University, Hanoi |
|                  | S7               | Chua Ha                             |
|                  | S8               | Cau Giay                            |
| Underground      | S9               | Kim Ma Street                       |
|                  | S10              | Cat Linh Street                     |
|                  | S11              | Tran Hung Dao Street                |
|                  | S12              | Tran Hung Dao Street                |

Source: Update RP for Underground Section (August 2015)

2. HPC and MRB in February 2014 submitted to ADB for concurrence the updated resettlement plan (URP) for Depot Phase 2, the 450 m long access line with a 20 m right-of-way (ROW), and Xuan Phuong Relocation Site.<sup>3</sup> Private and government landholdings recovered for the access line, located in Minh Khai Commune and Tay Tuu Commune, totaled 7,529.70 m<sup>2</sup>.<sup>4</sup> On the other hand, private and government landholdings recovered for Depot Phase 2, located in Tay Tuu Commune, totaled 13,552.6 m<sup>2</sup>. The URP mentions that all 16,243.2 m<sup>2</sup> private landholdings recovered from 102 affected households (AHs) for Depot Phase 2 and access line

<sup>1</sup> Mr. Tran Quy Suu, ADB Southeast Asia Transport and Communication (SETC) staff consultant resettlement specialist, accompanied the EM during the mission.

<sup>2</sup> The project is co-financed by the Agence Francaise de Developpement (AFD) and the European Investment Bank (EIB). In December 2015, additional financing for MRT3 had been approved through Loan 3363, Loan 8302, and Loan 3364.

<sup>3</sup> Per HPC Decision 4168/QD-UB, dated 21 September 2006, the MRB and the Bac Tu Lien People's Committee initiated the recovery of 151,144.85 m<sup>2</sup> of agriculture land in Minh Khai Commune and Tay Tuu Commune for the Nhon depot (i.e., referred to as Depot Phase 1). No main structure was reportedly affected in the land recovery. Land recovery happened during the preparation phase of MRT3. Due diligence carried out by ADB in 2013 reportedly confirmed that AHs in Nhon Depot Phase 1 had been able to rehabilitate themselves with various forms of livelihood assistance extended by the Hanoi City Government.

<sup>4</sup> Portions of the 450 m long access line are in the existing ROW of Road 70 and Highway 32. This explains why only 7,529.70 m<sup>2</sup> of private and government landholdings were recovered for the access line.

were officially classified as agriculture land. However, AHs in the past years prior to the project had illegally converted the use of 10,505.7 m<sup>2</sup> of landholdings and built houses and shops thereon, a matter that is central to the complaint of AHs for higher compensation for the project affected landholdings and structures thereat.

3. A total of 17,947.3 m<sup>2</sup> of private and government landholdings were also recovered in the expansion of a relocation site in Xuan Phuong Commune.<sup>5</sup> Of the 102 AHs in Depot Phase 2 and access line, 92 lost their abodes, 23 of which opted to relocate at Xuan Phuong. Additionally, 46 AHs were affected in the expansion of the Xuan Phuong Relocation Site, 9 of which lost their abodes. The communes of Minh Khai, Tay Tuu, and Xuan Phuong are located in Bac Tu Lien District. (See Appendix 1 for more details on affected landholdings).

4. The 8.4 km elevated alignment of MRT3 begins at station 1, located above the carriageway of Highway 32. The elevated railway moves towards central Hanoi, crossing over to Ho Tung Mau Street, Xuan Thuy Street, and Cau Giay Street. With the exception of a portion of the front yards of a zoo and a government school that had to be acquired for constructing concrete stairs to station 6, no other land acquisition was expected in the construction of the elevated section and its 8 stations.

5. Descending from station 8 on an approximately 500 long ramp on Cau Giay Street, the metro line goes underground and turns right to station 9 on Kim Ma Street. ADB on 25 August 2015 gave its concurrence to the URP for the underground section of MRT3.<sup>6</sup> The agreed URP estimates that a total of 4,108.7 m<sup>2</sup> of private residential landholdings in addition to 10,874.1 government landholdings would be acquired in the construction of underground stations 9, 10, 11, and 12.<sup>7</sup> In all, 142 AHs would lose landholdings, including houses. With the exception of 50 single story affected houses, the rest are multiple-story buildings. A total of 115 houses would be acquired entirely while 27 houses would be partially affected. A total of 124 AHs living in the 115 entirely affected houses would relocate, 104 of which signified their intention to shift to project relocation apartments, while the other 20 will self-relocate. Among the 124 AHs that will relocate, 51 use their entirely affected houses for residence and for business, while 44 entirely affected houses are leased out to households that use them for operating businesses. The URP reports that 159 AHs were found living in the 142 affected houses.<sup>8</sup>

6. The URP identifies 16 government agencies and State-owned companies that will be adversely impacted by the construction of the underground stations. (See Appendix 1 for more details on project impacts in the underground section of MRT3).

## **II. Objectives of the External Monitoring Conducted**

7. The EM carried out the monitoring mission in February 2017 with the following broad objectives:

- a. Check out the status of land acquisition, hand-over of recovered properties, and relocation of AHs and affected organizations;

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<sup>5</sup> During the mission wrap-up meeting on 27 February 2017, MRB officials explained that the relocation site at Xuan Phuong was built earlier for other government projects.

<sup>6</sup> On 22 December 2014, ADB gave its concurrence to the Updated Resettlement Framework (URF), dated 18 December 2014, for the underground section of MRT3.

<sup>7</sup> Station 9 is under the political and administrative jurisdiction of Ba Dinh District, stations 10 and 11 under Dong Da District, and station 12 under Hoan Kiem District.

<sup>8</sup> Some households share an abode but live as independent socioeconomic units.

- b. Confirm whether or not cash compensation and allowance paid to AHs and affected organizations are consistent with the agreed URPs and URF;
- c. Determine whether or not AHs are aware of their entitlements, are informed about the project, and are familiar with the project grievance redress mechanism ; and
- d. Find out if there are other resettlement issues that require the attention of project authorities.

### **III. Activities Carried Out**

8. A kick-off meeting was held in the morning of 23 February 2017 at the MRB office to discuss the objectives, and agree on the itinerary, of the monitoring mission. Mr. Le Huy Hoang, MRB Vice General Director, briefed the mission on the status of land acquisition and resettlement in the entire project. Following the kick-off meeting, the EM, with ADB staff consultant resettlement specialist Mr. Tran Quy Suu and MRB staff Mr. Vu Duc Chinh, visited the depot area and did an ocular inspection of the entire stretch of MRT3 alignment. In the morning of 24 February, the mission witnessed the signing of compensation payment contracts of 5 AHs from station 10 and station 11. Without waiting for the actual handing of the AHs' compensation money, the mission proceeded to the relocation apartments at Dong Da District and Cau Giay District. Following this, the mission proceeded to Xuan Phuong Relocation Site in Bac Tu Lien District and was able to talk to 1 of 6 remaining relocated AHs at the site. From there, the mission proceeded to Kim Ma and was able to interview 1 AH whose multi-story house-cum-shop will be affected entirely in the construction station 9. The mission was also able to interview an AH at the location of station 10 whose single-story shop will be partially affected. (See Appendix 2 for the list of key persons met by the mission).

9. A wrap-up meeting, presided over by Mr. Le Huy Hoang was held in the morning of 27 February 2017 at the MRB office where the observations and recommendations of the EM were discussed. The opinions of MRB officials regarding the observations of the EM were taken into consideration in the preparation of this report.

### **IV. Findings**

10. Below discusses the findings of the EM based on the information gathered from MRB officials, review of documents, meeting with affected persons (APs), and site visits.

#### **a. Depot Phase 2 and access line.**

- All AHs at Nhon Depot Phase 2 and the access line have already received their compensation for affected assets (i.e., land, structure, plants), and by January 2015 all have handed over to MRB their affected landholdings.
- Forty-two (42) AHs have jointly filed a case with the Bac Tu Lien District Administrative Court contesting government's decision that their project-recovered landholdings (i.e., the 10,505.7 m<sup>2</sup> of recovered landholdings allegedly converted illegally for residential use) be appraised at agriculture land rates. The court has set the preliminary hearing of the case for March 2017.<sup>9</sup> The AHs are demanding for additional compensation for acquired landholdings, arguing that their project-recovered properties should have been valued as residential lands.

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<sup>9</sup> Since households displaced from the depot and access line have already elevated their complaint to the court, the EM informed MRB that it would be inappropriate for the EM to interview these AHs about their grievances.



- Clearing of the depot and access line had been completed. Another contractor will soon start construction of buildings and ancillary structures at the depot. Construction of the access line is ongoing.
  - The EM takes note of the 26 July 2016 back-to-office report (BTOR) of ADB senior resettlement specialist mentioning, among others, the decision of the Hanoi People's Committee (HPC) to grant additional assistance to eligible AHs among the 42 AHs with outstanding grievances. The additional entitlements approved include (i) cash assistance for affected business owners who had no business license; (ii) cash assistance for vulnerable households; and (iii) participation in an income restoration program (free training for all members of labor age and cash assistance to provide inputs following completion of training). The City Steering Committee for Compensation and Site Clearance (CSCCSC) discussed the decision of HPC with the AHs during a dialogue held at Bac Tu Liem District on 19 July 2016. The AH were reportedly informed in that dialogue that they had the option to elevate their complaint to the court.
  - During the wrap-up, the matter of implementing the HPC decision on additional entitlements to eligible households among the 42 AHs was mentioned despite the fact that there is now a pending case in the court. On hindsight, the EM is of the opinion that project authorities should first seek advice from the Bac Tu Lien District Administrative Court before implementing the decision of HPC. The move to grant additional entitlements to the AHs might be interpreted as judicial interference.
- b. Elevated section of MRT3. Based on an ocular visit of the project site, the EM has seen that the construction of the elevated section of MRT3, especially the 8 stations, are within the existing ROW of Highway 32, Ho Tung Mau Street, Xuan Thuy Street, and Cau Giay Street. As reported by MRB officials during the kick-off meeting, only a portion of the yards of a zoo and a government school had been recovered for the concrete stairways of station 6.
- c. Underground stations. Per information gathered from MRB officials, the following summarizes the status of land acquisition in the 4 underground stations:
- Station 9 (S9), where reportedly there are 13 AHs and 2 affected organizations (i.e., government car park, and a joint-stock company):
    - The 2 affected organizations were paid in full in October 2016 and have handed over their recovered properties.
    - Five (5) AHs are partly affected; received their compensation and handed over their affected properties in December 2016.
    - The remaining 8 AHs will have to relocate because their entire buildings will be demolished.<sup>10</sup>
    - The 8 AHs have to date refused to even see the relocation apartments being offered to them, the cost of which is 60% lower than commercial rates, MRB officials claim.<sup>11</sup>

<sup>10</sup> It was learned during a visit to the site on 24 February that, with the exception of 1 that the EM was able to interview, most of the affected buildings are leased and occupied by people doing business on the properties. EM notes that these business people are also affected persons (APs) and are covered by the project resettlement policy.

<sup>11</sup> The EM visited the said relocation apartment Cau Giay District. Workers are doing finishing touches on the multi-story apartments that MRB says would be ready for occupancy by end of March 2017. One AP interviewed on 24 February in his house-cum-shop at the location of S9 claimed that all 8 AHs refused to take part in the detailed measurement survey (DMS) of their affected properties conducted by District authorities. Thus, the compensation plans (CPs) of said 8 AHs were based on government's own estimates of project impacts.

- MRB officials are aware that some of the 8 AHs may be composed of 2 or more families (i.e., extension of nuclear family). MRB officials say that they have information on these extended families and that these extended families, identified during DMS, are also eligible to get a unit at the relocation apartment.
- MRB officials say that 2 invitations to the 8 AHs to receive their compensation have been served already, but nobody came. A third meeting with the AHs will be held first week of March 2017 where MRB will also present to the AHs the decision of the Ministry of Construction (MOC) affirming that the construction of S9's ventilation shaft close to unaffected structures (around 1 meter) is acceptable under the law.<sup>12</sup>
- Should the 8 AHs still refuse to accept the final offer of MRB and the opinion of MOC, the MRB will request on 15 March 2017 the Ba Dinh District PC to initiate eviction proceedings against the AHs as per Decision 47 of the 2013 (revised) Land Law and the 2015 Decree 47 of the Prime Minister.<sup>13</sup>
- Station 10 (S10): where reportedly there are 23 AHs and 7 affected organizations (i.e., 2 government offices, front yard of a hotel, and 4 joint stock companies):
  - MRB officials claim that there are no problems with the 7 affected organizations.
  - Dong Da PC approved in December 2016 the compensation plans (CPs) of the 23 AHs.
  - In January 2017, six AHs claimed their compensation. The remaining AHs have been invited by MRB to claim their compensation on 24 February at a project-designated bank.<sup>14</sup>
  - AHs that would not claim their compensation on 24 February will be invited again to do so in the first week of March 2017. Should these AHs fail or refuse to claim their compensation, MRB in mid-March 2017 will request Dong Da PC to initiate eviction proceedings against them.
  - An independent property appraiser commissioned by the DPCs determined the unit rates used in computing the compensation of AHs in all stations. Unit rate of land at the location of S10 is VND121 million/m<sup>2</sup>. The AHs want a unit rate of VND400 million/m<sup>2</sup>.<sup>15</sup>
- Station 11 (S11): where 2 AHs on the Northern side of the station in Van Miue Ward are located, while 59 other AHs and 2 affected organizations (i.e., 1

<sup>12</sup> The bone of contention between MRB and the 8 AHs boils down to the question of why not building the ventilation shaft on the other side of S9, a vacant lot, which the Hanoi government, however, has already earmarked for other purpose.

<sup>13</sup> MRB officials informed the EM that government has to make its offer of compensation to AHs 3 times before it could initiate eviction procedures. The eviction process can be summarized as follows: (a) DPC will spearhead eviction process; (b) compensation will be deposited in state treasury in the name of AH; (c) DPC will organize an eviction team; (d) DPC sends letter of eviction to the AH; (e) DPC will request mass organization (e.g., Fatherland Front) to persuade the AH to voluntarily surrender the project affected property; (f) mass organization will make 2 attempts to persuade the AH; (g) if persuasion fails, DPC will send a final letter of eviction bearing a deadline for the AH to vacate the project affected property; (h) the final letter of eviction is posted in a public place; (i) at the same time, DPC will prepare the facility to temporarily accommodate AH when evicted; (j) after the deadline for voluntary surrender of the affected property lapses, the eviction team will forcibly evict the AH and demolish its structure; (k) DPC will keep for safe keeping the moveable assets of the AHs; and (l) MRB takes over the property immediately after demolition.

<sup>14</sup> When EM dropped by the bank, there were 5 AHs (2 from S10 and 3 from S11) claiming their compensation money.

<sup>15</sup> One of the APs (son of AP Mr. Phan Van Luc) that received on 24 February 2017 its compensation for a partially affected shop at S10 admitted that it was difficult for AHs to claim that the unit rate being used by government is below market rate. He explained that people do not declare the 'market value' of their property when paying real estate tax.

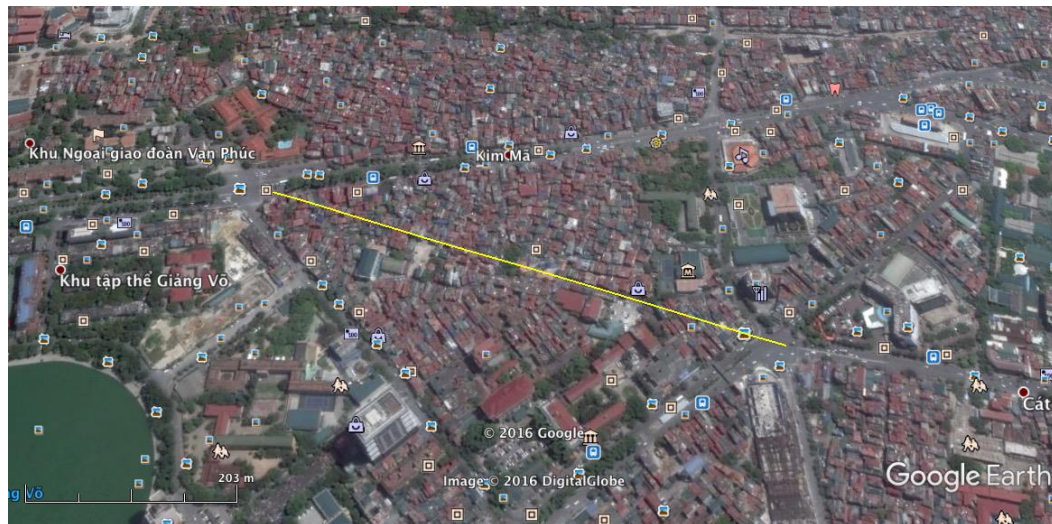
government office, and 1 hotel) on the Southern side of the station in Van Chuong Ward are reportedly located:

- In January 2017, MRB invited for the second time the 2 AHs in Van Miue Ward to claim their compensation, but the AHs did not show up. MRB will send for the third and last time another invitation to the 2 AHs in the first week of March 2017. Forced eviction proceedings by mid-March will be initiated against the 2 AHs if they decline to receive their compensation in the second week of March.
  - Among the 59 AHs in Van Chuong Ward, 5 received their compensation in January 2017. Those who did not show up on 24 February 2017 at Vietin Bank to claim their compensation will again be sent an invitation in the first week of March 2017 to get their compensation. Forced eviction proceedings by mid-March will be initiated against AHs if they decline to receive their compensation in the second week of March.
  - Negotiation with the owner of an affected hotel (frontal side of the hotel is affected) is ongoing. Failure to reach an agreement will result in the filing by mid-April 2017 of eviction proceedings against the owner of the hotel.<sup>16</sup>
  - Station 12 (S12): where 47 AHs and 6 government offices are reportedly affected:
    - Hoan Kiem PC is reviewing the CPs of the 47 AHs. Approval of the CPs is expected by 15 March 2017. Three rounds of invitation for AHs to accept their compensation will be carried out in April 2017. Forced eviction proceedings in May 2017 will be initiated against the AHs if they decline to receive their compensation in April 2017.
- d. Underground railway tunnel traversing built-up areas from S9 to S10 and from S10 to S11.
- From S9, the EM notes that the underground line will use the ROW of Kim Ma Street that runs in an easterly direction for about 900 m. From this point, the underground line veers to an East-south direction under buildings for about 600 m towards S10 located a few meters past the intersection of Giang Vo Street and Cat Linh Street.

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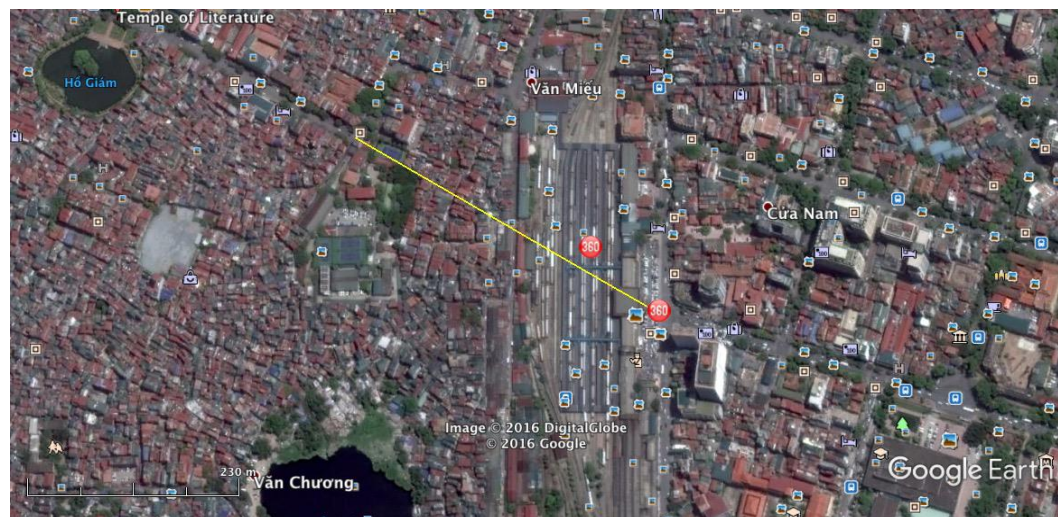
<sup>16</sup> MRB informed the EM that employees of the hotel would be assisted as mandated by the project's updated resettlement framework.

**Figure 1: Underground Line from Kim Ma Street to Cat Linh Street**



- From S10, the EM notes that the underground line will use the ROW of Cat Linh Street that runs on an Easterly direction for about 690 m before crossing Ton Duc Thang Street and joining Quoc Tu Giam Street (behind the Temple of Literature). Using the ROW of Quoc Tu Giam Street, the underground line runs for about 500 m to the East until the corner of Quoc Tu Giam Street and Ngo Si Lien Street. From this point, the underground line runs for about 400 m under a block of buildings, including Tran Quy Cap Street and Hanoi Railway Station and tracks, on an East-south direction towards S11 on Tran Hung Dao Street.

**Figure 2: Underground Line from Quoc Tu Giam St to Tran Hung Dao St**



- The 600 m underground section from S9 to S10 and the 400 m underground section from S10 to S 11 have not yet been surveyed for resettlement and environmental impacts. The construction area of the underground line is said to be 4 m wide. Per MOT Circular 37, effective 1 Nov 2014, on the safety corridor, a 3 m wide safety zone either way from the end of the construction limit of the underground tunnel will be enforced. This means that a corridor of 5 m either way

from the centerline directly above the alignment of the underground railway line is the underground railway's right-of-way (ROW). An additional area of 25 m either way from the ROW is a "controlled zone". Owners of existing structures within the "controlled zone" need to secure MOT's permission before any repair and/or upgrading of buildings on the same could be done. EM is of the opinion that construction of new buildings in the controlled zone might no longer be feasible,

- During the wrap-up meeting, MRB officials claim that existing structures aboveground on the railway's ROW are not automatically up for demolition. Geo-technical study will still have to be exhaustively carried out at the location of the ROW to determine which of the existing buildings would be removed. Unless this study is completed soon, the extent of land acquisition and resettlement at said location could not be determined.
- Assuming that none of the existing structures needs to be demolished, owners of properties thereat might not be able to make full use of their assets in a way that they would have under existing laws without the railway project. This matter requires careful evaluation and the people that might be adversely affected need to be informed and consulted as early as possible. In the event that maximum full use of plots traversed by the underground metro line is no longer feasible under existing laws, the EM is of the opinion that ADB's policy on involuntary resettlement as defined by the 2009 Safeguard Policy Statement (SPS) is triggered.

e. Awareness of AHs regarding their entitlements and the grievance redress process.

- MRB informed the EMA that they have documented all consultations and meeting held with AHs. The AHs are well aware of their entitlements and the procedures for filing complaints. These claims appear to be generally true. When negotiated settlement of complaints failed in the case of AHs at Depot Phase 2 and access line, they went to the court for adjudication. In the case of AHs at station 9, they filed complaints with the HPC, DPC, and ADB. During the interview on 24 February 2017 of AP Mr. Phan Van Tuyen, whose multi-story house-cum-shop (ginseng) is affected by the station, he was sifting through numerous project information documents, including drawings of the station.
- However, the EM noticed during the interview of AP Mr. Phan Van Luc whose shop (specializing in tiles and bathroom fixtures) is partially affected when station 10 will be constructed that the amount of compensation he received on 24 February 2017 did not include cash assistance for income loss. The AP was unaware of this entitlement and thought that he already got in full his cash entitlements. This is not in accord with the URF. Members of the AP's households claim that it might take around 6 months to reorganize the shop back to normal operation.

f. Relocation sites.

- The mission visited the relocation apartments at Dong Da District and Cau Giay District. Workers were doing finishing touches on the apartment buildings. Relocating AHs from stations 10, 11, and 12 may go to the Dong Da District Relocation Apartments, while relocating AHs from station 9 may opt to go to Cau Giay Relocation Apartments. MRB officials are optimistic that relocating AHs would claim their units at the relocation apartments because these are priced 60% lower than market rates.

- The mission found 6 houses at the extended area of Xuan Phuong Relocation Site. Local residents seemed to be unaware of the name of the relocation site. The mission did not see any signage bearing the name of the relocation site, only billboards that advertise construction materials. This is not to say that relocation site is not ready for occupancy. Facilities include paved internal roads and sidewalks, and water and electric lines. The mission learned from 1 of 6 remaining APs, Mr. Le Manh Hong, that built a house at the site that AHs that got a plot in the relocation site have sold their plots to developers. The unit cost paid in 2015 by AHs for their plots was about VND12 million/m<sup>2</sup>. Current market price of plots at the site is said to be VND50 million/m<sup>2</sup>.

## **V. Conclusion and Recommendations**

11. In conclusion, the EM would like to recap the deadlines for forced eviction of AHs from the underground stations: MRB in mid-March 2017 will request the respective District PCs under whose jurisdiction stations 9, 10, and 11 fall to initiate forced eviction proceedings against AHs that fail to claim their compensation and handover their affected properties by the second week of March. Forced eviction proceedings at station 12 will be initiated in May 2017 against AHs that fail to claim their compensation and handover their affected properties in April 2017. If this deadline is enforced, the schedule of handover of the location of stations 9, 10, and 11 to the civil works contractors by 31 March 2017 might be realized. Handover to the contractor of the site of station 12 by 11 April 2017 seems not likely, however.

12. While the EM is of the opinion that the deadlines for forced eviction is necessary because there is no benefit to be derived in prolonging the anxiety of AHs about their imminent displacement, MRB should always ensure that AHs are informed about any developments regarding their displacement. Also, the AHs should be fully aware of their entitlements, including applicable cash assistance for income loss. Relocating AHs will have to be provided rental allowance to cover the period from the time of displacement to the time when the relocation apartments are ready for occupancy.

13. The conduct of technical study in the underground sections of MRT3 that cross built-up areas needs to be completed at the soonest possible time. This will allow project authorities the opportunity to evaluate resettlement impacts and carry out consultations with the AHs.

14. The EM would like to suggest that MRB consults with the Bac Tu Lien Administrative Court before it proceeds to implement the decision of HPC granting additional assistance to the 42 AHs at Depot Phase 2 and access line.

## **VI. Appendices**

## Appendix 1: Additional Details on Project Impacts

**Table 1: Summary of Recovered Landholdings in Depot Phase 2 and Access Line**

| Section/ Commune                    |             | Total land to be acquired (m <sup>2</sup> ) | Agricultural land (m <sup>2</sup> ) allocated to AHs per Decree 64/CP | Number of AHs | Land managed by commune (m <sup>2</sup> ) |
|-------------------------------------|-------------|---|---|---------------|---|
| Access line                         | Minh Khai   | 729.2                                       | 652.8   | 10            | 76.4                                      |
|                                     | Tay Tuu     | 6,800.5                                     | 5,785.7   | 72            | 1,014.8                                   |
| Depot (Phase 2)                     | Tay Tuu     | 13,552.6                                    | 9,804.7   | 60            | 3,747.9                                   |
| Sub-Total (without double counting) |             | 21,082.3                                    | 16,243.2  | 102           | 4,839.1                                   |
| Relocation site                     | Xuan Phuong | 17,889.3                                    | 14,194.0  | 46            | 3,695.3                                   |
| Total                               |             | 38,971.6                                    | 30,437.2  | 148           | 8,534.4                                   |

Source: Updated RP for Access Line and Depot Phase 2 (December 2013).

**Table 2: Private and Government Landholdings Affected by Underground Stations**

| Station | Wards      | Private Residential Land (m <sup>2</sup> ) | AHs affected by land loss | Public Land (m <sup>2</sup> ) | Total (m <sup>2</sup> ) |
|---------|------------|--|---------------------------|-------------------------------|-------------------------|
| 9       | Ngoc Khanh | 319.10                                     | 12                        | 7,180.00                      | 7,499.10                |
| 10      | Cat Linh   | 717.00                                     | 22                        | 2,060.20                      | 2,777.20                |
| 11      | Van Chuong | 1,904.50                                   | 59                        | 311.70                        | 2,216.20                |
|         | Van Mieu   | 368.60                                     | 2                         | 892.20                        | 1,260.80                |
| 12      | Cua Nam    | 799.50                                     | 47                        | 430.00                        | 1,229.50                |
| Total   |            | 4,108.70                                   | 142                       | 10,874.10                     | 14,982.80               |

Source: Update RP for Underground Section (August 2015)

**Table 3: Private and Government Landholdings Affected by Underground Stations**

| Station | Wards      | Private Residential Land (m <sup>2</sup> ) | AHs affected by land loss | Public Land (m <sup>2</sup> ) | Total (m <sup>2</sup> ) |
|---------|------------|--|---------------------------|-------------------------------|-------------------------|
| 9       | Ngoc Khanh | 319.10                                     | 12                        | 7,180.00                      | 7,499.10                |
| 10      | Cat Linh   | 717.00                                     | 22                        | 2,060.20                      | 2,777.20                |
| 11      | Van Chuong | 1,904.50                                   | 59                        | 311.70                        | 2,216.20                |
|         | Van Mieu   | 368.60                                     | 2                         | 892.20                        | 1,260.80                |
| 12      | Cua Nam    | 799.50                                     | 47                        | 430.00                        | 1,229.50                |
| Total   |            | 4,108.70                                   | 142                       | 10,874.10                     | 14,982.80               |

Source: Update RP for Underground Section (August 2015)

**Table 4: Number of Households Affected by Underground Stations**

| Station | Wards      | Number of AHs | Number of affected persons | Number of Relocating AHs |
|---------|------------|---------------|----------------------------|--------------------------|
| 9       | Ngoc Khanh | 19            | 65                         | 19                       |
| 10      | Cat Linh   | 32            | 120                        | 17                       |
| 11      | Van Chuong | 59            | 265                        | 41                       |
| 11      | Van Mieu   | 2             | 10                         | 2                        |
| 12      | Cua Nam    | 47            | 249                        | 45                       |
| Total   |            | 159           | 709                        | 124                      |



Source: Update RP for Underground Section (August 2015)

**Table 5: Types of Houses Affected by Underground Stations**

| Ward         | Total affected houses | Single-story house (Cat 3) | Duplex (Cat 3) | Three-stories house (Cat.2) | Four-stories house (Cat 2) | Five-stories house (Cat 1) | Houses with more than five stories (Cat 1) |
|--------------|-----------------------|----------------------------|----------------|-----------------------------|----------------------------|----------------------------|--|
| Ngoc Khanh   | 12                    |                            |                | 2                           | 10                         |                            |  |
| Cat Linh     | 22                    | 6                          | 5              | 4                           | 1                          | 4                          | 2  |
| Van Chuong   | 59                    | 8                          | 7              | 10                          | 21                         | 8                          | 5  |
| Van Mieu     | 2                     |                            | 1              |                             | 1                          |                            |  |
| Cua Nam      | 47                    | 36                         | 8              | 3                           |                            |                            |  |
| <b>Total</b> | <b>142</b>            | <b>50</b>                  | <b>21</b>      | <b>19</b>                   | <b>33</b>                  | <b>12</b>                  | <b>7</b>                                   |

Source: Update RP for Underground Section (August 2015)

**Table 6: Number of Households with Business Affected by Underground Stations**

| Station      | Wards      | Number of AHs that operate business in their affected house | Number of AHs that lease out their affected house for business | Number of Tenant AHs that rent the affected house for operating business |
|--------------|------------|---|--|--|
| 9            | Ngoc Khanh | 7   | 5  | 4  |
| 10           | Cat Linh   | 12  | 10   | 10   |
| 11           | Van Chuong | 27  | 18   | 17   |
|              | Van Mieu   | 0   | 0  | 0  |
| 12           | Cua Nam    | 5   | 11   | 11   |
| <b>Total</b> |            | <b>51</b>   | <b>44</b>  | <b>42</b>  |

Source: Update RP for Underground Section (August 2015)

**Table 7: Public Agencies/State-owned Companies Affected by Underground Stations**

| Wards      | Affected Institutions  | Area of Structure (m <sup>2</sup> ) | Structures (m <sup>2</sup> ) |        |          |
|------------|--|-------------------------------------|------------------------------|--------|----------|
|            |  |                                     | Building                     | Fence  | Yard     |
| Ngoc Khanh | Ngoc Khanh Car Parking   | 7,549.19                            | 2,914.51                     | 369.19 | 4,265.49 |
| Cat Linh   | Lao Cai Guest House  | 140.26                              | 47.87                        | 39.02  | 53.37    |
|            | Vinafco Joint Stock Company  | 78.14                               | 51.10                        | -      | 27.04    |
|            | CIENCO 1   | 406.52                              | 392.76                       | -      | 13.76    |
|            | Pullman Hotel  | 1,174.90                            | -                            | -      | 1,174.90 |
|            | Hanoi Rubber Company   | 246.60                              | 246.60                       | -      | -        |
|            | Cat Linh Primary School  | 105.06                              | 15.10                        | 5.70   | 84.26    |
|            | Cat Linh Secondary School  | 382.37                              | 44.56                        | 93.63  | 244.18   |
| Van Chuong | Urban Environmental Company (URENCO)                               | 11.70                               | 11.70                        | -      | -        |
|            | Thang Long GTC   | 300.00                              | 300.00                       | -      | -        |
| Van Mieu   | Ministry of Planning and Investment                                | 216.68                              | -                            | -      | 216.68   |
|            | Ho Chi Minh National Academy of Politics and Public Administration | 1,291.03                            | 959.24                       | 19.25  | 312.54   |
| Cua Nam    | Vietin Bank  | 18.80                               | 18.80                        | -      | -        |
|            | Yen Vien Engine Factory  | 49.00                               | 49.00                        | -      | -        |
|            | The Vietnam Institute of Educational Sciences                      | 109.60                              | 30.00                        | -      | 79.60    |
|            | Vietnam – Russia Laborers and Friendship Cultural Palace           | 252.60                              | -                            | -      | 252.60   |

Source: Update RP for Underground Section (August 2015)

## Appendix 2: Key Persons Met

|   |  |
|---|--|
| Mr. Le Huy Hoang                          | Vice General Director, MRB   |
| Mr. Tran Tuan Anh                         | Head, Resettlement Unit, MRB, and manager for underground station (S) 10, S11, and S12 |
| Mr. Vu Duc Chinh                          | Head, Technical Assistance Unit, MRB, and manager for S9                               |
| Mr. Phan Van Luc, daughter and son-in-law | APs at S10   |
| Mr. Phan Van Tuyen                        | AP at S9   |
| Mr. Le Manh Hong                          | AP at Xuan Phuong Relocation Site  |
| Mrs. Dao Thi Minh Ngoc                    | Met at Vietin Bank, from S10   |
| Mrs. Thi Minh Phung                       | Met at Vietin Bank, from S10   |
| Mr. Phan Ngoc Phi                         | Met at Vietin Bank, from S11   |
| Mr. Mai Ti Lien                           | Met at Vietin Bank, from S11   |
| Mr. Tran Mai Ha                           | Met at Vietin Bank, from S11   |

## Appendix 3: Photo-documentation

Partially affected shop of AP Mr. Phan Van Luc at S10







APs from S10 and S11 signing payment contracts before receiving their compensation at Vietin Bank



AP Mr. Phan Van Tuyen in his house-cum-shop



Affected shops in S9



Dong Da District Relocation Apartment



Cau Giay District Relocation Apartment



Searching for AHs at Xuan Phuong Relocation Site



Advertisement for construction materials at Xuan Phuong Relocation Site



Found 1 of 6 remaining APs, Mr. Le Manh Hong



Houses of 3 remaining APs. House of Mr. Le Manh Hong