

# Social Monitoring Report

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February 2010

VIE: Ho Chi Minh City-Long Thanh-Dau Giay  
Expressway Project

Prepared by EPC Co., Ltd. for the Viet Nam Expressway Corporation under the Ministry of Transport and the Asian Development Bank.

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CONSULTATION COMPANY EPC (EPC Co., LTD)**

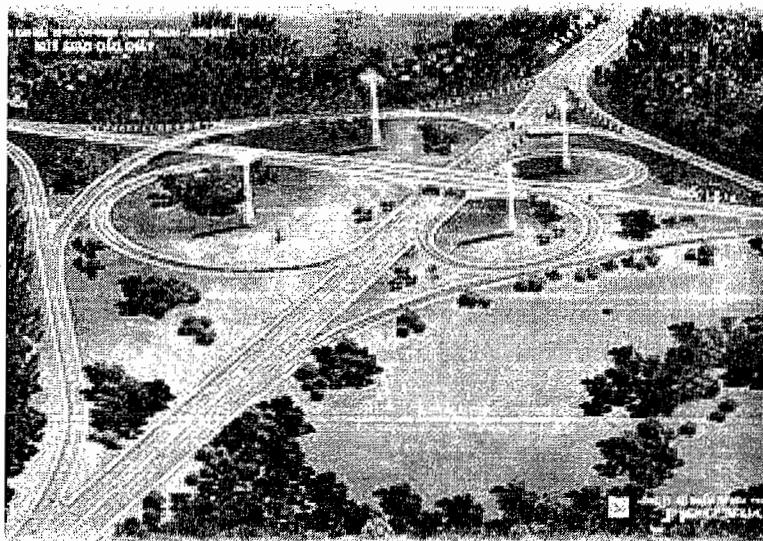
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**HO CHI MINH - LONG THANH - DAU GIAY  
EXPRESSWAY PROJECT**



**INDEPENDENT MONITORING REPORT  
ON IMPLEMENTING THE RESETTLEMENT PLAN (RP)**  
*(The fourth time)*

*Ho Chi Minh City, February 2010*

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Investment and Environment Protection  
Consultation Company EPC  
EPC Co., LTD  
No: 17 / EPC/2010

*The fourth external monitoring report on  
implementing the RP of "HLD Expressway project"*

SOCIALIST REPUBLIC OF VIETNAM  
Independence - Freedom - Happiness  
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*Ho Chi Minh City, 25<sup>th</sup> February 2010*

**TO: - THE SOUTHERN EXPRESSWAY PROJECTS MANAGEMENT UNIT  
- NIPPON KOEI**

- Based on the agreement signed between the Investment and Environment Protection Consultation Company EPC (EPC Co.,LTD) as the external monitoring agency (EMA) and the Joint Venture (JV) of NIPPON KOEI, KRI and MKE dated September 22<sup>nd</sup>, 2008 ref. the external monitoring (EM) on implementing the resettlement plan (RP) of the Ho Chi Minh-Long Thanh-Dau Giay Expressway project;
- Based on draft of the fourth monitoring report prepared by the EMA and sent to the Southern Expressway Management Unit (SEPMU) in January 2010, feedbacks from SEPMU and revision of the EMA.
- Based on comments of ADB's specialist and revision of the consultant.

EPC Co., LTD today would like to submit the official report of the fourth monitoring attached to the document.

Sincerely yours,

***Send to:***

*- As above*

*- Store at the office of EPC*

**EPC Co.,LTD  
DIRECTOR**

**NGUYEN NAM SON**

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## ABBREVIATIONS

RP	Resettlement plan
DMS	Detailed measurement survey
VEC	Vietnam Expressway Corporation
SEPMU	Southern Expressway Projects Management Board
APs	Affected person
PAHs	Affected households by the project
LURC	Land use right certificate
DCC	District Compensation Council
PC	People's Committee
HCMC	Ho Chi Minh City
EPC Co.,LTD	Investment and Environment Protection Consultation Company EPC
TOR	Term of reference
EMA	External monitoring agency
ADB	Asian Development Bank
JBIC	Japan Bank for International Co-operation
SGIA	Second Generation Imprest Accounts
MOT	Ministry of Transport
HLD/ HLD project	Ho Chi Minh-Long Thanh-Dau Giay Expressway project

## PART I. GENERAL

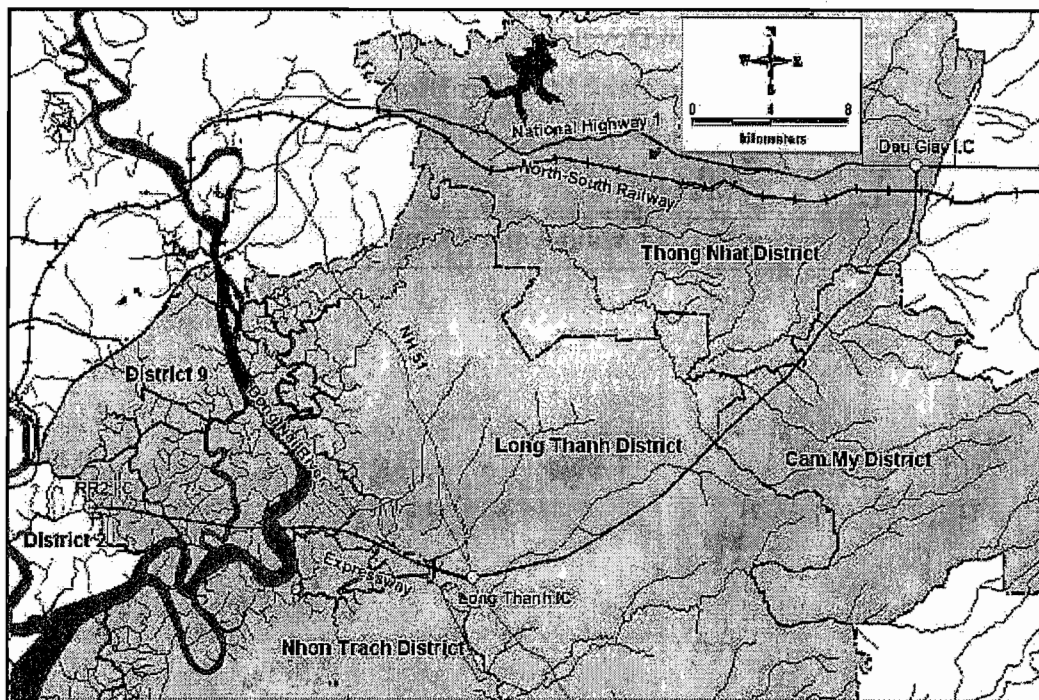
The independent monitoring on the resettlement plan (RP) of HLD expressway project is mobilized discontinuously within 25 months, corresponding to 8 monitoring times and reports. This is the fourth monitoring. All data in the report is updated until December 31<sup>st</sup>, 2009<sup>1</sup>.

### 1.1 Project background

The HLD Expressway is designed to ensure safety for high speed (120kph) vehicles, especially heavy means of transport. It will be a toll-expressway with entrances/exits strictly controlled by toll stations. The expressway is owned and operated by the Viet Nam Expressway Corporation (VEC) under the Ministry of Transport (MOT). VEC has established the Southern Expressway Projects Management Unit (SEPMU) in Ho Chi Minh City (HCMC) which is responsible for the management of the detailed design and construction of the Expressway.

#### 1.1.1 Location of the project

The project is located between Ho Chi Minh City and Dong Nai province. It is a part of the national expressway network. The project starts at the interchange with the ring road No.2 (km4+000) and ends at center of Dau Giay roundabout (km54+953). Length of the project is about 51km. (Figure 1.1)



**Figure 1. Location of the project and affected districts**

<sup>1</sup> Some households were interviewed in January 2010.



In the first stage, 4 lanes (2 lanes in each direction) will be constructed. The expressway will traverse Long Truong, Long Phuoc, Truong Thanh and Phu Huu wards in District 9 of HCMC, a new bridge over the Dong Nai River, Long Thanh, Nhon Trach, Cam My, and Thong Nhat districts of Dong Nai province. The construction of the HLD Expressway will play a significant role in supporting regional and national economic development, improving transportation and accelerating exterior communications along and at the ends of the expressway. The expressway will be a part of the national expressway network, an eastbound arterial route of the city and will also serve for the plan to develop a new international airport in Long Thanh district of Dong Nai province.

It starts at the interchange with the ring road No.2 (currently under construction) in District 9 of HCMC to the Dong Nai river. This section has a comparatively straight flat terrain. To pass the Dong Nai river, it needs to build an 2.2 km-long-concrete bridge over the Dong Nai river. Therefore, it needs two access roads at each end of the bridge to reach a navigation height of approximately 30 meters. From the bridge to Nhon Trach and Long Thanh districts, including Long Thanh townlet, its terrain is comparatively straight and flat too. From the intersection with the National Highway No.51, the expressway traverses the transitional area between the plain of the Dong Nai River and the Xuan Loc Highland. The terrain is mostly gently sloping down and then sloping up at the end of the road. The expressway ends at the intersection with the National Highway No.1 at Dau Giay.

The land acquired for the expressway is partly residential land but mostly agricultural land. There will be 5 small bridges in District 9 section. For approximately 6.6 kilometers of its length in District 9 from kilometer 4+200 to kilometer 10+800 on the eastern side of the Tac River, there will be an elevated viaduct. The bridge over the Tac River is a part of the viaduct. It plans to build underpasses or overpasses for local travelling at existing roads and to residential areas.

### 1.1.2 Scope of the project

The HLD project is started at the Ring Road No.2 to Dau Giay with a length of 51 km. The expressway has 3 interchanges, 12 small and medium bridges, 1 big bridge (Long Thanh bridge) and an intelligent transmission system ITS. Main parameters for the project are summarized in table 1.

Table 1. Main parameters of the project

Category	Item	Quantity	Note
Total length (Km)	Road	40,485m	79%
	Bridge/Elevated Viaduct	10,515m	21%
Bridge	Elevated Viaduct	6,517m	Over the Tac River
	Small bridges	2,277m	12 small bridges
	Long Thanh bridge	2,120m	Prefabricated concrete girder with a slope of 4%
Interchange		3 interchanges	RR2, National highway No.51, Dau Giay
Operation and maintenance system	Toll station	3 stations	Railing gate
	Traffic direction center	1 center	
Other	Technical maintenance station	2 stations	At km11 and Km41

	Management Center	2 centers	
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The project construction is divided into six construction bidding packages and one general package EPC, including entire work related to designing, supplying materials/equipments and constructing for establishing an intelligent transmission system recommended by the PPTA group of ADB and JBIC (SAPROF) summarized in table 2 and represented in Figure 1.2. The construction bidding packages No.1A, 1B, 2, 3 and 4 will be used the loan from JBIC. The packages No.5 and 6 will be used the loan from ADB.

Table 2. Main components of each bidding package

Bidding package	Section 1 Km4+000- Km11+000 RR2 – Dong Nai River (7 km)	Section 2 Km11+000- Km14+100 Dong Nai river (3.1 km)	Section 3 Km14+100- Km23+900 Dong Nai river – interchange at National Highway No.51 (9.8 km)	Section 5&6 Km23+900-Km55+300 National Highway No.51 to Dau Giay (31.4 km)
Contract	Package 1A Package 1B	Package 2	Package 3	Package 5 Km23+900-Km37+800, Package 6 Km37+800-Km55+300
	Package 4 (ITS-general package EPC)			
Main component	Elevated viaduct Interchange at RR2 (6 km)	Long Thanh bridge Technical maintenance station	Road Weak ground treatment National Road No.51	Road Technical maintenance station Dau Giay interchange

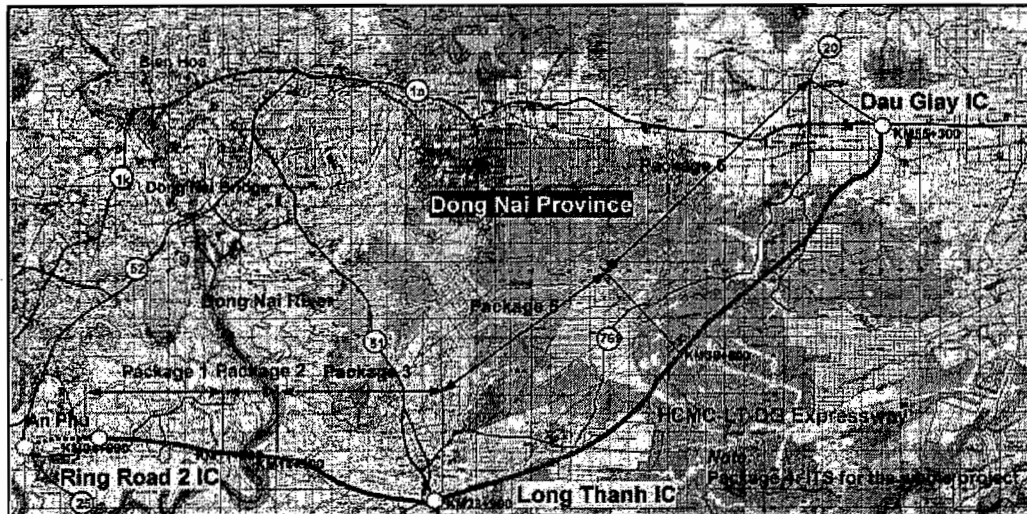


Figure 2. Construction packages of the project

## 1.2 Implementation progress of the project

Until December 31<sup>st</sup> 2009, there were not any districts handing over plane for the construction. Main works carried out in recent time were the preparation for starting the

project construction. Implementation progress of the project is represented in table 3 below:

Bảng 1. Tiến độ thực hiện dự án  
Table 3. Implementation progress of the project

No	Work	Description	Implementation progress
1	Detecting and disarming mines/explosives	Detecting and disarming mines/explosives	Finished detecting and disarming mines/explosives for entire project
2	Technical assistance component: the design	+ The packages No.1B, 2, 3 and 5	The technical designs had been approved
		+ The package No.4	
		+ The package No.6	
3	Technical assistance component: Preparation of tender invitation documents for the packages No. 1B, 2, 3, 5 and 6	Preparing tender invitation documents for the packages No. 1B, 2, 3, 5 and 6	Completed
4	Bidding	Packages No.1A, 2, 3	Finished
		Packages No.5, 6	Under bidding
		Package No.4	Invited for short-listing but unsuccessful

As for the package No.1A chosen for the groundbreaking ceremony of the project, the technical design appraisalment was finished and put out to tender in December, 2008. The China Roads and Bridges Corporation (CRBC) were selected as the construction contractor of the package and signed a contract with VEC. The construction supervisor was also selected (the Joint-venture of NIPPON KOEI and TEDISouth). The package was started construction at the beginning of October, 2009.

During the technical design stage, the whole project was determined at the project site and some locations have been changed, including: (i) Dau Giay interchange, toll-gate No.3 underpasses and overpasses; (ii) Some locations had been adjusted the landmarks according to the technical design, concretely:

Table 4. Some sections had been adjusted the landmarks

No	Starting point	Ending point	Side	Note
1	30+060	30+200	left	Collapsed hole
2	33+600	33+860	left	Underpass No. 5
	33+600	33+860	right	
3	34+420	34+760	left	Overpass No.1
	34+420	34+760	right	

No	Starting point	Ending point	Side	Note
4	47+640	47+900	left	Border between Song Nhan and Xuan Que communes
	47+640	47+900	right	
5	52+200	52+840	left	Toll-gate No. 3
	52+200	52+840	right	
6	53+600	54+100	left	Overpass of the railway
	53+600	54+100	right	

These locations will only be located officially during technical design. SEPMU had sent a document to Dong Nai province's People' Committee (PC) in June 2009 to reach an agreement with Dong Nai province's PC about the locations but Dong Nai's PC had not responded yet. It impacted on progress of the plane clearance of the whole project.

## **PART II. INDEPENDENT MONITORING ON IMPLEMENTING THE RP**

RP implementation is a complicated task and related to social safeguard. Therefore, international sponsors always request a monitoring system on implementing the RP, including: (i) internal monitoring by the investor; (ii) monitoring by sponsors and (iii) external monitoring by an independent agency. The external monitoring is to supply independent and objective information about issues arising during the RP implementation and to prove that the RP implementation is complied with the approved one and then propose solutions to deal with existing issues if any.

Contents of this part consist of: (i) tasks of the external monitoring agency (EMA) and (ii) monitoring methods which were used in the fourth monitoring.

### **2.1 Main tasks of the EMA**

Main objects of the independent monitoring are to check and assess periodically following issues: (i) results of the resettlement objectives achieved through the RP implementation; (ii) change in living standards and way of earning; (iii) rehabilitation of the socio-economic status for PAHs; (iv) effect and guarantee of entitlements for PAHs and (v) necessity for mitigation measures application. By the RP monitoring and assessment, we can learn some lessons for planning and preparing policies in the next stage. It can be achieved through studying and assessing the living rehabilitation carried out within 6-12 months after the RP implementation is completed. Main tasks of the EMA is presented in detail via the TOR attached to the annex.

### **2.2 Monitoring methods**

Since the RP activities usually take place during a prolonged time and each stage will have different activities, therefore different methods will be used in each stage of the project. At the fourth monitoring time, the RP was updated in all districts and ADB approved updated RP for every stage. The RP was continuously being updated. Therefore, in this report, the consultant represents monitoring methods related to the RP implementation and update activities. Monitoring/information collection methods include (i) Studying documents and records, (ii) Discussing some activities related to RP implementation and update with key stakeholders.

#### **2.2.1 Study documents and records**

In the fourth monitoring, the EMA studied documents and records including updated RPs of districts which were prepared by social consultant and approved by ADB, checked compensation records at DCCs during the compensation payment, checked complaint petitions and complaint resolution. These tasks were carried out by the EMA continuously in the third and the fourth monitoring since the compensation payment mostly took place in this stage.

#### **2.2.2 Discussing some activities related to the RP with the project officials**

Discussing with SEPMU's officials some issues such as (i) implementation progress of the project, mainly related to design and bidding tasks; (ii) progress of disbursement and transferring money to Districts Compensation Councils (DCC); (iii) human resources to implement RP at SEPMU; (iv) DMS and RP update; (v) Income recovery programs development such as proposed programs, sources of capital and estimated implementation time.

### 2.2.3 Monitoring on payment at sites

Until August 2009 up to now, the payment was carried out in all five DCCs and divided into many spells. The EMA was requested to witness and monitor the payment for all PAHs. EPC Co.,LTD assigned many officials to be present at and witness all payment spells. Monitoring on payment at the site includes (i) checking legal documents which prove that PAHs are identified correctly and if the payment is complied with requirements of GoV and ADB, for example ID, register books, land/house use right certificates and authorized letters... (ii) Witnessing the payment and signing minutes of compensation payment.

### 2.2.4 Interviewing PAHs, focusing on seriously affected HHs and vulnerable groups

Interviewing vulnerable groups and seriously affected HHs in order to study and assess their economic recovery ability. The interview was carried out in two stages (i) at the time of monitoring on compensation payment and (ii) interview by questionnaire.

- For this project, the EMA is required to monitor and witness the payment for PAHs. Monitoring teams met and discussed with PAHs when they were going to receive compensation payment. The discussion used to be combined with opening questions of the consultant to focus on the compensation, pre-project employment and income of PAHs and their plan for coming time. Since then the consultant could grasp their opinions and attitudes towards the issues. Objects of unofficial interview are random PAHs, not identified which categories.

- Official interview was based on structured questionnaire (see annex 5.8). Interviewing based on structured questionnaire was also focused on compensation, relocation and income recovery. List of interviewees and their addresses are enclosed at annex 5.4. Results of the interview are represented at item 3.2 below.

Monitoring/information collection methods which were used in the fourth monitoring are summarized in the table below:

Table 5. Monitoring/information collection methods of external monitoring

Date	Localities	Issues	Interviewees
September 01 <sup>st</sup> 2009 until December 31 <sup>st</sup> 2009	5 DCCs, at places where the payment took place	Issues related to compensation, relocation and living rehabilitation; unofficial interview	PAHs
December 28 <sup>th</sup> 2009	SEPMU	- Existing issues represented in the third monitoring report and responses of SEPMU - Progress of the project implementation,	Officials of SEPMU

Date	Localities	Issues	Interviewees
		RP update and reimbursement, settlement of compensation records; - Support of SEPMMU for monitoring teams	
December 29 <sup>th</sup> 2009	CC of district 9	- Progress of DMS, compensation calculation and payment; - Situation of payment for PAHs; - Preparation progress of resettlement sites, number of PAHs who were arranged resettlement; - Complaint situation and resolution;	Officials of DCCs
December 29 <sup>th</sup> 2009	Long Thanh DCC		
December 30 <sup>th</sup> 2009	Thong Nhat DCC		
December 30 <sup>th</sup> 2009	Cam My DCC		
January 05 <sup>th</sup> 2010	Nhon Trach DCC		
December 28 <sup>th</sup> 2009 until January 10 <sup>th</sup> 2010	At PAHs	Issues related to compensation, relocation and living rehabilitation; official interview based on structure questionnaire	PAHs

### 2.3 Existing issues represented in the third monitoring report

There were some existing issues related to the RP implementation represented in the third monitoring report. Resolution situation of all the issues until the fourth monitoring is represented in the table below:

Table 6. Existing issues in the third monitoring and resolution situation

No	Existing issues	Recommendation	Resolution situation
1	- Technical records of 144 plots at Long Thanh district were not corrected - Had not prepared technical plot records for some plots at intersections of the expressway with small roads and 24 plots transferred to Thong Nhat from Cam My	- Adjust soon so that Long Thanh district's CC can carry out the DMS  - Finish the technical plot records soon	Long Thanh finished 134/144 records, Thong Nhat finished 24/24 records
2	Did not directly pay the assistance for career change to the HHs in Long Thanh district	Should consider to directly pay in cash for the HHs	Agreed to transfer the assistance amount to vocational training centers instead of paying in cash directly for PAHs
3	The bonus payment for handing over plane is required both husband and wife's signatures	Should require only one of them	ADB responded that it needs signatures of both husband and wife
4	The Long An-Dong Nai site	- Speed up investment	- Long Thanh district's PC

No	Existing issues	Recommendation	Resolution situation
	preparation was late	procedures for the Long An site - Look for other sites - Assist for HHs to self-relocate - Look for construction companies who can invest and build the Long An site by their own, then sell the plots for HLD project	allowed direct contracting ; - ADB and VEC agreed to purchase 293 plots of Long An site and transferred 40% investment cost for the investor of the site to hasten construction progress of the site.



## PART III. FINDINGS FROM THE FOURTH MONITORING

The RP implementation during the fourth monitoring (since August 31st 2009 until December 31st 2009) was continuously making a good progress. It is one of rare big projects which have such quick compensation progress. The RP implementation was under urgent payment and plane acquisition. Until December 31st 2009, the compensation were carried out in all the districts and nearly completed in Nhon Trach, Thong Nhat and Cam My districts of Dong Nai province. Until December 31st 2009, 829 /1,079 PAHs received compensation, accounting for 77%. Total amount which was paid to PAHs according to approved compensation options is 431,416,769,789/481,265,963,169 VND, accounting for about 90% of approved cost. In this monitoring report, the consultant also generalizes all activities related to the RP implementation, firstly the RP update.

### 3.1 The RP implementation and update

#### 3.1.1 Planned stages of RP update and progress of approval

Activities related to the RP update were being continued in spite of rather lateness. Unlike the RP, the updated RP was prepared separately for each district. Since DMS data in some districts such as district 9, Long Thanh and Thong Nhat districts was late due to many reasons, ADB agreed with social consultant to divide updated RP into many stages. Until Dec 31<sup>st</sup> 2009, RP updating of districts was as below.

Table 7. Planned stages of updated RP and progress of approval until December 31<sup>st</sup> 2009

No	District	Planned stages	Had been approved until December 31 <sup>st</sup> 2009 by ADB
1	District 9, HCMC	3	166 (165 HHs + 01 organization)
2	Nhon Trach district, Dong Nai province	1	63 HHs
3	Long Thanh district, Dong Nai province	3	130 HHs
4	Cam My district, Dong Nai province	3	91 (90 HHs + 01 organization)
5	Thong Nhat district, Dong Nai province	3	145 HHs

RP of continued stages was not submitted to ADB mainly due to insufficient DMS data. Therefore, the social consultant was waiting for the data. Progress of main activities until December 31<sup>st</sup> 2009 is represented below:

Table 8. Progress of the RP update

No	Main activities related to RP update that stated in the RP	Progress	
		Time of completion according to the RP	Actual implementation until December 31 <sup>st</sup> , 2009
1	DMS (varies by the districts)	12/2008 December,	

No	Main activities related to RP update that stated in the RP	Progress	
		2008	
1.1	District 9 - HCMC		221/221 = 100 %
1.2	Dong Nai province		874/919 = 95%
2	The replacement cost survey, appraisal and approval	December, 2008	Completed
3	Public consultation on the updated RP	December, 2008	Completed
4	Livelihood restoration program design	December, 2008	<ul style="list-style-type: none"> <li>- District 9: Livelihood restoration program was submitted to ADB in December 2009</li> <li>- 4 districts of Dong Nai province: Livelihood restoration programs were approved by ADB in December 2009 and under implementation.</li> </ul>
5	Identifying the resettlement sites <sup>2</sup>	December, 2008	Completed
6	Writing RP	December, 2008	<ul style="list-style-type: none"> <li>- District 9               <ul style="list-style-type: none"> <li>+ First stage: updated RP was prepared and approved by ADB (including 165 HHs and 1 organization)</li> <li>+ Second stage: updated RP was finished and submitted to SEPMU in December 2009 before being officially approved by ADB, including (i) the rest 48 HHs, (ii) assistance and bonus for handing over plane in a timely manner for HHs approved in first stage; (iii) compensation for moved electric system.</li> <li>+ Third stage: including (i) 40 HHs stated in the first stage of updated RP; (ii) some other HHs at Long Phuoc ward who were being reconsidered documents related to compensation and land origin to identify the land owners; (iii) cost for removing relevant infrastructure. Third stage of updated RP will be submitted in April 2010.</li> </ul> </li> <li>- Long Thanh district               <ul style="list-style-type: none"> <li>+ First stage: updated RP was prepared and approved by ADB (including 130 HHs);</li> <li>+ Second stage: updated RP was finished and submitted to SEPMU in December</li> </ul> </li> </ul>

<sup>2</sup> Results of the DMS and public consultation revealed that PAHs wanted to resettle at resettlement sites in district 9, HCMC and Long Thanh district, Dong Nai province. Other districts of Dong Nai province, PAHs didn't want to resettle at resettlement sites, therefore it doesn't need to build resettlement sites only for HLD project in these districts.

No	Main activities related to RP update that stated in the RP		Progress
			<p>2009 before being officially approved by ADB, including (i) the rest 281 HHs, (ii) supplementary assistance and compensation for 16 HHs in first stage; (iii) compensation for Dong Nai Rubber Company, Long An primary school and electric system.</p> <p>+ Third stage: updated RP will be prepared for omitted PAHs and public structures</p> <p>- Cam My district</p> <p>+ First stage: updated RP was prepared and approved by ADB in August 2009 (including 90 HHs and 01 organization);</p> <p>+ Second stage: updated RP was finished and submitted to SEPMU in December 2009 before being officially approved by ADB, including (i) compensation and assistance for 82 HHs, (ii) compensation and assistance for Dong Nai Rubber Company and Military structure of military zone No.7</p> <p>+ Third stage: updated RP will be prepared for the rest 13 HHs and public structures</p> <p>- Thong Nhat district</p> <p>+ First stage: updated RP was prepared and approved by ADB in August, 2009 (including 145 HHs);</p> <p>+ Second stage: updated RP was finished and submitted to SEPMU in December 2009 before being officially approved by ADB, including (i) compensation and assistance for 10 HHs, (ii) compensation and assistance for Dong Nai Rubber Company.</p> <p>+ Third stage: updated RP will be prepared for HHs affected at overpasses, underpasses and public works.</p>
7	Updated RPs submission for approval	January, 2009	<p>- Nhon Trach district was finished</p> <p>- District 9, Long Thanh, Cam My, Thong Nhat districts: the first stage of updated RPs were submitted and approved, the second stage was submitted to SEPMU (in December 2009) before being officially approved by ADB</p>
8	Approval of updated RPs	February, 2009	<p>- Nhon Trach district was approved all;</p> <p>- District 9, Long Thanh, Cam My, Thong Nhat districts were approved for the first stage</p>

### 3.1.2 Progress of the DMS until December 31<sup>st</sup> 2009

DMS is one of important activities of the RP implementation. The DMS couldn't be finished due to many reasons. A main problem is limitation in land data management in localities. Until December 31<sup>st</sup> 2009, the DMS of the whole project was carried out about 99% and represented in the table below:

Table 9. Number of PAHs carried out DMS until December 31<sup>st</sup> 2009

No	Locality	Number of PAHs		Number of PAHs were finished the DMS	
		According to approved updated RPs	Actual data identified until December 31 <sup>st</sup> 2009	Quantity	Rate (%) compared with reality
1	District 9- HCMC	220	221	221	100
2	Nhon Trach district	63	63	63	100
3	Long Thanh district	502	513	503	98
4	Cam My district	186	186	186	100
5	Thong Nhat district	152	158	158 <sup>3</sup>	100
	Total	1,123	1,141	1,131	99

In the fourth monitoring, total PAHs in reality is higher than the data represented in the third monitoring report since some HHs splited their land plots for their children or for purchase.

During the DMS, in district 9, 34 HHs were not present and the DCC had to inventory without presence of the households. Of which: (i) 9 HHs were identified their addresses exactly and informed time of DMS but the households did not participate in, (ii) 25 HHs were not identified their addresses exactly, thus could not be informed time of DMS. For the 25 HHs, CC of district 9 implemented sufficiently procedures before the inventory including: (i) had advertisements about plots not identified owners in mass media. This information was inserted on Saigon Giai Phong newspaper three times, (ii) inventoried with presence of compensation team, representatives of leaders of wards and quarters. Up to now, all 34 HHs were carried out DMS. However, the compensation team did not use bilingual form as usual, but used form of involuntary inventory minute (only use Vietnamese language) as required in decision No. 74/2006/QD-UBND dated May 17<sup>th</sup> 2006 issued by PC of HCMC. Until the fourth monitoring time, 10 HHs (of 25 HHs above) suggested the DCC inventory again.

In Long Thanh district, 10HHs were not inventoried since land recovery decision and technical records of land plots did not agree, concretely:

<sup>3</sup> This data is excluded PAHs at intersections of HLD project and small roads due to lack of technical records of some plots in Thong Nhat district.

- Long An commune: acquired land area of 6 HHs did not agree with area in reality. At the monitoring time, Dong Nai province's Land Technique Center was preparing technical draw of the plots.
- Sections crossing Tam An and An Phuoc communes: technical draws of 4 HHs did not agree with reality. Dong Nai province's Land Technique Center was co-operating with Long Thanh district's Natural Resources and Environmental Department, Long Thanh DCC and People's Committee of communes to carry out field check to take note actual situation, updating data and preparing draws.

In general, the DMS was in the main completed in most of the districts, except Long Thanh district and some locations at overpasses and underpasses mentioned in table 4, item 2.1. Reasons of the delayed DMS were represented in the second and the third monitoring reports. Thus, this content is not repeated in this report. However, through discussing with Long Thanh DCC, it revealed that local authorities were under urgent adjustment.

### 3.1.3 Progress of survey, appraisalment and approval of the replacement cost until December 31<sup>st</sup> 2009

DMS data is a basis to identify quantity of affected assets. Beside the assets quantity, as stated in the RP, during the RP update, the investor has to hire external valuers to survey/value the replacement cost and issue price valuation certificates for affected land, architectural works and farm produces on the acquired land in each province/city. Based on the certificates, an appraisalment council of the province/city will appraise and submit to the provincial PC for approval. The approved cost will be one of bases to calculate compensation cost for the updated RP and for PAHs.

Until December 31<sup>st</sup> 2009, the replacement cost survey had been finished. After considering/appraising the replacement costs in the price valuation certificates, PCs of HCMC and Dong Nai province approved for the prices applied in this project. Progress of the replacement cost survey and valuation can be summarized below:

Table 10. Progress of the replacement cost survey and valuation

No	Activities	Implementation progress	
		HCMC	Dong Nai
1	Replacement cost valuation for the whole project	January, 2009	January, 2009
2	External valuers submit price valuation certificates	The price valuation certificate No. Vc 09/02/20/CCTT-BDS dated February 19 <sup>th</sup> 2009 issued by the Southern Information and Valuation Corporation on the price for agricultural land neighboring residential areas on some sections in district 9.	Dong Nai Valuation Corporation: - The price valuation certificate No. 121/TDG-CT dated February 9 <sup>th</sup> 2009 ref. price for farm produces and trees; - The price valuation certificate No. 122/TDG-CT dated February 9 <sup>th</sup> 2009 ref. price for houses, architectural works; - The price valuation certificate No. 123/TDG-CT dated February 9 <sup>th</sup> 2009 ref. land use right. - The price valuation certificate

No	Activities	Implementation progress	
		HCMC	Dong Nai
			No. 932/TDG-CT dated May 19 <sup>th</sup> 2009 ref. land use right in Thong Nhat and Cam My districts
3	The provincial appraisal council presided over by Department of Finance to review the price valuation certificates by external valuers and submit them to provincial PC for approval	Document No. 2315/STC-HDTDBT-BVG dated March 20 <sup>th</sup> 2009 issued by the city's CC ref. price for agricultural land neighboring residential areas to calculate compensation, assistance for HLD expressway project within district 9.	- Document No. 198/STC-GCS dated February 11 <sup>th</sup> 2009 reports on results of the meeting ref. agreement to compensation cost for land, houses, architectural works, other assets, crops for HLD expressway project. - Document No.3861/UBND-KT dated May 21 <sup>st</sup> 2009 issued by Dong Nai province's PC approving land price for Thong Nhat and Cam My districts

The external valuers are required to carry out the replacement cost survey every 3 months. Until the monitoring time, the price in district 9 was unchanged as reported. In Dong Nai, the fourth replacement cost survey was under implementation and the report would be prepared soon.

### 3.1.4 Preparing, submitting and approving detailed compensation options

Basing on DMS data and approved prices for all assets, DCCs had prepared detailed compensation option for each PAH. The detailed compensation options would be submitted to Provincial Appraisal Council for approval. Until December 31<sup>st</sup> 2009, DCCs had prepared compensation options for affected assets in the project area. Progress of detailed compensation option preparation, approval and payment in all districts is represented in detail below

Table 11. Progress of detailed compensation option preparation, approval and payment

No	District	Number of PAHs			
		According updated RP	In reality until December 31 <sup>st</sup> 2009 <sup>4</sup>	Submitted compensation options	Approved compensation options
1	District 9	220	221	182	182
2	Nhon Trach district	63	63	63	63
3	Long Thanh district	502	513	490	490
4	Cam My district	186	186	186	186
5	Thong Nhat district	152	158	158	158
	<b>Total</b>	<b>1,123</b>	<b>1,141</b>	<b>1,079</b>	<b>1,079</b>

<sup>4</sup> The data in reality was provided by DCCs

### 3.1.5 VEC transferred money for compensation payment to DCCs

Based on decisions approving detailed compensation option, DCCs prepared financial plans and submitted them to VEC, and then VEC transferred compensation money to DCCs for payment. Amount transferred to DCCs by VEC until December 31<sup>st</sup>, 2009 is represented in the table below:

Table 12. The amount that VEC transferred to DCCs until December 31<sup>st</sup> 2009

No	DCCs	Amount that had been transferred by VEC (VND)
1	DCC of District 9	367,896,681,200
2	DCC of Nhon Trach district	103,462,933,262
3	DCC of Long Thanh district	12,803,414,000
4	DCC of Cam My district	40,300,000,000
5	DCC of Thong Nhat district	34,200,000,000
	<b>Total (VND)</b>	<b>558,663,028,462</b>
	<b>Convert to USD</b>	<b>31,036,835 USD</b>

### 3.1.6 Compensation payment

Once PAHs agree to the project, they all expect to receive the compensation soon. After compensation price units were approved and announced to PAHs, most of PAHs agreed to the prices and wanted to be paid compensation soon to stabilize their living. So far, all five districts have paid compensation for PAHs from money transferred by VEC. Compensation progress for PAHs until December 31<sup>st</sup> 2009 is summarized in the table below:

Table 13. Progress of compensation payment until December 31<sup>st</sup> 2009

No	Locality	Issued approval decisions of compensation price		Received compensation	
		PAHs	Amount	PAHs	Amount
1	District 9	182	310,791,708,200	180	307,638,117,200
2	Long Thanh	490	99,350,360,783	281	56,845,417,853
3	Nhon Trach	63	12,703,414,000	57	11,549,232,000
4	Thong Nhat	158	25,816,254,186	151	24,297,657,736
5	Cam My	186	32,604,226,000	160	31,086,345,000
	<b>Total (VND)</b>	1,079	481,265,963,169	829	431,416,769,789
	<b>Convert to USD</b>		<b>26.736.998 USD</b>		<b>23.967.598 USD</b>

Until December 31<sup>st</sup> 2009, since updated RPs have been approved, 829 HHs received compensation, accounting for  $(829/1,079) = 76.83\%$  of PAHs and 90% of reimbursement.

### 3.1.7 Progress of land acquisition through commitment of PAHs

Until December 31<sup>st</sup> 2009, progress of land acquisition of the project was very quick. Progress of land acquisition in all districts is generalized below:

Table 14. Progress of the land acquisition in all districts until December 31st 2009

No	Localities	Total land needs to be acquired (km)	Acquired in reality	Rate (%)
1	District 9	8.6	7+0.6 km of Dong Nai river	88.37
2	Long Thanh district	22.2	9	40.17
3	Nhon Trach district	3	3	100
4	Thong Nhat district	6.6	6,5	98.48
5	Cam My district	10.6	10,3	97.17
	<b>Total</b>	<b>51</b>	<b>36.4</b>	<b>71.37%</b>

The table above shows that in most of the districts, PAHs committed to hand over plane when they received compensation. Three districts of Nhon Trach, Thong Nhat and Cam My, Dong Nai province had the highest rate. Particularly in Nhon Trach district, 100% PAHs committed. Meanwhile Long Thanh district was only 40%. However, after one year, the rate was 71.37% counted for whole project, rarely achieved in other projects. It proved that most of PAHs agreed to the project.

### 3.2 Living rehabilitation assessment for seriously affected HHs and vulnerable groups

Unlike projects financed by GoV, seriously affected HHs and vulnerable groups of projects funded by international organizations are particularly paid attention. According to RP, seriously affected HHs include: (i) HHs who are acquired at least 10% of productive land and/or assets, (ii) HHs who have to relocate and/or are damaged at least 10% of their income. Result of DMS determined seriously affected HHs in each district. Besides the seriously affected HHs, updated RPs mentioned 6 vulnerable groups, including (i) female headed HHs with dependants, (ii) head of HH is disabled, (iii) poor families, (iv) families with the elderly and children without land and other income sources, (v) landless HHs and (vi) HHs as ethnic minorities. Distribution of seriously affected HHs and vulnerable groups according to updated RP is represented in the table below:



Table 15. Distribution of seriously affected HHs and vulnerable groups in all districts

No	Localities	Number of PAHs							
		Seriously affected HHs	Vulnerable groups						
			HHs with very difficult condition of living	Poor families	Female headed HHs	The elderly	The disabled	Policy families	Ethnic minorities HHs
1	District 9	22	0	10	0	0	3	6	0
2	Long Thanh district	Not mentioned in updated RP	4	7	5	2	16	8	1
3	Nhon Trach district	26	0	0	0	0	3	3	0
4	Thong Nhat district	Not mentioned in updated RP	1	4	2	0	6	5	1
5	Cam My district	Not mentioned in updated RP	4	10	0	0	2	3	4
	Total		9	31	7	2	30	25	6

These groups need to be particularly paid attention of the project through living rehabilitation programs

### 3.2.1 Living rehabilitation programs according to updated RPs

Updated RPs mentioned many living rehabilitation programs for PAHs. In the main, these programs were available at each province/city, but application is extended based on policies of HLD project. For example, as regulations of GoV, only HHs who are affected more than 30% of land/income are eligible for income recovery programs. However, in HLD project, the policy is also applied for HHs who are affected 10% of land/income, it means that the application was extended. Living rehabilitation, assistance policies of HLD project are summarized in the table below:

Table 16. Main rehabilitation assistance programs

No	Assistance	Application	Time/entitlements
1	Medical service assistance	Fully affected HHs	Health insurance in 12 months
2	Tuition fee	Children of fully affected HHs	18 months of tuition fees (2 school years)
3	Career training, employment	HHs who are acquired more than 10% of productive land	Short-term and long-term

No	Assistance	Application	Time/entitlements
	providing		
4	Moving assistance	Fully affected HHs	3,000,000 VND/HH if the HH opts to relocate within province and 5,000,000 VND/HH will be provided for HHs who opt to relocate to other provinces
5	Assistance for renting house	Relocated HH due to fully affected	600,000 -800.000/HH/month, depending on localities
6	Other assistance	Policy families such as heroic mother, martyrs, wounded soldiers, poor families, ethnic minority family, farming HHs who are fully affected, business HHs who are acquired all residential land, the elderly, female headed HHs, fully affected HHs with disabled member(s)...	2 million- 20million VND/HH depending on the situation
7	Assistance for career change	HHs who live on farm and are acquired more than 10% of agricultural land and small businesses do not remain land to continue the business	2,800,000 VND/person at labor age (16-65 years old)
8	Assistance for production and living stabilization	HHs who live on farm and are acquired more than 10% of agricultural land	30 kg rice/month/person within 6 -12 months depending on the situation
9	Business interruption	Registered businesses	20% of annual income with tax
		Employee	1.5 minimum monthly salary
10	Bonus for handing over plane in a timely manner	Handing over plane in a timely manner	500,000 VND- 6,000,000 VND depending on the situation
11	Self-relocation	Relocated HHs	40,000,000 - 80,000,000 VND/HH

Besides the assistances above, HCMC applied assistance based on (i) Decision 156/2006/QĐ-UBND issued by PC of HCMC dated October 27<sup>th</sup> 2006 ref “establishing assistance fund of training and help for employment which is applied for APs whose land is acquired for investment projects within HCMC”. Fund 156 is contributed by investors of projects with 5% of compensation and assistance cost, (ii) loaning for employment creation with maximum amount of 30 million VND/HH and preferential interest of 2% a year...

In general, there are many income recovery programs applied for APs whose land is acquired by HLD project. Some assistance was paid during the compensation payment such as bonus for handing over plane in a timely manner, assistance for self-relocation, etc. Some other programs were developed by social consultants would be applied after being approved by ADB and VEC. The EMA will supplement these programs in following monitoring reports.

### 3.2.2 Some questions for living rehabilitation assessment and results of the survey

Until December 31<sup>st</sup> 2009, most of PAHs had just received compensation. However, the EMA met and discussed with seriously affected HHs and vulnerable groups who were paid compensation to initially assess their living rehabilitation ability. Main questions for living rehabilitation assessment and results of interview are represented in table below:

Table 17. Results of initial living rehabilitation assessment

Main questions	Results of interview			
	Total	Yes	No	Unknown /unchanged
1. Were you consulted with and disseminated information about HLD expressway project and entitlements when being acquired land for the project?	36	36	0	0
2. Did you participate in the asset inventory and sign the minute?	36	36	0	0
3. Did you understand thoroughly your entitlements through information disclosure?	36	31	5	0
4. Did you review compensation calculation sheet before signing compensation minute?	36	36	0	0
5. Were you satisfied with compensation price for land and other assets?	36	32	4	0
6. Did you know complaint procedure?	36	33	3	0
7. General assessment about your living after received compensation, better or unchanged?	36			All interviewed PAHs said that their life did not change

Results of the interview show that the information dissemination was well-done. All 36/36 interviewees supposed that they were consulted with and disseminated information about the project. 100% of interviewees signed asset inventory minutes. However, 5/36 HHs (accounting for 14%) did not understand thoroughly about their entitlements. Compensation price is also a great interest. 4/36 HHs (accounting for 11%) were not satisfied with the price but did not submit complain petition. It shows that compensation price is a sensitive issue. Although the HHs supposed that the price was low, it could be acceptable. Thus, they did not complain by petitions.

### 3.3 Resettlement

#### 3.3.1 Resettlement sites

If relocated HHs prefer to resettle at resettlement sites, the districts will arrange them in residential areas or resettlement sites which had been or were being developed in the districts.

District 9, HCMC, planned to arrange APs at block L of Long Buu-Long Binh site, district 9 and site C4 at Hiep Phu ward. These are residential areas in district 9 which had been developed infrastructures such as electric, water, internal roads and about 4-5km far from the area which was acquired land. Based on valuation certificate, PC of district 9 approved unit cost for transaction of apartments at C4 building, Hiep Phu ward, district 9 dated

September 14<sup>th</sup> 2009 and PC of HCMC issued decision No.308/QD-UBND dated August 18<sup>th</sup> 2009 on approving unit cost for plots at Long Buu resettlement site for HLD expressway project within district 9 (unit cost will be represented in detail at annex).

Long Thanh district has the most relocated HHs with about 293 HHs as estimated. Long Thanh district's PC planned to arrange the HHs at 2 sites (i) Lien Kim Son site and (ii) Long An site:

- Lien Kim Son site is located at Long Thanh townlet. This site had been planned and developed resettlement site for projects within Long Thanh district for a long time. Up to now, some infrastructures such as internal roads, electric were available. Of 103 plots in the resettlement site, Long Thanh district planned to arrange 80 plots for HLD project. According to officials of SEPMU, VEC and ADB agreed to transfer money to buy 80 plots at Lien Kim Son site and the investor officially handed over plots for HLD project. Until December 31<sup>st</sup> 2009, three HHs received plots and were building houses at Lien Kim Son site (see annex). The availability of Lien Kim Son site created a good condition for relocation.

- Besides Lien Kim Son site, Long Thanh district also has Long An site at Long An commune. This site has a convenient location, about 500-600m far from National Highway No.51 and about 1.5-2km far from center of Long Thanh townlet. Ground of the site was being planted rubber trees which only belonged to Dong Nai Rubber Company, thus it was not difficult to acquire land. Until December 31<sup>st</sup> 2009, VEC and ADB agreed to transferred 40% cost to buy 300 plots to the investor of Long An site. Total amount that VEC transferred to the investors of Lien Kim Son and Long An sites is about 2 million USD.

Of 5 districts affected by the project, apart from district 9, HCMC and Long Thanh district, Dong Nai province, Thong Nhat district also has relocated HHs who preferred to resettle at resettlement site. Thong Nhat district planned to arrange them at Xom Ho A site at Hung Loc commune, Thong Nhat district, Dong Nai province. The site borders on National Highway No.1A that convenient to travel. Until the monitoring time, infrastructures such as electric, water, internal asphalted roads of the site were completed and ready to arrange the HHs.

In sum, preparation of resettlement sites in the main satisfied requirement.

Table 18. Resettlement sites

No	Locality	Planned resettlement sites
1.	District 9 – HCMC	- At block L belonging to Long Buu - Long Binh site, district 9 - Apartment building C4, Hiep Phu ward, district 9
2	Nhon Trach district	No need
3	Long Thanh district	Two planned sites: - Lien Kim Son site at Long Thanh townlet, Long Thanh district was intended to arrange for 80 PAHs; - Long An site at Long An commune, Long Thanh district was intended to arrange for 236 PAHs
4	Cam My district	No need
5	Thong Nhat district	Xom Ho A site at Hung Loc commune, Thong Nhat district

### 3.3.1 Resettlement need through DMS and consideration of DCCs

The preparation of resettlement sites is often based on need of PAHs, where there are many PAHs who prefer to relocate to resettlement sites. The need is often identified via consultation with PAHs during the RP preparation. The official figure of the resettlement need is often identified through DMS, public consultation and compared with resettlement criteria. The resettlement need of PAHs until December 31<sup>st</sup> 2009 is represented below:

Table 19. Resettlement need

No	Locality	HHs who relocate to resettlement sites
		HHs prefer to relocate to resettlement site and are eligible for relocating to resettlement site
1	District 9, HCMC	11
2	Nhon Trach district, Dong Nai province	0
3	Long Thanh district, Dong Nai province	Under consideration. Until the monitoring time, only 37 HHs who are eligible for relocating to resettlement site were considered
4	Cam My district, Dong Nai province	0
5	Thong Nhat district, Dong Nai province	6
	<b>Total</b>	<b>54</b>

In general, resettlement need is rather high, mainly in Long Thanh district. However, number of HHs who are eligible for relocating to resettlement site will change since the final data depends on consideration of DCCs.

Until December 31<sup>st</sup> 2009, some DCCs considered resettlement need based on criteria to know if the HHs are eligible for being arranged resettlement. Until December 31<sup>st</sup> 2009, district 9 had 11 HHs, Long Thanh district had 2 HHs in first stage, Thong Nhat district had 6 HHs who are eligible for being arranged resettlement. In Cam My district, 10 HHs are eligible for being arranged resettlement (of which 4 HHs were fully affected) but they all preferred self-relocation. According to decision of Dong Nai province's PC, in case the HHs opt self-relocation, they will be assisted with 60,000,000 VND/HH for main HHs and 25,000,000-30,000,000 VND/HH for dependent HHs. Nhon Trach district did not have any relocated HHs.

### 3.4 Compensation for public works

Until now, some works such as medium and low-tension power and lightening system (intersection with National Highway No.51) in district 9 and Long Thanh district were prepared compensation option by consultants, and then were agreed by SEPMU and DCCs and being submitted to specialist agencies for appraisal before being approved by provincial PCs.

### 3.5 Complaints and complaint resolution

Through discussing with DCCs, it revealed that some HHs complained verbally about land price, especially at Long An commune. Price of agricultural land at the commune is 70,000,000VND/m<sup>2</sup>. According to local people, although in LURCs, the land is considered as agricultural land, in reality they were planting perennial trees; moreover, this area borders on National Highway No.51. Therefore, the compensated price was rather low.

In Long Thanh district, the inspector received 58 complaint petitions of PAHs, of which 12 cases were solved definitely. They mainly complained about land price and inventorying assets insufficiently. Via verification, the inspector identified that assets of some HHs were inventoried insufficiently and requested the DCC to inventory additionally. As for compensated price, it was still based on approved price framework. Details of complaints and complaint resolution are represented in annex.

### 3.6 Existing issues/difficulties in localities

#### 3.6.1 Some PAHs weren't carried out DMS

There are two main reasons that caused the late DMS progress: (i) Firstly that is the land management in the localities. Within the project area, some HHs had purchased their land but not announced to local authorities, therefore authorities couldn't update in time and finally issue of land acquisition decisions of the district's PC was not correct. It has to adjust the land acquisition decisions due to wrong plots, boundary measurement, wrong land category and wrong name. That impacted to the DMS progress. 10 HHs in Long Thanh district weren't carried out DMS and Dong Nai province's Land Technique Center was adjusting technical records of these plots so that Long Thanh district's PC could adjust land acquisition decisions and the DCC will carry out the DMS; (ii) Although SEPMMU sent minute to recommend the locations to construct intersections, roundabouts, toll-gates, underpasses, overpasses at Thong Nhat district in June 2009, Dong Nai province's PC has not replied. Therefore, the DMS could not be carried out at the areas.

#### 3.6.2 Inventory without presence of householders and DMS form for the inventory without presence of householders in district 9

During the DMS, some plots were inventoried without presence of householders. As the procedure, in case a HH is informed 3 times but does not receive land acquisition decision, DCC will advertise in newspaper in three times every 15 days. After this time, if the HH still does not receive land acquisition decision, DCC will prepare minute and carry out compulsory inventory without presence of householder. It mainly took place in district 9 where have quick urbanization, many people purchased land at the area for speculation. Therefore, many people did not know exactly where their land was; moreover, local authorities did not know their addresses to deliver invitation letters. According to CC of district 9, 34 HHs had such situation and were inventoried without presence of householders.

The DMS form that was agreed by ADB and social consultant could not be applied for the case since this form requires participation of householder. Discussing with officials of district 9, for inventory without presence of householder, the DCC used DMS form stated

in decision No.74/2006 issued by PC of HCMC dated May 17<sup>th</sup> 2006 regarding *“regulations on procedure of compulsory house, land and asset-on-land inventory for compensation, assistance and resettlement in the event of land recovery by the state”*. The social consultant translated the decision into English and suggested ADB agree to apply. List of HHs who were inventory without presence of householders is attached in annex.

### **3.6.3 Arrangement of resettlement plots in Thong Nhat and Long Thanh districts was late**

According to the RP, relocated HHs have to be paid compensation and arranged resettlement plots/apartments prior to time of land acquisition at least 6 months. 6 months is the time enough for HHs to rebuild house and move. Although resettlement consideration in Thong Nhat district was finished with 6 eligible HHs, concurrently the HHs received compensation and handed over the plane for project, until the monitoring time, Thong Nhat district did not issue decision to approve list of HHs who are eligible for resettlement. Thus the HHs were not arranged resettlement yet.

In Long Thanh district, the section crossing Long An commune had 13 HHs who are relocated and eligible for resettlement. As planned the HHs would be arranged resettlement at Long An site, but the site was not finished, thus the HHs could not be arranged resettlement.

### **3.6.4 Resettlement arrangement for dependent HHs<sup>5</sup> in Long Thanh district**

Within Long An commune, some HHs built houses on their parents' land (the land plot was not split in LURC) and affected by the project. As regulations at item 4, clause 4 of Decision No.08/2007/QĐ-UBND issued by Dong Nai province dated January 10<sup>th</sup> 2007, HHs who live with other people or build house on land of other people are not eligible for being arranged resettlement. 8 HHs had such situation (see annex). The HHs will encounter difficulties in living stabilization if they are not arranged resettlement (entitlement policies in the RP did not mention this case). To ensure living of the HHs, Long Thanh district's PC sent document No.4353/UBND-KT dated December 21<sup>st</sup> 2009 to Dong Nai province's PC to request instruction from the province in resettlement arrangement for the HHs. Until the monitoring time, the province's PC had not responded yet.

### **3.6.5 Late valuation for public works in Dong Nai province**

As stated in the contract, valuation certificate has to be included public works. However, until the monitoring time, the external valuer did not issued valuation certificate for public works in Dong Nai province yet.

<sup>5</sup> Dependent HHs are those who living in land of others

## **PART IV. CONCLUSION, EXISTING ISSUES AND RECOMMENDATION**

### **4.1 Conclusion**

Through the fourth monitoring, it can conclude that the RP implementation was quite smooth and complied with the approved RP. The updated RP of the project was being considered the second stage for 4 districts (except Nhon Trach). Livelihood recovery programs were being developed concurrently in Long Thanh, Thong Nhat and Cam My districts by the social consulting team. The DMS was also speeded up in order to be completed in first quarter, 2010. Progress of the compensation payment was fairly good. Until December 31<sup>st</sup> 2009, reimbursement progress was reached 90% of HHs who were approved detailed compensation options. Result of land acquisition is an important issue to the investor. Until December 31<sup>st</sup> 2009, 36.4/51km of the road was committed by PAHs to hand over their plane for implementing this project, reaching 71.37%. It reveals that overwhelming majority of PAHs agreed to compensation and assistance policy of the project. The well-prepared RP contributed to speed up implementation progress of the project. However, during the implementation, there were also some existing issues that need to be solved soon.

### **4.2 Existing issues and recommendations**

#### **4.2.1 Some HHs were not carried out the DMS**

Until December 31<sup>st</sup>, 2009, 10 HHs in Long Thanh district were not carried out the DMS due to land area between land acquisition decision and in reality did not agree. Besides, some planned intersections, roundabouts, toll-gates, underpasses, overpasses were not officially located. Therefore, the DMS could not be carried out at the areas. To finish the DMS, SEPMU should send to Dong Nai province's PC a document soon asking for recommendation locations to construct some components in Thong Nhat district so that the land acquisition and the inventory could be carried out. Concurrently, SEPMU should urge Dong Nai province's Land Technique Center to finish technical records of incorrect land plots within Long Thanh district.

#### **4.2.2 DMS form for the inventory without presence**

In district 9, there were 34 HHs who had to be inventoried without presence of the HHs. Form of asset inventory for this case is not bilingual language. Therefore, it will cause difficulties in settlement in the future. In opinion of the consultant, for inventory without presence of households, the form also has to comply with the inventory form issued by PC of HCMC. However, all asset inventory minutes have to be translated into Vietnamese and notarized.

#### **4.2.3 Late arrangement of resettlement plots**

- In Thong Nhat district: 6 HHs who are eligible for resettlement arrangement were not arranged resettlement. SEPMU should co-operate and urge Thong Nhat district's PC to

*Why?*



issue decision approving list of eligible HHs and arrange them Xom Ho A site so that the HHs could stabilize their living soon.

- In Long Thanh district: eligible HHs were planned to arrange resettlement at Long An site but the site were not finished yet, thus the HHs could not be arranged resettlement. The project should allow the HHs to hand over agricultural land first and their houses will be handed over later when they are arranged resettlement. In case the HHs have to hand over plane but not be arranged resettlement yet, SEPMU should negotiate with the HHs to support them temporarily rent house.

#### **4.2.4 Resettlement arrangement for dependent HHs in Long Thanh district**

As mentioned above, Long Thanh district had 8 dependent HHs whose houses were affected but not be arranged resettlement as regulations of Dong Nai province. Although the case was not mentioned in the entitlement matrix of the RP, the project should arrange resettlement for the HHs in order to ensure their living.