

Involuntary Resettlement Due Diligence Report (DDR)

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June 2016

**VIE: Greater Mekong Subregion Biodiversity
Conservation Corridors Project - Phase 2 (BCC
Project)**

**Subproject: Concrete A Tau canal, A Roang
commune, A Luoi district, Thua Thien Hue province**

Prepared by the Ministry of Natural Resources and Environment for the Asian
Development Bank

CURRENCY EQUIVALENTS

Currency unit: Vietnam Dong (VND) and US dollar (\$)

Exchange rate on 31th May 2016: \$1 = 21,828 VND

ABBREVIATIONS

ADB	-	Asian Development Bank
AP	-	Affected people
BCC	-	Biodiversity Conservation Corridors Greater Mekong Sub-region Project
CPC	-	Commune People's Committee
CPMU	-	Central Project Management Unit
CSB	-	Commune Supervise Board
DONRE	-	Department of Natural Resources and Environment
DPC	-	District People's Committee
HH	-	Household
GAP	-	Gender Action Plan
EM	-	Ethnic Minority
EMDP	-	Ethnic Minority Development Plan
EMO	-	External monitoring organization
EMP	-	Environmental Management Plan
IEC		Information, Education & Communication
IEE		Initial Environmental Evaluation
IP		Indigenous peoples
IPIC		Indigenous Peoples Impact Categorization
IR		Involuntary resettlement

EPP	-	Environmental Protection Plan
LURC	-	Land Use Right Certificate
MONRE	-	Ministry of Natural Resources and Environment
PPC	-	Provincial People's Committee
PPMU	-	Provincial Project Management Unit
RF	-	Resettlement Framework
SIA	-	Social Impact Assessment
SPS	-	Safeguard Policy Statement 2009
STDs	-	Sexually Transmitted Disease
VFF		Vietnamese Fatherland's Front

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GLOSSARY

Affected person / Affected household	<ul style="list-style-type: none">- Means any person, household, firm or private institution who, on account of changes resulting from the Project, or any of its phases or subprojects, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (including residential, commercial, agricultural, forest, salt mining and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement. <p>In the case of affected household, it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components.</p>
Detailed Measurement Survey	<ul style="list-style-type: none">- With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of APs earlier done during RP preparation. The final cost of resettlement can be determined following completion of the DMS.
Compensation	<ul style="list-style-type: none">- Means payment in cash or in kind to replace losses of land, housing, income and other assets caused by the Project. All compensation is based on the principle of replacement cost, which is the method of valuing assets to replace the loss at current market rates, plus any transaction costs such as administrative charges, taxes, registration and titling costs.
Cut-off date	<ul style="list-style-type: none">- Means the date of land acquisition announcement informed by local authorities. The APs will be informed of the cut-off date for each subproject component, and any people or assets that settle in the subproject area after the cut-off date will not be entitled to compensation and assistance under the subproject.
Ethnic minority	<ul style="list-style-type: none">- People with a group status having a social or cultural identity distinct from that of the dominant or mainstream society.
Entitlement	<ul style="list-style-type: none">- Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the APs, depending on the type and severity of their losses, to restore their economic and social base.

Host community	- Means the community already in residence at a proposed resettlement or relocation site.
Income restoration	- This is the re-establishment of sources of income and livelihood of the affected households.
Income restoration program	- A program designed with various activities that aim to support affected persons to recover their income / livelihood to pre-project levels. The program is designed to address the specific needs of the affected persons based on the socioeconomic survey and consultations
Inventory of Losses	- This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project right-of-way (PROJECT AREA) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of APs will be determined.
Land acquisition	- Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
Rehabilitation	- This refers to additional support provided to APs losing productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.
Relocation	- This is the physical relocation of an AP from her/his pre-project place of residence and/or business.
Resettlement and Ethnic Minorities Development Plan	- A plan for resettlement of an ethnic minority population, combining the resettlement plan with specific ethnic minority concerns and cultural sensitivity for the specific needs of the ethnic minority groups.
Replacement cost	- The amount needed to replace an affected asset net of transaction costs such as administrative charges, taxes, registration and titling costs.
Replacement Cost Study	- This refers to the process involved in determining replacement costs of affected assets based on empirical data.
Resettlement	- This includes all measures taken to mitigate any and all

adverse impacts of a project on AP property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation as needed.

- | | |
|------------------------------|--|
| Resettlement Plan | - This is a time-bound action plan with budget setting out compensation and resettlement strategies, objectives, entitlement, actions, responsibilities, monitoring and evaluation. |
| Severely affected households | - This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets (generating income), and/or (ii) have to relocate. |
| Stakeholders | - Individuals, groups, or institutions that have an interest or stake in the outcome of a project. The term also applies to those potentially affected by a project. Stakeholders include land users, country, regional and local governments, implementing agencies, project executing agencies, groups contracted to conduct project activities at various stages of the project, and other groups in the civil society which may have an interest in the project. |
| Vulnerable groups | - These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) female headed households with dependents, (ii) disabled household heads, (iii) households falling under the national poverty standard, (iv) children and the elderly households who are landless and with no other means of support. |

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I. Introduction

1. The Ministry of Natural Resources and Environment (MONRE) is implementing the Greater Mekong Subregion Biodiversity Conservation Corridors Project - Phase 2 (BCC project) in the 03 provinces of Quang Tri, Quang Nam and Thua Thien Hue through Loan 2721-VIE from Asian Development Bank. Under the Project, there are 22 sub-projects that have been selected for assistance in Thua Thien Hue province. In the screening and categorization for social safeguards, Category A subprojects are automatically excluded, while Category C subprojects shall be prioritized for financing. The subprojects with minor impacts (Category B) may be considered subject to the preparation and implementation of a resettlement plan (RP) acceptable to ADB, as prescribed in 2009 Safeguard Policy Statement (SPS). The RP for Category B subproject shall be approved first by the Bank and disclosed in the ADB website before implementation by MONRE.

2. The Project will improve natural resource management by establishing GMS Biodiversity Conservation Corridors, a transboundary, forest ecosystem based landscape approach for maintaining sustainably critical ecosystem services that benefit local livelihoods and downstream users. In this context, beneficiaries mostly living in remote, mountainous areas with high poverty rate and from ethnic minority groups will be provided with demand driven, and stakeholder prioritized livelihood improvement and small-scale infrastructure support in 34 selected communes. Preliminary consultations in sample communes resulted in prioritizing (i) livelihood improvements, and (ii) infrastructure assets that are seen by the beneficiaries as essential needs. Livelihood improvements include: agro-forestry, non-timber forest product enhancement with reforestation, fish ponds, and domestic livestock; infrastructure assets include: water wells / potable water systems, improved latrines and sanitation, connections to power grid, rural access roads, and small scale irrigation. At start of Project, participatory, multi stakeholder consultations will be held to reconfirm beneficiary priorities and their in-kind contribution and commitment (labor, local materials, land, rights of way where applicable).

3. In Thua Thien Hue the BCC project covers 22 subprojects. As screened, these sub-projects are Category C subprojects in the Involuntary Resettlement and Category B subprojects in Indigenous Peoples categorization (Appendix 1&2), since no social impacts are expected inside the subprojects' premises. The Central Project Management Unit (CPMU) of BCC has submitted this Due Diligence Report (DDR) for information of ADB and to secure its "No Objection" for the award of civil works contract for the construction of subproject facilities.

4. This Involuntary Resettlement Due Diligence Report (DDR) for Concrete A Tau canal, A Roang commune, A Luoi district, Thua Thien Hue province subproject under the Greater Mekong Subregion Biodiversity Conservation Corridors Project - Phase 2

II. Approach and methodology for Due Diligence

5. The CPMU has applied the selection criteria in evaluating the subproject. The criteria were developed during the PPTA. After screening of subproject and its geographic locations, the CPMU sent questionnaires to be filled-up by commune officials whose responses were the basis for screening and selection in producing the subproject. The first set was used in gathering information on their proposed facilities and statistical data that justify their proposal. The proposed investments were then screened and made the reasonable distribution of facilities that are urgently needed. The second set was aimed to validate if land acquisition shall be required.

6. National resettlement specialist conducted site survey and consultation with key officials of A Roang commune and proposed subproject during September 2015 to verify information provided by the Thua Thien Hue PPMU.

III. The proposed facilities

7. The subproject “Concrete A Tau canal, A Roang commune, A Luoi district, Thua Thien Hue province” will construct and upgrade A Tau canal in A Min village. The sub-project will upgrade the canal will irrigate about 12 ha of rice crops in A Tau. Ensuring water supply for irrigation, limiting the loss of water in the process leading to the area irrigated fields. It is also serving for agricultural production of local people. The total length of canals $L=500$ m. Width $B = 0.4$ m, canal height $H = 0.6$ m. Due to limited funding, at $Km0 + 500$ of the canal, there is a connection with the existing pipeline. Structural details of the canal as follows:

8. Concrete Lining M100 nail, 5cm thick.

9. Reinforced concrete bottom of the M150, 15cm thick; Brick canal wall, 12cm thick; Vertical bracing reinforced concrete M200, 5cm thick; Horizontal bracing reinforced concrete M200 (prefabricated); 20 yards layout construction joint starred insert sacks (2 layers for load, 3 layers of plastic); Excavated soil utilized to cover the side slopes $m=1:00$:

10. Structures on the canal: To arrange 5 intakes: Doors and gates regulating water intake with the following structure: Concrete Lining M100 nail; Reinforced concrete bottom slab, wall drain M150; Reinforced concrete drain cover plates M200 (prefabricated); Plates fade intake and regulating door made of reinforced concrete M200, steel brace frames $V50 \times 50 \times 5$ mm.

11. Objectives of the subproject: A concreted canal will have some objectives as follow (i) Facilitate local communities to participate actively in biodiversity conservation, forest protection and reforestation activities of the Project; (ii) Improved livelihoods and contribute to poverty reduction of local communities in A Roang commune through increase markets and social services access; (iii) Contribute to reducing irrigation time and cost thus reduce production cost, reduce the time and

costs of irrigation for agriculture, thus reducing production costs but increase production and income.

IV. Scope of impact

12. The subproject will upgrade the existing canal, with no house, structure, and/or crop and tree have been constructed and/or planted thereon. The subproject also does not require temporary land during the upgrade. Moreover, it will not involve or affect land use and natural resources exploitation of the local ethnic minorities.

13. There are no social impacts expected arising from land acquisition in the subproject in Thua Thien Hue Province. The proposed facilities will be built within the existing respective canal premises, so it is no need to acquire any land. The project will improve working, and living conditions for people. For Concrete A Tau canal, A Roang commune, A Luoi district, Thua Thien Hue province subproject, no land acquisition is required and no third-party user will be affected. Adequate safety measures should be applied by contractor during construction phase to ensure proper operation of the subproject and third-party.

V. Public Consultation

5.1 Objectives of consultation

14. Making consultation with ethnic minority groups in the sub-project area, and other stakeholders, on the basis of determining the potential impacts by the sub-project in order to: i) avoid social conflicts which may arise as a result of the project, ii) avoid / reduce the impacts caused by the project, and iii) to explore opportunities that the project can bring to ensure that ethnic minorities in the sub-project area at present could get economic and social benefits which are consistent with their culture.

5.2 Methods

15. Various inquiry techniques, such as focus groups discussion, key informant interview, field observation, and households survey, were employed to collect feedback from the EM peoples.

16. Inquiry techniques: while using the above inquires techniques, the consultant was aware of the comfort that needs to be maintained with regards to use of language when consulting with the EM peoples. Prior to conducting consultation, check was made to ensure the EM peoples to be consulted have a preference for the language that should be used during the consultation exercise. For this subproject, despite the fact EM people are from A Vuong ... they confirmed before the consultation session that they were comfortable with Viet language. Therefore, the consultation was conducted using Viet language. To ensure language comfort for the EM consulted, each EM groups were consulted separately. A local person (from the same EM group) were invited to join the consultation just in case local EM language is required to maintain

the smooth exchange of information between the EM peoples and the consultant team. The researchers who led the consultation sessions have extensive experience background on EM peoples in Vietnam.

17. The consultation exercise use both household survey, and focus group discussions/community meetings (as mentioned above) during the process of consultation. There were both men and women participating in the consultation. EM women, in particular, were encouraged to raise their comments/questions. Where possible, cultural houses (for community meeting) were used to conduct the consultation (for focus group discussion/ community meetings).

5.3 Organization of consultation

18. The Community consultation for the subproject “Concrete A Tau canal, A Roang commune, A Luoi district, Thua Thien Hue province” was held at the house of Mr. Pa-rat Ngo - Head of A Min village, A Roang commune from 8.30 a.m to 11.30 a.m on September 18, 2015. Representatives of A Roang CPC and leadership (Representatives of the People's Committee, the local staff (01 person), communist party committee (01 person); representatives of commune Fatherland Front (01 person) and Women's Association (01 person); In total, 29 people were consulted; of which 17 men (make up 58%) and 12 women (42%), 04 people is represented for the vulnerable group (make up 13%). Most of the participants are Ta Oi people. Technical support staff of A Luoi district; Thua Thien Hue PPMU staff also joined the consultation meeting

19. Social safeguards Consultant have conducted the open consultation, prior consultation, and dissemination of information consultation for ethnic minorities in the Subproject area. Among these consultations, the Consultant has held separate consultations with ethnic minority women. The topics that have been discussed include: (i) provide information on the subproject, (ii) to learn about the history of natural disasters (floods and drought), the current state of the irrigation canal system, (iii) learn about the current social-economical situation of the Subproject area(iv) the agreement, their support for the Subprojectandmake recommendation so suggestions for Subproject.

5.4 Summary of consultation

20. All participants expected that the sub-project will soon be implemented; agreed on the need to invest in the construction subproject, on the scope, tasks and results of the sub-project as proposed. The suggestions raised by the participants in the meeting also proposed that the sub-project should pay special attention to vulnerable groups such as the female-headed; single women, the poor, children, the disabled, the families under the preferential policy, etc

21. *Summary of the proposed ideas by the EMs in the subproject area:* In the meeting, village patriarch has informed the Consultant that in the upstream of Khe Plo stream (the one which provide water for the subproject canal), there is a holy forest with the area of 1 ha named Rung May (Rattan Forest – due to its dominant plant is rattan). The area used to dominated by big trees but all of them have been burnt by American bombs during the war. Local people do not touch anything from this forest, even small piece of wood for fuel. Rattan have high economical value but non of them haverst rattan from this holy forest. It is noted that construction workers during construction phase should not violate the holy forest – Rung May of local people. In addition, the EMs also proposed that contractors must require workers not to littering. Wastes should be collected and transported to the place specified; Contractors should adopt measures to minimize the impact to the environment in which health policy consultant raised (see detailed report); Project owners, contractors and CPC should cooperate to hire local workers in the work needed unskilled labor, in order to create jobs and income for local people; it is also required that Community Supervision Board (CSB) should mobilize the participation of the commune / village Women's Union.

VI. Grievance redress mechanism and implementation arrangement

22. The CPMU under MONRE authority will coordinate with the Thua Thien Hue PPMU to implement the Project and settle grievance of local people (if any) before, during or after construction. PPCs DPCs CPCs and chiefs of villages and other local social organizations such as the Women's Union, the Fatherland's Front, and traditional EM leaders also take part in grievance redress.

23. Grievances related to any aspect of the subprojects of BCC 2 will be handled through negotiation aimed at achieving resolution. A grievance redress mechanism (GRM) established aim to address grievances, complaints, and queries of local people regarding compensation and adverse impacts (if any) on people including ethnic minorities in a timely and satisfactory manner. Complaints can be in written or in verbal narrative. In the case of verbal complaints, the designated commune or district officials will record the complaint during the first meeting with the complainant.

24. The Thua Thien Hue PPMU officers will serve as grievance officers. The designated commune officials will attempt to settle the issues at the commune level through appropriate community consultations. All meetings will be recorded, and copies will be provided to the complainants. A copy of the minutes of meetings and actions undertaken will also be provided to CPMU and ADB upon request.

25. Under the project, a GRM with three stages was established for seeking resolution of complaints. If grievance is still unresolved, it can be elevated to a court of law for resolution. The complainant will be exempted from all administrative and

legal fees that might be incurred in the resolution of their grievances and complaints. The GRM process is below.

- a. First Stage, Commune People's Committee:** For first complaint, an aggrieved AH may bring his/her complaint to any member of the Commune People's Committee, either through the Village Chief or directly to the CPC, in writing or verbally. It is incumbent upon said member of CPC or the village chief to notify the CPC of the complaint. The CPC will meet personally with the aggrieved AH and will have 10 days following the lodging of the complaint to register it. The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles. Time limit for handling complaints for the first time not exceeding 30 days from the date of registration; for complicated cases, the time limit may be extended but not more than 45 days from the date of registration. In hinterlands and remote areas with difficult access and transportation, the time limit for appeal is 45 days from the date of acceptance; for complicated cases, the time limit may be extended but not more than 60 days from the date of acceptance (Article 28, Law No. 02/2011/QH13 dated on Nov. 11th 2011). During 30 days (or not more than 45 days for hinterlands and remote areas with difficult access and transportation) from the expiration day for settlement of complaint, if first complaint is not resolved, or from the day the complaint receives the decision of first complaint settlement if the complainant does not agree with it, they can complain secondly to the District People's Committee, or can initiate a lawsuit people's court.
- b. Second Stage, District People's Committee:** if persons with related interests and obligations disagree with those administrative decisions or administrative acts, they may file a complaint to the District People's Committees, District People's Committee president shall handle the complaint within the time limit prescribed by the Law on Complaints. Settlement decisions of the District People's Committee president shall be made public and sent to the complainant and other persons with related interests and obligations, (iv) Within forty-five (45) days from the date of receipt of settlement decisions of the district People's Committee president that the complainant does not agree with the settlement decision, they may initiate a lawsuit people's court or complain to the Provincial People's Committees. The time limit for appeal maybe longer but not more than 60 days from the date of acceptance for complicated case. In remote areas with difficult access, the time limit for appeal not exceeding 60 days from the date of acceptance; for complicated cases, the time limit for appeal may be longer, but not too 70 days from the date of acceptance (Article 37, Grievance Law No. 02/2011/QH13 dated on Nov. 11th 2011) and Agency receiving the complaint shall be responsible for recording the entire track of settling complaints.
- c. Third Stage, Provincial People's Committee:** if persons with related interests and obligations disagree with the administrative decisions or administrative acts, they may file a complaint to the Provincial- People's

Committees, President of the provincial People's Committee shall resolve the complaint within the time limit prescribed by the Law on Complaints, Complaint settlement decisions of the provincial-level People's Committee president shall be made public and sent to the complainant and other persons with related interests and obligations,.

- d. Final Stage, the Court of Law Arbitrates:** Within forty-five (45) days from the date of receipt of settlement decisions of the provincial-level People's Committee president that the complainants do not agree with the settlement decision, they may sue in people's Court. The time limit for appeal maybe longer but not more than 60 days from the date of acceptance for complicated case. In remote areas with difficult access, the time limit for appeal not exceeding 60 days from the date of acceptance; for complicated cases, the time limit for appeal may be longer, but not too 70 days from the date of acceptance. Agency receiving the complaint shall be responsible for recording the entire track of settling complaints.

26. The grievance redress mechanism has been disclosed to APs during consultation process and will be continuously disseminated to people during project implementation.
27. All grievance and resolution of grievances, if any will be subject to monitoring. Internal monitoring will follow-up the progress of resolution of grievances, and compliance with the overall social safeguards policy. Monitoring of the grievances will be in a form of a completion report. External monitoring is not required.

Appendix 1: Involuntary Resettlement Impact Categorization Checklist

Project: **Greater Mekong Subregion Biodiversity Conservation Corridors Project - Phase 2 (BCC project)**

Subproject: **Concrete A Tau canal, A Roang commune, A Luoi district, Thua Thien Hue province**

Province: **Thua Thien Hue**

District: **A Luoi**

Commune: **A Roang**

CATEGORY: C

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Remarks
Involuntary Acquisition of Land				
1. Will there be land acquisition?		X		
2. Is the site for land acquisition known?	X			
3. Is the ownership status and current usage of land to be acquired known?	X			
4. Will easement be utilized within an existing Right of Way (ROW)?		X		Village patriarch has informed the Consultant that in the upstream of Khe Plo stream (the one which provide water for the subproject canal), there is a holy forest with the area of 1 ha named Rung May (Rattan Forest – due to its dominant plant is rattan). The area used to dominated by big trees but all of them have been burnt by American bombs during the war. Local people do not touch anything from this forest, even small piece of wood for fuel. . It is noted that construction workers during construction phase should not violate the holy forest – Rung May of local people.
5. Will there be loss of shelter and residential land due to land acquisition?		X		
6. Will there be loss of agricultural and other productive assets due to land acquisition?		x		
7. Will there be losses of crops, trees, and fixed assets due to land acquisition?		X		
8. Will there be loss of businesses or enterprises due to land acquisition?		X		

9. Will there be loss of income sources and means of livelihoods due to land acquisition?		X		
Involuntary restrictions on land use or on access to legally designated parks and protected areas				
10. Will people lose access to natural resources, communal facilities and services?		X		
11. If land use is changed, will it have an adverse impact on social and economic activities?		X		
12. Will access to land and resources owned communally or by the state be restricted?		X		
Information on Displaced Persons				No households displaced
Any estimate of the likely number of persons that will be displaced by the Project? [X]No []Yes				
If yes, approximately how many? _____				
Are any of them poor, female-heads of households, or vulnerable to poverty risks? [X]No []Yes				
Are any displaced persons from indigenous or ethnic minority groups? [X]No []Yes				

Note: The project team may attach additional information on the project, as necessary.

Appendix 1: Indigenous Peoples Impact Screening Checklist

Project: **Greater Mekong Subregion Biodiversity Conservation Corridors Project - Phase 2 (BCC project)**

Subproject: **Concrete A Tau canal, A Roang commune, A Luoi district, Thua Thien Hue province**

Province: **Thua Thien Hue**

District: **A Luoi**

Commune: **A Roang**

CATEGORY: B

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	Remarks
A. Indigenous Peoples Identification				
1. Are there socio-cultural group present in or use the project areas who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities) or “indigenous communities” in the project area?	✓			there are ethnic minorities live in subprojetc
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities?		✓		
3. Do such groups self-identity as taking part of a distinct social and cultural group?	✓			They belong to the 54 different ethnic minorities in the country.
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		✓		The land being used by commune for public purposes where the ethnic minorities has no collective attachments.
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?	✓			Such groups maintain cultural, economic, social, and political institutions distinct from the dominant

				society and culture.
6. Do such groups speak a distinct language or dialect?	✓			Ethnic minority speak dialects distinct from the mainstream society.
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?		✓		Such groups are socially and economically marginalized due to their geographic location.
8. Are such groups represented as “Indigenous Peoples” or as “ethnic minorities” or “scheduled tribes” or “tribal populations” in any formal decision-making bodies at the national or local levels?	✓			Such groups are represented as “ethnic minorities” in formal decision-making bodies at the national or local levels.
B. Identification of Potential Impacts				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?	✓			The indigenous communities will directly benefit from the Project
10. Will the project directly or indirectly affect Indigenous Peoples’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance?)	✓			The project shall only improve quality of living on but will not impose changes in sociocultural practices of ethnic minorities.
11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g. food production system, natural resource management, crafts and trade, employment status)		✓		The construction of subproject will be done in land public.
12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?		✓		The sub-project area is inside the land public.

Appendix 3: Minutes of consultation

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

BIÊN BẢN HỘI NGHỊ THAM VẤN ĐÁNH GIÁ AN TOÀN
MÔI TRƯỜNG, AN TOÀN XÃ HỘI VÀ GIỚI

Công trình: “ Bê tông hóa kênh mương A Tầu”

I. THỜI GIAN, ĐỊA ĐIỂM

- Từ 08 h 30 đến 11 h30 ngày 18/9 / 2015 tại nhà ông Pa-rat Ngô - Trưởng thôn A-min, xã A Roàng, huyện A Lưới, tỉnh TT Huế.

II. THÀNH PHẦN

1.1. Chủ trì Hội nghị

1. Ban quản lý dự án tỉnh:

- Ông (Bà): Văn Đức Chung Chức vụ: Điều phối viên
- Ông (Bà): Vương Quang Hoàng Chức vụ: Cán bộ hiện trường – Thư ký

2. UBND xã A Roàng:

- Ông (Bà): Hồ A Lua Chức vụ: Phó Chủ tịch UBND xã

3. UBMTTQ xã:

- Ông (Bà): Ka Lum Sinh Chức vụ: Chủ tịch

4. Ban/ĐVTH DA xã A Roàng :

- Ông (Bà): Hồ Văn Nôm Chức vụ: Thành viên

1.2. Thành phần tham dự khác

- Đại diện cộng đồng thôn A- min (*danh sách hộ dân tham gia kèm theo*)
 - Nhà thầu tư vấn: Công ty Cổ phần tư vấn xây dựng và dịch vụ thương mại Hà Nội
- Ông (Bà): Võ Sỹ Quyền Chức vụ: Giám đốc
 - Ông (Bà):..... Chức vụ:.....

III. DIỄN BIẾN HỘI NGHỊ

- Nêu lý do tổ chức và chương trình hội nghị tham vấn cộng đồng, giới thiệu thành phần tham dự, giới thiệu về dự án BCC.
- Giới thiệu tóm tắt về những hạng mục thi công chính: Tổng chiều dài 500 m, B=40cm, H=60cm, dày 15cm.
- Giới thiệu những tác động chính đến môi trường tự nhiên và xã hội trong quá trình giải phóng mặt bằng, thi công công trình và đưa vào sử dụng; các biện pháp giảm thiểu; công trình xử lý và quá trình giám sát;
 - Tác động đến môi trường:
 - Tác động từ quá trình tập kết nguyên vật liệu làm phát sinh bụi, tiếng ồn, ảnh hưởng tới chất lượng nước và thảm thực vật.
 - Ô nhiễm đất và nước ngầm do rác thải và dầu thải;
 - Tiếng ồn phát sinh từ máy móc, thiết bị thi công.
 - Tác động về DTTS
 - Vấn đề về an toàn giao thông, hoạt động thương mại.
 - Tác động xã hội không mong muốn và điều kiện vệ sinh môi trường bị thay đổi.
 - Tác động về giới
 - Phụ nữ tham gia vào lao động địa phương với đàn ông có thể gặp phải sự chênh lệch trong việc chi trả cho cùng một loại công việc thực hiện và thời gian đã bỏ ra của cả 2 bên;

- Sự ảnh hưởng của công nhân xây dựng từ các nơi khác, gần như phụ nữ dễ bị tổn thương khi rơi vào các mối quan hệ thân mật với công nhân và có thể dẫn tới các bệnh STDs và HIV/AIDS, thêm đó phụ nữ, đặc biệt là phụ nữ dân tộc có thể trở thành nạn nhân của nạn bắt cóc phụ nữ.
- Phụ nữ có thể không chia sẻ được quan điểm và ý kiến trong cuộc họp về việc tiểu dự án cơ sở hạ tầng nên được xây dựng và sửa chữa như thế nào do họ có nhận thức kém về các thuật ngữ kỹ thuật về công nghệ.
- Phụ nữ không được huy động là nhân viên của ban giám sát cộng đồng.
- Nam giới có thể không cho phép vợ của họ tham gia vào việc xây dựng, nâng cấp cơ sở hạ tầng.
- Báo cáo liên quan đến dữ liệu về giới có thể không được phân tách.
- 4- Cộng đồng tham gia ý kiến.
- 5- Chủ trì Hội nghị kết luận những nội dung chính;

IV. KẾT QUẢ HỘI NGHỊ

Ghi nhận về các tác động môi trường, tác động xã hội và giới và các biện pháp giảm thiểu cần được quan tâm xem xét:

Chủ đề	Điểm nhấn của buổi thảo luận/ Miêu tả các vấn đề / kiến nghị	Kế hoạch hành động/ hoạt động tương lai
1. Môi trường		
	Tác động từ quá trình tập kết nguyên vật liệu làm phát sinh bụi, tiếng ồn, ảnh hưởng tới chất lượng nước và thảm thực vật	Nhà thầu phải: - Cung cấp thông tin công khai tới người dân; - Không lưu trữ đất đào, đắp trong thời gian dài, vận chuyển đất thải tới khu vực quy định càng sớm càng tốt; - Hạn chế tối đa lượng vật liệu xây dựng lưu giữ trong kho/ khu vực thi công; - Đảm bảo sử dụng các máy móc, thiết bị có tình trạng hoạt động tốt; - Đổ cát ở những chỗ lầy lội, thấp; - Yêu cầu đường đổ bê tông phải chắc chắn, ở đây đường xây dựng chưa đến 1 năm đã xuống cấp; - Thu gom rác thải sinh hoạt; - Xây dựng lán trại cần phải có sự thống nhất của thôn, xã.
	Ô nhiễm đất và nước ngầm do rác thải và dầu thải	- Lưu giữ rác và dầu thải ở nơi an toàn, trong các thùng/ thiết bị chứa chuyên dụng và có mái che; - Sử dụng nhà vệ sinh di động, trong các tiêu chuẩn của Bộ Y tế và đảm bảo các lán trại thi công có đủ điều kiện cho sinh hoạt, vệ sinh.; - Không rửa các thiết bị máy móc thi công trên công trường để tránh rửa trôi dầu, mỡ. - Nước thải và dầu mỡ bị rửa trôi phải được kiểm soát theo quy định của nhà nước về chất thải nguy hại và nước thải; - Thường xuyên thu gom và giữ gìn vệ sinh khu vực thi công.

	Tiếng ồn phát sinh từ máy móc, thiết bị thi công	<ul style="list-style-type: none"> - Đảm bảo thiết bị xây dựng và phương tiện giao thông thường xuyên được bảo dưỡng; - Tiến độ và kế hoạch thi công được thông báo rộng rãi tới cộng đồng trong thôn ít nhất 10 ngày trước khi thi công; - Thực hiện việc thu thập thông tin và phản hồi từ cộng đồng.
II. Tác động về DTTS		
	Vấn đề về an toàn giao thông, hoạt động thương mại	<ul style="list-style-type: none"> - Cài đặt biển báo hiệu, đèn chiếu sáng và bố trí công nhân tại công trình để kiểm soát giao thông; - Định kỳ thông báo kế hoạch xây dựng tại mỗi khu vực dọc theo các tuyến đường; - Không vận chuyển vật liệu xây dựng cho các công trình xây dựng trong thời gian 18:00 - 6:00; - Giới hạn vận tốc của phương tiện giao thông trên đường và tránh các hoạt động trong giờ cao điểm.
	Tác động xã hội không mong muốn và điều kiện vệ sinh môi trường bị thay đổi	<ul style="list-style-type: none"> - Tham khảo các ý kiến cán bộ địa phương để xem xét khả năng cho thuê nhà cho công nhân thay vì việc xây dựng có trại; - Đảm bảo các lán trại có điều kiện vệ sinh tốt; - Cung cấp hướng dẫn cho công nhân trong cách giao tiếp với cộng đồng địa phương, tuân thủ pháp luật và phong tục truyền thống và văn hóa tại địa phương và thực hiện các chương trình giáo dục về vệ sinh môi trường/ phương tiện vệ sinh và các bệnh qua tiếp xúc; - Cảnh công nhân khai thác tài nguyên thiên nhiên; Thực hiện các phong trào về phòng, truyền thông về HIV/ AIDS và vi phạm xã hội như buôn lậu, mại dâm, bạo lực và trộm cắp.
III. Giới		
	1. Phụ nữ tham gia vào lao động địa phương với dân ông có thể gặp phải sự chênh lệch trong việc chi trả cho cùng một loại công việc thực hiện và thời gian đã bỏ ra của cả 2 bên	<ul style="list-style-type: none"> - Phụ nữ sẽ được chi trả công bằng như nam giới với cùng một khối lượng và loại công việc và thời gian dành cho công việc đó. Ngoài ra, việc chi trả lương đúng thời hạn cần được thực hiện cho phụ nữ - Đảm bảo rằng lao động nữ sẽ có đủ các biện pháp an toàn và phòng hộ cũng như vật dụng khi làm việc - Kế hoạch xây dựng phải xem xét các công việc nhà và sinh sản của phụ nữ - Đảm bảo nhà thầu không thuê lao động trẻ em
	2. Với sự ảnh hưởng của công nhân xây dựng từ các nơi khác, gần như phụ nữ dễ bị tổn thương khi rơi vào các mối quan hệ thân mật với công nhân và có thể dẫn tới các bệnh STDs và HIV/AIDS, thêm đó phụ nữ, đặc biệt là phụ nữ dân tộc có thể trở thành nạn nhân của nạn bắt cóc phụ nữ	<ul style="list-style-type: none"> - Định hướng cho nam giới và đặc biệt là phụ nữ DTTS, nhà thầu và công nhân xây dựng về STDs, HIV/AIDS và bắt cóc phụ nữ bao gồm cả sự trừng phạt tương ứng theo pháp luật; - Sản xuất các tài liệu IEC trong bối cảnh địa phương với tình hình hiện tại ở làng/ xã; ngoài ra với bối cảnh trình độ học vấn thấp của phụ nữ DTTS

3. Phụ nữ có thể không chia sẻ được quan điểm và ý kiến trong cuộc họp về việc tiểu dự án cơ sở hạ tầng nên được xây dựng và sửa chữa như thế nào do họ có nhận thức kém về các thuật ngữ kỹ thuật về công nghệ	- Khuyến khích phụ nữ chia sẻ quan điểm và ý kiến của họ trong suốt cuộc họp về các TDA cơ sở hạ tầng nên được xây dựng và sửa chữa như thế nào và định hướng họ về các vấn đề của việc xây dựng/ nâng cấp cơ sở hạ tầng - Hỏi phụ nữ về những suy nghĩ của họ về vai trò và trách nhiệm trong suốt quá trình thực hiện và trong việc vận hành bảo trì (O&M)
4. Phụ nữ không được huy động là nhân viên của các ban giám sát và quản lý cấp thôn/ dự án	- Huy động sự tham gia của ít nhất 30% phụ nữ hưởng lợi tiểu dự án để họ là thành viên của các ban giám sát, vận hành và bảo trì
5. Nam giới có thể không cho phép vợ của họ tham gia vào việc xây dựng/ nâng cấp cơ sở hạ tầng. Tỷ lệ bạo lực gia đình	- Tiến hành buổi tập huấn/ hội thảo về nhạy cảm giới với cả nam và nữ để nâng cao nhận thức và hỗ trợ của đàn ông đối với các hoạt động lồng ghép giới. - Định hướng nam giới và phụ nữ về luật bạo lực gia đình năm 1989
6. báo cáo liên quan đến dữ liệu về giới có thể không được phân tách	Phân tách dữ liệu của báo cáo hoàn thành/ tiến độ dựa trên giới, dân tộc và nhóm dễ tổn thương

Hội nghị tham vấn cộng đồng kết thúc vào lúc 11 h 30 cùng ngày.
Biên bản được thông qua.

 <p>ĐẠI DIỆN UBND XÃ A ROÀNG</p> <p><i>PHÓ CHỦ TỊCH</i> <i>H. A. Pua</i></p>	<p>ĐẠI DIỆN UBMTTQ XÃ A ROÀNG</p> <p><i>Ka Laro Sil</i></p>
<p>ĐẠI DIỆN THÔN A MIN</p> <p><i>Nguyễn Văn Khoa</i></p>	<p>ĐẠI DIỆN DỰ ÁN BCC Ban QLDA tỉnh ĐVTHTDA xã</p> <p><i>Nguyễn Văn Khoa</i> <i>Hồ Thị Năm</i></p>
<p>ĐẠI DIỆN ĐƠN VỊ TƯ VẤN</p>	

DANH SÁCH NGƯỜI THAM GIA HỘI NGHỊ THAM VẤN ĐÁNH GIÁ AN TOÀN MÔI TRƯỜNG, AN TOÀN XÃ HỘI VÀ GIỚI

Tên công trình/ Tiêu dự án: Bể Tổng hóa kênh mương A Tân
 Tổng số người hưởng lợi: 52 Hộ 261 Người
 Hoạt động: Đánh giá an toàn môi trường và xã hội
 Ngày thực hiện:

Tên người hưởng lợi	Tổ chức hoặc Nhóm đại diện		Giới tính		Nhóm dân tộc		Nhóm dễ tổn thương			Số Tiền (Đồng)	Chức vụ
	Nghề nghiệp	Chức vụ	Nam	Nữ	Kinh	Nhóm DTTS	Người già	Thanh niên	Người tàn tật		
1. RA. Pô. Mỹ. Diên		Trưởng thôn	✓			Tổ Gi					Chủ tịch
2. H. K. T. Diên			✓								Phó
3. H. K. T. Diên				✓							Phó
4. H. K. T. Diên											Phó
5. H. K. T. Diên			✓								Phó
6. H. K. T. Diên				✓							Phó
7. H. K. T. Diên				✓							Phó
8. H. K. T. Diên				✓							Phó
9. H. K. T. Diên			✓								Phó
10. H. K. T. Diên			✓								Phó
11. H. K. T. Diên				✓							Phó
12. H. K. T. Diên			✓								Phó
13. H. K. T. Diên				✓							Phó
14. H. K. T. Diên			✓								Phó
15. H. K. T. Diên			✓								Phó
16. H. K. T. Diên				✓							Phó
17. H. K. T. Diên			✓								Phó
18. H. K. T. Diên				✓							Phó
19. H. K. T. Diên			✓								Phó
20. H. K. T. Diên				✓							Phó

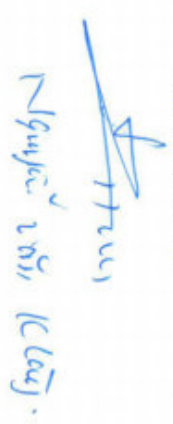
For
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Ghi chú bởi:
Dại diện DVTHDA BCC xã

mod -
kh. va. Nấm

Dại diện thôn A Min



Appendix 2: Minutes of Consultation Meeting

The list of rural households A Ho, C 9-A Min 2 participated in consultation meetings in the Cultural Village A Ho, dated 28.01.2016

Number	Full Name	Male	Female	Ethnic	Component	Note
1	Nguyễn Thị Nhường		X	Tà Ôi	Village private secretary of Party Cells	
2	Hồ Thị Pứa		X	Tà Ôi	Poor household	
3	Viên Thị Huệ		X	Tà Ôi	Representative of youth union	
4	Quỳnh Plim	X		Tà Ôi	Representative of village patriarch	
5	Viên Thị Nhi		X	Tà Ôi	Poor household	
6	Hồ Thị Đôn		X	Tà Ôi	Poor household	
7	A Kiêng Thị Ngát		X	Tà Ôi	Poor household	
8	A Kiêng Thị Lúc		X	Tà Ôi	Village Police	
9	Kăn Thúc	X		Tà Ôi	Fatherland Front	
10	Blúp Thị Loan		X	Tà Ôi	Village Women Associations	
11	Hồ Thị Hân		X	Tà Ôi	Farmers Associations	
12	Nguyễn Thị Xíu		X	Tà Ôi	Poor household	
13	Trần Thị Thiên		X	Tà Ôi	Poor household	
14	Quỳnh Chê	X		Tà Ôi	Poor household	
15	Klum Ư	X		Tà Ôi	Poor household	
16	Hồ A Lua	X		Tà Ôi	Vice Chairman of A Roang CPC	