

# Resettlement Plan Addendum

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Resettlement Plan Addendum for Nha Be, Can Gio and Binh Chanh Districts  
(Ho Chi Minh City)  
July 2020

VIE: Greater Mekong Subregion - Ben Luc-Long  
Thanh Expressway Project (Tranche 1)

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**SOCIALIST REPUBLIC OF VIETNAM**

**MINISTRY OF TRANSPORT**

**Vietnam Expressway Corporation (VEC)**



**Addendum to the Updated Resettlement Plans  
for Nha Be, Can Gio and Binh Chanh Districts  
(Ho Chi Minh City)**

*(Tranche 1)*

**Greater Mekong Sub region (GMS)**

**Ben Luc – Long Thanh Expressway Project**

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## **LIST OF ABBREVIATIONS**

ADB	Asian Development Bank
AHs	Affected Households
APs	Affected Persons
BLLT	Ben Luc- Long Thanh Expressway Project
CLFD	Centre for Land Fund Development
CPC	Commune People's Committee
DCCSC	District Committee for Compensation and Site Clearance
DMS	Detailed Measurement Survey
DPC	District People's Committee
EMA	External Monitoring Agency
GRM	Grievance Redress Mechanism
IOL	Inventory of Losses
IRP	Income Restoration Program
SES	Socio – Economic Survey
LURC	Land Use Rights Certificate
PIB	Project Information Booklet
SEPMU	Southern Expressway Project Management Unit
RCS	Replacement Cost Study
RP	Resettlement Plan
URP	Updated Resettlement Plan
VEC	Viet Nam Expressway Corporation
VND	Vietnam Dong (currency)
USD	US Dollar

## **CURRENCY EQUIVALENTS**

(As of 21<sup>st</sup>, February 2020)

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

\$1 = 23,160 VND

## GLOSSARY

<b>Affected person (AP)</b>	:	Means any person or persons, household, firm, private or public institution that, on account of changes resulting from the project, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, 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. APs residing under one roof and operating as a single economic unit are collectively referred to as an affected household (AH).
<b>Cut-off date</b>	:	Is the date when Ho Chi Minh City People's Committee issues the Notification of Land acquisition for the relevant project (Article 67.1 of Land Law 2013) before implementation of detailed measurement survey. A census survey done before the cut-off date is announced to establish a list of potential AHs.
<b>Compensation</b>	:	Means payment in cash or in kind to replace losses of lands, housing, income and other assets caused by a 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.
<b>Detailed Measurement Survey (DMS)</b>	:	With the use of approved detailed engineering drawings, this activity involves the finalization and/or validation of the results of the IOL, severity of impacts, and list of APs done during preparing of the resettlement plan. The final cost of resettlement is determined following completion of the DMS.
<b>Eligibility</b>	:	Means any person or persons, household, firm, private or public institution who has settled in the project area before the cut-off date, that (i) loss of shelter, (ii) loss of assets or ability to access such assets, permanently or temporary, or (iii) loss of income sources or mean of livelihood, regardless of relocation will be entitled to be compensation and/or assistance.
<b>Entitlements</b>	:	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.
<b>Income Restoration</b>	:	Re-establishing productive livelihood of APs to enable income generation equal to or, if possible, better than that earned by the affected persons before being affected.
<b>Income Restoration Program</b>	:	A program with various interrelated activities that aims to support severely affected and vulnerable households in the difficult task of restoring their standards of living to at least pre-project levels through measures that involve enhancing productivity with the remaining human and material assets of the AHs, and/or engaging in new or supplementary livelihood activities The program is designed to suit the specific needs of the participating AHs and is subject to

	opportunities and resources available to the AHs where they are located.
<b>Involuntary Resettlement</b>	: Resettlement is involuntary when the APs have no right to refuse the land acquisition by the state that result in their displacement. This occurs when land is acquired through (i) expropriation by invoking the eminent domain power of the state, or (ii) land is acquired through negotiated settlement when the pricing is negotiated in a process where expropriation will be the consequence of a failure in the negotiation.
<b>Land acquisition</b>	: 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.
<b>Relocation</b>	: This is the physical displacement of an AP from his/her pre- project place of residence and/or business.
<b>Relocation Assistance</b>	: Support provided to persons who are physically displaced by the project. Relocation assistance may include transportation, food, shelter, and social services that are provided to the displaced persons during their relocation. It may also include cash allowances that compensate APs for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost work days.
<b>Replacement cost</b>	: Means the amount in cash or in kind needed to replace an asset in its existing condition, without deduction of transaction costs or depreciation and salvageable materials, at prevailing current market value at the time of compensation payment.
<b>Replacement Cost Study (RCS)</b>	: This refers to the process involved in determining replacement costs of affected assets based on empirical data.
<b>Resettlement</b>	: Refers to various measures provided to APs or AHs to mitigate any and all adverse social impacts of the project, including compensation, assistance, relocation (where relevant), and rehabilitation as needed.
<b>Resettlement Plan - RP</b>	: A time-bound action plan that includes objectives, principles, entitlements, specific activities, responsibilities of concerned agencies, groups and individuals, and budget for addressing the displacement of people from assets, sources of incomes, homes, and communities towards reconstructing their disrupted lives and improving or restoring their standards of living to at least pre-displacement levels.
<b>Severely affected Households</b>	: This refers to AHs who (i) lose 10% or more of their productive, income generating assets, or (ii) who must relocate (physically displaced).
<b>Vulnerable groups</b>	: These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized due to the project and specifically include: (i) female-headed households with dependents, (ii) households headed by elderly or disabled person with no other means of support, (iii) households falling under the



generally accepted indicator for poverty, (iv) landless households, and (v) ethnic minorities.

## **EXECUTIVE SUMMARY**

1. *The Ben Luc-Long Thanh Expressway Project (BLLT) is one of the 16 expressways under Eastern North-South Expressway as per “Development planning of Vietnam expressway network toward 2020 and the vision after 2020 and “Detailed planning of Eastern North-South Expressway”, approved by the Prime Minister through Decision No. 1734/QĐ-TTg, dated 01 December 2008 and Decision No. 140/QĐ-TTg, dated 21 January 2010. Vietnam Expressway Corporation (VEC) is the Executing Agency of the Project.*
2. *As per the requirement of the Safeguard Policy Statement (SPS, 2009) of the Asian Development Bank (ADB), the Resettlement Plans (RPs) for Nha Be, Can Gio and Binh Chanh Districts were prepared and approved in 2010. In 2014, the RPs for the project districts were updated, following the completion of the detailed engineering design of the expressway and agreed by the Government of Vietnam and ADB. The updated RP was implemented in 2014.*
3. *In 2012, due to technical adjustment and local road expansion, VEC and local authorities discussed and agreed that some areas along the highway running across Nha Be, Can Gio and Binh Chanh Districts (Ho Chi Minh City) need to be acquired additionally. The Addendum to the agreed 2014 URPs for these districts; therefore, is required to be prepared.*
4. *The total area of the affected land due to the additional land acquisition in the districts is 16,877.8 m<sup>2</sup> belonging to 54 affected households (AHs) (285 persons) in Nhon Duc and Long Thoi communes (Nha Be District), Binh Khanh commune (Can Gio District) and Da Phuoc Commune (Binh Chanh District). The affected land includes 15,846.9 m<sup>2</sup> of agricultural land and 1,030.9 m<sup>2</sup> of residential land.*
5. *Among 54 AHs due to the additional land acquisition of the Project, there are 09 newly AHs<sup>1</sup> and 45AHs who have been affected previously by the Project. The Detailed Measurement Survey (DMS) results indicated that 41 AHs<sup>2</sup> (237 persons) lose from more than 10% of total agricultural landholding of the household, of which 37 AHs (216 persons) were severely affected by the previous land acquisition and this additional land acquisition does not increase the severity of impact on agricultural land of the households (31%-70%). Five (05) households (20 persons) have houses fully affected so the households have to relocate. All the five relocation households opted to self-relocation. The DMS results confirmed that none of the 54 AHs belong to vulnerable groups.*
6. *This URP Addendum is prepared to cover the land acquisition and resettlement impacts of these 54 AHs by the Project. The compensation, assistance and resettlement policy applied for the AHs is conformity with this of the agreed 2014 URPs for Nha Be, Can Giuoc and Binh Chanh Districts. In the cases where the regulations issued by the Ho Chi Minh City People’s Committee (PC) provide better entitlements for compensation*

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<sup>1</sup> There is one unknown land-owner. The land-owner could not be found during implementation of land acquisition and compensation by SEP/VEC, District Center for Land Fund Development and local authorities.

<sup>2</sup> Included 03 AHs (16 APs) that affected by both losing more than 10% of total agricultural land holding of the household and also being relocated.

*and assistance for the AHs by the additional land acquisition of the Project, the better entitlements provided by the Ho Chi Minh City PC's regulations shall be applied. Compensation unit price for the affected land and the assets on land is compliant with the principle of replacement cost.*

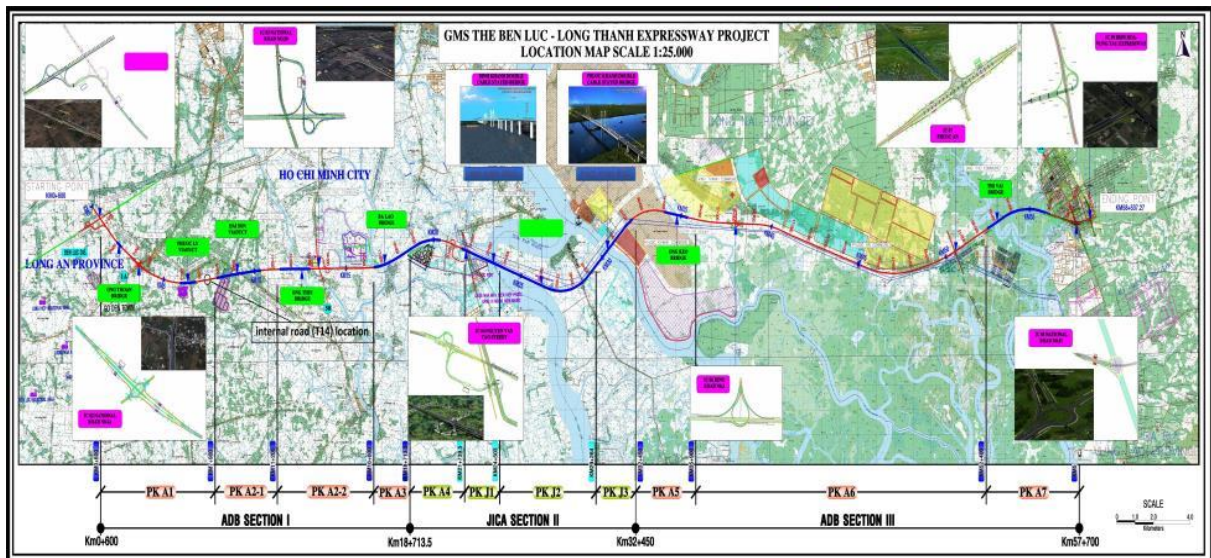
7. *During planning of land acquisition, compensation and assistance for the AHs from 2012 to 2014, two rounds of public consultations were conducted by VEC and local authorities with the AHs and the communities in Nhon Duc, Long Thoi communes (Nha Be District), Binh Khanh commune (Can Gio District) and Da Phuoc commune (Binh Chanh District).*
8. *Copies of the Project Information Booklets (PIBs) were prepared and delivered to the participants in the consultation meetings. The information that was disclosed to and discussed with AHs and relevant stakeholders includes: (i) summary of the additional land acquisition impacts of the AHs; (ii) entitlements on compensation, and assistance for the AHs; (iii) the project level grievance redress mechanism (GRM); and (iv) implementation schedule of the land acquisition, compensation, and assistance for 54 AHs.*
9. *During preparation of the URP Addendum in November 2019, additional consultations were also conducted with the AHs to provide information to and consult with the AHs about the implemented land acquisition, compensation and assistance of the Project in the affected communes of Nha Be, Can Gio and Binh Chanh Districts. Additionally, another meeting was held after the draft URP Addendum was prepared to discuss with the AHs about their comments on the draft version of the Addendum.*
10. *After this URP Addendum is acceptable to the ADB, the document will be uploaded on the ADB and VEC's websites. The Vietnamese version of the URP Addendum will be also posted in the Commune People's Committee (CPC) headquarters and other public places.*
11. *The GRM complies with this outlined in the agreed 2014 URPs for the districts. This mechanism has been presented in the PIB and discussed with the AHs in the public consultation meetings conducted during the preparation of the URP Addendum. To date, there is no grievance lodged by the affected households and local community related to the additional land acquisition, compensation and assistance in Nha Be, Can Gio and Binh Chanh Districts of Ho Chi Minh City.*
12. *The calculated budget for compensation, assistance, resettlement, Income Restore Program (IRP) and administrative cost for 54 AHs in Nha Be, Can Gio and Binh Chanh Districts is VND24,680,284,752 (equivalent to \$ 1,065,642.7). Compensation and assistance for the affected households were made in June 2017. The support of Income Restoration Program has been provided to eligible households in Can Gio and Nha Be Districts; however, the program has not yet been implemented for the eligible households in Binh Chanh District. The additionally affected land was handed-over by the affected households to the Project in March, 2018.*
13. *VEC, through its Southern Expressway Project Management Unit (SEPMU) is overall responsible for the land acquisition, compensation and assistance of the Project. A Site Clearance and Planning Unit under the SEPMU has been established to provide guidance to the District Committees for Compensation and Site Clearance (DCCSCs) of Nha Be, Can Gio and Binh Chanh Districts in planning, implementation and monitoring of land acquisition, compensation, assistance and resettlement. For this reason, personnel from the SEPMU have represented VEC in the DCCSCs.*

14. *The local authorities of Ho Chi Minh City in coordination with the SEPMU and with the assistance from the Project Support Consultant (PSC) are responsible for implementing the URP Addendum. The mechanism of monitoring and evaluation of the implementation of the URP Addendum is compliant with the provisions set out in the agreed 2014 URPs for Nha Be, Can Gio and Binh Chanh Districts of Ho Chi Minh City.*

## I. PROJECT DESCRIPTION

1. The Ben Luc - Long Thanh Expressway Project has an overall length of 57.1 km. It traverses through 16 Communes in 7 Districts of 3 Provinces. This expressway starts from My Yen Commune and part of an access-road in Tan Buu Commune in Ben Luc District, Phuoc Ly commune and Long Thuong commune in Can Giuoc District of Long An Province; and traverses through Binh Chanh Commune, Tan Quy Tay Commune, Hung Long Commune, Da Phuoc Commune in Binh Chanh District; Nhon Duc Commune, Long Thoi Commune in Nha Be District, and Binh Khanh Commune in Can Gio District of Ho Chi Minh City; then goes through Phuoc Khanh commune, Vinh Thanh Commune, Phuoc An Commune in Nhon Trach District, Long Phuoc Commune, and ends at Phuoc Thai Commune in Long Thanh District of Dong Nai Province. The right of way and land acquisition area along the route varies from 56m - 73m wide.
2. The project expressway is divided into three sections:
  - Western section- called Tranche 1 (19.8 km), this part is financed by ADB, falls in Dong Nai province and Ho Chi Minh City;
  - Middle section II- This section is financed by Japan International Cooperation Agency (JICA) with a total length of 11.0 km, including Bridge over Roai Sap river), and this section is a part of Tranche 1 for reporting purpose,
  - Eastern section III- Called Tranche 2(26.3 km). The entire expressway of Tranche 2 section falls in Long An Province.
3. The project lay out is presented as Figure 1.

**Figure 1: Layout of the Project**



4. The RPs for Nha Be, Can Gio and Binh Chanh Districts were prepared in 2010 and updated in 2014. In 2012, due to some technical issues, VEC and local authorities discussed and agreed that some areas in the districts need to be additionally acquired for the Project. Therefore, the Addendum to the agreed 2014 URPs for Nha Be, Can Gio and Binh Chanh Districts(Ho Chi Minh City) is required to be prepared.

## II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT IMPACTS

5. According to the results of the DMS conducted from 2012 to 2013, a total of 54 households (285 persons) are affected by the additional land acquisition and resettlement of the Project in Nha Be, Can Gio and Binh Chanh Districts (Ho Chi Minh City). Among these AHs, all of them have land affected and 49 AHs (263 persons) have crops and trees affected by the additional land acquisition of the Project.
6. Among 54 AHs due to the additional land acquisition of the Project, 09 AHs are newly AHs and 45 AHs have been affected by the previous land acquisition of the Project.
7. The number of AHs and the number of APs in the districts disaggregated by type of loss and by commune are shown in Table 1.

**Table 1 - Number of Affected Households and Affected Persons by Type of Loss<sup>3</sup>**

Districts	Communes	Households with Loss of Land		Households with Loss of Crops and Trees		Households with Loss of Structures	
		No. of AHs	No. of APs	No. of AHs	No. of APs	No. of AHs	No. of APs
Nha Be	Nhon Duc	01	05	01	05	-	-
	Long Thoi	17	89	16	83	-	-
Can Gio	Binh Khanh <sup>4</sup>	29	163	29	163	5	38
Binh Chanh	Da Phuoc	7	28	3	12	5	20
<b>Total</b>		<b>54</b>	<b>285</b>	<b>49</b>	<b>263</b>	<b>10</b>	<b>58</b>

*Source: DMS Results, 2012 - 2013*

### 2.1. Impacts on lands

8. The area to be additionally acquired of the AHs in Nha Be, Can Gio and Binh Chanh Districts is 16,877.8 m<sup>2</sup> including 15,846.9 m<sup>2</sup> of agricultural land of 54 AHs (285 APs) and 1,030.9 m<sup>2</sup> of residential land of 05 AHs (20 APs). All the AHs have Land Use Rights Certificate (LURC) for their affected land. The impacts on lands of the AHs are presented in Table 2 below.

**Table 2–Impacts on Lands**

Districts	Communes	No. of AHs	No. of APs	Type of land acquired (m <sup>2</sup> )			Total area of land acquired (m <sup>2</sup> )
				Agricultural land		Residential land	
				Paddy land	Land for perennial trees		
Nha Be	Nhon Duc	01	05	375.3			375.3
	Long Thoi	17	89	5,059.1			5,059.1
Can Gio	Binh Khanh	29	163	8,543.8	656		9,199.8

<sup>3</sup> Fifty households have both land and crops and trees/ structures affected by the additional land acquisition of the Project.

<sup>4</sup> One HH with unknown land – owner

Districts	Communes	No. of AHs	No. of APs	Type of land acquired (m <sup>2</sup> )			Total area of land acquired (m <sup>2</sup> )
				Agricultural land		Residential land	
				Paddy land	Land for perennial trees		
Binh Chanh	Da Phuoc	7	28	1,212.7		1,030.9	2,243.6
Total		54	285	15,190.9	656	1,030.9	16,877.8

*Source: DMS Results, 2012 - 2013*

## 2.2. Impact on Houses and Secondary Structures

9. The results of the DMS indicated that ten (10) AHs (58 persons) out of the 54 AHs have houses and secondary structures affected by the additional land acquisition of the Project. Among these, 05 AHs (20 APs) have houses built on residential land in Da Phuoc Commune (Binh Chanh District) and 05 AHs (38 APs) have secondary structures affected in Binh Khanh commune (Can Gio District).
10. A total area of 970.2 m<sup>2</sup> of affected houses (05 houses) is made by brick walls and aluminium roofs. Additionally, the affected structures of the households include 220 m<sup>2</sup> of hedges, 876.5m<sup>2</sup> of brick walls, 101.3 m<sup>2</sup> of aluminium roofing and 04 electricity/water meters. All affected house (05) owned by 05 AHs are fully affected. Among 05 affected houses, the smallest affected house area is 31.5m<sup>2</sup>, the biggest affected area is 734.7 m<sup>2</sup>. The impacts on houses and structures are shown in the table below.

**Table 3 – Impacts on Houses and Structures**

Districts	Communes	House (m <sup>2</sup> )	Brick wall (m <sup>2</sup> )	Piggery (m <sup>2</sup> )	Hedges (Pcs)	Toilets (m <sup>2</sup> )	Metal roofing (m <sup>2</sup> )	Electricity/ water meter (Pcs)
Can Gio	Binh Khanh		56.5	163	3			01
Binh Chanh	Da Phuoc	970.2	820			35.8	101.3	03
<b>Total</b>		<b>970.2</b>	<b>876.5</b>	<b>163</b>	<b>3</b>	<b>35.8</b>	<b>101.3</b>	<b>04</b>

*Sources: DMS Results, 2012 - 2013*

## 2.3. Impact on Trees

11. According to the DMS results, a total of 13,737.6 m<sup>2</sup> rice and 117 trees of 49 AHs (263 persons) in Nha Be, Can Gio and Binh Chanh Districts are affected by the additional land acquisition of the Project. Scope of the impacts on trees is shown in the below Table 4.

**Table 4 – Impacts on Trees**

District	Communes	Rice (m <sup>2</sup> )	Banana (tree)	Mango (tree)	Sugar – cane (m <sup>2</sup> )	Sapodilla (tree)	Areca (tree)
Nha Be	Nhon Duc	300	04	03			
	Long Thoi	2,076.5	22	15	302	18	10
Can	Binh	5,656.1	22	17	115.7	10	9

District	Communes	Rice (m <sup>2</sup> )	Banana (tree)	Mango (tree)	Sugar – cane (m <sup>2</sup> )	Sapodilla (tree)	Areca (tree)
Gio	Khanh						
Binh Chanh	Da Phuoc	5,705	12	19	200.2	5	5
<b>Total</b>		<b>13,737.6</b>	<b>60</b>	<b>54</b>	<b>617.9</b>	<b>33</b>	<b>24</b>

*Source: DMS Results, 2012 - 2013*

## 2.4. Impact on Income and Livelihood

12. The DMS results indicated that among 54 AHs with loss of agricultural land, 41 AHs (237 persons) lost from more than 10% of total agricultural landholding of the household, of which 03 AHs (13 persons) in Da Phuoc commune (Binh Chanh District) and 01 AH (03 persons) in Binh Khanh (Can Gio District) are newly AHs and remaining 37 AHs (216 persons) has been affected previously by the Project. Regarding the severity of impact of the AH who has been severely affected by the previous land acquisition, there is no change in the severity of impact on their agricultural land after this land acquisition (the household still lost from 31-70% of their total agricultural landholding after being affected by this additional land acquisition of the Project). All the 54 AHs confirmed during the DMS and consultations that their remaining agricultural land after being affected is still economically viable so that the households can continue cultivating on the remaining land after being affected. The severity of impacts on agricultural land of the households is shown in the Table 5.

**Table 5 - Severity of Impacts on Agricultural Land of Households**

Districts	Communes	Severity of impacts on agricultural land (losing from more than 10% of total production landholding of the household)							
		10% - 30%		31% - 70%		From more than 70%		Total	
		AHs	APs	AHs	APs	AHs	APs	AHs	APs
Nha Be	Nhon Duc	-	-	-	-	1	6	1	6
	Long Thoi	3	19	5	21	6	38	14	78
Can Gio	Binh Khanh	4	24	13	84	3	11	20	119
Binh Chanh	Da Phuoc	2	16	2	12	2	6	6	34
<b>Total</b>		<b>9</b>	<b>59</b>	<b>20</b>	<b>117</b>	<b>12</b>	<b>61</b>	<b>41</b>	<b>237</b>

*Sources: DMS Results, 2012 - 2013*

## 2.5. Impact on Vulnerable Households

13. The results of the DMS conducted from 2012 to 2013 confirmed that none of the 54 AHs by additional land acquisition of the Project are vulnerable households.

### III. SOCIO – ECONOMIC PROFILE

14. In November 2019, the project's social team to prepare the URP Addendum conducted interviews with the 53AHs by additional land acquisition of the Project in Nha Be, Can Gio and Binh Chanh Districts in order to gather socio – economic information of those AHs. Besides, the social team also conducted 04 in-depth interviews and 04 focus group discussions with representatives of local authorities, communal cadastral officers and leaders of mass organizations of Nhon Duc and Long Thoi communes (Nha Be District), Binh Khanh commune (Can Gio District) and Da Phuoc Commune (Binh Chanh District) to obtain secondary socio-economic information and data of local people living in the affected four communes.

#### 3.1. Socio – economic Information of Affected Communes

15. According to the socio-economic statistical data from the 2019 Statistical Year Book of Nha Be District, the total population of the affected communes in Nha Be District is 23,201 people, of which 11,267 people are female and 11,834 people are male. The total number of households living in the affected communes in Nha Be is 7,032. The average household size is 3.29 persons per household. Key information on population, occupation, income, living standards and vulnerability of the affected communes in Nha Be District is summarized in the following table.

**Table 6–Socio – economic Information of Affected Communes in Nha Be District**

No.	Information	Unit	Communes	
			Nhon Duc	Long Thoi
1	Total population of the commune:	Person	11,131	12,070
	- Female	Person	5,107	6,160
2	Number of working-age people	Person	6,435	6,856
	- Female	Person	2,893	3,122
	Number of working age people having job	Person	6,197	6,412
3	Total number of households	AH	3,131	3,901
4	Number of households engaged in farming	AH	1,071	1,434
5	Number of non-agricultural households	AH	2,060	2,467
6	Average income per capita	VND Million /person/ year	42.2	42.4
7	Number of AHs using latrines with septic tank	%	98	96
8	Number of households using tap water	%	100	100
9	Number of household using water from well	%	90	93
10	Number of households based on the following criteria:			
	- Poor household (with certification of poor families)	AH	58	61
	- Female headed households without assistance	AH	08	05
	- Ethnic minority household	AH	07	09
	- Elderly living-alone household	AH	03	04
	- Orphans	AH	09	06
	- Households with disabled member	AH	08	04
	- Household with member who has contributed to the revolution	AH	132	144



*Sources: 2019 Statistical Year Book of Nha Be District*

16. According to the socio-economic statistical data from the 2019 Statistical Year Book of Can Gio District, the total population of Binh Khanh commune in Can Gio District is 10,668 people, of which 5,427 people are female and 5,241 people are male. There are 2,993 households living in the commune. On average, each household has 3.5 persons. Key information on population, occupation, income, living standards and vulnerability of Binh Khanh commune is summarized in the following table.

**Table 7 - Socio – economic Information of Binh Khanh Commune in Can Gio District**

No.	Information	Unit	Communes
			Binh Khanh
1	Total population of the commune:	Person	10,668
	- Female	Person	5,427
2	Number of working-age people	Person	6,391
	- Female	Person	2,610
	Number of working age people having job	Person	5,766
3	Total number of households	AH	2,993
4	Number of households engaged in farming	AH	1,365
5	Number of non-agricultural households	AH	1,628
6	Average income per capita	VND Million /person/ year	40.6
7	Number of AHs using latrines with septic tank	%	94
8	Number of households using tap water	%	96
9	Number of household using water from well	%	100
10	Number of households based on the following criteria:		
	- Poor household (with certification of poor families)	AH	45
	- Female headed households without assistance	AH	07
	- Ethnic minority household	AH	03
	- Elderly living-alone household	AH	03
	- Orphans	AH	02
	- Households with disabled member	AH	07
	- Household with member who has contributed to the revolution	AH	67

*Sources: 2019 Statistical Year Books of Can Gio District*

17. According to the socio-economic statistical data from the 2019 Statistical Year Book of Binh Chanh District, the total population of Da Phuoc commune in Binh Chanh District is 10,972 people, of which 5,541 people are female and 5,431 people are male. There are 3,084 households living in the commune. On average, each household has 3.5 persons. Key information on population, occupation, income, living standards and vulnerability of Da Phuoc commune is summarized in the following table.

**Table 8 - Socio – economic Information of Da Phuoc Commune in Binh Chanh District**

No.	Information	Unit	Communes
			Da Phuoc
1	Total population of the commune:	Person	10,972
	- Female	Person	5,541
2	Number of working-age people	Person	6,283
	- Female	Person	2,680
	Number of working age people having job	Person	5,698
3	Total number of households	AH	3,084
4	Number of households engaged in farming	AH	1,409
5	Number of non-agricultural households	AH	1,675
6	Average income per capita	VND Million /person/ year	41.3
7	Number of AHs using latrines with septic tank	%	97
8	Number of households using tap water	%	99
9	Number of household using water from well	%	100
10	Number of households based on the following criteria:		
	- Poor household (with certification of poor families)	AH	35
	- Female headed households without assistance	AH	05
	- Ethnic minority household	AH	03
	- Elderly living-alone household	AH	04
	- Orphans	AH	01
	- Households with disabled member	AH	08
	- Household with member who has contributed to the revolution	AH	71

### 3.2. Socio – economic Information of the Affected People

#### a. Demographic characteristics

18. The results of interviews with the AHs showed that there are 32 male headed households and 21 female headed households among the 53 AHs. The female – headed households, however, are better off and without dependents. Therefore, the households are not considered as vulnerable households.

**Table 9 – Gender of the Heads of Affected Households**

Districts	Communes	No. of interviewed AHs	Gender of the household heads	
			Male	Female
Nha Be	Nhon Duc	1	-	1
	Long Thoi	17	10	7
Can Gio	Binh Khanh	28	18	10
Binh Chanh	Da Phuoc	7	4	3
<b>Total</b>		<b>53</b>	<b>32</b>	<b>21</b>

*Sources: Results of Interviews, November 2019*

19. Almost heads of the AHs are aged from 40 to 60 years. There are 11 household heads aged between 18-40; 18 household heads aged more than 60 years. The age brackets of the AH heads are shown in the Table 10.

**Table 10 – Age Brackets of the Heads of Affected Households**

Districts	Communes	No. of interviewed AHs	Age			
			<18 years old	18 – 40 years old	40 – 60 years old	>60 years old
Nha Be	Nhon Duc	1	-	1	-	-
	Long Thoi	17	-	4	8	5
Can Gio	Binh Khanh	28	-	5	13	10
Binh Chanh	Da Phuoc	7	-	1	4	2
<b>Total</b>		<b>53</b>	<b>-</b>	<b>11</b>	<b>25</b>	<b>18</b>

*Sources: Results of Interviews, November 2019*

20. According the results of interviews with the AH heads, 51 household heads are married and the remaining household head is widowed but this widowed household is rather better off. Regarding education level of the AH heads, 6 household heads finished primary school, 15 household heads finished secondary school, 23 AH heads finished high school, 8 household heads finished vocational school and 1 AH head finished college/university. The education levels of the AH heads are shown in the Table 11.

**Table 11–Education Levels of the Heads of Affected Households**

Districts	Communes	No. of interviewed AHs	Education Levels						
			Illiterate	Primary school	Secondary school	High school	Vocational schools	University/college	Post Graduate
Nha Be	Nhon Duc	1	-	-	-	1	-	-	-
	Long Thoi	17	-	2	5	8	2	-	-
Can Gio	Binh Khanh	28	-	4	8	10	5	1	-
Binh Chanh	Da Phuoc	7	-	-	2	4	1	-	-
<b>Total</b>		<b>53</b>	<b>-</b>	<b>6</b>	<b>15</b>	<b>23</b>	<b>8</b>	<b>1</b>	<b>-</b>

*Sources: Results of Interviews, November 2019*

**b. Livelihood and Income**

21. The income of the heads of AHs is mainly from farming and working as hired laborers (23 AHs and 16 AHs, respectively). Among the 53 AHs, there are 07 AH heads whose main income source is from doing business/service, 02 AH heads whose main income source is salary from working as an employee in private companies and the other AH head with retirement pension as the main income source.

**Table 12–Main Income Sources of the Heads of Affected Households**

Districts	Communes	No. of interviewed AHs	Main Income Sources of Household Heads				
			Farming	Doing business/service	Hired labor	Employee in private company	Retired worker/housewife
Nha Be	Nhon Duc	1	-	1	-	-	-
	Long Thoi	17	5	2	7	1	2
Can Gio	Binh Khanh	28	12	4	8	1	3
Binh Chanh	Da Phuoc	7	6	-	1	-	-
<b>Total</b>		<b>53</b>	<b>23</b>	<b>7</b>	<b>16</b>	<b>2</b>	<b>5</b>

*Sources: Results of Interviews, November 2019*

22. According to the interview results with the AHs, the average monthly income of the AHs is about VND 10,000,000 per household while the average monthly expenses of the AHs are VND 9,885,000 per household. Forty - five (45) out of 53 AHs have the monthly household income in the range of VND 9,000,000 – 15,000,000, two AHs earn more than VND 17,000,000 per month and only one AH has the monthly household income in the range of VND 7,500,000 – 8,500,000.
23. According to the Decision No. 58/2015 of the People's Committee of Ho Chi Minh City stipulating the income criteria to identify poor households in the area of the period

2019 - 2020, the households with average income from 28 million/person/ year or less are poor households; and the households having income from 28 - 36 million/person/year are near poor households. Therefore, 01 AH having the monthly household income in the range of VND 7,500,000 – 8,500,000 is not poor or near poor household (the affected household has three family members so the average income per person is VND 32,000,000 per year).

**c. Living Conditions of AHs**

24. With regard to living conditions, the AHs are living in one – storey houses with tile roofs or metal roofs or flat roofs. All the AHs have access to tap water and use electricity as the main power source of domestic lighting. The power supply in the locality is stable. Therefore, the AHs can use electrical appliances such as rice cooker, fridge, fan, lamps, etc.
25. In terms of access to public infrastructures and services, the average distances from the AHs' home to the CPC headquarters, healthcare centers, kindergarten, and primary school are less than 1.0 km. In addition, the inter-village roads are good. The distance between their home and public places is relatively short.

**d. Gender**

26. Regarding gender division of labor, the interview results with AHs show that both men and women share family works (generating income; taking care of family members; taking part in mass organization activities, etc.). Both men and women participate in decision making. There are no severe issues relating to gender inequality and obstacles that prevent women from taking part in activities of households and communities recorded during the preparation of the Addendum.

#### **IV. INFORMATION DISCLOSURE, PARTICIPATION AND PUBLIC CONSULTATION**

27. During planning and implementation of land acquisition, compensation and assistance for the AHs from 2012 to 2014, two rounds of public consultations were conducted by VEC and local authorities with the AHs and the communities in Nhon Duc, Long Thoi, Binh Khanh and Da Phuoc communes.
28. The first round of consultations was held in the headquarters of Nha Be DPC, Can Gio and Binh Chanh DPC from 2012 to 2013 with the participation of local authorities, representatives of local mass organizations and AHs before conducting of the DMS and Replacement Cost Study (RCS). Scope of the additional land acquisition of the Project in the districts, implementation schedules of the DMS and the RCS were discussed and agreed by the meeting participants.
29. The second round of consultations was conducted from 2013 to 2014 after the DMS and the RCS were conducted. The information disclosed to the AHs and relevant stakeholders includes: (i) the project introduction; (ii) scope of the additional land acquisition as well as impacts on land, non-land assets, income and livelihoods following the DMS results; (iii) entitlements on compensation, assistance and resettlement provided to the AHs; (iv) resettlement preference; (v) the land acquisition, compensation, assistance and resettlement schedule and (vi) the project GRM. Copies of PIB that covers all the information above were provided to all the AHs during the public consultation meetings.
30. During the preparation of the Addendum to the agreed 2014 URPs for additional land acquisition in Nha Be, Can Gio and Binh Chanh Districts in Ho Chi Minh City, VEC and its consultant has worked with SEPMU, Nha Be DPC, Can Gio CPC and Binh Chanh DPC and mass organizations of Nhon Duc, Long Thoi, Binh Khanh and Da Phuoc communes to conduct additional consultations with the AHs. Public consultations and information disclosure were carried out in November 2019 to provide information to and consult with the 53 AHs about the implemented land acquisition, compensation, assistance and resettlement of the Project.
31. Another public consultation meeting was also conducted after the draft URP Addendum was prepared in order to discuss the households' comments on the provisions of the draft version.
32. There were 132 participants in the public consultation meetings, including 53 AHs<sup>5</sup> and representatives of local authorities, of which women accounted for 18.9%. The below Table 13 summarizes the consultation issues discussed and agreed by the AHs and local authorities during planning and implementation of land acquisition, compensation and assistance of the Project.
33. This Addendum will be uploaded on ADB and VEC's websites and posted at the headquarters of Nhon Duc, Long Thoi, Binh Khanh and Da Phuoc CPCs after being accepted by ADB. In addition, reports on monitoring of compensation, assistance and resettlement implementation will be shared with relevant stakeholders and uploaded on ADB and VEC's websites.

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<sup>5</sup> There is one unknown land-owner. The land-owner could not be found during implementation of land acquisition and compensation by local authorities, Center for Land Fund Development, and SEPMU.

**Table 13–Summary of Issues of Public Consultation Meetings**

<b>Meetings</b>	<b>Issues Discussed</b>	<b>Opinions, Concerns and Suggestions Raised by the Meeting Participants</b>	<b>How the Opinions, Concerns and Suggestions Have Been Addressed</b>
Consultation with representatives of local authorities and AH in Nha Be, Can Gio and Binh Chanh Districts No. of participants: 43 (36 men, 7women) February 2012 – November 2013	<ul style="list-style-type: none"> <li>Scope of additional land acquisition in the districts;</li> <li>Schedule for implementation of DMS and RCS activities.</li> </ul>	<ul style="list-style-type: none"> <li>The affected land should be compensated at market rate.</li> <li>Compensation and assistances should be paid to the AHs on time and in the villages.</li> <li>Local authorities supported the implementation of the RCS in the locality.</li> </ul>	<ul style="list-style-type: none"> <li>The RCS is conducted to determine compensation unit prices for the affected land and on-land assets to ensure that compensation for the AHs complies with principle of replacement cost.</li> <li>Compensation and assistances are provided to the AHs before physical displacement.</li> </ul>
Consultation with representatives of local authorities and AH in Nha Be, Can Gio and Binh Chanh Districts No. of participants: 49 (36 men, 13 women) August 2014	<ul style="list-style-type: none"> <li>Project introduction;</li> <li>Scope of the additional land acquisition as well as impacts on land, non-land assets, income and livelihoods following the DMS results;</li> <li>Entitlements on compensation, assistance and resettlement for the AHs;</li> <li>Resettlement preference;</li> <li>Implementation schedule of land acquisition, compensation, assistance and resettlement for the AHs; and</li> <li>Grievance redress mechanism.</li> </ul>	<ul style="list-style-type: none"> <li>The AHs should be provided with compensation and assistance to ensure that their living standards and affected production will be restored or improved by the Project.</li> <li>AHs who have to relocate due to the additional land acquisition impacts of the Project opted to self-relocate.</li> <li>Complaints or grievances of the APs should be resolved timely, transparently and satisfactorily.</li> </ul>	<ul style="list-style-type: none"> <li>Households who lose from more than 10% of total agricultural landholding of the household and households those have to relocate are eligible to participate in the IRP of the Project.</li> <li>Households who opt to self-relocate are provided with assistance for self-relocation.</li> <li>Complaints or grievances of the APs relating to the project activities are solved in accordance with the GRM in the agreed 2014 URPs for Nha Be, Can Gio and Binh Chanh districts</li> </ul>
Consultation with representatives of local authorities and AH in Nha Be, Can Gio and Binh Chanh Districts	<ul style="list-style-type: none"> <li>Entitlements on compensation, assistance and resettlement provided to the AHs; and</li> </ul>	<ul style="list-style-type: none"> <li>The meeting participants assessed that the provided entitlements on compensation, and assistance for the</li> </ul>	<ul style="list-style-type: none"> <li>The provided compensation and assistance are subject to be monitored and evaluated by the External</li> </ul>

Meetings	Issues Discussed	Opinions, Concerns and Suggestions Raised by the Meeting Participants	How the Opinions, Concerns and Suggestions Have Been Addressed
No. of participants: 40 (35 men, 5 women) November 2019	<ul style="list-style-type: none"> <li>Comments of the AHs on the provisions of the draft Addendum.</li> </ul>	<p>AHs for the additional land acquisition of the Project are in-line with these specified in the agreed 2014 URPs for Nha Be, Can Gio and Binh Chanh Districts.</p> <ul style="list-style-type: none"> <li>The compensation unit rate for affected land and assets by additional land acquisition are replacement cost and acceptable by the affected households.</li> </ul>	Resettlement Monitor of the Project.



## V. REPLACEMENT COST STUDY

34. The RCS was conducted in April 2014 to calculate compensation for affected land, structures, trees, crops and other incomes affected due to the additional land acquisition to ensure compensation for the AHs is at replacement cost.
35. The appraiser confirmed that replacement cost values had not changed since 2012 and that the unit rates indicated in the 2012 Valuation Certificate was still valid.
36. The market price of an asset is the amount for which asset should exchange ownership on the date of valuation between a willing buyer and a willing seller in an arm's-length transaction after proper marketing in which the parties had each acted knowledgeably, prudently, and without compulsion or restriction. The replacement cost is equal to market price plus arising administrative costs and other costs (if any).
37. **For the affected land:** Sixty – three (63) interviews were conducted with 05 officers of Divisions of Natural Resources and Environment and Land Use Right Registration Offices of Nha Be, Can Gio and Binh Chanh Districts, communal cadastral officers; 53 AHs and 05 unaffected households during the RCS to determine:
- (i) recent land use rights transfer in the area;
  - (ii) price, at which owners (affected and not affected persons) are willing to sell their land;
  - (iii) actual transaction costs involved such as administrative charges, taxes, registration and titling costs.
38. Results of the interviews with the AHs and communities during the RCS in April 2014 indicated that there was no transaction of agricultural land and residential land in the locality for the last 12 months to April. During the RCS, the Replacement Cost Appraiser also conducted interviews with the households on the price at which they are willing to sell as well as willing to buy their agricultural land and residential land. The AHs confirmed during the interviews that the compensation unit price for land issued by a qualified appraiser in April 2012 was acceptable. This issue has been again confirmed during the consultations conducted with the AHs during the preparation of the URP Addendum (November 2019) and documented in the minutes of the consultation meetings.
39. **For the affected trees:** The Replacement Cost Appraiser conducted direct interviews with all the 49 AHs whose trees are affected by the additional land acquisition of the Project. The contents of the interviews include price, at which, owners are willing to sell their trees and agricultural products (in the last three years) and price of agricultural products in the market. The AHs confirmed that there was no significant difference between the market price at the time of the RCS (April 2014) and the compensation unit price for affected trees issued in 2010 by Ho Chi Minh City PC for the Project. Thus, the compensation unit price for trees issued by Ho Chi Minh PC in Decision No. 35/2010/QĐ-UBND for the Project was applied for the compensation for the affected trees by the additional land acquisition of the Project in the districts.
40. **For the affected houses and secondary structures:** 21 interviews were conducted with 10 AHs whose houses and structures are affected by this additional land acquisition of the Project, 05 communal cadastral officers, 02 construction materials shop owners, 02 construction contractors and 02 unaffected households to determine the price of construction materials, labor costs, etc. The AHs confirmed during the interviews that the compensation unit price for houses and structures

issued by a qualified appraiser in April 2012 was acceptable. The results of the RCS were discussed and agreed by local authorities and AHs in the public consultation meetings conducted in April 2014.

41. The table below are present the results of the RCS. It is noted that, as the result of replacement cost survey of qualified and independent appraiser in April 2014 was the same (or even lower) with the issued Compensation Price-Frame for Lands in 2010 by HCMC (due to the real-estate market price increased to top in 2010 in HCMC and then went down in 2014 to 2019), the issued Compensation Price-Frame for Lands in 2010 by HCMC was applied for compensation for the additional affected land in 2017.
42. Affected households in the consultations carried-out in November 2019 confirmed that the applied compensation unit rate for the additional affected land is replacement cost and the rate is accepted by the affected households - this has been reflected in the minutes of meetings with the affected households.

**Table 14 – Results of the RCS**

Types	District	Location/ Material	Unit price proposed by SIAC (VND/m <sup>2</sup> )	Average interviewed unit price (VND/m <sup>2</sup> )	Applied compensation unit price (VND/m <sup>2</sup> )
<b>1. Land</b>					
Land for annual crops	Nha Be	Non – front – Front of Road	200,000 – 375,000	200,000 – 375,000	200,000 – 375,000
	Can Gio	Non – front – Front of Road	190,000 – 270,000	190,000 – 270,000	190,000 – 270,000
	Binh Chanh	Non – front – Front of Road	200,000 – 375,000	200,000 – 375,000	200,000 – 375,000
Land for perennial trees	Can Gio	Non – front – Front of Road	225,000 – 270,000	220,000 – 270,000	225,000 – 270,000
Residential land	Binh Chanh	Da Phuoc Commune	1,487,000 – 11,608,000	1,485,000 – 11,600,000	1,487,000 – 11,608,000
<b>2. Crops and Trees</b>					
Rice	Nha Be		20,250,000 – 22,500,000/4,5 tons/ha – 5 tons/ha	20,250,000 – 22,500,000/4,5 tons/ha – 5 tons/ha	20,250,000 – 22,500,000/4,5 tons/ha – 5 tons/ha
	Can Gio				
	Binh Chanh				
Banana	Nha Be		66,000 – 110,000/tree	66,000 – 110,000/tree	66,000 – 110,000/tree
	Can Gio				
	Binh Chanh				
Mango	Nha Be		228,000 – 448,000/tree	228,000 – 448,000/tree	228,000 – 448,000/tree
	Can Gio				
	Binh Chanh				
Sugar - cane	Nha Be		5,000/tree	5,000/tree	5,000/tree
	Can Gio				
	Binh Chanh				
Sapodila	Nha Be		70,800 – 360,000/tree	70,800 – 360,000/tree	70,800 – 360,000/tree
	Can Gio				
	Binh Chanh				

Types	District	Location/ Material	Unit price proposed by SIAC (VND/m <sup>2</sup> )	Average interviewed unit price (VND/m <sup>2</sup> )	Applied compensation unit price (VND/m <sup>2</sup> )
Areca	Nha Be		50,000 – 200,000/tree	50,000 – 200,000/tree	50,000 – 200,000/tree
	Can Gio				
	Binh Chanh				
3. Houses and secondary structures					
Houses	Binh Chanh	Brick wall, metal roofing	3,800,000 – 4,450,000	3,800,000 – 4,450,000	3,800,000 – 4,450,000
Brick wall			536,000 – 704,000	536,000 – 704,000	536,000 – 704,000
Metal roofing			2,300,000	2,300,000	2,300,000
Electricity/ Water meter			1,300,000/pcs	1,300,000/pcs	1,300,000/pcs
Brick wall	Can Gio		377,000	377,000	377,000
Pigsty			650,000	640,000	650,000
Hedges			365,000/pcs	365,000/pcs	365,000/pcs
Electricity/ Water meter			1,300,000/pcs	1,300,000/pcs	1,300,000/pcs

*Source: Results of RCS, April 2014*

**VI. GRIEVANCE REDRESS MECHANISM**

43. Grievances related to any aspect of the Project including the additional land acquisition are handled in compliance with the GRM specified in the agreed 2014 URPs. VEC is to shoulder all administrative and legal fees that might be incurred in the resolution of grievances and complaints.
44. If an acceptable solution is not arrived at through the Project GRM, a group of at least two APs may lodge a complaint directly to the Southeast Asia Department via Vietnam Resident Mission Office in Hanoi. In line with the ADB Accountability Mechanism (2012), if the APs are still not satisfied with the Southeast Asia Department's response, the APs may lodge a complaint to the Office of the Special Project Facilitator through the office of Vietnam Resident Mission in Hanoi.
45. Up to February 2020, there is no grievance lodged by the affected households and local community related to the additional land acquisition and compensation in Nha Be, Can Gio and Binh Chanh Districts of Ho Chi Minh City.

## VII. POLICY AND LEGAL FRAMEWORK

### 7.1. Relevant Laws and Regulations of Vietnam

46. The Constitution of the Socialist Republic of Viet Nam (2013, effective from 01 January, 2014) confirms the right of citizens to own and protects the ownership of house and production materials of citizens – compensation by market rate is made for impacts by the projects implementing for the purposes of national defense, security or public benefits (Article 32). Similarly, organizations and individuals have land use rights and the rights are protected by laws –and the in-case of land recovery for the purposes of national defense, security and socioeconomic development, compensation shall follow provisions of laws (Article 54). In addition, the Government has enacted a number of laws, decrees and regulations that constitute the legal framework for land acquisition, compensation and resettlement.
47. The Land Law 2013 (effective on 1 July 2014) provides comprehensive framework for land acquisition and resettlement. There are several aspects of this Land Law 2013 which are similar to the policy objectives, and principles of the ADB safeguards on involuntary resettlement. The Law stipulates compensation by specific rate (the methodology to identify of specific cost is similar to this to determine replacement cost), resettlement sites must be developed and fully completed before relocation of APs; and various assistance for life stabilization of APs.
48. The regulations on land acquisition, compensation, assistance and resettlement of Government of Viet Nam and relevant Decisions of Long An PPC that are applied in the implementation of land acquisition, compensation, assistance and resettlement for the additional land acquisition in Can Giuoc and Ben Luc Districts (Long An Province) of the Project, include:
  - ***Documents of the Government and related Ministries***
    - Law on prices No.11/2012/QH13 of June 20, 2012;
    - Law on Land No. 45/2013/QH13 of November 29, 2013;
    - Decree No. 38/2013/ND-CP of April 23, 2013, on management and use of official development assistance (ODA) and concessional loans of donors;
    - Decree No.89/2013/ND-CP of August 06, 2013, detailing implementation of a number of articles of the price Law on appraisal of prices;
    - Decree No. 177/2013/ND-CP of November 14, 2013, detailing and guiding the implementation of the Law on price;
    - Decree No. 43/2014/NĐ-CP of May 15, 2014 detailing a number articles and clauses of Land Law No. 45/2013/QH13;
    - Decree No. 44/2014/NĐ-CP of May 15, 2014 regulating land prices;
    - Decree No. 47/2014/NĐ-CP of May 15, 2014 regulating compensation, assistance and resettlement in the event of land acquisition by the State;
    - Circular No. 06/2014/TT-BTC dated January 07, 2014 of Ministry of Finance promulgating the Price Appraisal Standards No. 13;
    - Circular No. 37/2014/TT-BTNMT of June 30, 2014 detailing compensation, support, and resettlement upon land expropriation by the State;
    - Decision No. 24/2005/QĐ-BTC of April 18, 2005 of Ministry of Finance promulgating three standards on price appraisal in Vietnam;

- Decision No. 77/2005/QD-BTC of November 01, 2005 of Ministry of Finance, promulgating three standards on price appraisal in Vietnam (the second time);
  - Decision No. 129/2008/QD-BTC of December 31, 2008 of Ministry of Finance, promulgating six standards on price appraisal (the third time).
- ***Documents of Ho Chi Minh PC relating to compensation, assistance and resettlement:***
- Decision No.51/2014 QD-UBND dated December 31st, 2014 of Ho Chi Minh City PC issuing Regulations on land price for 5 years (2015 – 2019) in Ho Chi Minh City;
  - Decision No. 35/QD – UBND dated 28/05/2010 of Ho Chi Minh City PC issuing regulations on compensation, assistance and resettlement when the State acquires land in Ho Chi Minh City;

## **7.2. ADB Safeguard Policy and Requirements**

49. The objectives of ADB Policy on Involuntary Resettlement are to (i) avoid involuntary resettlement wherever possible; (ii) minimize involuntary resettlement by exploring project and design alternatives; (iii) enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.

### ***Project Principles***

50. Principles of compensation, assistance and resettlement of the Project are as follows:
- APs without title or any recognizable legal rights to land are not compensated for the affected land, but are eligible for resettlement assistance and compensation for non-land assets at replacement cost.
  - All compensation is based on the principle of replacement cost at the time of compensation that is appraised by qualified external appraisers. For houses and other structures, this involves the costs for materials and labor at the time of compensation, with no depreciation or deduction for salvageable materials. Compensation for land is at replacement cost adequate to purchase land of equivalent attributes in the vicinity.
  - Compensation for affected trees is based on the current market rate of trees.
  - Timing of land and other asset acquisition is determined in consultations with APs to minimize disturbance.
  - Compensation and assistance are paid to the AHs in full - not by installments,
  - Meaningful consultations are carried out with the APs and concerned groups and ensure participation from planning up to implementation. Comments and suggestions of the APs and communities are taken into account and responded;
  - The key information in the Addendum such as scope of land acquisition and impacts on other assets of APs, entitlements of compensation and resettlement for APs, GRM, compensation and assistance payments and resettlement schedule, etc. are disclosed to APs in Vietnamese language including the distribution of PIB-prior to submission of the Addendum to ADB for review and approval;
  - Resettlement identification, planning and management ensure that gender concerns are incorporated including gender-specific consultation and information disclosure. This includes special attention to guarantee women's assets, property,

and land-use rights, and to ensure the restoration of their income and living standards.

- The GRM established in the agreed 2014 URPs for Nha Be, Can Gio and Binh Chanh Districts will be applied for hearing and resolving grievances during implementation of the Addendum.
- Gender-sensitive social impact assessment and monitoring are carried out in various stages of the project;
- Budget for payment of compensation, resettlement and support is prepared sufficiently and made available during the project implementation;
- Institutional arrangements are in place to ensure effective implement of land acquisition, compensation payment, resettlement, and implementation of the IRP with full participation of and consultation with the AHs;
- The external monitoring of compensation, assistance and resettlement for the AHs by this additional land acquisition should be carried out;
- The VEC does not issue a notice of possession of site for any expressway section to contractors until the heads of DCCSC have officially confirmed in writing that (i) payment has been fully disbursed to the APs and rehabilitation measures are in place as per the 2014 URPs agreed between VEC and ADB; and (ii) already-compensated APs have cleared the area in a timely manner; and (iii) the area is free from any encumbrances

## **VIII. PROJECT ENTITLEMENTS**

### **8.1. Eligibility**

51. All the AHs (53households<sup>6</sup>) have LURC for their affected land, therefore these AHs are provided with full compensation and assistance for the land and assets upon land affected by the additional land acquisition of the Project.

### **8.2. Entitlements**

52. The affected land and houses and secondary structures are compensated at replacement cost. Affected trees are compensated at market price. The entitlements on compensation, assistance and resettlement for the AHs that were consulted about and agreed by the AHs and local authorities are shown in the table below.

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<sup>6</sup> Including one unidentified land – owner as all the land plots are with plot number in the cadastral maps/records and name of the owner. However, the land owner could not be found by local authorities during implementation of land acquisition and compensation.



**Table 15 – Entitlement Matrix**

No.	Types of Impact/ Loss	Eligible Persons	Entitlements	Implementation Issues
<b>1</b>	<b>Loss of Agricultural land</b>			
1.1.	Marginal loss (13 AHs – 48 persons)	Land users with LURC or in the process of acquiring LURC or eligible to have LURC for the affected land granted	<p>- Cash compensation at replacement cost which is equivalent to current market prices and free from transaction costs (such as taxes, certificates, administrative fees).</p> <p><b><u>Binh Chanh District:</u></b></p> <p>(i) Cash assistance from 3.43 – 5 time higher for agricultural land price</p> <p>(ii) If agricultural land is within the residential area, cash assistance amounting to 40% of current market price of adjacent residential land.</p> <p><b><u>Nha Be District:</u></b></p> <p>(i) Assistance in cash for 5 times agricultural land to HH directly productive agricultural</p> <p>(ii) If agricultural land is within the residential area, cash assistance amounting to 40% of current market price of adjacent residential land.</p> <p><b><u>Can Gio District:</u></b></p> <p>(i) Assistance in cash equivalent to 1.92 to 2.28 times of the current market price of agricultural land</p> <p>(ii) If agricultural land is within the residential area, cash assistance amounting to 40% of current market price of adjacent residential land.</p> <p>- Bonus for handing over the affected land on time: HH who hand over the affected land within 20 days from the date of receipt of the compensation are provided with the bonus</p>	<ul style="list-style-type: none"> <li>▪ Remaining land will be compensated for AH if it has no economic value/ does not meet the demand for production/ outputs, does not meet expectations of outputs (the remaining area is small and difficult for cultivation)</li> <li>▪ Average bonus for handing over the affected land on time is 2,500,000 VND per HH. If HH is losing more than one type of impact (e.g. loss of residential and productive land and will relocate) bonus allowance will not be doubled.</li> </ul>

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No.	Types of Impact/ Loss	Eligible Persons	Entitlements	Implementation Issues
			of VND 2,500,000 – 5,000,000 per household.	
1.2	Severe loss (41 AHs – 237 persons)	Land users with LURC or in the process of acquiring LURC or eligible to have LURC for the affected land granted	(i) Cash compensation at replacement cost which is equivalent to current market prices and free from transaction costs (such as taxes, certificates, administrative fees). (ii) Assistance for life stabilization and production stabilization: - Households losing 30% - 70% of total agricultural landholding of the household: assistance for 6 months if households have not to relocate and 12 months if households have to relocate (30kg of rice/month/person). - Households losing more than 70% of total agricultural landholding of the household: assistance for 12 months if households have not to relocate and 24 months if households have to relocate (30kg of rice/month/person). (iv) Entitled to take part in the IRP. (v) Bonus for handing over the affected land on time: Item 1	<ul style="list-style-type: none"> <li>AH will be accepted to join vocational training free of charge for one training course organized for the labor – aged persons (5,000,000 VND per AP who will undergo vocational training, payment for 3 months vocational training.</li> <li>Bonus for handing over the affected land on time: Item 1</li> </ul>
<b>2</b>	<b>Loss of residential land</b>			
2.1	Full loss of residential land (05 AHs – 20 persons)	Land users with LURC or in the process of acquiring LURC or eligible to have LURC for the affected land granted	(i) Cash compensation at replacement cost which is equivalent to current market prices and free from transaction costs (such as taxes, certificates, administrative fees). (ii) Cash assistance for self – relocation equivalent to investment cost per HH at the resettlement site OR plot at the resettlement site of similar attributes with secure tenure. The process of compensation a plot at the resettlement site will be as follows: - The area of allocated plot(s) at the resettlement site will be the same area	<ul style="list-style-type: none"> <li>A qualified replacement cost appraiser is engaged by the SEPMU to appraise the replacement cost for the affected land.</li> </ul>

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No.	Types of Impact/ Loss	Eligible Persons	Entitlements	Implementation Issues
			<p>of plot(s) acquired for the project (depends on the number and area of affected residential land, thus, one affected HH could be allocated with more than one standard plot at the resettlement site and based on the DPs' preference).</p> <ul style="list-style-type: none"> <li>- If the selling cost of plot(s) at the new site is more than the value of the affected residential land, DPs receive new plot at no additional cost</li> <li>- If the plot(s) at the new site is equal the value of affected residential land, DPs receive new plot at the new site without any balance. If the plot(s) at the new site is less than the value of affected residential land, DPs will receive plot and the difference in cash</li> </ul> <p>(iii) Assistance for housing rental for six months for the amount stipulated by the Decision of Ho Chi Minh City PC.</p> <p>(iv) Assistance for life stabilization based on the number of people actually living at the time of land acquisition: 30kg of rice/person/month x 24 months</p> <p>(v) Transport allowance to relocate to the new place for the amount stipulated by the Decision of Ho Chi Minh City PC.</p> <p>(vi) Bonus for handing over the affected land on time: VND 5,000,000.0</p> <p>(vii) Entitled to the IRP provided by the Project.</p>	
3	<b>Impacts on trees (49 AHs – 263 persons)</b>	Owners regardless of tenure status	(i) Cash compensation at the market price at the time of compensation.	
4	<b>Impacts on houses</b>			

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No.	Types of Impact/ Loss	Eligible Persons	Entitlements	Implementation Issues
4.1	Fully affected houses (05 AHs – 20 persons)	House owners, with or without proofs of land ownership, with or without building permits.	<p>(i) Cash compensation at replacement costs for entire houses which is equivalent to the current market value of a newly built house (without depreciation or deduction for salvageable materials.)</p> <p>(ii) Cash compensation for the cost of connecting electricity, water and telephone in new areas at the market price at the time of compensation (resettlement sites or self-relocation sites of households).</p> <p><b><u>Binh Chanh District:</u></b> For HHs with the affected house area less than 30m<sup>2</sup> will be given additional cash assistance to improve new house to meet the minimum standard house (Class 4) in the area (30m<sup>2</sup>)</p>	<ul style="list-style-type: none"> <li>Relocation of house can be on remaining land (if still viable, i.e., 40m<sup>2</sup> in urban and 100m<sup>2</sup> in rural area) or to a new plot of land at the resettlement site or a plot of land that the DP chose (self-relocation).</li> </ul>
4.2	Affected secondary structures (5 AHs – 38 persons)	Owners, with or without proof of land ownership, with or without a building license	(i) Cash compensation for affected secondary structures at replacement cost (without depreciation or deduction of salvageable materials).	

**IX. RELOCATION**

53. According to the results of the DMS conducted from 2012 to 2013, five (05) AHs (20 persons) have to relocate since their houses are fully affected by the additional land acquisition of the Project in Binh Chanh District. The five (05) relocation households were provided with the information on the resettlement sites of the Project and land lots to be allocated to the AHs (Nhan Duc relocation site in Nha Be District, and Go Dau relocation site in Can Gio district which are (02) two km from the affected areas and Vinh Loc relocation site in Binh Chanh district which is 15 km from the affected area – all sites are with full infrastructure constructed and land plots are available for allocation); however, all the 05 AHs (20 persons) opted to self-relocate as they purchased replacement residential land in their village.
54. According to the Project's policies that indicated in the URP 2014, five relocation households are entitled to the following compensation and assistance:
- All the 05 AHs opted to self-relocate: Cash compensation at replacement cost for affected land which is equivalent to current market prices and free from transaction costs (such as taxes, certificates, administrative fees) and for affected structures.
  - Assistance for life stabilization based on the number of people actually living at the time of land acquisition: 30kg of rice/person/month x 24 months
  - The households are entitled to the assistance for housing rental for six months for the amount stipulated by the Decision of Ho Chi Minh City PC.
  - Transport allowance to relocate to the new place for the amount stipulated by the Decision of Ho Chi Minh City PC.
  - Bonus for handing over the affected land on time: VND 5,000,000/households.
  - Entitled to the IRP provided by the Project.

## **X. INCOME AND LIVELIHOOD RESTORATION**

55. According to the results of consultation with the AHs and local authorities in November 2019, among 41 AHs (237 persons) who are severely affected by additional land acquisition of the Project (Included 03 AH have both affected houses and lose from more than 10% of total agricultural landholding of the HH), 37 AHs (216 persons) has been severely affected by the previous land acquisition of the Project and took part in the IRP. Therefore, 04 AHs<sup>7</sup> (16 persons) new severely AHs and remaining 02 AHs affected relocated are eligible to participate in the IRP of the Project. As shown in the agreed 2014 URPs for Nha Be, Can Gio and Binh Chanh districts, average assistance rate for each IRP eligible household is VND 9,000,000 per household. Estimated cost for the IRP implementation for these six (06) eligible households is VND 54,000,000 (equivalent to \$2,331.6).
56. The IRP supports provided to the AHs follows the activities as presented in the agreed 2014 URPs for Nha Be, Can Gio and Binh Chanh Districts, including (i) assistance in enhancing the productivity or value of trees on the remaining land area after the land is acquired; (ii) assistance for generating the incomes related to farming and husbandry; and (iii) assistance for generating long-term sources of income and agricultural activities. The district Division of Agriculture and Rural Development (DARD) of the project districts, as a member of the District Income Restoration Program Board, proposes various income restoration measures for the (i) and (ii) such as planting higher yielded rice-variety, combining of paddy plantation with fish-keeping, cow/pig rearing, planting of flowers in the remaining small land areas for selling out to the local markets, producing of animal feeds, etc. The district Division of Labours, Invalid and Social Affairs (DOLISA) of the project districts, as a member of the District Income Restoration Program Board, plans different assistances for generating long-term livelihoods and income for the IRP eligible households such as occupational trainings, job orientation, introduction of jobs available in the industrial parks and factories in the local to the affected households, and supporting of affected households (trainings and required materials/equipment) for small business establishment of the households. The IRP eligible households are consulted about their preference on the IRP supports during the IRP planning and implementation. During the IRP preparation, the proposed income restoration measures are presented in the public meetings with the IRP eligible households for the household's considerations. Based on the knowledge, skills and experiences of the household members as well as the available resources of the IRP household (land area, for example), the households will register for the suitable income restoration measure(s) to the household. Staff of DARD/DOLISA will analyze the registered income restoration measure(s) with the household (knowledge, skills and resources required for implementing the activity, potential income from implementing the activity, risks, etc.) and discuss with the household on the alternative income restoration measure(s) or to confirm of implementing the registered income restoration measure(s) by the household. List of the final income restoration measures registered by the IRP eligible households will be submitted by to the District Income Restoration Program Board to the relevant DPC for review and approval for implementation. The DPCs and District Income Restoration Program Boards of Nha Be, Can Gio and Binh Chanh Districts are responsible for providing the IRP supports to the eligible households.
57. Status of IRP implementation is described as in below Table 16. To date, the IRP has not yet been implemented for eligible AHs in Binh Chanh District due to some problems with registration of eligible households for particular IRP supports that the

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<sup>7</sup> Included 03 AHs which affected by both losing more than 10% of total agricultural land holding and being relocated

AHs wish. It is planned by Binh Chanh IRP Committee that the program will be implemented from June, 2020. The IRP for eligible households in Can Gio District was completed – and according to the assessments mentioned in the internal and external resettlement monitoring reports - the implemented IRP contributes significantly to restoration of income of the IRP implementing households.

**Table 16 – Status of IRP implementation**

<b>Steps</b>	<b>Nha Be District</b>	<b>Binh Chanh District</b>	<b>Can Gio District</b>
• Review and finalize the list of IRP participating HH.	• Completed	• <b>Completed</b>	• Completed
• Finalize the IRP budget	• Completed	• <b>On-going</b>	• Completed
• Submit the final list of IRP the budget to the PPC	• Completed	• <b>Not yet</b>	• Completed
• Approval by PPC by the PPC	• Completed	• <b>Not yet</b>	• Completed
• Purchase and delivery of IRP inputs	• Completed	• <b>Not-yet</b>	• Completed

## XI. COSTS AND BUDGET

58. The fund for the implementation of the land acquisition, compensation, assistance and resettlement as well as the IRP implementation for the 54 households affected by the additional land acquisition of the Project in Nha Be, Can Gio and Binh Chanh Districts is a part of the overall Project budget. Costs of compensation, assistance and resettlement for these 54 AHs are calculated based on the results of the DMS and RCS conducted from 2012 to 2014. The fund for compensation and other entitlements is forwarded to the Ho Chi Minh City Committee for Compensation and Site Clearance (CCCSC), through Ho Chi Minh City PC.
59. Compensation and assistance for the affected households by additional land acquisition were made in June 2017. The support of Income Restoration Program has been provided to eligible households in Can Gio and Nha Be Districts; however, the program has not yet been implemented in Binh Chanh District. The additionally affected land was handed-over by the affected households to the Project in March, 2018.
60. The AHs are notified through the village heads two weeks in advance of the schedule of payment of compensation and other entitlements. The AHs are advised to bring with them identification documents (such as LURC, ID, civil registration certificates, DMS record, Agreement Compensation Form, etc...) when claiming their compensation and other entitlements. If the AH is unavailable on the scheduled date of payment, he/she informs local authorities as soon as possible with a written authorization for a representative to claim the same on his/her behalf. Alternatively, said AH requests to reschedule a later date for him/her to claim payment.
61. VEC is responsible for timely providing counterpart funds for land acquisition, resettlement and monitoring activities as well as the IRP implementation specified in the agreed Addendum.
62. The calculated cost for compensation, assistance and resettlement for the 54 AHs in Nha Be, Can Gio and Binh Chanh Districts is VND **24,680,284,752** (equivalent to **\$ 1,065,642.7**). This amount includes the cost for the IRP implementation for the 06 eligible AHs (VND 54,000,000). The breakdown of the calculated cost is shown in Table 17.

**Table 17 – Calculated Cost for Compensation, Assurances and Resettlement**

No.	Category	Unit	Quantity	Unit Price (VND)	Total amount (VND)
I/	<b>Compensation for land</b>				<b>16,488,545,200</b>
1	Land for annual crops	m <sup>2</sup>	15,190.9	190,000 – 375,000	4,344,738,000
2	Land for perennial trees	m <sup>2</sup>	656	225,000 – 270,000	177,120,000
3	Residential land	m <sup>2</sup>	1,030.9	11,608,000	11,966,687,200
II/	<b>Compensation for crops and trees</b>				<b>114,376,500</b>
1	Rice	m <sup>2</sup>	13,737.6		29,250,000
2	Banana	Tree	60	66,000 – 110,000	5,410,000
3	Mango	Tree	54	228,000 – 448,000	17,826,000
4	Areca	Tree	24	50,000 – 200,000	2,860,000
5	Sugar - cane	m <sup>2</sup>	617.9	5,000	3,089,500



No.	Category	Unit	Quantity	Unit Price (VND)	Total amount (VND)
6	Sapodillas	Tree	33	70,800 – 360,000	55,941,000
<b>III</b>	<b>Compensation for houses, structures</b>				<b>4,658,435,900</b>
1	Houses (brick wall, metal roofing)	m <sup>2</sup>	970.2	3,800,000 – 4,450,000	3,977,820,000
2	Piggery	m <sup>2</sup>	163	650,000	105,950,000
3	Brick wall	m <sup>2</sup>	876.5	377,000	330,440,500
4	Hedge	pcs	3	365,000	1,095,000
5	Toilet	m <sup>2</sup>	35.8	138,000	4,940,400
6	Electricity/ Water meter	pcs	4	1,300,000	5,200,000
7	Metal roofing	m <sup>2</sup>	101.3	2,300,000	232,990,000
<b>IV</b>	<b>Assistance</b>				<b>2,881,000,000</b>
1	Assistance for life stabilization and production stabilization (04 AHS–16APs) x 30 kg of rice/person/month for 06 - 12 months				576,000,000
	Assistance for life stabilization for 5 relocation HHs – 20 persons x 30kg of rice/person/month for 24 months				2,160,000,000
2	Assistance for join vocational training		4	5,000,000	20,000,000
3	Bonus for handing over land on time	households	9	2,500,000 - 5,000,000	125,000,000
<b>V</b>	<b>Income restoration program</b>	<b>households</b>	<b>6</b>	<b>9,000,000</b>	<b>54,000,000</b>
<b>VI</b>	<b>TOTAL= I + II + III + IV + V</b>				<b>24,196,357,600</b>
<b>VII</b>	<b>Administrative costs (2%)</b>				<b>483,927,152</b>
<b>VIII</b>	<b>TOTAL</b>	VND			<b>24,680,284,752</b>
		USD			<b>1,065,642.7</b>

## **XII. INSTITUTIONAL ARRANGEMENTS**

### **Vietnam Expressway Corporation (VEC)**

63. VEC is the Executing Agency of the Project. SEPMU established by VEC is generally responsible for the implementation of the project. They are responsible for the approval of the detailed design, disbursement of funds, monitoring of the project implementation and coordination with the Ministry of Transport, the ADB, the People's Committees of Long An Province, Dong Nai Province and Ho Chi Minh City, including 7 districts and 16 communes affected by the Project.
64. The SEPMU is responsible for the daily monitoring of the project implementation including the implementation of the Addendum. The SEPMU will coordinate with the Ho Chi Minh City PC to update and implement this Addendum.
65. As the Executing Agency of the Project, VEC has the following key responsibilities:
- Preparation, and implementing the Addendum in collaboration with the People's Committees at various levels and the Ho Chi Minh City CCSC and DCCSCs of Nha Be, Can Gio and Binh Chanh Districts;
  - Securing ADB's concurrence for any variations in the Addendum;
  - Securing the budget for implementing the Addendum, ensuring that funds for resettlement are available in a timely manner and in sufficient amounts;
  - Assisting in the resolution of grievances and complaints (if any) of the AHs.

### **The People's Committees of provinces and city**

66. Ho Chi Minh City PC takes the overall responsibility for the resettlement activities within their management authorities.

### **DPCs of Nha Be, Can Gio and Binh Chanh Districts**

67. In Nha Be, Can Gio and Binh Chanh Districts, the Vice chairmen of the DPCs are mainly assigned issues on land acquisition and hand over of land, including other issues related Addendum implementation, and are chairmen of DCCSCs. Other members of the DCCSCs include Directors of Financial Division, Natural Resources and Environment Division, Division of Agriculture and Rural Development, Chairmen of CPCs, VEC staff, representatives of the farmers associations, women's unions and AHs. The DCCSCs are main agencies who have responsibility in implementation of all steps of land acquisition and handing over land to the Project.
68. DPCs and District Income Restoration Program Boards are responsible for providing the IRP supports to the eligible households.

### **Land Fund Development Centers of Districts**

69. The District Centre for Land Fund Development (CLFD) of Nha Be, Can Gio and Binh Chanh Districts are to carry out the following activities of land acquisition, compensation, assistance and resettlement and hand over of land for the project: (i) mapping and DMS for AHs, (ii) compensation calculation, (iii) resettlement, (iv) baseline data management (land acquisition, DMS, payment of compensation and support, resettlement arrangement, complaint settlement, etc.), and (v) grievance redress.

### **CPCs of Nhon Duc, Long Thoi, Binh Khanh and Da Phuoc communes**

70. The CPCs are to assist the DCSCCs in their resettlement tasks. Specifically, the CPCs are responsible for the following tasks:
- Participate in the planning and implementation of the Addendum;
  - Establish working groups and guide the functions of the groups; support the site clearance and compensation in the DMS implementation; prepare project land acquisition records, develop and implement resettlement activities;
  - Identify land replacement cost for AHs and recommend IRP supports suitable for local people;
  - Sign DMS minutes, confirm legal papers or status of land use; transfer land use rights to households to meet the requirements for their compensation plans;
  - Resolve complaints and appeals under the law;
  - Take active participation in the land acquisition, compensation, assistance and resettlement.

### **Project Supervision Consultant**

71. The PSC is to assist VEC and local authorities in disseminating the Addendum to the AHs. The PSC also supports the internal monitoring function of the SEPMU and ensures that the findings and recommendations of the External Monitoring Agency (EMA) are discussed with VEC, DPCs and DCCSCs to take actions in time.

### **XIII. MONITORING AND EVALUATION**

#### **Internal monitoring and evaluation**

72. SEPMU performs the internal monitoring and evaluation to ensure that the implementation of compensation, assistance and resettlement for the additional land acquisition impacts complies with the agreed Addendum. The internal monitoring and evaluation assess the implementation of the Addendum according to the following criteria:
- Payment of compensation and other entitlement for APs is in accordance with the entitlement matrix in the approved Addendum and the agreed 2014 URPs for Nha Be, Can Gio and Binh Chanh Districts.
  - Implementation of income restoration measures and timely provision of the IRP supports to the eligible households.
  - Assist and monitor of resolving complaints and grievances in a timely and reasonable manner based on the GRM provided in the agreed 2014 URPs for the districts.
  - The payment of compensation and other entitlements is completed prior to the site clearance with a timely transition period between the relocation, site clearance and the commencement of the construction of civil works.
73. The monitoring and evaluation reports of SEPMU are prepared based on the information from the DCCSCs, CLFDs, Contractors, etc. and are submitted to the ADB on a quarterly basis. The reports include the following issues:
- Number of AHs and the status of compensation payment and resettlement and update of land acquisition area in order to prepare monitoring reports to submit to ADB quarterly;
  - Disbursement of compensation payments to AHs;
  - Implementation of the IRP;
  - Settlement of complaints raised by the AHs;
  - Progress of Relocation.

#### **External monitoring and evaluation**

74. In accordance with the Project's arrangements, VEC/SEPMU has mobilized the EMA to carry out the independent monitoring and evaluation of the implementation of the agreed 2014 URPs and the EMA also carries out the monitoring activities for implementation of this Addendum.
75. The external resettlement monitoring specialists need to focus on the following specific issues and indicators:

#### ***DMS Implementation***

- Examine if the DMS is carried out correctly and if the results of DMS is disclosed properly.
- Monitor if complaints or questions of AHs on the DMS results are settled timely and satisfactorily.
- Consultations with AHs and their knowledge on the entitlements.

- Examine if relevant documents (Addendum, decrees/decisions related to land acquisition, compensation, allowances and resettlement, detailed compensation plans) are disclosed properly and provided to the AHs.
- Check whether AHs are informed and consulted adequately about the resettlement principles and entitlements, schedule of resettlement implementation; IRP, and grievance redress.

### ***Compensation and assistances provisions***

- Monitor if AHs are compensated adequately and satisfactorily to replace the assets affected before land is acquired.
- Examine if compensation for affected land and structures are at replacement cost.
- Check whether all types of assistances/allowances as envisaged in the agreed Addendum are provided accordingly to the AHs.

### ***Relocation***

- Examine if relocation is fully completed before civil work is commenced.
- Check if relocation households are provided with resettlement assistance and other assistances as presented in the agreed Addendum.

### ***Income restoration program***

- Examine whether the income restoration measures specified in the agreed 2014 URPs for the districts are implemented.
- Level of income restoration, living standard and livelihood development of the AHs after land acquisition and compensation and relocation.
- Problems that AHs are facing on restoring the affected income and livelihoods.

### ***Level of satisfaction of AHs.***

- Assess the level of satisfaction of AHs in different aspects in the Addendum implementation (information dissemination and public consultation, DMS, compensation and assistance payment, compensation unit prices, relocation arrangements, IRP, etc.).
- Assess the level of satisfaction of AHs on the GRM and grievance redress.

### ***Coordination between the resettlement activities and construction schedule***

- Check whether civil works started when (i) land acquisition and resettlement activities (compensation, assistance and relocation) for the AHs by the additional land acquisition have been completed; (ii) the agreed income restoration measures are in place; and, (iii) the acquired land is free from any encumbrances and no pending complaints and grievances are left unresolved.

### ***Gender Issues***

Examine of participations of women in various land acquisition and resettlement activities; impacts of land acquisition and resettlement on women's livelihoods; issues of income restoration of women.

76. The external monitoring reports are quarterly submitted to ADB for review and approval. The monitoring reports are shared to the relevant stakeholders and uploaded on ADB's website for disclosure.

**XIV. CONCLUSIONS**

77. The indicated figure of affected households and affected persons by additional land acquisition (54 affected households; 285 persons) in this URP Addendum are the final figure and it has been confirmed by the District Resettlement Committees and District Centers for Land Fund Development, SEPMU/VEC as well as local communities.
78. The compensation unit price for the affected land and structures have met the principles of replacement cost and the compensation unit price for the affected crops and trees is in conformity to the market rate.
79. Consultation with the additional affected households has been conducted sufficiently during the URP addendum preparation and implementation following the provisions of the agreed Resettlement Framework for the Project and the 2014 URP.
80. The project-level GRM is still in-place and functional in the locals. There is no complaint or grievance related to the additional land acquisition, compensation and assistance lodged by the affected households and local communities to date (including 45 households who had land previously acquired for the affected land and assets in the previous land acquisition). However, to ensure that the complaints/grievances – if any, will be settled in a timely manner - in the meeting with the project districts in February 2020, SEPMU requested the project districts to review if there are any complaints/grievances that recently lodged by the additionally affected households (54 households). The project districts stated in a meeting with SEPMU in March 2020 that there was no pending complaint or grievance of 54 additionally affected households – neither complaint or grievance for the affected land and assets in the previous land acquisition in 2014.
81. The IRP for eligible AHs in Binh Chanh has not yet been implemented. It is planned by the District IRP Committee that the program will be implemented from June 2020 and completed by December 2020.
82. The URP Addendum - once has been accepted by ADB, will be uploaded to ADB and VEC's websites and posted in the public places of the villages where there was additional land acquisition by the Project.

## **XV. IMPLEMENTATION SCHEDULE**

83. Table 17 below summarizes the various inter-related activities associated with the preparation and implementation of the Addendum. All resettlement activities are in accordance with the civil works schedule.
84. VEC does not issue a notice of possession of site for any expressway section until the heads of DCCSCs have officially confirmed in writing that (i) payment has been fully disbursed to the APs and rehabilitation measures are in place as per the Addendum agreed between VEC and ADB; (ii) already-compensated APs have cleared the area in a timely manner; and (iii) the area is free from any encumbrances.

**Table 18–Implementation Schedule of the Addendum**

<b>Activities</b>	<b>Time</b>
Conduct of DMS and RCS	2012 - 2014
Payment of compensation and assistance to the AHs	June 2017
IRP implementation	June 2017 – December 2020
Preparation of the Addendum	November 2019 – May 2020
Submitting the Addendum to ADB and finalizing the Addendum according to ADB's comments	May 2020
Disclosure of the final Addendum	From May 2020 (On-Going)
Internal monitoring	On-going
External monitoring	On-going

**XVI. APPENDICES****Appendix1: List of Additionally Affected Households in Nha Be, Can Gio and Binh Chanh District (Ho Chi Minh City)**

No.	Name of HH	Commune – District	Total land area (m <sup>2</sup> )	Area of acquired land by the previous land acquisition (m <sup>2</sup> )	Area of additionally acquired land (m <sup>2</sup> )	Cumulative percentage of affected land (%)
1	Võ Thị Tre	Long Thới - Nhà Bè	10,746.2	5,333.2	659.8	55.8
2	Mai Thị To	Long Thới - Nhà Bè	1,868	1,300.4	340.7	87.9
3	Nguyễn Hoàng Sơn	Long Thới - Nhà Bè	3,057.1	100	101.1	6.6
4	Lê Thị Sáu	Long Thới - Nhà Bè	5,393	3,719.5	661.5	81.2
5	Trần Thị Chính	Long Thới - Nhà Bè	4,375	1,352.4	570.5	41.7
6	Trần Văn Chính - Mai Thị Huyền	Long Thới - Nhà Bè	4,000	208.9	258.5	11.7
7	Trần Ngọc Ẩn	Long Thới - Nhà Bè	7,171	6,359.5	475	95.3
8	Lê Ngọc Đăng	Long Thới - Nhà Bè	4,229.7	2,415.2	113.7	59.8
9	Nguyễn Thanh Hoàng	Long Thới - Nhà Bè	14,461	4,969.5	418.3	37.3
10	Võ Hữu Hạnh	Long Thới - Nhà Bè	2,291	340.3	254.7	26
11	Lê Thị Bảy	Long Thới - Nhà Bè	1,875	90	90.1	9.6
12	Lê Trần Đạt Nguyên	Long Thới - Nhà Bè	3,551.7	739.9	325.1	30
13	Võ Hồng Vàng	Long Thới - Nhà Bè	10,783.2	5,928.8	365.9	58.4
14	Võ Thị Lùng	Long Thới - Nhà Bè	1,979.3	1,872	46.6	96.9
15	Lê Kim Yển	Nhơn Đức - Nhà Bè	2,883	2,156.7	375.3	87.8
16	Trương Minh Tuấn - Phan Thị Mỹ Lan	Long Thới - Nhà Bè	1,368	1,019	266.2	93.9
17	Lê Ngọc Bồn	Long Thới - Nhà Bè	869.4	706.2	163.2	100
18	Nguyễn Văn Văn - Trần Thị Hồng Nga	Long Thới - Nhà Bè	4,027	49	59.2	2.4
19	Huỳnh Ngọc Phước	Đa Phước - Bình Chánh	3,164.5	1,670.3	223.8	56.7
20	Phạm Đình Khương	Đa Phước - Bình Chánh	2,327.3	54.7	509.9	24.3
21	Phạm Thị Bạch Lang	Đa Phước - Bình Chánh	76.2		76.2	100
22	Nguyễn Tấn Tài	Đa Phước - Bình Chánh	2,627.8		435.3	16.6
23	Phạm Ngọc Điệp	Đa Phước - Bình Chánh	1,816		547.1	30.1
24	Ngô Thành Nhân	Đa Phước - Bình Chánh	148.1	55.4	92.7	100
25	Trương Thị Kiều	Đa Phước - Bình Chánh	987.4		50	5.1
26	Võ Văn Chấn	Bình Khánh - Cần Giờ	7,134.9	2,704.1	88.8	39.1



## Addendum to the Updated Resettlement Plans for Nha Be, Can Gio and Binh Chanh Districts, Ho Chi Minh City

No.	Name of HH	Commune – District	Total land area (m <sup>2</sup> )	Area of acquired land by the previous land acquisition (m <sup>2</sup> )	Area of additionally acquired land (m <sup>2</sup> )	Cumulative percentage of affected land (%)
27	Nguyễn Thị Tính	Bình Khánh - Cần Giờ	9,865.2	4,834.3	463.5	53.7
28	Nguyễn Thị Mười	Bình Khánh - Cần Giờ	72,025	6,403.5	451	9.52
29	Dương Thị Dũng	Bình Khánh - Cần Giờ	11,587.9	5,314.5	823.5	52.11
30	Ngô Thanh Đức	Bình Khánh - Cần Giờ	4,849.3	246.7	323	11.75
31	Trần Văn Anh	Bình Khánh - Cần Giờ	13,658	1,522.3	49.9	11.51
32	Phan Văn Đơn - Phạm Thị Tròn	Bình Khánh - Cần Giờ	10,185.1	2,810.1	498.6	30.52
33	Dương Văn Bồi	Bình Khánh - Cần Giờ	15,190	5,735.5	832.5	41.92
34	Phạm Đăng Ngọc Cẩm	Bình Khánh - Cần Giờ	1,715	1,082.8	291.8	80.15
35	Nguyễn Thị Trinh	Bình Khánh - Cần Giờ	10,225	2,562.7	630.4	31.23
36	Nguyễn Văn Đi	Bình Khánh - Cần Giờ	6,718	136.1	240.3	5.6
37	Hà Thị Thúy Phượng	Bình Khánh - Cần Giờ	7,258.5	7,047.4	17.5	97.33
38	Nguyễn Văn Biền	Bình Khánh - Cần Giờ	16,976	343.8	51.4	2.33
39	Phạm Thị Kim Thùy	Bình Khánh - Cần Giờ	21,244.8	200.7	164.7	1.72
40	Trần Thị Xuân Mai	Bình Khánh - Cần Giờ	3,739.7	1,405	42.7	38.71
41	Châu Thị Ba	Bình Khánh - Cần Giờ	2,830.7	920.9	147.5	37.74
42	Nguyễn Ngọc Phi	Bình Khánh - Cần Giờ	1,582	831.3	233.8	67.33
43	Nguyễn Thị Thân	Bình Khánh - Cần Giờ	10,556	3,213.6	277	33.07
44	Nguyễn Văn Tám	Bình Khánh - Cần Giờ	7,585	2,739.4	616.6	44.25
45	Nguyễn Văn Sau	Bình Khánh - Cần Giờ	5,935.3	5,607.1	346.2	100.3
46	Nguyễn Thiên Lăng	Bình Khánh - Cần Giờ	2,806.2	813.5	550.1	48.59
47	Phạm Thị Tính	Bình Khánh - Cần Giờ	8,798	5,680.7	252.7	67.44
48	Nguyễn Công Danh	Bình Khánh - Cần Giờ	5,295.9	723.3	711.5	27.09
49	Nguyễn Lê Duy Long	Bình Khánh - Cần Giờ	98,699.7	892	415.5	1.32
50	Trương Minh Thạnh	Bình Khánh - Cần Giờ	2,700		316.8	11.73
51	Nguyễn Văn Thật	Bình Khánh - Cần Giờ	16,240.24		62.7	0.39
52	Lê Thị Năm	Bình Khánh - Cần Giờ	10,127.4		234.3	2.31
53	Phạm Quang Tuyên	Bình Khánh - Cần Giờ	70,554		245.5	0.35
54	Unknown land - owner	Bình Khánh - Cần Giờ	1,974.5		27.6	1.4

**Appendix 2: Minutes of DMS Implementation in 2013**

Mẫu Biên bản đo đạc và kiểm kê tài sản / Form Minutes of Detailed Measurement Survey

Tỉnh/Province : Hồ Chí Minh CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT  
NAM SOCIALIST REPUBLIC OF VIETNAM  
Độc lập - Tự do - Hạnh Phúc  
Independence - Freedom - Happiness

Quận/District : Huyện Cần Giờ

Xã/Commune : Bình Khánh

Mã số hộ dân  
HH code

**BIÊN BẢN ĐO ĐẠC VÀ KIỂM KÊ TÀI SẢN  
CỦA NGƯỜI CÓ TÀI SẢN GẮN LIÊN VỚI ĐẤT**  
Minutes of Detailed Measurement Survey for assets on affected land  
Dự án đường cao tốc Bến Lức - Long Thành  
(Ben Luc – Long Thanh Expressway Project)  
(Additional extensions project)

Tiền dự án/ Sub-project/ Bồi thường và GPMB quận/huyện/ DCSCC: Huyện Cần Giờ

Ngày/date: 14 Tháng/month 11 Năm/year 2013

Đây là biên bản làm việc với sự hiện diện của/This minute is made with the presence:

1. Đại diện chủ sở hữu, chủ sử dụng/Head of affected household:

Ông/bà (Mr/Mrs): Ông Thi Dung CMND số/ID No: ...  
Cấp ngày/Issue date: ... Nơi cấp/Issue place: ...

Chuyển nhượng Ông/bà (Mr/Mrs): Ông Minh Thuận CMND số/ID No: 021147634  
Cấp ngày/ Issue date: 14/12/2012 Nơi cấp/Issue place: CA TP HCM  
Địa chỉ thường trú/Permanent address: 625 Tân Xuân Sơn, P. Tân Thới, Q7.  
Địa chỉ liên hệ và số điện thoại liên lạc/Contacting address: ...  
Địa điểm/ địa chỉ kiểm kê/Place of the DMS: Ấp Bình Trung  
Thuộc km/số/At Km: Km 23+900  
Ranh bên phải, km/số/right of ROW, at Km ...; ranh bên trái km số/ left of ROW, at KM ...

2. Đại diện tổ kiểm kiểm kê/ Representative to DCSCC:

Ông/bà (Mr/Mrs) Nguyễn Ngọc Tường Chức vụ /Position: Nhân viên  
Ông/bà (Mr/Mrs) Trần Quốc Sang Chức vụ /Position: ...  
Ông/bà (Mr/Mrs) Dương Duy Khiết Chức vụ /Position: ...  
Ông/bà (Mr/Mrs) Huỳnh Văn Thanh Chức vụ /Position: Địa chính xã  
Ông/bà (Mr/Mrs) ... Chức vụ /Position: ...  
Ông/bà (Mr/Mrs) ... Chức vụ /Position: ...

Cùng tiến hành đo đạc, kiểm kê tài sản; ghi nhận hiện trạng nhà, đất, vật công trình, kiến trúc...  
trong phạm vi bị ảnh hưởng bởi dự án ĐTXD đường cao tốc Bến Lức – Long Thành để làm cơ sở  
tính toán bồi thường, hỗ trợ, tái định cư/Together implement asset measurement and inventory of  
affected households and make records for confirming existing conditions within the land clearance  
limit to create basis for calculation of compensation, assistance and resettlement

Công tác trên ghi nhận căn cứ vào bản vẽ hiện trạng vị trí số/ The above records are based on  
existing drawings at location No. ... do/ by ... lập ngày/ prepared on ...

Mẫu kiểm đếm chi tiết cho TP.HCM/ DMS Form for HCMC

I. THÔNG KÊ VỀ ĐẤT/ STATISTICS ON LAND

1. Toàn bộ diện tích đất nông nghiệp thuộc quyền sử dụng của hộ trên địa bàn xã và Các thửa đất bị thu hồi bởi dự án/ Statistics on total area of agricultural landholdings by the HH in the commune and total affected land area by the project

TT No.	Loại đất Type of land	Thửa số Plot	Tờ bản đồ số, năm Map number, year	Vị trí, Khu vực (Mã số theo QĐ số 89/2010/QĐ-UBND ngày 22/12/2010 của UBND TP.HCM) Area location (Described following the Decision no. 89/2010/QĐ-UBND dated 22/12/2010 of HCMC People's Committee)	Diện tích/ area (m <sup>2</sup> )			Hiện trạng sử dụng Land use status	Tình trạng sử dụng phần đất còn lại sau thu hồi (còn tiếp tục sử dụng được không) Land use status of the remaining area (Economically viable or not (Y or N)	Nguồn gốc, Thời điểm sử dụng; Tình trạng pháp lý History of land use Time of land use Legal status
					Tổng diện tích thửa đất Total area	Diện tích bị thu hồi Area of acquired land	Diện tích còn lại Remaining area			
1		2	3	4	5	6	7=6-5	8	9	10
1	04	135	05		2700					03
2										
3										
4										

Chú thích/Notes:

(1) Loại đất Type of land	1. Đất ở Residential land;	2. Đất SXKD phi nông nghiệp Productive land (non-agricultural land)	3. Đất nông nghiệp ven cây/ Đất vườn Agriculture adjacent land/ Garden land	4. Đất lúa, trồng cây hàng năm Annually crops land;
(8) Hiện trạng sử dụng Land use status	5. Đất trồng cây lâu năm Perennial tree land	6. Đất rừng sản xuất Productive forest land	7. Đất nuôi trồng thủy sản Aquaculture land	8. Đất làm muối Land for producing salt
(10) Tình trạng pháp lý Nguồn gốc/thời điểm sử dụng Legal status History of land use/ Time of land use	9. Đất kênh rạch Canal and channel land	10. Đất cát ven biển lấp Predominant and alluvium land	11. Đất khác Others	
	1. Sử dụng trước 15/10/1993	2. Từ 15/10/1993 - 22/04/2002	3. Có số đo Have LURC	4. Có giấy tờ hợp lệ khác (gửi rõ) Other legal papers
	5. Đang hợp thức hóa On process to obtain legal papers	6. Có hợp đồng thuê đất Have rental contract	7. Đang tranh chấp In conflict	8. Không có giấy tờ gì cả No any legal papers



## Mẫu kiểm đếm chi tiết cho TP.HCM/ DMS Form for HCMC

## Ghi chú/ Note:

1. Loại/ Hình thức công trình/ Type / Items of construction: Trường hợp của hàng buôn bán kinh doanh, các ghi rõ/ If business shops, please indicate:		1. Cửa hàng độc lập/ Independent shop	2. Là/ phần của cửa hàng/ Being part of a shop
3. Kết cấu vật: kiến trúc/ Structures of the items		Mô tả theo QĐ số 12/2008/QĐ-UBND ngày 20/12/2008 và QĐ số 64/2008/QĐ-UBND ngày 31/7/2008 của UBND TP.HCM/ Described following the Decision No. 12/2008/QĐ-UBND dated 20/12/2008 and Decision No. 64/2008/QĐ-UBND dated 31/07/2008 of HCMC Đối với hạng mục công trình có kết cấu kiên cố: tính tới giáp mép cột chân lực gần nhất/ For items that have fixed structure: calculation will be executed to the edge of the nearest loading column	
6. Thời điểm xây dựng/ Time of construction	1. Trước 22/4/02/ Before 22/4/02;	2. Trước 01/7/04/ Before 01/7/04	3. Thời điểm khác/ Others
7. Tình trạng pháp lý/ Legal status	1. Có GCNQSH/ Have housing ownership certificate	2. Có GPXD/ Have construction license	3. Có giấy tờ hợp pháp khác (ghi rõ)/ Have other legal papers (specify)
	5. Thuộc QSH của người đang sử dụng/ Under ownership by people who are using	6. Người đang sử dụng là đồng sở hữu/ Who is using is co-owner	7. Đang thuộc QSH của cha mẹ, con cái, anh em/ Now, under ownership of the parents, children, brothers, sisters who are using
	9. Thuộc QSH của người khác (ghi rõ)/ Others (please specify)		
8. Được xây dựng trên đất của: Housing and structures are built on land which is:	1. Người đang sử dụng nhà/ Who currently using the house	2. Bên thừa kế đồng sở hữu/ Co-ownership with current land occupier	3. Cha mẹ, con cái, anh em/ Parents, children, brother(s)/sister(s)
	5. Của người khác (ghi rõ)/ Others (please specify)	4. Họ tộc/ Ownership of relatives	

## 2. Tài sản tiện ích sinh hoạt bị ảnh hưởng/ Affected living amenities

TT No.	Loại Types	Số lượng Quantity	Đơn vị Unit	Ghi chú Notes
1	Điện thoại/ Telephone		Cái/ Linear	
2	Đồng hồ nước/ Water meter			
3	Đồng hồ điện/ Power meter			
4	Cáp truyền hình/ Cable TV			
5	Internet			
6	Khác/ Others			

## 3. Mộ mã/ Grave/Tomb

TT No.	Loại mộ Grave category	Số lượng Quantity	Thuộc thửa đất, tờ bản đồ số Plot number	Quan hệ với chủ hộ/ Relation with head of HH
1				
2				
3				

## Chú thích/ note:

Loại mộ Grave category	1. Mộ đất/ Grave	2. Mộ xây thường, địa ông/ Normal tomb or local tomb	3. Mộ xây bán kiên cố/ semi-fixed tomb
	4. Mộ xây kiên cố/ Fixed tomb	5. Mộ của các tầng/ Exhumed tomb	6. Khác/ Others
Quan hệ với chủ hộ Relation with HH head	1. Vợ/ chồng/ Wife/Husband	2. Con/ Children	3. Cha mẹ/ Father/Mother
	4. Anh chị em/ Sister/Brother	5. Ông bà, Cháu/ Grandparents, Grandchildren	6. Cụ thể khác/ Others

## Mẫu kiểm đếm chi tiết cho TP.HCM/ DMS Form for HCMC

## 5. Thiết hại về hợp đồng lao động/ sản xuất, kinh doanh (đính kèm pháp lý/ Loss of labour contract/ business production (attached legal)

No.	Loại hình/ Business type 1. Doanh nghiệp 2. Tổ hợp 3. Cá nhân 4. Kinh tế hộ gia đình, kinh doanh nhỏ lẻ 1. Entrepreneur 2. Cooperative (complex) 3. Individual 4. Small business/family- shop business	Lĩnh vực, ngành nghề (ghi rõ)	Họ tên đại diện pháp nhân/ Người lao động Name of employees	Năm sinh DoB	Giới tính Gender	Số hợp đồng lao động/ Chứng nhận Đăng ký SXKD/ Chứng nhận thuế/ hợp đồng kinh doanh, thuê mướn mặt bằng (ghi rõ) Contract number/ Business registration certificate/ Tax bill/ Business contract, sin- easing contract (specify)	Thu nhập sau thuế của 6 tháng, 3 năm liên kế gần nhất (có xác nhận của cơ quan thuế) Mức lương Income after tax of 6 months, for three consecutive latest years (verified by tax agency) Wages/Salary	Loại thiệt hại (ghi rõ) Type of loss (specify)
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								

7/11



Mẫu kiểm đếm chi tiết cho TP.HCM/ DMS Form for HCMC

**IV. ẢNH HƯỞNG TÁI ĐỊNH CƯ, PHỤC HỒI SINH KẾ/ PREFERENCES ON RESETTLEMENT AND INCOME RESTORATION (Chỉ áp dụng cho hộ bị ảnh hưởng Tái định cư)**

1. Chủ sở hữu/ sử dụng đã có nhà ở khác trên địa bàn xã: Owners/ Landholder have other houses in the commune	a. Có Yes	b. Không No
---	--------------	----------------

Nếu đáp án là b, người kiểm kê phải bỏ qua câu 2.

2. Nhà ở khác trên địa bàn xã (nếu có) như đã nêu tại câu 1 có đủ để các hộ BAH Tái định cư phụ/TĐC hay không?	a. Có Yes	b. Không No
--	--------------	----------------

3. Ngoài suất Tái định cư chính, dự tính hộ bị ảnh hưởng được thêm bao nhiêu suất Tái định cư phụ	Ghi rõ _____
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**4. Nguyên vọng tái định cư/ Preferences on resettlement**

a. Xây dựng nhà trên phần đất còn lại sau giải tỏa (Chỉ đối với trường hợp phần diện tích còn lại sau giải tỏa $\geq$ ..... m <sup>2</sup> ) To build house on remaining area of recovered land (For those who remaining area of recovered land is greater or equal to ..... m <sup>2</sup> )	
b. TĐC bằng lô đất nền Compensated with a plot of land	c. TĐC bằng nhà phố liền kề Compensated with a house
d. TĐC bằng căn hộ chung cư Compensated with a condominium apartment	e. Nhận tiền, tự lo nơi ở mới Receive cash and self-relocation

**5. Nguyên vọng phục hồi sinh kế, thu nhập/ Preferences on income and livelihood restoration:**

a. Được đào tạo nghề Vocational training	b. Tham gia các chương trình khuyến nông Agricultural extensive programs
d. Nhận tiền, tự lo phục hồi sinh kế Receive cash and self-employment	c. Chăn nuôi Husbandry
e. Nguyên vọng khác (ghi rõ) Others (please specify)	

**V. CÁC LOẠI GIẤY TỜ NHÀ ĐẤT, TÀI SẢN LIÊN QUAN****VI. Ý KIẾN CỦA CHỦ SỞ HỮU/ SỬ DỤNG / COMMENTS BY OWNER/ LANDHOLDER**

Mẫu kiểm đếm chi tiết cho TP.HCM/ DMS Form for HCMC

## VII. Ý KIẾN CỦA TỔ KIỂM KÊ / COMMENTS BY SURVEY TEAM

Ghi nhận hiện trạng

Biên bản kiểm kê này đã được các bên kiểm tra, thống nhất nội dung, đồng ý ký tên và được lập thành 06 bản có giá trị pháp lý như nhau, đại diện chủ sở hữu/sử dụng giữ 01 bản, HDBTDA giữ 02 bản, các thành viên còn lại mỗi bên giữ 01 bản.

This minute has been checked by the parties, agreed on its contents, and agreed to sign on. It has been made in 06 copies with the same legal value. 01 copy is kept by the owner/ landholder; 02 copies are kept by DCSCC and 01 copy are kept by other members of survey team.

Ngày/Date 14 Tháng/Month 11 Năm/Year 2013

Tổ kiểm kê  
Survey teamĐại diện Chủ sử dụng/Chủ sở hữu  
Owner/ LandholderĐại diện: UBND Xã  
CPC Representative

CHỦ TỊCH

1/ Nguyễn Ngọc Tường

2/ Đinh Duy Khôi

3/ Trần Quốc Long

Đại diện:  
Representative:Đại diện:  
Representative:

4/

Đại diện: Phòng Tài nguyên Môi trường  
Representative: DONRE

PHÓ TRƯỞNG PHÒNG

5/

Đại diện: Ban BT-GPMB/  
Representative: DCSCC

PHÓ TRƯỞNG BAN

6/

Lê Văn Trọng

Thạm Minh Châu

11/11



**Appendix 3: Minutes of consultations in 2019**

**BIÊN BẢN HỌP DÂN**  
(Đính kèm Biên bản tham vấn cộng đồng)

Xã: ..... Huyện: Nhà Bè, Tỉnh: T.P. HCM  
Cần Giờ

**1. Thành phần tham dự:**

<b>Đại diện Chủ đầu tư:</b>	Chức vụ: <u>Quản lý DA</u>
- Ông (Bà): <u>Trần Thanh Phụng</u>	Chức vụ: .....
- Ông (Bà): .....	Chức vụ: .....
<b>Đại diện đơn vị tư vấn:</b>	Chức vụ: <u>Chuyên gia T.ĐC</u>
- Ông (Bà): <u>Chu Văn Tuấn</u>	Chức vụ: .....
- Ông (Bà): .....	Chức vụ: .....
<b>Đại diện UBND xã</b>	Chức vụ: <u>Chủ tịch UBND H. Cần Giờ</u>
- Ông (Bà): <u>Bùi Thị Xuân</u>	Chức vụ: <u>C.Đ. chính xã Bình Khánh</u>
- Ông (Bà): <u>Huỳnh Văn Thành</u>	Chức vụ: .....
<b>Đại diện/ người đứng đầu các nhóm dân tộc thiểu số (nếu có):</b>	Chức vụ: .....
- Ông (Bà): .....	Chức vụ: .....
- Ông (Bà): .....	Chức vụ: .....
<b>Đại diện các hội đoàn thể địa phương:</b>	Chức vụ: <u>Chủ tịch Hội phụ nữ xã Long</u>
- Ông (Bà): <u>Nguyễn Thị Mỹ Linh</u>	Chức vụ: <u>CT. MTIQ H. Nhà Bè</u>
- Ông (Bà): <u>Nguyễn Kim Ngọc</u>	Chức vụ: <u>CT. Hội nây dân H. Nhà Bè</u>
- Ông (Bà): <u>Phạm Văn Dũng</u>	Chức vụ: .....
- Ông (Bà): .....	Chức vụ: .....
- Ông (Bà): .....	Chức vụ: .....
<b>Đại diện các hộ gia đình:</b> <u>38</u> người, trong đó số người dân tộc thiểu số: <u>0</u>	

**2. Nội dung cuộc họp:**

Ban QLDA cung cấp các thông tin trước đây:

- 1) Mô tả qui mô thu hồi đất bị sự tác động
- 2) Chính sách, biện pháp giảm thiểu tác động
- 3) Chính sách đền bù, hỗ trợ, T.ĐC
- 4) Cơ chế GQKN
- 5) .....

1



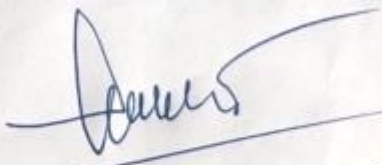
- Ý kiến đóng góp của chính quyền và người dân địa phương:

Ý kiến của người dân:  
 - Bà Thuý, T. T. Thoa, đang  
 - Các hộ BAH chặt tu với quyền lợi  
 - Thon gia phục hồi thu nhập của các hộ BAH  
 - Vấn đề IMS bằng công nghệ mới





























ĐƠN VỊ TƯ VẤN

CHÍNH QUYỀN ĐỊA PHƯƠNG

  
 Chu Quy Tuyền

  
 Bùi Thị Xương

**DANH SÁCH CÁC HỘ DÂN THAM GIA THAM VẤN**  
 Dự án: ... Cao tốc Bến Lức - Long Thành ... T.P. HCM  
 Tại xã (phường) ..... huyện (thị xã) ..... Tỉnh .....

STT	Họ tên	Chữ ký người dân tham gia cuộc họp	Ghi chú
1	Võ Thị Tre		
2	Mai Thị To		
3	Nguyễn Hoàng Sơn		
4	Phan Thị Chính		
5	Lê Thị Sáu		
6	Trần Văn Chấn		
7	Trần Ngọc Cấn		
8	Lê Ngọc Đăng		
9	Nguyễn Thanh Hoàng		
10	Lê Văn Bình		
11	Lê Thị Bảy		
12	Lê Văn Đạt Ngọc		
13	Võ Hồng Văn		
14	Phan Thị Hùng		
15	Lê Văn Yên		
16	Trần Văn Tuấn		
17	Lê Văn Bình		
18	Nguyễn Văn Văn		
19	Phan Văn Khôi		
20	Nguyễn Văn Hùng		
21	Phan Văn Hùng		
22	Phan Văn Hùng		
23	Nguyễn Văn Hùng		
24	Trần Văn Hùng		
25	Võ Văn Chấn		
26	Nguyễn Văn Hùng		
27	Nguyễn Văn Hùng		
28	Đường Thị Hùng		

## DANH SÁCH CÁC HỘ DÂN THAM GIA THAM VẤN

Dự án: San lấp hồ nước ở Thôn Tinh Tiến

Tại xã (phường) ..... huyện (thị xã) ..... Tỉnh .....

STT	Họ tên	Chữ ký người dân tham gia cuộc họp	Ghi chú
29	Ngô Thanh Đức	Đức	
30	Trần Văn Anh	Anh	
31	Trần Văn Đức	Đức	
32	ĐƯƠNG VĂN BÔI	Bôi	
33	Phạm Văn Sơn	Sơn	
34	Nguyễn Văn Cường	Cường	
35	Nguyễn Văn Đức	Đức	
36	Hà Thị Thuý Phương	Phương	
37	Trần Văn Văn	Văn	
38	Nguyễn Văn Cường	Cường	

## **Appendix 4: Project brochure**

(English Version)

### **PUBLIC CONSULTATION MANUAL**

#### **I. Project overview**

**Project name:** Ben Luc – Long Thanh expressway project

**Employer:** Vietnam Expressway Corporation (VEC).

**Sources of loan:**

- Partial funded by Asian Development Bank (ADB): 635,7 millions USD;
- Partial funded by Japan International Cooperation Agency (JICA) 634,8 millions USD;
- Government Budget (counterpart fund for land acquisition and Resettlement): 336,9 millions USD.

**Organize compensation, assistance and resettlement:** District compensation and site clearance committee (DCSCC)

**Project objectives:**

- Reduce traffic pressure on National highway No.1 and National highway No.51
- Allow traffic in the West and Southeast region without transit through HCMC.
- Reduce traffic accidents
- Reduce the time travelling and transportation of goods
- Enhance the investment effectiveness at industrial zones in the area
- Attract investment and tourism for HCMC, Long An and Dong Nai province

**Scope of impacts**

- Length of the route: 58km
- Width of land acquisition varies from 56-73m
- The first point of route starts from the intersection of HCMC – Trung Luong expressway; the last point ends at Phuoc Thai commune, Long Thanh district, Dong Nai province
- The project goes through 3 provinces, 7 districts and 16 communes

No.	Province and District	Station		Length (m)	Commune
		Start	End		
I	Long An Province			5,150.00	
1	Ben Luc District	Intersection		700.00	
		Km 0 + 000	Km 2 + 230	1,630.00	My Yen
2	Can Giuoc District	Km 4 + 020	Km 4 + 770	750.00	Phuoc Ly

No.	Province and District	Station		Length (m)	Commune
		Start	End		
		Km 5 + 340	Km 6 + 720	1,380.00	Phuoc Ly
		Km 7 + 240	Km 7 + 380	140.00	Long Thuong
		Km 8 + 120	Km 9 + 120	1,000.00	Long Thuong
<b>II</b>	<b>HCMC</b>			<b>24,590.00</b>	
3	Binh Chanh District	Km 2 + 230	Km 4 + 020	1,790.00	Binh Chanh
		Km 4 + 770	Km 5 + 340	500.00	Binh Chanh
		Km 6 + 720	Km 8 + 010	1,290.00	Tan Quy Tay
		Km 9 + 120	Km 12 + 670	3,550.00	Hung Long
		Km 12 + 670	Km 17 + 125	4,455.00	Da Phuoc
4	Nha Be District	Km 17 + 125	Km 21 + 170	4,045.00	Nhon Duc
		Km 21 + 170	Km 23 + 600	2,430.00	Long Thoi
5	Can Gio District	Km 23 + 600	Km 30 + 200	6,600.00	Binh Khanh
<b>III</b>	<b>Dong Nai Province</b>			<b>28,300.00</b>	
6	Nhon Trach District	Km 30 + 200	Km 34 + 450	4,250.00	Phuoc Khanh
		Km 34 + 450	Km 40 + 800	6,350.00	Vinh Thanh
		Km 40 + 800	Km 53 + 100	12,300.00	Phuoc An
7	Long Thanh District	Km 53 + 100	Km 54 + 650	1,550.00	Long Phuoc
		Km 54 + 650	Km 58 + 537	3,887.00	Phuoc Thai

**Implementation schedule:**

- From 2012 to 2007.
- For the land acquisition and resettlement, it will be extended to end of 2013
- For Binh Chanh district, DMS will be started in 7/2012; the payment will be implemented at end of 2013; and relocation will be planned in end of 2013.



## **II OBJECTIVES, PRINCIPLES OF LAND ACQUISITION AND RESETTLEMENT**

### **Overall objectives of RP:**

All people affected by the project will be able to at least restore their pre-project conditions;

**THE POOR AND VULNERABLE HOUSEHOLDS WILL BE ELIGIBLE TO ADDITIONAL ASSISTANCE TO IMPROVE THEIR PRE-PROJECT LIVING STANDARDS AND INCOME-EARNING CAPACITY THROUGH COMPENSATION AND RELOCATION ASSISTANCE;**

### **Principles**

Compensation will be based on the principle of replacement cost or in kind compensation while additional assistance in cash and in-kind will also be provided depending on the severity of impacts;

Replacement cost survey is conducted by the external appraisal agencies approved by ADB; Income restoration measures/improvement programs for severely affected and vulnerable households are designed and will be implemented in consultation with and participation of DPs and other stakeholders during RP preparation and in phase of RP implementation.

## **POLICY FRAMEWORK AND ENTITLEMENT MATRIX**

The entitlements regulated by this project on the compensation, assistance and resettlement are developed based on types of land acquisition and policy of ADB on involuntary resettlement and related laws of the Government of Vietnam (for instance, the land law in 2003; Decree 69 on compensation, assistance and resettlement; Decision No. 35 on compensation, assistance and resettlement in HCMC) The policy framework applied only for this project has been approved by the GoV at Document No. **1656/TTg-KTN** dated 20th September, 2011. In specific:

**POLICY FRAMEWORK OF LAND ACQUISITION & RESETTLEMENT OF GMS BEN LUC– LONG THANH EXPRESSWAY PROJECT**

(Attached with Letter No. 5324/BGTVT-KHDT dated 31 August 2011)

**Table of measures to be applied for differences between policies of Land Acquisition & Resettlement of ADB and that of Vietnam**

Item	ADB's policy	National Law	Comments of PCs of HCMC, Dong Nai and Long An Provinces	Comments of Ministries and Departments (Ministries of Finance, Planning & Investment, Natural Resources & Envi	Policy to be applied for the Project	Remarks
Assistance for households to be relocated	The affected households will be provided with papers of ownership for resettlement land, houses, opportunities of employments, productions and infrastructures equivalent to their old residences.	People who encroach lands or settle illegally, people who lease public lands but they are invalid or not extended, people who intentionally do not complete obligations requested by the State will not be provided lands or apartments in resettlement areas	<b>PC of Dong Nai Province:</b> it shall update and supplement some articles in column "National Law" in accordance with Decree No. 69/2009/ND-CP on replacing some articles in Decree No. 197/2004/ND-CP and Decree No. 84/2007/ND-CP. <b>PC of Long An Province:</b> requests to comply with regulations of the Government and PC of Long An Province <b>PC of HCMC:</b> set up the Policy framework in line with Vietnamese Law, refer to Decision No. 35/2010/QĐ-UBND of HCMC PC. The	<b>State Bank and Ministry of Planning &amp; Investment:</b> it shall implement in accordance with current law and international treaty on ODA (Item 1, Article 29 of Decree No. 131/2006/ND-CP), requirements on compulsory resettlement policy of ADB. <b>Ministry of Natural Resources &amp; Environment:</b> request to replace item I of Article 9 of Decree No. 197/2004/ND-CP by Article 11, provision 2 of Article 14 of Decree No. 69/2009/ND-CP, replace Article 19 of Decree No. 197/2004/ND-CP by Article 24, 25 of Decree	All relocated households whose legal lands and houses will be compensated with minimum lands or apartments for resettlement to relocate regardless of having household registration or not. For households who are not qualified to be compensated but cannot have another settlement places will be supported by cash or objects. For poor and vulnerable households or households whose compensation amount cannot afford to buy an apartment will get more supports.	- Policy to be applied for the Project shall comply with compulsory requirements of ADB on resettlement policy (agreed with comments of State Bank & Ministry of Planning & Investment) - Comments of Ministry of Finance and Ministry of Natural Resources & Environment: Article 24, 25 of Decree No. 69/2009/ND-CP regulating some cases of being withdrawn lands without compensation. However, this cannot satisfy

## Addendum to the Updated Resettlement Plans for Nha Be, Can Gio and Binh Chanh Districts, Ho Chi Minh City

Item	ADB's policy	National Law	Comments of PCs of HCMC, Dong Nai and Long An Provinces	Comments of Ministries and Departments (Ministries of Finance, Planning & Investment, Natural Resources & Envi	Policy to be applied for the Project	Remarks
			concept of "Replacement price" shall not be used	No. 69/2009/ND-CP <b>Ministry of Finance:</b> request to apply Article 18, 20 of Decree No. 197/2004/ND-CP and Article 24 of Decree No. 69/2009/ND-CP regarding the regulations of compensation and assistance for properties on land		requests of ADB because ADB requests all properties on land shall be compensated by replacement prices. - Policy framework was updated and revised in accordance with comments of Dong Nai Province authorities. - Long An Province and HCMC request to apply the policy of Vietnam only but it cannot satisfy requests of ADB. Decree No. 131/2006 and Decree No. 197/2004 stipulated clearly that it shall analyze differences to submit to the Prime Minister for approval when differences appear.
Assistance for	The compensation	The compensation and assistance		<b>Ministry of Natural Resources</b>	Households/ business bases who are not	It was revised in accordance with



Item	ADB's policy	National Law	Comments of PCs of HCMC, Dong Nai and Long An Provinces	Comments of Ministries and Departments (Ministries of Finance, Planning & Investment, Natural Resources & Envi	Policy to be applied for the Project	Remarks
households to be affected in terms of economy	for those who are affected for their economy, such as loss of income or livelihood, shall be implemented quickly with adequate replacement costs and assistances via credits, vocational training and employment introduction.	shall be only applied for households and registered business/production bases		<b>&amp;Environment:</b> request to base on regulations at Articles 18, 19, 20, 21 and 22 of Decree No. 69/2009/ND-CP to stipulate in details and make it appropriate.	compelled to register for business will be assisted with cash or objects during their temporary residence.	comments of Ministry of Natural Resources & Environment in the Resettlement report and matrix of entitlements
Definition of heavy/serious loss	For those who have to relocate their houses and/or lose at least 10% of production properties (create income)	For those who have to relocate their houses and/or lose at least 30% of agricultural lands			Households who lose at least 30% of agricultural land will get more supports. People who are affected less than 30% of agricultural lands and their major incomes are determined to come from agriculture will get more supports as same as those who lose at least 30% of agricultural lands	

Principle: All of affected households who do not have other residences and are subject to relocation, will be arranged in resettlement sites.

### Potential resettlement sites

Name of residential area	Nature	Locations commune	The number of available plots	Plot area	Localizers	Infra – structure	Selling price (VND/m2)
An Phu Tay RS	RS	An Phu Tay					
Phong Phu 4 resettlement site							
Trung Khanh residential area							
Huynh Thong commercial residential area	RE	Phong Phu					
An Ha residential area		Le Minh Xuan					
Vinh Loc resettlement site	RS	Vinh Loc					
47 ha An Phu Tay residential area	RE	An Phu Tay					

Households with compensation in cash of less than the minimized resettlement selling prices will not be redeeming. Households with compensation in cash of more than the minimized resettlement selling prices will be receiving the different amount in addition to resettlement arrangement.

**GRIEVANCES REDRESS MECHANISM**

The Complaints of AHs could be initially reported in orally or in writing with the commune people's committees (CPC). Such complaints/petitions will be discussed in formal meetings with affected persons and the CPCs. The CPC will have the responsibility to solve the cases within 15 days upon receiving of complaints. All meetings must be recorded and complainants will be given copies of the minutes of meetings. Official grievances redress mechanism includes three steps as follows:

**Stage 1:** If the CPCs are not able to provide mediation or have no responses within 15 days, the complainants can appeal to the district DCSCC/DPC. Affected persons have to appeal their complaints within 30 days from the start of their complaints and provide all papers and documents supporting their complaints. The district DCSCC will make a decision within 30 days upon the date of receiving the complaints.

**Stage 2:** If the complainants are not satisfied with the decisions of the district DCSCC/DPC or receive no reply from the district DCSCC/DP, they can appeal to the DCSCC/PC at province and city level. The DCSCC/PC at province and city level will review and make decisions within 15 days from the date of receipt of the complaints.

**Stage 3:** If the complainants are not satisfied with the decisions of DCSCC/PCs at province and city level or do not receive replies within the prescribed time, they may submit their case to the district court.

**PUBLIC CONSULTATIONS AND PARTICIPATION**

People in the project area will be entitled to involving in all community consultations organized by the project.

Public consultations encourage the participation of all women and vulnerable groups with the desire of enabling all affected households to get access to and being disseminated project information in a complete, simple and understandable manner.

At the consultation meetings, all queries of affected HHs will be answered by the project; for instance: implementation schedule, DMS, entitlements on compensation, assistance and resettlement. In addition, if there is any queries about the project, affected HHs may contact directly with the CPC or DCSCC, PMU for the GMS Ben Luc – Long Thanh expressway construction.

**CONTACT****Management Unit:**

Ben Luc – Long Thanh EPMU  
 Floor 3&4, Nguyen Hung Phu building,  
 400 Nguyen Thi Thap, Tan Quy ward, District 7,  
 HCMC  
 Tel: 08.377.55.26

**Implementing unit for compensation, assistance and resettlement:**

DCSCC of Binh Chanh district  
 E8/9A Nguyễn Hữu Trí, Thị trấn Tân Túc, H.Bình  
 Chánh, TP.HCM  
 Điện thoại: 08.7602129. Fax: 08.7602246

(Vietnamese Version)

## SỔ TAY THAM VẤN CỘNG ĐỒNG

### I. Tổng quan dự án

**Tên Dự án:** Dự án đường cao tốc Bến Lức – Long Thành

**Chủ đầu tư:** Tổng Công ty Đầu tư phát triển đường cao tốc Việt Nam (VEC)

**Nguồn vay:**

- Ngân hàng Phát triển châu Á (ADB): 635,7 triệu USD;
- Cơ quan Hợp tác quốc tế Nhật Bản (JICA) 634,8 triệu USD;
- Ngân sách Chính phủ (vốn đối ứng để thu hồi đất và tái định cư): 336,9 triệu USD.

**Tổ chức bồi thường, hỗ trợ và tái định cư:** Ban bồi thường, GPMB huyện.

**Mục tiêu của Dự án:**

- Giảm áp lực giao thông trên đường Quốc lộ 1 và Quốc lộ 51
- Kết nối giao thông phía Tây và phía Nam tránh qua thành phố HCM.
- Giảm thiểu tai nạn giao thông
- Giảm thiểu thời gian đi lại và vận chuyển hàng hóa
- Nâng cao hiệu quả đầu tư tại các khu công nghiệp trong khu vực
- Thu hút đầu tư và du lịch cho TP. HCM, tỉnh Long An và Đồng Nai.

**Phạm vi Dự án:**

- Chiều dài tuyến: 58km
- Chiều rộng thu hồi đất dao động từ 56 – 73m
- Điểm đầu tuyến bắt đầu từ nút giao đường cao tốc HCM – Trung Lương, điểm cuối tuyến kết thúc tại xã Phước Thái, huyện Long Thành, tỉnh Đồng Nai.
- Dự án đi qua 03 tỉnh, 07 huyện và 16 xã.

TT.	Tỉnh/ Huyện			Chiều dài (m)	Xã
		Bắt đầu	Kết thúc		
I	Tỉnh Long An			5,150.00	
1	Huyện Bến Lức	Nút giao		700.00	700.00
		Km 0 + 000	Km 2 + 230	1,630.00	Mỹ Yên
2	Huyện Cần Giuộc	Km 4 + 020	Km 4 + 770	750.00	Phước Lý
		Km 5 + 340	Km 6 + 720	1,380.00	Phước Lý
		Km 7 + 240	Km 7 + 380	140.00	Long Thương

TT.	Tỉnh/ Huyện			Chiều dài (m)	Xã
		Bắt đầu	Kết thúc		
		Km 8 + 120	Km 9 + 120	1,000.00	Long Thương
<b>II</b>	<b>TP. Hồ Chí Minh</b>			<b>24,590.00</b>	
3	Huyện Bình Chánh	Km 2 + 230	Km 4 + 020	1,790.00	Bình Chánh
		Km 4 + 770	Km 5 + 340	500.00	Bình Chánh
		Km 6 + 720	Km 8 + 010	1,290.00	Tân Quý Tây
		Km 9 + 120	Km 12 + 670	3,550.00	Hưng Long
		Km 12 + 670	Km 17 + 125	4,455.00	Đa Phước
4	Huyện Nhà Bè	Km 17 + 125	Km 21 + 170	4,045.00	Nhơn Đức
		Km 21 + 170	Km 23 + 600	2,430.00	Long Thới
5	Huyện Cần Giờ	Km 23 + 600	Km 30 + 200	6,600.00	Bình Khánh
<b>III</b>	<b>Tỉnh Đồng Nai</b>			<b>28,300.00</b>	
6	Huyện Nhơn Trạch	Km 30 + 200	Km 34 + 450	4,250.00	Phước Khánh
		Km 34 + 450	Km 40 + 800	6,350.00	Vĩnh Thanh
		Km 40 + 800	Km 53 + 100	12,300.00	Phước An
7	Huyện Long Thành District	Km 53 + 100	Km 54 + 650	1,550.00	Long Phước
		Km 54 + 650	Km 58 + 537	3,887.00	Phước Thái

**Kế hoạch thực hiện:**

- Từ 2012 - 2017.
- Việc thu hồi và tái định cư được gia hạn đến cuối năm 2013.
- Tại huyện Bình Chánh, kiểm đếm thiệt hại sẽ bắt đầu vào tháng 7/2012, việc thanh toán sẽ được thực hiện vào cuối năm 2013, quá trình di dời sẽ được lên kế hoạch vào cuối 2013

## **II. MỤC TIÊU, NGUYÊN TẮC THU HỒI ĐẤT VÀ TÁI ĐỊNH CƯ**

### **Mục tiêu cơ bản của Kế hoạch Tái định cư**

Tất cả những người BAH bởi dự án đều có thể khôi phục lại điều kiện sống như trước khi có dự án.

**Hộ nghèo và hộ dễ bị tổn thương đủ điều kiện hỗ trợ thêm nhằm cải thiện đời sống của họ như trước khi có dự án.**

Khảo sát giá thay thế được thực hiện bởi đơn vị thẩm định được ADB phê duyệt. Các biện pháp phục hồi/ chương trình phục hồi thu nhập cho các hộ BAH và hộ dễ bị tổn thương được thực hiện với sự tham gia của những người BAH và các bên liên quan khác trong quá trình chuẩn bị RP và trong giai đoạn thực hiện RP.

### **Khung chính sách và Ma trận quyền lợi**

Các quyền lợi được quy định trong dự án này về bồi thường, hỗ trợ và tái định cư được xây dựng dựa trên các loại hình thu hồi đất và chính sách của ABD về tái định cư không tự nguyện, các luật liên quan của Chính phủ Việt Nam (ví dụ: Luật đất đai năm 2013, Nghị định 69 về bồi thường, hỗ trợ, tái định cư, QĐ số 35 về bồi thường, hỗ trợ, tái định cư tại TP. Hồ Chí Minh). Khung chính sách chỉ áp dụng cho dự án này đã được Chính phủ Việt Nam phê duyệt tại Văn bản số **1656/ TOT – KTN** ngày 20 tháng 9 năm 2011. Cụ thể:

**KHUNG CHÍNH SÁCH VỀ THU HỒI ĐẤT VÀ TÁI ĐỊNH CƯ CỦA DỰ ÁN ĐƯỜNG CAO TỐC BẾN LỨC – LONG THÀNH**  
**Bảng các biện pháp được áp dụng cho sự khác biệt giữa các chính sách thu hồi đất và tái định cư của ADB và của Việt Nam**

Loại hình	Chính sách của ADB	Luật Việt Nam	Quan điểm của UBND TP. HCM, UBND tỉnh Đồng Nai và Long An	Quan điểm của các Bộ (Bộ Tài chính, Bộ Kế hoạch – Đầu tư, Bộ Tài nguyên – Môi trường) Comments of	Chính sách được áp dụng cho Dự án	Ghi chú
Hỗ trợ đối với những hộ di dời	Hộ BAH được cung cấp giấy tờ sở hữu đối với đất ĐDC, cơ hội việc làm, sản xuất và cơ sở hạ tầng tương đương với nơi cư trú cũ	Người lán chiếm hoặc định cư bất hợp pháp, người cho thuê đất công không hợp lệ hoặc người không hoàn thành nghĩa vụ công dân sẽ không được cấp đất hoặc nhà trong khu ĐDC.	<b>UBND tỉnh Đồng Nai:</b> sẽ cập nhật và bổ sung một số điều tại dòng “Luật Quốc gia” theo Nghị định số 69/2009/NĐ – CP về việc thay thế một số điều trong Nghị định số 197/2004/NĐ – CP và Nghị định số 84/2007/NĐ - CP <b>UBND tỉnh Long An:</b> requests to comply with regulations of the Government and PC of Long An Province <b>UBND TP. Hồ Chí Minh:</b> set up the Policy framework in line with Vietnamese Law, refer to Decision No. 35/2010/QĐ-UBND of HCMC PC. The concept of “Replacement price” shall not be used	<b>Ngân hàng Nhà Nước, Bộ Kế hoạch – Đầu Tư:</b> it shall implement in accordance with current law and international treaty on ODA (Item 1, Article 29 of Decree No. 131/2006/ND-CP), requirements on compulsory resettlement policy of ADB. <b>Bộ Tài Nguyên và Môi Trường:</b> request to replace item I of Article 9 of Decree No. 197/2004/ND-CP by Article 11, provision 2 of Article 14 of Decree No. 69/2009/ND-CP, replace Article 19 of Decree No. 197/2004/ND-CP by Article 24, 25 of Decree No. 69/2009/ND-CP <b>Bộ Tài Chính:</b> request to apply Article 18, 20	All relocated households whose legal lands and houses will be compensated with minimum lands or apartments for resettlement to relocate regardless of having household registration or not. For households who are not qualified to be compensated but cannot have another settlement places will be supported by cash or objects. For poor and vulnerable households or households whose compensation amount cannot afford to buy an apartment will get more supports.	- Policy to be applied for the Project shall comply with compulsory requirements of ADB on resettlement policy (agreed with comments of State Bank & Ministry of Planning & Investment) - Comments of Ministry of Finance and Ministry of Natural Resources & Environment: Article 24, 25 of Decree No. 69/2009/ND-CP regulating some cases of being withdrawn lands without compensation. However, this cannot satisfy requests of ADB because ADB



Loại hình	Chính sách của ADB	Luật Việt Nam	Quan điểm của UBND TP. HCM, UBND tỉnh Đồng Nai và Long An	Quan điểm của các Bộ (Bộ Tài chính, Bộ Kế hoạch – Đầu tư, Bộ Tài nguyên – Môi trường) Comments of	Chính sách được áp dụng cho Dự án	Ghi chú
				of Decree No. 197/2004/ND-CP and Article 24 of Decree No. 69/2009/ND-CP regarding the regulations of compensation and assistance for properties on land		requests all properties on land shall be compensated by replacement prices. - Policy framework was updated and revised in accordance with comments of Dong Nai Province authorities. - Long An Province and HCMC request to apply the policy of Vietnam only but it cannot satisfy requests of ADB. Decree No. 131/2006 and Decree No. 197/2004 stipulated clearly that it shall analyze differences to submit to the Prime Minister for approval when differences appear.
Assistance for households to be affected in	The compensation for those who are affected for their economy,	The compensation and assistance shall be only applied for households and		<b>Ministry of Natural Resources &amp; Environment:</b> request to base on regulations at Articles 18, 19, 20,	Households/ business bases who are not compelled to register for business will be assisted with cash or objects	It was revised in accordance with comments of Ministry of Natural Resources

Loại hình	Chính sách của ADB	Luật Việt Nam	Quan điểm của UBND TP. HCM, UBND tỉnh Đồng Nai và Long An	Quan điểm của các Bộ (Bộ Tài chính, Bộ Kế hoạch – Đầu tư, Bộ Tài nguyên – Môi trường) Comments of	Chính sách được áp dụng cho Dự án	Ghi chú
terms of economy	such as loss of income or livelihood, shall be implemented quickly with adequate replacement costs and assistances via credits, vocational training and employment introduction.	registered business/production bases		21 and 22 of Decree No. 69/2009/ND-CP to stipulate in details and make it appropriate.	during their temporary residence.	&Environment in the Resettlement report and matrix of entitlements
Definition of heavy/serious loss	For those who have to relocate their houses and/or lose at least 10% of production properties (create income)	For those who have to relocate their houses and/or lose at least 30% of agricultural lands			Households who lose at least 30% of agricultural land will get more supports. People who are affected less than 30% of agricultural lands and their major incomes are determined to come from agriculture will get more supports as same as those who lose at least 30% of agricultural lands	

**Appendix 5: Bill/ Payment receipt**

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Kiểm ghi vào  
khu vực này

**GIẤY RÚT TIỀN MẶT**  
Tờ tài khoản tiền gửi  
Số: 139

Mẫu số C4-09/KB  
(TT số 08/2013/TT-BTC  
ngày 10/01/2013 của  
Bộ Tài chính)

Đơn vị lĩnh tiền: **BAN ĐỐI THƯƠNG GPMB H. BC** Mã DVQHNS: 1094871

Địa chỉ: **C9/18 Đường Đinh Các, ấp 3, xã Tân Kiên, huyện Bình Chánh**

Tài khoản số: **3741.0.1094871.92001** Mã CIMT, DA và ICT: **92001**

Tại KBN: **KBN BÌNH CHÁNH**

**PHÂN ĐO KIỂM GHI**

Nợ TK: **3741.0.1094871.92001**

Có TK: **1180**

Người lĩnh tiền: **Huỳnh Ngọc Phước**

CMND số: **92201981** Cấp ngày: **24/11/2010** Nơi cấp: **CA. TPHCM**

Nội dung	Số tiền
Chi tiền bồi thường, hỗ trợ đối với bà Huỳnh Ngọc Phước theo Quyết định số 4135/QĐ-UBND ngày 21/5/2015 của UBND huyện Bình Chánh thuộc dự án xây dựng đường cao tốc Bến Lức - Long Thành đoạn đi qua địa bàn huyện Bình Chánh.	1 377 647 900
<b>Tổng cộng:</b>	<b>1 377 647 900 đ</b>

**Tổng số tiền ghi bằng chữ: Một tỷ ba trăm bảy mươi bảy triệu sáu trăm bốn mươi bảy nghìn chín trăm đồng.**

Ngày 24 tháng 02 năm 2016

Người nhận tiền  
(Đã nhận đủ tiền)  
(Ký, ghi rõ họ tên)

*Huỳnh Ngọc Phước*

Đơn vị払金

Ngày 25 tháng 02 năm 2016

Kế toán

*Nguyễn Thái Hòa*

Người cấp tiền

Ngày 25 tháng 02 năm 2016

Kế toán

*Nguyễn Thanh Tùng*

**BỘ PHẬN KIỂM SOÁT** ngày 25-02-2016

Kiểm soát: **Phụ trách**

**BAN ĐỐI THƯƠNG GPMB H. BÌNH CHÁNH**

**GIỮ BẢN CHÍNH**

**TRƯỞNG BAN**

*Nguyễn Thanh Tùng*

**BỘ PHẬN KẾ TOÁN GHI SỔ VÀ TRẢ TIỀN** ngày 25-02-2016

Thủ quỹ: *Nguyễn*

Kế toán: *Đạt*

Kế toán trưởng: *Nguyễn Thanh Tùng*

Giám đốc: *Nguyễn Thanh Tùng*

**Appendix 6: Some Photos of Interviews**

