

Resettlement Plan

September 2014

VIE: Viet Nam Water Sector Investment Program – Thai Nguyen Water Supply Subproject

Prepared by Thai Nguyen Water Supply Company for the Asian Development Bank.

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PEOPLE'S COMMITTEE OF THAI NGUYEN PROVINCE
THAI NGUYEN WATER SUPPLY JOINT STOCK COMPANY

THAI NGUYEN CITY WATER SUPPLY SYSTEM DEVELOPMENT PROJECT

RESETTLEMENT PLAN



September 2014

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VIETNAM: Viet Nam Water Sector Investment Program Multitranche Financing Facility (MFF)

Periodic Financing Request 2: THAI NGUYEN CITY WATER SUPPLY SYSTEM DEVELOPMENT PROJECT - THAI NGUYEN PROVINCE

PROJECT OWNER

THAI NGUYEN WATER JOINT STOCK
COMPANY

CONSULTANT

VIETNAM WATER, SANITATION AND
ENVIRONMENT JSC

Thai Nguyen, September 2014

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Definition of Terms

Compensation	-	This is payment given in cash or in kind to affected persons (APs) at replacement cost or at current market value for assets and income sources acquired or adversely affected by the project.
Cut-off date	-	Refers to the date after which people will NOT be considered eligible for compensation i.e. they are not included in the list of APs as determined by a census. In this Project, the Center for Land Fund Development of Thai Nguyen will disclose the cut-off-date to residents and local officials of each affected commune which coincides with the date of the public announcement of the land acquisition.
Detailed Measurement Survey (DMS)	-	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 the preparation of this resettlement plan (RP).
Affected person (AP) Affected Household (AH)	-	Refers to 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 (e.g., residential, commercial, agricultural, and/or grazing land), water resources or any other 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 physical displacement. In the case of affected household (AH), it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by the project.
Entitlements	-	Refers to a range of measures, such as compensation in cash or in kind, income restoration support, transfer assistance, relocation support, etc., which are provided to the APs depending on the type and severity of their losses to restore their economic and social base.
Inventory of Losses (IOL)	-	This is the listing of assets as a preliminary record of affected or lost assets during the preparation of the RP where all fixed assets (i.e., land used for residence, commerce, agriculture; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; standing crops and trees with commercial value; etc.) and sources of income and livelihood inside the IOL are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. The severity of impact on the affected assets and the severity of impact on the livelihood and productive capacity of the DPs are likewise determined.
Involuntary Resettlement	-	It is the displacement of people, not of their own volition but involuntarily, from their homes, assets, sources of income and livelihood in the ROW in connection with the Project.
Land acquisition	-	is a process in which a state agency requires an individual, a household, a firm or a private enterprise to transfer a part or whole of land from their own or possession land to the state

		agency use or possession for public purposes and be compensated at substitute cost.
Relocation	-	This is the physical displacement of a DP from his/her pre-project place of residence and/or business.
Replacement cost	-	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.
Replacement Cost Study	-	This refers to the process involved in determining replacement costs of affected assets based on empirical data.
Resettlement	-	Refers to various measures provided to DPs or AHs to mitigate any and all adverse social impacts of the project, including compensation, relocation (where relevant), and rehabilitation as needed.
Resettlement Plan	-	This is a time-bound action plan with budget, setting out the resettlement objectives and strategies, entitlements, activities and responsibilities, resettlement monitoring, and resettlement evaluation.
Right of Way (ROW)	-	This is the area which will be cleared of all structures and obstructions.
Severely affected Households	-	This refers to AHs who will (i) lose 10% or more of their total productive assets, (ii) have to relocate, and/or (iii) lose 10% or more of their total income sources due to the project.
Vulnerable groups	-	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) household heads with disabilities, (iii) households falling under the generally accepted indicator for poverty, (iv) elderly households who are landless and with no other means of support, (v) landless households, (vi) ethnic minorities.

CURRENCY EQUIVALENTS

Currency Unit

US Dollar (\$)	=	Vietnamese Dong (VND)
\$1.00	=	VND 21,036

List of Abbreviations

ADB	Asian Development Bank
AH/AP	Affected Household / Affected Person
CFLD	Center for Land Fund Development
CPC	City People's Committee
DARD	Department of Agriculture & Rural Development
DMS	Detailed Measurement Survey
EA	Executing Agency
FS	Feasibility Study
FHH	Female-Headed Household
HH	Household
IA	Implementing Agency
IOL	Inventory of Losses
ISC	Implementation & Support Consultant
LURC	Land Use Right Certificate
PC	People's Committee
PMU	Project Management Unit
PPC	Province People's Committee
RCS	Replacement Cost Study
ROW	Right of Way
RP	Resettlement Plan
VND	Viet Nam Dong (currency)
WU	Women's Union

EXECUTIVE SUMMARY

Project Description

The Thai Nguyen People's committee and Thai Nguyen Water Supply JS Company are implementing the Thai Nguyen water supply project under Asian development bank (ADB) loan. The project includes the following components:

- Water intake and raw water pipelines;
- Water treatment plant and supporting facilities;
- Distribution pipelines and service;

The project will benefit about 50,000 households with improved services and an additional 26,000 households receiving piped water for the first time.

This resettlement plan (RP) was prepared during the investment project preparation phase (feasibility study) and includes: legal framework; characteristics and socio-economic conditions of AH; inventory of losses, community consultation and participation activities; grievance redress mechanism; monitoring procedure, institutional arrangements, costs estimates and an implementation schedule.

Scope of Land Acquisition

Permanent Land Acquisition: The Project will require the permanent land acquisition of 100,000 m² of land, in which, 99,500 m² is forest land and 500 m² in the Nui Coc Lake shore. All affected land is owned by the State.

- For forest land: The whole area has been assigned to 8 households planting and taking care of trees.
- For Nui Coc Lake shore: the area is managed by the Nui Coc Lake Forest Management Unit;

Affected non-land assets: 1 household has built a temporary secondary structure with an area of 15 m² in the area to be acquired.

Temporary land requisition: In addition to permanently acquired land, during construction phase the contractor will temporarily require a corridor for the construction of transmission pipelines and water distribution.

Legal framework and compensation policy A Resettlement Framework (RF) was prepared under the overall multitranche financing facility (MFF) and endorsed by the Prime Minister. The RF describes the legal and policy framework for compensation, resettlement and rehabilitation under the project, which in turn is defined by the relevant laws and regulations of the Government of Viet Nam, and the ADB Safeguards Policy Statement (2009). The RF constitutes the basis for the entitlements.

Institutional arrangements

The project owner is the Thai Nguyen Water Joint Stock Company (TNWSC) and the Executing Agency is Thai Nguyen Provincial Peoples' Committee. The implementation of resettlement activities requires the involvement of agencies at the national, provincial, district and commune level. Provincial people's committee together with the Centre for Land Fund Development will take general responsibility for the implementation of the resettlement plan of the project.

Consultation and participation

The RP was prepared in close cooperation with local authorities, community representatives and affected people. Commune authorities and representatives of affected households were consulted through different means and information channels including community meetings, consultations and questionnaires for all affected households.

Grievance Redress:

During RP implementation, the complaints will be resolved based on the procedures approved in the Project Resettlement Policy Framework (RF). The local authorities at all levels and project staff will resolve APs' complaints fairly and quickly. APs will not pay any administrative fees for their grievance redress.

Monitoring and evaluation

The implementation of the detailed resettlement plan will be monitored and evaluated internally. The problems and issues which arise in the implementation process will be highlighted in the progress report and resolved in a timely manner through regular monitoring activities. Internal monitoring reports will be prepared and submitted to ADB on a quarterly basis.

Implementation plan:

Thai Nguyen City Water Supply System Development Project will be implemented over 5 years, from 2015 to 2020. The activities of land acquisition and resettlement will begin after approval of the detailed technical design. Once the design is approved, the detailed measurement survey (DMS) will begin.

Resettlement Budget

A replacement cost survey was conducted in June 2013; the results of this survey show that the compensation rates, issued by Thai Nguyen province, meet market rates.

Total of estimated cost for site clearance is **2,556,540,954 VND equivalent to 121,532 USD (Exchange rate: 21,036 VND = 1 USD)**. These costs include the cost of compensation for trees, structures and properties affected by the project, performance management and contingency (10%).

Estimated cost for the site clearance work of the project will be updated according to the detailed design at the time of land acquisition.

Information Disclosure

During project preparation, a Public Information Brochure (PIB, see Annex 1) was distributed during public meetings to all participants (see Annex 2 for minutes). Copies of the PIB were also given at Phuc Triu CPC for HHs who did not join the meetings. During Detailed Design, the PIB will be updated and disclosed to AHs. The updated resettlement plan will be submitted to ADB and disclosed on the ADB website. Updated RP will be made available at commune PC.

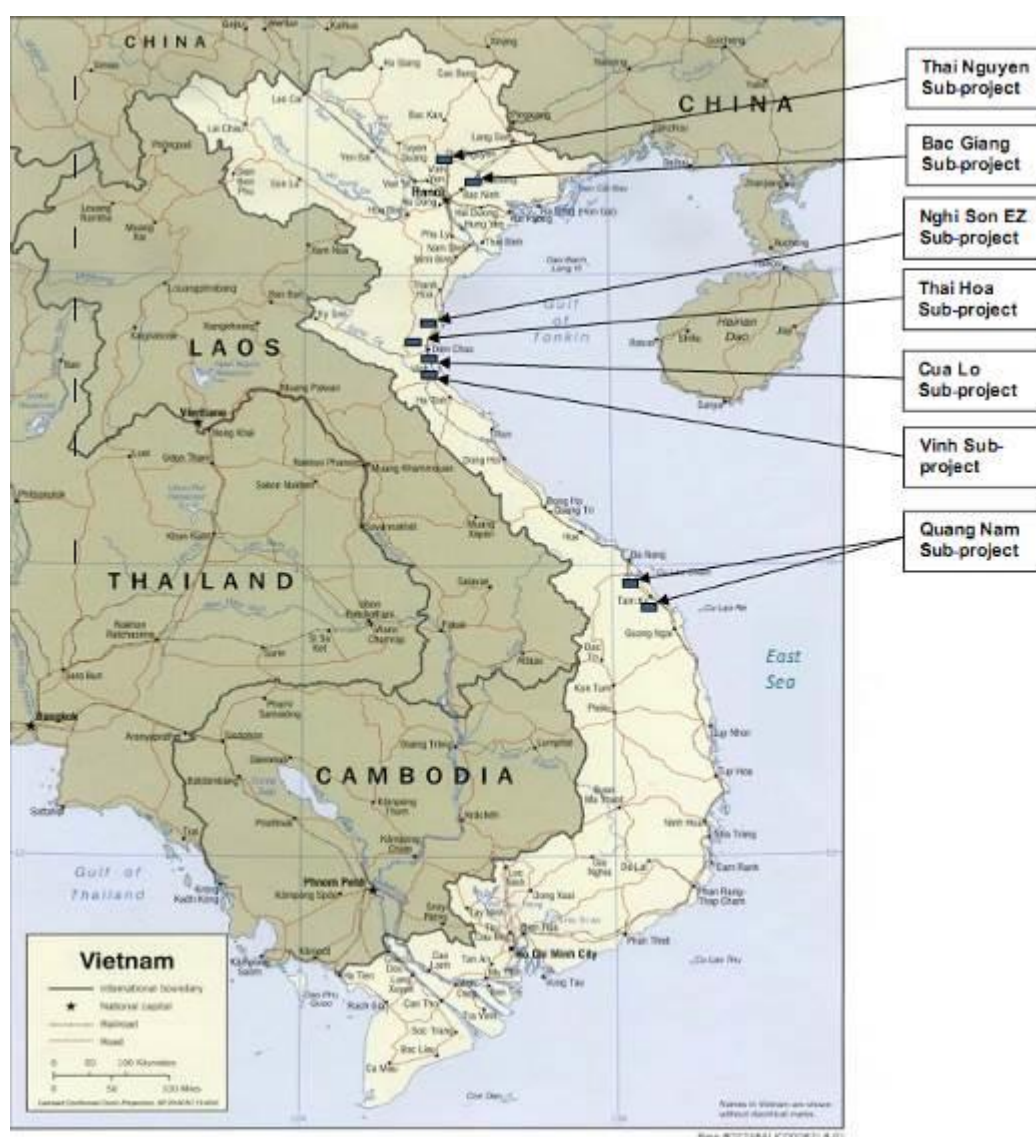
I. DESCRIPTION OF THE PROJECT

1.1. General

The ADB Board of Directors approved a multitranche financing facility (MFF) on 22 February 2011 for \$1,000 million from the Ordinary Capital Resources (OCR) for the first time in Viet Nam for the water sector. In the last two decades, the water sector in Viet Nam has achieved significant improvements in coverage for water supply to urban and rural areas throughout the country. To provide longer-term support for Viet Nam's continued success in water supply development, improve the level of service delivery, and to meet the increasing demands for water of the expanding population and economy of the country. The government of Viet Nam requested ADB assistance to develop a series of water supply projects.

Thai Nguyen water supply project is part of the seven water supply subprojects that formed the third Periodic Funding Request (PFR-3) of the Multi-tranche Financing Facility (MFF0054-VIE) for Support of the Water Sector in Viet Nam. The tranche finances 7 water companies for urban water supply, including one economic zone (see Figure 1).

Figure 1: Location of Sub-Projects under PFR-3



1.2. Thai Nguyen Sub-project

With a rapidly increasing demand for clean water, there will be a clean water shortage of about 120,000 m³ per day until 2020 for Thai Nguyen city and its neighborhood. Thai Nguyen Water Supply Joint Stock Company reported this problem and it was therefore agreed by Thai Nguyen Provincial People's Committee to implement a major project : the 'Development of water supply system for Thai Nguyen city until 2025'.

The project will benefit about 50,000 HH with improved services and an additional 26,000 households receiving piped water for the first time. Water supply coverage targets for 2020 are 100% (from 88% in 2012) for the urban population and 40% (from below 10% in 2012).

The resettlement plan is prepared for all of components of the project and is based on the preliminary design. This resettlement plan will be updated based on the detailed design and updated prior to the awarding of the contract.

1.2.1. The project's objectives

The main objectives of the project are to improve water supply service and to ensure a safe and sustainably developed water supply through improvement of clean-water producing capacity, and expansion of the water supply system.

1.2.2. Project's Components

The Thai Nguyen water supply system development project will built a new water plant with a capacity of 50.000 m3/day. The project implementation period is expected to be 5 years, from 2013 to 2018. Table 1 presents the technical characteristics of the Project.

Table 1: Project's main characteristics

Items	Technical characteristics
a) Raw water intake facility and water supply plant	<ul style="list-style-type: none"> - Construction of South Nui Coc Water Supply Plant with a capacity of 50,000 m3/day, including: - Water intake facility; raw water pumping station; raw water pipeline DN800 to provide 55.000m3/day. - Reaction tank; Settling tank; Filter tank; Storage tank - Sludge pond (reservoir) ; - Clean water pumping station; - Administrative and chemical testing building;
b) New installation of pipelines system:	<ul style="list-style-type: none"> - Transmission pipeline DN 800: 1000 m; - Transmission pipeline DN 700: 4710 m; - Transmission pipeline DN 600: 5550 m - Transmission pipeline DN 400: 6050 m; - Transmission pipeline DN 300: 5000 m; - Transmission pipeline DN 200: 7090 m; - Transmission pipeline DN 150: 9330 m; - Transmission pipeline DN 100: 3900 m; - Service pipelines DN 50, DN 63: 62010 m; - Household connections: 4134 residential groups

1.2.3. Project location

The water treatment plant will be built on the northwestern side of Voi Phun Hill. Height of plant is from +79 to +80,0 m.

Raw water from the Nui Coc Lake will be piped to the treatment plant located on Voi Phun hillside. Then Clean Water will be provided to the city through a network of pipelines (see Figure 2).

Figure 2: General layout of water supply sysem

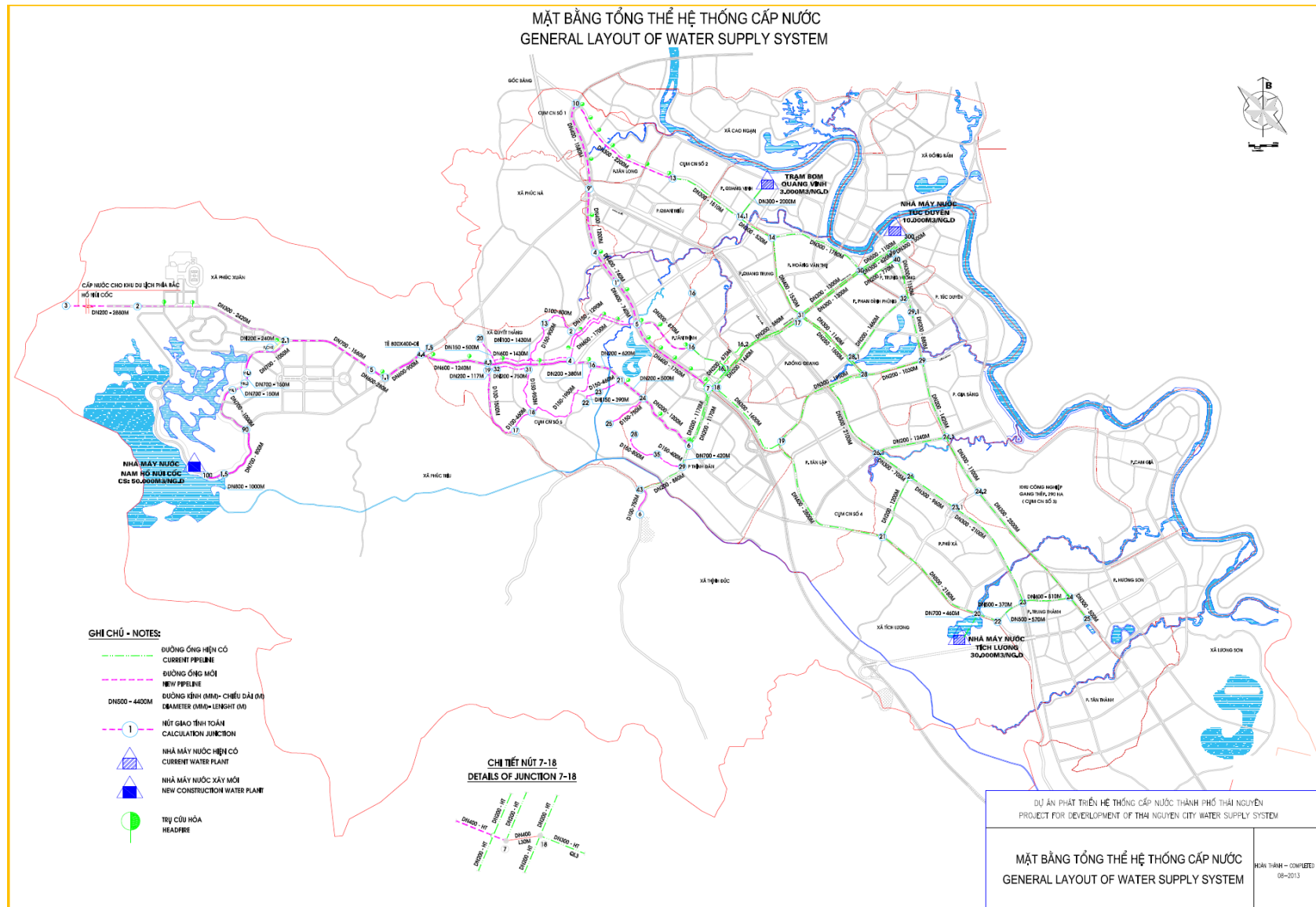


Figure 3: Location of the Water Treatment Plant

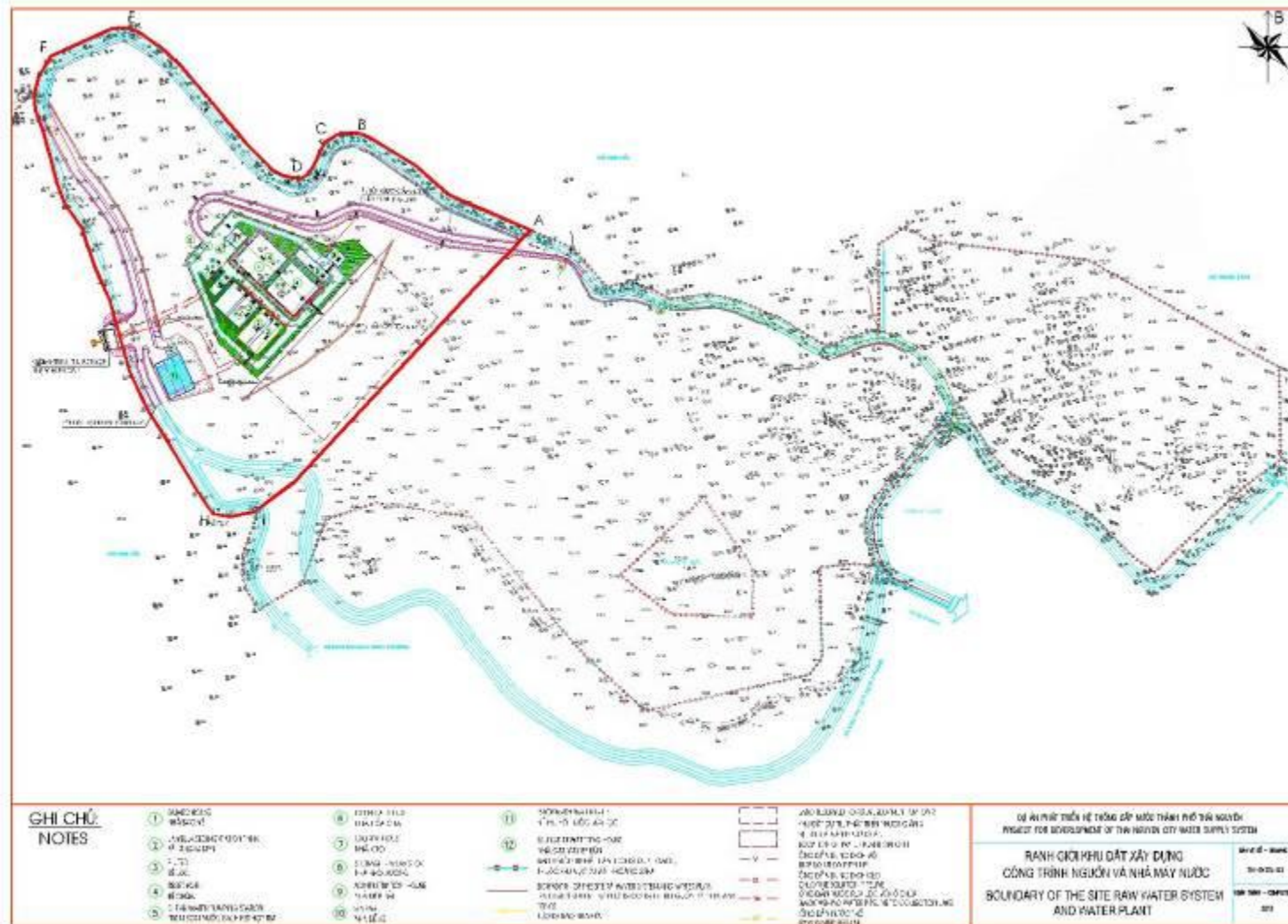


Table 2: Project's items and scope of land acquisition

No.	Project's items	Description	Need for land acquisition	
			Permanently	Temporary
1	Raw water collection work and pumping station	Close to Nui Coc Lake, on the foothill of Voi Phun mountain	Permanent acquisition	
2	Water treatment plant and ancillary works	Located on Voi Phun mountain	permanent acquisition	no
3	Water transmission and distribution pipelines	Located under existing road right-of-way		Temporary impacts during the construction of water supply pipeline installation.

II. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

To get the data needed for the resettlement plan, a social survey and inventory of losses (IOL) have been conducted to households affected (AHs) by the project. The most recent IOL was started in June in 2013. The IOL collected data on all affected land and assets (structures, trees, crops) as well as affected businesses disaggregated by AHs using questionnaire surveys with the respective AHs. The census obtained detailed information on livelihoods, household composition, income and education qualifications.

2.1. Measures to Reduce Resettlement

During the preparation of project, design and technical solutions were proposed based on the principle of reduction of land acquisition. Pipelines are constructed under the road-bed and sidewalk. The construction of water distribution pipelines will temporarily use land belonging to road network, under road-bed and sidewalk during construction. Temporarily affected land and attached non-land assets will be compensated as described in the entitlement matrix and the contractor must return the area to its original pre-construction state once the project is finished.

2.2. Scope of Land Acquisition and Resettlement

2.1.1 Affected land

As designed, the project is expected to acquire permanently **100,000 m²** of land to construct work items of the water treatment plant. Of this area, 99 500 m² will be necessary to build the water treatment plant on forest land located on Mount Voi Phun, Doi Che neighborhood, Triu Phuc commune, Thai Nguyen city. The remaining 500m² land area is located at Nui Coc Lake, foothill of Voi Phun and will be needed for the pumping station level 1.

Table 3: Land acquisition

No.	Components	Permanently acquired land (m ²)		
		Forest land	Lake shore	Total
1	Pipe work and pumping station level 1	-	500	500
2	Water treatment plant and ancillary works area	99,500	-	99,500
Total		99,500	500	100,000

In addition to permanently acquired land for the project's items, during the construction phase the contractor will temporarily requisition land for a transport corridor for the construction of transmission pipelines and water distribution based on the detailed design.

2.1.2 Property on affected land

Furthermore, as a result of inventory of losses and consultation, property on land affected by permanent land acquisition for the project includes:

- **Crops and Trees:** Acacia trees are planted throughout the whole acquisition area to build water treatment plant and ancillary facilities on Voi Phun mountain. The acacia trees in this region have different ages depending on the plot of each household. However, most of the acacia area is not yet ready for harvesting. Additionally, there are also some fruit trees such as persimmon, grapefruit and longan which are interspersed with acacia and located on the foot of the mountain. Few fruit trees are present and they don't produce any fruit due to their location under the acacias without direct light.
- **Structures and other fixed assets:** There is a temporary structure with an area of 15 m² built for overlooking the forest plantation.

2.1.3 Affected Households

There are 8 affected households (47 persons) due to the land acquisition to build the water treatment plant and ancillary works and 01 organization (Nui Coc Lake Forest Management Unit). The list of affected HH is presented in Table 4.

Table 4: List of affected households

	Name of affected Households	Permanent land acquisition	
		Forest land area (m ²)	Affected trees (m ²)
1	Nguyen Duc Nghi	220,000	16,902
2	Tran Van Sau	60,000	4,811
3	Lai Duc Tuan	220,000	17,444
4	Tran Van Viet	100,000	7,091
5	Dang Van Dao	220,000	16,357
6	Nguyen Thi Tuyet	70,000	4,317
7	Lai Tuan Dung	120,000	10,020
8	Lang Van Vien	250,000	22,553

2.1.4 Relocation

No household will be physically displaced (relocated) due to the Project.

2.1.5 Affected business

The pipelines of transmission and distribution of water will be placed under the road corridors. There will be temporary impacts during the water pipes installation on trade and business activities of households who are situated along the roads with pipelines. Access to these businesses and service will be reduced.

However, these impacts are limited and temporary during the construction time; they will also be reduced by using adapted construction methods, and mitigation measures.

2.3. Legal status and characteristic of affected properties

2.2.1 Land Tenure

The entire land to be acquired is under State's management, through the Nui Coc Lake forest management unit

2.2.2 Structures and tenure

The whole forest land area has been allocated to households for planting and protection purposes. These households are allowed to set up temporary houses or tents in this area as a convenient way to protect the forest. However, only 1 HH built a temporary secondary structure with an area of 15m².

III. SOCIO-ECONOMIC CONDITION OF THE AFFECTED HOUSEHOLDS

The social-economic survey and inventory of loss of the project for affected households was implemented from 6/2013. The social-economic data provided information on social condition of AP, includes:

- Demography, income analysis as well as other information relating to affected householders.
- Living conditions of affected households
- Income sources of households.
- Infrastructure and environmental sanitation
- Poverty situation

3.1. Demographics

A socioeconomic survey has been carried for all affected household. The total number of affected household is 8, equivalent to 47 persons, in which there are 25 men, accounting for 54.2% and 22 women, accounting for 45.8%.

There are 7/8 households headed by men and 1 female-headed household; 2 households heads are retired and 6 household heads are of working age (from 28-53 years).

The average number of persons / household in is 5.9 / household. Among the 8 affected households there are no ethnic minority households.

13 persons belong to the 1-6 year-old group; 32 persons are of working age.

3.2. Education and occupation of householders

Due to the project location in a rural area where agriculture is prevalent, education levels are not high. Seven (7) among the 8 households head have a secondary school level while only 1 household head has finished high school. No head of household owned a college education or higher degree.

3.3. Occupation of household heads

As the entire acquired land area is forest, most household occupations are related to planting trees and protecting the forest. The survey results show that 7 households are farmers while 1 is operating a business (retails shop).

3.4. Income of household

Almost all 8 affected households earn higher incomes than average. The result of survey shows that the affected households' lowest income is 4,000,000 VND/month equivalent to 1,300,000VND/person. The highest income is 10,000,000 VND/household equivalent to 2,500,000 VND/person.

The daily expenditures of households cover 75% to 90% of the total household's income. Households' remaining income is used for savings. According to the results of in-depth interviews conducted with the households, all have a stable life.

3.5. Possession of assets

100% households use bicycles and motorcycles, 100% of households have televisions, mobile phones and DVDs, but no HH owns air conditioners or washing machines.

3.6. Infrastructures

The households in the project areas use wells for their daily water use. Survey results show that all of these households lack clean water for cooking and drinking. In general, environmental sanitation conditions are good as households use 2-compartment toilets and bury garbage in their gardens.

3.7. Survey on water users

A survey on characteristics of water users was conducted in the project area among 406 households. Main results of the survey are summarized below.

3.7.1. Sources of water

The survey's results show that, in most communes/wards, people have 3 main water sources: drilled well; tap water; and ii) dug well. Most households directly use dug well water and drilled well water without filtering. The quality of well water is different from an area to the other different areas. In some areas, the well water quality is low with yellow colour. It has scum when being pumped. Dug well is also sometimes contaminated by pesticides from the field where the tea trees are planted.

The depth of the well is often 30-40 meters; a few households have to drill 60 meters to have water for use. According to the leaders of the commune, current water quality does not ensure the health of the people due to the contaminated underground water, especially in the hamlets adjacent to Thai Nguyen Iron and Steel Factory.

Table 5: Source of water

TT	Water sources	Eating and drinking		Shower		Washing	
		Frequency	Rate (%)	Frequency	Rate (%)	Frequency	Rate (%)
1	Tap water	141	34.7	122	30.0	117	28.8
2	Dug well water	50	12.3	49	12.1	83	20.4
3	Drilled well water	237	58.4	242	59.6	244	60.1

3.7.2. Willingness to be connected

78.1% (947 households) agreed to be connected to the tap-water supply system. The main reason to be connected is the access to stable, clean and safe water.

3.8. Gender Issues

Among the 8 households affected by land acquisition, there is one female headed household with dependent.

Development projects may impact variously on men and women. But women are usually more affected in cases where they face difficulties due to the impact of the project, especially a female headed household with dependents such as poor female workers with

a large number of dependents such as children/the elderly/disabled, or families facing serious disadvantage.

A Gender Action Plan (GAP) has been prepared under the Project. This Gender Action Plan includes specific actions and strategies and cost estimates that are gender responsive and culturally appropriate. The main outputs and actions are presented in the table below.

Table 6: Proposed Action included in the Gender Action Plan

Project outputs	Gender targets/actions proposed
Output 1: Increased coverage	
Planning of expanding Thai Hoa WP and construction of Dong Hung WP	- Of residents within the project area consulted on construction design and planning, at least 40% are women.
	- Direct consultations with poor women/women-headed households during planning and implementation of pro-poor water distribution systems
	- Adopt pro-poor policies, particularly related to water connection or monthly costs, with specific focus on the 40% of poor households headed by women
	- Facilitate job chances for women of affected HHs of project
	- 100% coverage of identified poor and women-headed households by network extension
	- Separate women's and men's latrines at construction sites
	- Equal employment opportunities and equal pay for equal work, for local women and men in project civil works.
	- 40% female representation in Community Supervision Boards in Wards/Communes with training provided in planning and technical monitoring to all members.
	- Target 40% female labourers with support of local Women's Union
Output 2: Improved Business planning, asset and financial management	
Improve operation and maintenance, as well as strategic analysis and planning of Thai Hoa water company and effective monitoring and evaluation	- Provide gender awareness training for all water company and project staff to increase sensitivity on water and gender issues.
	- Target 30% female staff for new recruits in the PMU and water company, especially in technical positions.
	- Ensure 30% female staff participation in all training on water supply management, operations and maintenance.
	- Partner with Women's Union in IEC planning and delivery that targets both male and female residents and local authorities' representatives equally.
	- Gender-responsive IEC materials integrating women's issues and need, disseminated through channels accessed by women
	- During construction, inform women of water supply interruption schedules to enable better household planning and minimize disruptions
	- Ensure 50% of IEC facilitators are women
	- Ensure that all project reports including Project Completion Report (PCR) include analysis and reporting on progress against the GAP and on Gap budget allocation vs. actual expenditure
	- Disaggregate customer feedback by gender for use in future planning
	- Employ consultant for preparation of GAP and gender consultant for monitoring and evaluation of GAP.
Output 3: Effective NRW reduction	
	- Ensure roadmap for water tariff increase takes into consideration gender and affordability issues.
	- Ensure appropriate monitoring mechanism for the implementation of decree 117/2007 and 124/2011/ND-CP to ensure lifeline tariff and free connections to 100% of identified poor and women-headed households in the project areas

The following gender strategy will be implemented in the planning of activities related to resettlement and any updating of information in the resettlement plan (RP):

- (i) In the updating of the resettlement plan, women headed households will be consulted in a detailed survey;
- (ii) Socio-economic information about affected people and a detailed survey will be sex disaggregated and analyzed against national statistics ;
- (iii) The participation of women, especially ethnic minorities, poor woman and households with women-head of household will be guaranteed; information will be presented in local languages and through sharing of information documents;
- (iv) The participation of representatives of the women's union will be ensured during the disclosure meeting and resettlement plan;
- (v) Staff of PMU/Compensation, support and resettlement department will be provided with tools and list of items of ADB's requirements on sex disaggregated data during implementation;
- (vi) Monitoring indicators will be developed during DMS and RP updating to supervise resettlement activities; in term of the number of women consulted during detail measurement survey in disclosure meeting, rights on land, compensation and resettlement impact assessment for poor women.

IV. INFORMATION, CONSULTATION AND PUBLIC DISCLOSURE

4.1 Information disclosure and Consultation during project preparation

At the early stage of Project preparation, local authorities and leaders at different levels were informed about the proposed Project, its objectives and component activities. They were intensively consulted, and actively participated in discussions on their development needs and priorities, about their perception toward Project objectives. AHs have been consulted on potential impacts and possible measures to reduce potential negative impacts and improve benefits for local peoples. However, consultation will be continued throughout the project cycle.

The local authority has been consulted on their concurrence to, and has committed to comply with, the policies prescribed in the approved RF.

4.1.1 Meeting with Local Authorities

The consultants and Investor held many meetings with Phuc Triu CPC, local mass organizations, heads of Doi Che, Phuc Thuan, Da Dung neighborhoods where households are planting, taking care and protecting forest land. The purpose of these meetings was to introduce the project and identify the impacts of the project. The meetings also served to organize social survey for the affected households and discuss a schedule to conduct the consultation meetings.

Table 7: The contents of the meeting with the local authorities

Date	Location	Participants	Issues Discussed
1 st time – March 2012	Phuc Tri CPC	- Representatives of local authorities;	- Presentation of the Project
2 nd time – April 2012		- Representatives of local unions/ associations: Farmers Association, Women Association, Fatherland Front, Youth Union...	- Discussion on Project Policy on resettlement
3 rd time – August 2013		- Head of hamlet - Representatives of PMU; - Resettlement consultants.	- Project schedule; - Need for cooperation to conduct IOL and SES; - Preparation of public consultation
			- Visit of resettlement sites

4.1.2 Consultation with Affected HHs

Information dissemination and consultation with affected persons and involved agencies will reduce the potential for conflicts and minimize the risk of Project delays. Furthermore, this approach will enable the Project to design the resettlement and rehabilitation program so that it meets the needs and priorities of the affected people, and in this way, potentially maximizes the economic and social benefits of the investment. The objectives of the public information campaign and the consultation program are as follows:

- To fully share information with the AHs about the proposed project components and activities;
- To obtain information about the needs and priorities of the AHs, as well as information about their reactions to proposed policies and activities;

- To ensure that AHs are enabled to make fully informed decisions that will directly affect their incomes and quality of life, and that they will have the opportunity to participate in activities and decision-making about issues that will have a direct effect upon them;
- To obtain the maximum level of co-operation and participation of the AHs and communities in activities necessary for resettlement planning and implementation;
- To ensure transparency in all activities related to land acquisition, compensation, resettlement and rehabilitation.

The public consultation was implemented in 4 rounds in Phuc Triu commune. All AHs were invited to attend. Details about the number of participants are presented in the following table.

Table 8: Program of Community consultation in Phuc Triu commune

Date	Location	Participants	Issues Discussed
23/3/2012	Phuc Tri CPC	<ul style="list-style-type: none"> – Representatives of local authorities; – Representatives of local unions/ associations: Farmers Association, Women Association, Fatherland Front, Youth Union... 	1. Introduction to the Project <ul style="list-style-type: none"> - Introduction to the Project (objectives, location, scale, plans...); - Technical proposals of the Project; Items/works to be constructed in wards/communes; - Policies relating to the environment and resettlement issued by the Government of Vietnam and ADB.
9/4/2012		<ul style="list-style-type: none"> – Head of hamlet 	
6/8/2013		<ul style="list-style-type: none"> – All of households affected by the Project (8 HH) – Representatives of PMU; – Resettlement consultants. 	2. Questions and answers
11/10/2013		<ul style="list-style-type: none"> – Nui Coc Lake Forest Management Unit 	

Main concerns of HH expressed during the meeting in the 11 of October and answers from the representatives of PMU and consultants are summarized in the table below:

Table 9: Summary Matrix on Public Consultation

Issues Raised	Project's Answers
a) The land acquisition areas should be clearly identified and would be the basis for calculation of compensation for the affected households (Coc Lake Forest Management Unit)	<ul style="list-style-type: none"> – After measurements, detailed information on affected land and assets and compensation unit rates will be posted at Phuc Triu Commune People's Committee. –
b) A copy of documents related to the land acquisition for the Project should be sent to the Forest Management Unit to facilitate the future forest management activities	<ul style="list-style-type: none"> – Relevant legal documents and information will be provided to the affected households and to the Nui Coc Lake Forest Management Unit as soon as possible;
c) HH want to know when the Project will start and what is the detailed compensation framework	<ul style="list-style-type: none"> – Project will start by the end of 2014; – The compensation will be done in accordance with the approved resettlement framework and the Government's relevant policies to ensure that the

	<p>affected households have opportunity to improve their life or maintain their income as before the Project;</p> <ul style="list-style-type: none"> – Market rates in normal condition at the time of land acquisition will apply; – Any inquiries or complaints should be directly sent to Mr. Duong Thai Son
d) From the time of being informed about the Project, the households in the Project area have stopped all economic development activities. Therefore this loss should be included in the compensation framework	<ul style="list-style-type: none"> – HH will be informed sufficiently in advance of the time of hand over of the land;
e) Acquisition should be made for the whole land lot if remaining land area is too small and difficult for cultivation and management.	<ul style="list-style-type: none"> – If the unit is not economically viable all the land area will be acquired based on Thai Nguyen regulation;

Minutes of meeting of meetings held on 9 August 2013 and on 11 October 2013 are presented in Annex 2 and 3.

Information Disclosure

A Public Information Brochure (PIB) (see Annex 1) was distributed to all AHs. Copies of the PIB were also given at Phuc Triu CPC for HHs who did not join the meetings.

4.2 Mechanism of information disclosure and consultations during project Implementation.

4.2.1 Information Dissemination and Consultation.

During implementation, the PMU will undertake the following tasks:

- Conduct information dissemination to, consultation with DPs throughout the life of the Project;
- Update the provincial unit prices, confirm the land acquisition request and affected assets through a Detailed Measurement Survey (DMS) in consultation with AHs. The Center for Land Fund and Development will then apply the unit's price and will prepare compensation plans for each affected household. The information of compensation will be presented individually to each affected person. Resettlement plan will be updated and sent to ADB for approval prior to implementation.
- Compensation plan, presenting the affected assets and compensation right of each household with signatures of the affected people.

4.2.2. Public Meetings:

Before starting detailed designs, the PMU will conduct community meetings at affected wards/communes to provide additional information for AHs and create opportunities for them to participate in open discussion about resettlement policies and procedures. Consultation activities and community involvement will be held continuously during project implementation to ensure all information relating to the resettlement work is understood correctly by the affected communities. The range of information provided to affected people, including the contents:

- Project description, including where an affected person can find more detailed information about the project;
- The impact of the project (e.g. during construction) and impacts related to land clearance (if any);
- Complaints mechanisms and processes support requirements, including ensuring policies and procedures of the project designed to ensure the living conditions of the affected people will be re-stabilized to pre-project levels. Information about the accountability of the Council of resettlement city / district levels to support the settlement of conflicts, discord or problems with land clearance, compensation unit price and other information procedures which are the subject of a complaint are supported and resolved through the required paperwork;
- Right to participate and be consulted, including the right of affected people to participate in all aspects of resettlement planning and implementation process of resettlement, especially their desire for resettlement solution stable life for affected people must be relocated and the affected people and vulnerable people affected requests or their representatives participate in meetings by the Thai Nguyen Water Company organizing issues related to land clearance and resettlement;
- The resettlement activities, including an explanation of how the compensation calculations and compensation payments, and the initial information about the procedures for construction works;
- Responsibilities include the organization of institutions and authorities involved in the resettlement work, responsibility, their names and positions of government officials and phone number, office location and hours if any;
- Implementation Plan, including information about the proposed resettlement plan; notice of the date, location and procedures for payment of compensation to affected people, ensuring that the construction process begins only after completion of all compensation payments adequately.

4.2.3. Disclosure of information:

In addition to information to the affected communities through community meetings, Public Information Booklet will be updated and distributed to all AHs.

V. GRIEVANCE REDRESS MECHANISM

It is the responsibilities of Commune and District authorities and the PPC to help to resolve confusion, misunderstandings or problems about land acquisition, compensation rates, rehabilitation and relocation. To ensure that all grievances of those affected by any aspect of land acquisition, compensation, relocation, and determination and payment of entitlements are resolved in a timely and satisfactory manner, and that all avenues for airing grievances are available, detailed procedures for hearing and redressing grievances, including appeal processes, will be made public through an effective public information campaign. The Grievance redress procedure shall also be made available in the project's Public Information Booklet.

Grievances related to any aspect of the project/subprojects will handled through negotiation aimed at achieving consensus. An aggrieved AP or AH will be free from any fees in connection with the lodging and resolution of complaints, as these will be borne by the Project.

Grievances redress mechanisms of the project will follow Article 138 Land Law 2003; Law on complaint No. 02/2011/QH13; Article 63 and Article 64 of Government Decree 84/2007/NĐ-CP; Clause 2, Article 40 of Decree 69/2009, and the regulation on grievance in Government Decree 75/2012/NĐ-CP dated 20/11/2012.

Where complaints about administrative decisions or administrative acts regarding land management are settled for the first time by the People's Committees of rural districts, urban districts, provincial capitals or provincial towns, but the complainants disagree with the settlement decisions, they are entitled to initiate lawsuits at People's courts or continue to complain with the provincial/municipal People's Committees.

The statute of limitation for complaining about administrative decisions or administrative acts regarding land management will be ninety days (90) as from the date of receiving such administrative decisions or knowing about such administrative acts. In case the complainant is not able to appeal in accordance with the statute of limitations because of illness, natural disasters, sabotage, travel, distant learning or other objective obstacles, that time not included in the time limit for lodging.

According to Decree No. 75/2012/ND-CP dated 3 October 2012:

- i. Within 15 days from the decision to settle the complaint, those who are competent to settle the complaint are responsible for publication of decision on complaint settlement in one of the forms prescribed in Clause 2 of Article 41 of the Law on Complaints.
- ii. In case of publication of the decision at the meeting, the meeting participants must include the person who makes the decision to resolve the complaint; the complainant or his/her representatives; and concerned agencies, organizations and individuals. Before conducting the public meetings the person that is competent to settle complaints must send notice to the concerned agencies, organizations and individuals. The advance notice period should be three days in advance.
- iii. The notice of the decision on announcing settlement of complaints on the mass media is radio, television, print and electronic press. Persons who are competent to settle complaints are responsible for choosing the type of media to make the announcement. In case the agency or person who is competent to settle complaints has established an e- portal or electronic information page, it must be publicized on that e-portal or electronic information page. The number of times the decision is to be publicized on the radio is at least 2 times; on television at least 2 times; by print at least 2 times. If posting on the internet or on an electronic information page, it should be posted for at least 15 days from the date of notification.
- iv. When the decision is posted in offices of organizations that have resolved the complaints, decisions shall be posted for at least 15 days from the date of notification.

Grievance redress can be summarized in the steps set out below:

First Stage: Commune People's Committee. An aggrieved affected household may bring his/her complaint to any member of the Commune People's Committee, either through the Village Chief or directly to the CPC, in writing or verbally. It is incumbent upon said member of CPC or the village chief to notify the CPC about the complaint. The CPC will meet personally with the aggrieved affected household and will have 30 days (or 45 days for complicated case) following the lodging of the complaint to resolve it (in remote and mountainous areas or complicated case, the complaint should be resolved within 45 or 60 days, respectively). The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles.

Upon issuance of the decision of the CPC, the affected household can make an appeal within 30 days (45 days for mountainous area). If the second decision has been issued and the household is still not satisfied with the decision, the affected household can elevate his/her complaint to the DPC.

Second Stage: District People's Committee. Upon receipt of the complaint from the household, the DPC will have 45 days (or 60 days for complicated case) and 60 days for remote and mountainous areas (or 70 days for complicated case) following the lodging of the

complaint to resolve the case. The DPC is responsible for documenting and keeping file of all complaints that it handles.

Upon issuance of the decision of the DPC, the affected household can make an appeal within 30 days. If the second decision has been issued and the affected household is still not satisfied with the decision, the affected household can elevate his/her complaint to the PPC.

Third Stage: Provincial People's Committee. Upon receipt of the complaint from the affected household, the PPC will have 45 days (or 60 days for complicated case) and 60 days for remote and mountainous areas (or 70 days for complicated case) following the lodging of the complaint to resolve the case. The PPC is responsible for documenting and keeping file of all complaints

Upon issuance of the decision of the PPC, the affected household can make an appeal within 30 days if they disagree. If the second decision has been issued and the affected household is still not satisfied with the decision, the affected household can elevate his/her complaint to the court within 45 days.

Final Stage, the Court of Law Arbitrates. Should the complainant file his/her case to the court and the court rules in favor of the complainant, then the Project will have to increase the compensation at a level to be decided by the court. In case the court will rule in favor of PPC, then the complainant will receive compensation approved by PPC.

The affected people will be provided with support and assistance by locally based organizations, in case they have limited capacity or in case they have questions or complaints.

If efforts to resolve complaints or disputes are still unresolved and unsatisfactory following the project's grievance redress mechanism, the households have the right to send their concerns or problems directly to ADB's Southeast Asia Department (SERD) or through ADB Viet Nam Resident Mission. If the households are still not satisfied with the responses of SERD, they can directly contact the ADB's Office of the Special Project Facilitator as outlined in the Information Guide to the Consultation Phase of the ADB Accountability Mechanism.

The grievance redress mechanism will be continuously disseminated to people during project implementation. The project grievance procedure does not impede access to the court at any time.

VI. POLICY AND LEGAL FRAMEWORK FOR RESETTLEMENT

A Resettlement Framework (RF) was prepared under the overall MFF and endorsed by the Prime Minister. The RF is based on the relevant laws and regulations of the Government of Viet Nam, and the ADB Safeguards Policy Statement (2009).

The RF includes the relevant Vietnamese legislation and provision of ADB Safeguard Policy Statement. It also includes differences between the Government's Laws and Decrees and ADB SPS with regard to resettlement and compensation, and how to address these gaps for this Project.

In addition to the regulations included in the RF, the entitlements are also based on the following regulations on resettlement issued by Thai Nguyen province:

- Thai nguyen province

- + Decision No. 01/2010/QĐ-UBND dated 5/ 01/2010 of Thai Nguyen provincial people's committee on issuing regulations of compensation, supporting and resettlement when land is acquired in Thai Nguyen .
- + Decision No. 06/2010/QĐ-UBND dated 23/2/2010 of Thai Nguyen provincial people's committee on revision and supplement of some articles attached decision no. 01/2010/QĐ-UBND of provincial people's committee on issuing regulation for compensation, supporting and resettlement implementation when land is acquired in this province.
- + Decision No. 28/2011/QĐ-UBND dated 20/6/2011 of Thai Nguyen provincial people's committee on issuing the unit price for compensation of trees, crops on land when it is acquired by state in Thai Nguyen province (see Annex 7).
- + Guidelines of Finance-Agriculture and rural development interdepartments no. 1123/HDLS-TC-NN&PTNN dated 21 /7/2011 on implementation of decision no. 28/2011/QĐ-UBND dated 20/6/2011 of Thai Nguyen provincial people's committee on issuing unit price for compensation of trees, crops on land acquired by state in Thai Nguyen province (see Annex 6)
- + Decision No. 19/2011/QĐ-UBND dated 20/4/ 2011 of Thai Nguyen provincial people's committee on issuing unit price for compensation of houses and architectural work on land when these lands are acquired in Thai Nguyen province.
- + Decision No. 52/2012/QĐ-UBND dated 26/12/2012 of Thai Nguyen provincial people's committee on approval of land price in 2013 in Thai Nguyen.

Entitlements adopted are based on the approved RF and on the Thai Nguyen province resettlement policy 01/2010/QĐ-UBND. This matrix has been discussed and agreed with the District Resettlement Committee and the PMU, in charge of the implementation activities on behalf of Thai Nguyen Province People's Committee.

Entitlements for each type of AHs are based on the types and levels of losses identifies during the IOL. The entitlements also provide various measures aimed at providing opportunities for AHs to obtain development benefits from the project as well as assisting vulnerable AHs to improve their living standards. 1 AH has been identified as vulnerable based on preliminary design. This will be confirmed during detailed design. Livelihood restoration/development activities will be designed with eligible AH's active participation and will be funded out of the contingency budget. The Entitlement Matrix for the Project is shown in the table below.

Table 10: Entitlement Matrix

No	IMPACT	LEVEL OF IMPACT	ELIGIBLE PERSONS	ENTITLEMENTS	IMPLEMENTATION ISSUES
I.	LAND				
1	Productive land (agriculture land, aquaculture land, forestry land, garden land):	Permanent loss	tenants	a) No compensation for land; b) Compensation for non-land assets (crops trees structures) See item II 2 below.	Affected households to be notified at least 4 months prior to the date that the Project will actually be acquired by the Project
II	NON LAND ASSETS				
1	House and other structures	House and other structures	Owners of buildings affected whether legal right to use the land or not.	a) If partially affected, (i) cash compensation at replacement cost equivalent to current market prices of materials and labor without depreciation or deductions for salvaged building materials for the affected portion (art. 4 (1))and (ii) Repair compensation costs . b) If totally affected, cash compensation at replacement cost equivalent to current market prices of materials and labor without depreciation or deductions for salvaged building materials for the entire structure.	
2	Crops, trees, and aquaculture products	Loss of or damage to assets	Owners of crops and trees affected despite the legal right to use the land or not	a) Cash compensation for annual crops and aquaculture products equivalent to current market value of crops/aquaculture products at the time of compensation; b) For perennial crops trees, cash compensation at replacement cost equivalent to current market value given the type, age and productive value (future production) at the time of compensation. c) Timber trees based on diameter at breast height at current market value.	<ul style="list-style-type: none"> - APs have the right to use salvageable trees. - APs will be given 3 months' notice prior to land acquisition. - APs will receive cash compensation based on current market cost of ripened crops/fruit for any unharvest crops that were planted prior to the land acquisition announcement.
III	Rehabilitation Assistance				
3		Loss of land and	Affected vulnerable groups regardless	Entitlement to participate in livelihood restoration/development programs such as vocational	-

No	IMPACT	LEVEL OF IMPACT	ELIGIBLE PERSONS	ENTITLEMENTS	IMPLEMENTATION ISSUES
		non-land assets or impact on livelihood	of severity of impacts	training and micro-credit assistance; Other assistance as per relevant Municipal/Provincial People's Committee decision as applicable. One-time cash assistance of VND 2000000/HH	
IV	Temporary impacts				
4	Temporary impacts during construction	Impacts on structures due to temporary impacts on land	Land users regardless of tenure status	a) Cash compensation for structures/fixed assets, crops, trees affected during construction as stated in Items II above. b) Full restoration of affected land to pre-impact conditions	
		Temporary impacts on land	Owners with LURC; in the process of acquiring LURC; are eligible to acquire LURC	The rent will be negotiated with affected households. The land will be restored to its pre-project condition.	
		Temporary impacts on business	Owner of business	a) Compensation for loss of income during period of disruption to business based on either tax receipts or minimum wage where tax receipts are not available. b) Assistance to relocate productive assets where required c) Compensation for affected assets at replacement cost d) Restoration of land to former conditions	Temporary impacts to be identified during project implementation
		Temporary loss of employment	Employees of affected businesses	Compensation for lost income for duration of disruption to employment based on either labour contract or minimum wage where a labour contract is not available.	
V	Unanticipated Impacts			Compensation and additional assistance as per the approved Project Resettlement Framework	

VII. RESETTLEMENT BUDGET

7.1. Budget preparation

During the FS phase, compensation cost of the project was calculated based on laws, regulations of Vietnamese government and Decisions of Thai Nguyen PPC.

Funds for compensation and implementation of the plan will come from counterpart fund.

7.2. Replacement Cost Survey

A replacement cost survey was conducted in June 2013 in Phuc Triu commune. The results show that compensation rates issued by PPC meet market rates. Therefore PPC compensation rates will be used to prepare costs estimates. These costs will be updated during project implementation to reflect prevailing market rates at the time of compensation

7.3. Compensation prices

7.2.1. Compensation prices for land

100% of the land acquisition by the project is under the management of the Vietnamese Government, so the project doesn't compensate acquired land.

7.2.2. Compensation prices for crops and structures

Compensation rates issued by Thai Nguyen PPC are based on:

- Decision no. 19/2011/QĐ-UBND dated 20/4/ 2011 of Thai Nguyen provincial people's committee on issuing unit price for compensation of houses and architectural work on land when these lands are acquired in Thai Nguyen province
- Decision no. 28/2011/QĐ-UBND dated 20/6/2011 of Thai Nguyen provincial people's committee on issuing the unit price for compensation of trees, crops on land when it is acquired by state in Thai Nguyen province

. Compensation rates of Thai Nguyen province will be used are indicated in the table below:

Table 11: Compensation prices of structures

Place	Temporary house
Water treatment plant and ancillary works	612,000 VND/m ²

Table 12: Compensation prices of crops

Place	Acacia	
	diameter > 20 cm & <30cm	diameter >30&<40
Water treatment plant and ancillary works	37,000/one	75,000/one

7.4. Cost estimates

Total of cost estimates for resettlement is **2,556,540,954 VND** equivalent to **121,532 USD** (Exchange rate: 21,036 VND = 1 USD).

This amount includes the cost of compensation for trees, structures and properties affected by the project, performance management and contingency (10%).

Estimated cost for the site clearance work of the project will be updated according to the detailed design at the time of land acquisition.

Table 13: Estimated cost of land acquisition and resettlement

Unit: VND

No	Component	Unit	Quantity	Price unit	Amount
1	For permanent acquisition area				
a	Compensation of crops				
	The Acacia which has diameter > 20cm &<30cm	each	11,121	37,000	411,477,000
	The Acacia which has diameter >30&<40	each	3,812	75,000	285,900,000
b	Compensation for houses and structures				
	Temporary house	m ²	15	612,000	9,180,000
2	For temporarily requisition area during construction				
	Compensation for dismantled temporary buildings (Estimated)	lump sum			1,500,000,000
3	Supporting Policies				
	Allowance for Vulnerable AHs	HH	1	2000000	2,000,000
4	Communications	lump sum			70,000,000
5	Total (=1+2+3+4)				2,278,557,000
6	Implementation management (=2%*5)				45,571,140
7	Total (=5+6)				2,324,128,140
8	Contingency (=10%*7)				232,412,814
9	Total (=7+8)				2,556,540,954

VIII. INSTITUTIONAL ARRANGEMENT

The implementation of resettlement activities requires the involvement of agencies at the national, provincial, district and commune level. Provincial people's committee will take general responsibility for the implementation of the general resettlement plan of the project. The provisions and policies of the RP will form the legal basis for the implementation of compensation and resettlement activities in the project.

8.1. Provincial People Committee (PPC)

The PPC is responsible for authorizing the city PC to set up and direct a provincial resettlement appraisal council in accordance to the needs of the project. The PPC or authorized city PC will take overall responsibility as follows:

- Evaluate and approve the resettlement plans after the final drafts are approved by the Bank;
- Approve the land acquisition and allocation in the Project;
- Make the final decision and release unit prices for the compensation and assistance levels, and support policies for affected persons and vulnerable groups based on this Policy Framework and the approved RPs;
- Direct the coordination among the concerned agencies and the provincial departments to implement the compensation, assistance and resettlement in accordance with the approved RPs;
- Ensure that the resettlement activities of the sub-project are in accordance with the Policy Framework and the approved RPs.

8.2. City People's Committee

The City People's Committee is responsible for determining legal rights to land and structures on land, land acquisition and land allocation (residential land), appointing members of the Board/Council of resettlement of the city.

8.3. Centre for Land Fund Development

For this project, Centre for Land Fund Development has been assigned to work directly with PMU to prepare and implement the resettlement plan with other relevant institutions. The Centre for Land Fund Development will oversee the implementation of the DMS and establish a database of AHs, impacts on property and livelihoods, as well as compensation, assistance and allowances.

Specific to the Project, the Centre for Land Fund Development will execute the following tasks:

- a) Issue Notice of Land Acquisition when the project is formally approved;
- b) Inform AHs about Detailed Measurement Survey process;
- c) Conduct Detailed Measurement Survey;
- d) Prepare AHs database;
- e) Prepare compensation plans in line with resettlement plans;
- f) Prepare individual "AH Compensation Forms" which detail all types of losses with its corresponding established compensation rates.
- g) Inform AHs regarding payment schedule at least two (2) weeks in advance.
- h) Present proposed compensation amounts to AHs and explain in detail the AH's rights and entitlements based on Project policies and explain how compensation

amounts were calculated.

- i) If compensation payments are acceptable to AHs, process payment and inform AHs of exact date of release of payment.
- j) Effect compensation payment. Copies of compensation payment documents will be provided to AHs. Copies will also be provided to the Implementation and Support Consultants.
- k) Review grievances in consultation with main stakeholders and HH who raised grievances. Submit recommendation to solve grievance to District and Province PC;
- l) Prepare and update regularly a database and lists of AHs, including information regarding disbursement dates for monitoring purposes.

8.4. Executing agency – Thai Nguyen city water joint stock company (TWACO)

TWACO is the Executing Agency. TWACO will, in co-ordination with the relevant agencies, manage and supervise the overall project including resettlement activities and land acquisition. Successful updating and implementation of resettlement plans will require that TWACO liaise and co-ordinate closely with involved ministries and other agencies, together with the Thai Nguyen PPC and Compensation, Assistance and Resettlement Committees of Thai Nguyen city and Phuc Triu commune.

8.5. Commune People's Committees

Assign tasks for communal officials to support the RP activities in the commune;

- Support other units, organizations such as the PMU for information dissemination and organization of community meetings and counseling affected persons' comments;
- Support other organizations and units, including the PMU, in the demographic survey, cost/replacement price survey, detail measurement and inventory survey, and other resettlement activities;
- Participate in all activities of land acquisition and allocation, resettlement, recovery support, and social development support;
- Support affected persons in all RP activities and living standard restoration. Notify DPs the compensation schedule and monitoring the compensation implementation and sign on contracts of compensation with DPs;
- Ensure the adequate implementation of mechanisms of resolving complaints to affected persons. To keep records of document on complaints. Support and advice and guide affected persons to resolve complaints.
- Certify the origin of land use of organizations, agencies, units and individuals, households affected by the project.

8.6. Local organizations

Mass organizations in Viet Nam are types of community based organizations. Such organizations would include the Fatherland Front, Women's Union, Farmer's Union and other relevant organizations.

Women's Union and Farmer's Union will be involved in the RP implementation. They will be a channel to disclose information to AHs. WU will follow-up vulnerable HH during implementation and will counsel HH on the use of the compensation received.

IX. IMPLEMENTATION PLAN

The project is going to be implemented for 5 years commencing in 2016 and completed in 2020. It is supposed that all detailed design works will be completed by mid-2015, follow with construction activities by early 2016. All sites clearance will therefore be conducted within 2015 for handing over to the contractors by end of 2015. The systems will be commissioned and put into operations by mid-2020.

The following activities shall be carried out:

- i. *Detailed Measurement and Census Survey.* Once the detailed design has been completed, a new DMS will be conducted. These surveys will serve as a basis for compensation and updating RP. Data will be computerized by PMUs.
- ii. *Updating Compensation Rates.* During the preliminary detailed design process, the Thai Nguyen PPC will update unit rates at replacement cost for all categories of loss. This will be done based on the Replacement Cost Survey) and in consultation with DPs and local government agencies.
- iii. *Pricing Application and Compensation to DP.* DPC will be responsible for price application (calculating payments on the basis of the market survey) and preparing compensation charts for each affected commune/district. Unit prices, quantity of affected assets, DPs' entitlements, etc. will be subject to verification by the PMU and PPCs, before being posted in each commune for people to review and comment on. All compensation forms must be checked and signed by the DPs to indicate their agreement.
- iv. *Compensation* will be handled under the supervision of representatives of CPC, DPCs and representatives of DPs.

PMU shall ensure that civil works contractors are not issued a notice of possession of site for construction works until PMU has (i) satisfactorily completed resettlement activities, in accordance with the approved updated RP, compensation payments and relocation to new sites; and (ii) ensured that required rehabilitation assistance is in place and the area required for civil works is free of all encumbrances.

Table below summarizes the various steps for the implementation of land acquisition, compensation and resettlement activities for the Project.

Table14: Implementation Schedule

Activities	Implementation time
Finalization of the RP and approval by ADB	
Detailed Measurement Survey (based on detailed design)	1 month
Update compensation rates	1 month
Public consultation	6 months
Approval of updated RP by ADB	6 months
Disclose approved Updated RP to AHs and Uploading on ADB website	6 months
Compensation of DPs (before Awarding of civil works	1 month

contracts)	
Handover of site to contractors, start of civil works	
Submit internal monitoring report	Quarterly
ADB review and approval of RP implementation and confirmation of “No Objection” for Notice of Possession of Site to Civil Works Contractor	12 months

X. MONITORING AND REPORT

Due to the limited impacts, the implementation of the resettlement plan will be monitored and evaluated internally by the PMU. It is agreed that experienced qualified PMU staff will be selected to handle the project social – environmental safeguards.

Internal monitoring reports should be prepared and submitted on a quarterly basis. TWACO will serve as the Project’s internal monitoring body. As such, TWACO will maintain a file of all data gathered in the field, including a data base on the affected households. TWACO will prepare monitoring reports starting from the commencement of RP updating, which coincides with the conducting of the detailed measurement survey and other RP updating activities. TWACO will include updates on resettlement in its regular quarterly Project reports to the ADB. Social monitoring reports will be made available to affected households and will be submitted to the ADB for web posting.

Internal monitoring and supervision will have the following objectives:

- Compensation and other entitlements to be computed using rates and procedures provided in the approved RP with no discrimination according to gender or any other factor;
- Public information, public consultation and grievance redress procedures are to be followed as described in the approved RP;
- Affected public facilities and infrastructure are to be restored promptly; and
- The transition between resettlement and commencement of civil works is to be smooth and that sites are not to be handed over for civil works until affected households have been satisfactorily compensated and resettled.

Annex 1: Public Information Booklet

The Thai Nguyen water supply system development project constructs new water plant with capacity of 50,000 m³/day. The progress of project implementation is expected at 5 years, from 2013 - 2018. The project includes the following items:

Year	Items	Technical Solutions
2013- 2018	a) Raw water intake facility and water supply plant	<ul style="list-style-type: none"> - Construction of South Nui Coc Water Supply Plant with a capacity of 50,000 m³/day, including: - Water intake facility; raw water pumping station; raw water pipeline DN800 to provide 55.000m³/day. - Reaction tank; Settling tank; Filter tank; Storage tank - Sludge pond (reservoir) ; - Clean water pumping station; - Administrative and chemical testing building; - Guard house; - Costs of levelling, constructing bulkheads, building roads and plant fence; - Transformer station and power system: install two 250 KVA machine for the water treatment plant area and install one 560 KVA and one 250 KVA machine for raw water pumping station - Plant fence; yard, internal roads; - Internal water supply pipeline system ; - Drainage system.
	b) New installation of pipelines system:	<ul style="list-style-type: none"> - Transmission pipeline DN 800: 1000 m; - Transmission pipeline DN 700: 4710 m; - Transmission pipeline DN 600: 5550 m - Transmission pipeline DN 400: 6050 m; - Transmission pipeline DN 300: 5000 m; - Transmission pipeline DN 200: 7090 m; - Transmission pipeline DN 150: 9330 m; - Transmission pipeline DN 100: 3900 m; - Service pipelines DN 50, DN 63: 62010 m; - Household connections: 4134 residential groups

1. Why is this Project necessary to implement? Projects conducted to achieve the following objectives

The main objectives of the project are to improve water supply service and to ensure a safe and sustainably developed water supply through improvement of clean-water producing capacity, and expansion of the water supply system. This helps contribute to improving living conditions and public health in Thai Nguyen City.

The expected results include: i) to achieve a water supply ratio of 90% for the whole city; to reduce water loss ratio below 20%; supplying time is 24/24; supply water meets the quality for drinking water, ii) to strengthen management capacity of Thai Nguyen Water Supply JSC,

maintain a sustainable water supply through collecting a reasonable water consumption fee that is in compliance with national and local regulations.

2. Scope of impact

Total number of households affected by permanent State land acquisition is 8. The construction items are as follow:

1	Raw water intake facility
2	Water treatment plant and ancillary works

For transmission pipelines and water distribution, only temporarily affected during construction of water supply pipe because they are located on land transport corridors.

3. Who are the affected households (AHs)?

Entitled AHs are those persons who are located within the affected area at the date the project will be publicly announced. The cut-off-date for eligibility is the date of the notification for land acquisition. Persons who encroach into the area after the cut-off-date will not be entitled to compensation or any other form of resettlement assistance.

4. The resettlement policies

- The basic resettlement principles of the Project are: All APs are entitled to be compensated for their lost assets, incomes and businesses at replacement cost, and provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, incomes and productive capacity.
- Lack of legal rights to the assets lost will not prevent APs from entitlement to compensation.
- Compensation for affected assets shall be provided at market rates.
- Preparation of resettlement plans and their implementation is to be carried out with participation and consultation of affected people.
- Payment of compensation for affected assets and relocation of AHs to new sites will be completed prior to commencement of any construction activities.

Specific assistance will be provided for ethnic minorities, female headed-households, families with disabled, and other vulnerable families

5. When the Detailed Measurement Survey (DMS) will take place?

This activity will be carried out after the detailed design has been completed. The DMS will identify all affected assets (land, structure, trees, crops etc.) of each HH. The DMS team will be composed of project representatives (PMU staff), the Center for Land Fund Development, commune staff. The DMS will only be carried out in the presence of the AHs. AHs will be informed prior to the survey.

6. When the Project is expected to commence?

Expected progress

Project Activities	Start	End
• Detailed Design Phase		
• Recruit Design Consultant	2 nd Quarter 2014	3 rd Quarter 2014
• Recruit Implementation Support Consultant (resettlement)	3 rd Quarter 2014	3 rd Quarter 2014
• Detailed Design	4 th Quarter 2014	4 th Quarter 2015
• Conduct DMS based on detailed design	1 st Quarter 2015	2 nd Quarter 2015
• Mobilise private appraiser to carry out replacement cost survey	4 th Quarter 2014	1 st Quarter 2015
• Prepare Updated RP	1 st Quarter 2015	1 st Quarter 2015

• Consult AHs on project impact, entitlements and final options	1 st Quarter 2015	1 st Quarter 2015
• Submit RP to ADB for review and concurrence	1 st Quarter 2015	1 st Quarter 2015
• Disclose approved Updated RP to AHs and Uploading on ADB website	1 st Quarter 2015	
• Submission of internal monitoring reports	Quarterly	Quarterly
• Disbursement of Compensation and Payment to AHs	2 nd Quarter 2015	2 nd Quarter 2016
• Clearing of land	2 nd Quarter 2015	
Construction phase		
• Submission of internal monitoring report	Quarterly	Quarterly
• ADB review and approval of RP implementation and confirmation of “No Objection” for Notice of Possession of Site to Civil Works Contractor	3 rd Quarter 2016	
• Start of Civil work	3 rd Quarter 2016	2018

7. When other consultation will take place?

Consultation with AHs will continue during the detailed design phase and before the DMS.

AHs will receive a written invitation to join the public meetings.

8. If there are disagreements or problems arising during the Project such as compensation or general project-related disputes, do I have the right to complain?

Any AH may file a complaint or grievance. The Project includes a Grievance Redress Process and AHs may present their complaints to the concerned local administrative officials and RCs, either verbally or in writing.

The complaint can be filed first at the commune level and can be elevated to the highest provincial level if the AHs are not satisfied with the decisions made by the commune or district. AHs will be exempted from all taxes and administrative and legal fees associated with filing and resolving the dispute.

Anybody who has questions or concerns about the Project, can contact the following persons:

Mr. Duong Thai Son- Director

Management unit of investment construction project

Thai Nguyen Water Supply Joint Stock Company

Address: Ben Oanh Stress–Thai Nguyen City

Annex 2: Minutes of Public Meeting Held on 7th August 2013

Name of meeting: Public consultation meeting with the project's affected households for the purpose of preparation of Resettlement Plan.

Time: 15h00 August 7th, 2013

Location: Phuc Triu Commune People's Committee office

Participants:

- Representatives of the project's owner:
 - Mr. Ma Dinh Ly
- Representatives of the consultants:
 - Ms. Ho Thi Huong
 - Ms Pham Thuy Hang
- Representatives of Phuc Triu commune:
 - Mr Trinh Van Hung – Deputy Chairman of Phuc Triu PC
- Representatives of the affected households
 - Affected households with the enclosed named list.

Contents of consultation meeting:

1. Introduction about the participants in the meeting
2. Introduction about the project content: Background of the project; proposed project's components; financial sources of projects; proposed progress of project; documents preparing plans.
3. Clarifying all investment items which are relating to land acquisition; preliminary surveying results of the acquired land areas and affected assets on the affected lands of the project;
4. Proposed policies on compensation and assistance of the project to the affected households; and the rights and responsibilities of affected households, organizations during project planning and implementation.
5. Consulting opinions of affected households on the proposed compensation and assistance policies of the project and project's planning.

Results of consultation meeting:

Affected land areas and assets:

1. Scope of land acquisition: a total area of 10ha of land (with enclosed map). Included: 99,500m² forestry land in the Voi Phun Hill area and other 500m² land of Nui Coc lake.
2. Number of affected households: 08 affected households and other institution. The affected households have contracts for planting, growing and protecting forest.
3. Total land area which will be acquired for site area of the project: total area of about 10ha forestry lands. All these affected land areas are owned by public.
4. Affected crops on the acquired lands: Mainly area of acquired land is planting acacia trees with area of 99,500m².
5. Affected assets on the acquired lands: Planted trees (Acacia); and one temporal house with square area of 15m²;
6. Other affected items on historical, cultural and belief structures: Zero item.

Conclusion:

- The households will be affected with planted trees and assets on lands;
- The affected households will be compensated following the regulations of Thai Nguyen Provincial People's Committee and the policies of the project.

Representative of Project owner	Representative of Consultants (Signed)	Representative of Commune PC (Signed and Sealed)	Representative of Affected households (Signed)
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DANH SÁCH THAM DỰ

Nội dung: phạm vi công trình xây dựng lắp đặt hệ thống tưới tiêu
 Thời gian: 3/4/2012 Địa điểm: UBND xã Phúc Thuận

STT	Họ và Tên	Chức vụ	Địa chỉ	Ghi chú	Ký tên
1	Lương Văn Long		x. Đồi Chè		Long
2	Lương Văn Viên		x. Đồi Chè		Viên
3	Lai Thị Phương		x. Đồi Chè		Phương
4	Ngô Thị Hải		x. Đồi Chè		Hải
5	Đặng Văn Tuất		x. Đồi Chè		Tuất
6	Đặng Thị Thu		x. Đồi Chè		Thu
7	Nguyễn Thị Tuyết		x. Đồi Chè		Tuyết
8	Nguyễn Văn Cường		x. Đồi Chè		Cường
9	Đặng Văn Tùng		x. Đồi Chè		Tùng
10	Lương Văn Quyền		x. Đồi Chè		Quyền
11	Đặng Đức Hải		x. Đồi Chè		Hải
12	Đặng Văn Ninh		x. Đồi Chè		Ninh
13	Đặng Văn Tú		x. Đồi Chè		Tú
14	Đặng Văn Nam		x. Đồi Chè		Nam
15	Nguyễn Văn Riển		x. Đồi Chè		Riển
16	Lương Thanh Phương		x. Đồi Chè		Phương
17	Nguyễn Hoàng Long		Bãi RHH Nuôi Cn		Long
18	Đặng Văn Ngà		x. Đồi Chè		Ngà

Người lập biểu

Nội dung: Phạm vi, công chức, lớp học, học sinh, tại địa chỉ
 Thời gian: 09/4/2022 Địa điểm: UBND xã Phú Xuân

Nội dung: Tham vấn công đồng lớp để học tập và chia sẻ

Thời gian: 19/4/2022..... Địa điểm: UBND xã Phúc Tiến.....

[illegible]

Người lập biểu



Nội dung: Hợp phần văn Lập kế hoạch tài chính các
Thời gian: 07/8/2013 Địa điểm: UBND xã Phụng Tiến

[illegible]

Leô Phú Hùng

BIÊN BẢN HỌP THAM VẤN

Tên cuộc họp: Phạm vi, công dụng và các lập kế hoạch tái định cư
Nhà an phát triển lại, thông cấp nước thành phố Hải Nguyên
 Thời gian: 5h ngày 23/5/2012
 Địa điểm: UBND xã Phúc Sơn

Thành phần tham dự:

- ❖ Đại diện Chủ đầu tư:
 Ông/Bà: Ma Đình Lý
 Ông/Bà: _____
- ❖ Đại diện đơn vị tư vấn:
 Ông/Bà: Hồ Thị Hương
 Ông/Bà: Bùi Thái Bình Dương
- ❖ Đại diện UBND phường: Phạm Văn Xuân - Bí thư Đảng ủy
- ❖ Ông/Bà: Phạm Văn Xuân - Chủ tịch UBND xã Phúc Sơn
 Ông/Bà: Phạm Văn Hùng - Phó Chủ tịch UBND xã
- ❖ Đại diện các ban ngành đoàn thể địa phương:
 Ông/Bà: Có danh sách kèm theo
 Ông/Bà: _____
- ❖ Đại diện các hộ gia đình bị ảnh hưởng:
 Ông/Bà: Có danh sách kèm theo
 Ông/Bà: _____

Nội dung họp tham vấn cộng đồng:

- Giới thiệu các thành viên tham dự cuộc họp, mục đích của buổi tham vấn;
- Giới thiệu dự án: Xuất xứ dự án; Tóm tắt các hạng mục đề xuất của dự án; Nguồn vốn, tiến độ triển khai dự án, kế hoạch chuẩn bị dự án.
- Chỉ rõ các hạng mục đầu tư liên quan đến thu hồi đất, thống kê sơ bộ các tác động, các ảnh hưởng dự kiến trên các diện tích đó;
- Chính sách bồi thường, hỗ trợ và quyền lợi của người bị ảnh hưởng, trách nhiệm, tổ chức, kế hoạch thực hiện.
- Tham vấn ý kiến của các hộ bị ảnh hưởng tạm thời về các tác động dự kiến, chính sách bồi thường, hỗ trợ cũng như các mong muốn, đề xuất của cộng đồng khi triển khai dự án.

Kết quả tham vấn:

Thống kê ảnh hưởng:

- Phạm vi bị ảnh hưởng: Phạm vi quy hoạch được phê duyệt
thị trấn, đồng ruộng là 30 ha

năm 2008 về việc phá đất trên tỉnh quố lộ 6

2. Số hộ bị ảnh hưởng: Có tổng số 25 hộ gia đình và 01 tổ chức
bị ảnh hưởng là Ban quản lý rừng phòng hộ hồ núi Bè

3. Tổng diện tích đất thu hồi (tạm thời): 313,814 m² đất bao gồm đất ở
đất rừng phòng hộ và các loại đất sản xuất khác của hộ gia
đình
Đất ở: 8.278 m²
Đất lâm: 2.166 m²
Đất trồng cây hàng năm + vườn tạp: 36.107 m²
Đất rừng phòng hộ: 5.34 m² (còn lại gia đình: 18.099 m²
rừng phòng hộ: 221.425 m²)
Đất khác: 10.671 m²

4. Diện tích hoa màu, cây cối hay thủy sản bị ảnh hưởng bởi dự án:

Đất lâm: 2466 m²
Cây: 36.107 m²
Cỏ: 10.671 m²
Khu: 221.425 m²

5. Tài sản bị ảnh hưởng trên diện tích đất

nhà ở, đất đai, đồ đạc, vật tư, vật dụng
của hộ gia đình

6. Đền chùa miếu mạo và công trình văn hóa, di tích lịch sử

Không ảnh hưởng tới các công trình văn hóa, di tích

Ý kiến đóng góp của cộng đồng tham gia họp

1. Về các hộ gia đình rừng hồ núi Bè hiện diện
bà Lê Thị Ngọc, Đặng Văn Nam
Đặng Văn Việt
bà Lê Thị Ngọc, Đặng Văn Nam, Đặng Văn Việt
các hộ gia đình còn lại đang ở với phương án

lời đất, hạn chế đến mức thấp nhất tác động ảnh hưởng tới
người dân.

Trong quá trình thực hiện các gia đình bị ảnh hưởng
được nhận vào làm công nhân trong nhà máy.

Kết luận

Đại diện Chủ đầu tư	Đại diện tư vấn	UBND phường/xã	Đại diện Hộ bị ảnh hưởng
  Dương Thái Sơn	  Trịnh Văn Hùng		

BIÊN BẢN HỌP THAM VẤN

Tên cuộc họp: Tham vấn cộng đồng về việc lập kế hoạch tái định cư
Dự án phát triển hệ thống cấp nước thành phố Thái Nguyên

Thời gian: 9h00 ngày 31.4.2012

Địa điểm: UBND xã Phúc Thù - TP. Thái Nguyên

Thành phần tham dự:

- Đại diện Chủ đầu tư:

Ông/Bà: Phan

Ông/Bà: Phan

- Đại diện đơn vị tư vấn:

Ông/Bà: Trần Thị Hương

Ông/Bà: Lê Thị Hồng Việt

- Đại diện UBND phường: Ông Hưng - Phó Chủ tịch UBND xã

- Ông/Bà: Phạm Văn Xuân - Bí thư Đảng ủy

- Ông/Bà: Phạm Thị Huệ - Chủ tịch Hội đồng nhân dân

- Đại diện các ban ngành đoàn thể địa phương:

Ông/Bà: Ông Nguyễn Văn Hòa - Trưởng xóm Phố Cũ

Ông/Bà: Ông Hòa

- Đại diện các hộ gia đình bị ảnh hưởng:

Ông/Bà: Các hộ gia đình bị ảnh hưởng có danh sách

Ông/Bà: Kiểm tra

Nội dung họp tham vấn cộng đồng:

- Giới thiệu các thành viên tham dự cuộc họp, mục đích của buổi tham vấn;
- Giới thiệu dự án: Xuất xứ dự án; Tóm tắt các hạng mục đề xuất của dự án; Nguồn vốn, tiến độ triển khai dự án, kế hoạch chuẩn bị dự án.
- Chỉ rõ các hạng mục đầu tư liên quan đến thu hồi đất, thống kê sơ bộ các tác động, các ảnh hưởng dự kiến trên các diện tích đó;
- Chính sách bồi thường, hỗ trợ và quyền lợi của người bị ảnh hưởng, trách nhiệm, tổ chức, kế hoạch thực hiện.
- Tham vấn ý kiến của các hộ bị ảnh hưởng tạm thời về các tác động dự kiến, chính sách bồi thường, hỗ trợ cũng như các mong muốn, đề xuất của cộng đồng khi triển khai dự án.

Kết quả tham vấn:

Thống kê ảnh hưởng:

- Phạm vi bị ảnh hưởng: Phu... hũ... tái-thu... n... g... g... quy... hoạch
đất... nước... phát... triển... c... và... các... số... 985 / UBND - X... B... ngày
6/8/2012 và quyết định số 3052 / UBND ngày 3 tháng 12

2. Số hộ bị ảnh hưởng:

62 hộ gia đình
về địa phương bị ảnh hưởng (Ban Quản lý rừng phòng hộ
Hải Lồ)

3. Tổng diện tích đất thu hồi (tạm thời): 313.814 m²

Khoảng đất: 8.728 m² (tổng 2.466 m²)
Đất trồng cây hàng năm + rừng tự nhiên: 26.107 m²
Đất rừng: 239.534 m² (trong đó: đất đai: 18.099 m²)
Rừng phòng hộ: 221.435 m²
Đất trồng: 10.671 m²

4. Diện tích hoa màu, cây cối hay thủy sản bị ảnh hưởng bởi dự án:

Luân: 2.466 m²
Cây: 26.107 m²
Cỏ: 10.671 m²
Kao: 239.534 m²

5. Tài sản bị ảnh hưởng trên diện tích đất

toàn bộ phần đất đai nhà cửa và di sản
của người dân

6. Đền chùa miếu mạo và công trình văn hóa, di tích lịch sử

Không

Ý kiến đóng góp của cộng đồng tham gia họp

- Mong muốn được bồi đắp đất đai để canh tác ngay gần khu vực đang sinh sống của cư dân địa phương
- Ứng hộ chủ trương thực hiện dự án và bồi đắp lại ruộng công trình phục hồi nhưng dự án xem xét lại việc thu

đi xây nhà đất tại tỉnh cư tại nơi tái định cư
và cấp ứng hồi.

- để người hộ bị đất tại cư, xây dựng nhà của ổn định rồi phá
đá nhà cũ, làm giao một láng.

- Có các chương trình hỗ trợ chi chửa.

Kết luận

- Ủng hộ dự án
- đồng ý với phương án tái định cư như
đã đề xuất và trao đổi.

Đại diện Chủ đầu tư

Đại diện tư vấn

UBND phường/xã

Đại diện
Hộ bị ảnh hưởng



Dương Chải Sơn

GIÁM ĐỐC



UBND XÃ PHÚC TRIU
KT. CHỦ TỊCH
PHÓ CHỦ TỊCH
Trịnh Văn Hùng

nam

Văn Năm
Đang Văn Cường

BIÊN BẢN HỌP THAM VẤN

Tên cuộc họp: họp tham vấn các hộ bị ảnh hưởng phục vụ công
tác lập kế hoạch tái định cư

Thời gian: 15.6.2018

Địa điểm: UBND xã Phúc Tân

Thành phần tham dự:

- ❖ Đại diện Chủ đầu tư:

Ông/Bà: Ma Đình Lý

Ông/Bà:

- ❖ Đại diện đơn vị tư vấn:

Ông/ Bà: Tô Thị Kiều

Ông/ Bà: Phan Thuý Hằng

- ❖ Đại diện UBND phường:

- ❖ Ông/ Bà: Trịnh Văn Hùng - Phó Chủ tịch UBND xã Phúc Tân

Ông/ Bà:

- ❖ Đại diện các ban ngành đoàn thể địa phương:

Ông/ Bà:

Ông/ Bà:

- ❖ Đại diện các hộ gia đình bị ảnh hưởng:

Ông/ Bà: Các hộ bị ảnh hưởng ở danh sách kèm

Ông/ Bà: theo



Nội dung họp tham vấn cộng đồng:

1. Giới thiệu các thành viên tham dự cuộc họp, mục đích của buổi tham vấn;
2. Giới thiệu dự án: Xuất xứ dự án; Tóm tắt các hạng mục đề xuất của dự án; Nguồn vốn, tiến độ triển khai dự án, kế hoạch chuẩn bị dự án.
3. Chỉ rõ các hạng mục đầu tư liên quan đến thu hồi đất, thống kê sơ bộ các tác động, các ảnh hưởng dự kiến trên các diện tích đó;
4. Chính sách bồi thường, hỗ trợ và quyền lợi của người bị ảnh hưởng, trách nhiệm, tổ chức, kế hoạch thực hiện.
5. Tham vấn ý kiến của các hộ bị ảnh hưởng dự kiến, chính sách bồi thường, hỗ trợ cũng như các mong muốn, đề xuất của cộng đồng khi triển khai dự án.

Kết quả tham vấn:

Thống kê ảnh hưởng:

1. Phạm vi bị ảnh hưởng: 2. 10 ha (có bản đồ kèm theo)
bao gồm: 99.00 m² đất rừng trên núi và phân, phúc Tân
..... 0.00 m² đất hồ núi Lốc

2. Số hộ bị ảnh hưởng: ... 08 hộ bị ảnh hưởng và có tổ chức
... Các hộ gia đình đang hợp đồng trồng, chăn nuôi và trồng
3. Tổng diện tích đất thu hồi: ...
... 10 ha
... Toàn bộ diện tích đất này thuộc sở hữu nhà nước
4. Diện tích hoa màu, cây cối hay thủy sản bị ảnh hưởng bởi dự án:
... Chủ yếu là keo 5 98.000 m²
5. Tài sản bị ảnh hưởng trên diện tích đất
... Cây trồng: keo
... Nhà tạm: 01 nhà 2. 10 m²
6. Đền chùa miếu mạo và công trình văn hóa, di tích lịch sử
... Không ảnh hưởng tới các công trình văn hóa, lịch sử

Kết luận

- Các hộ chịu bị ảnh hưởng về cây trồng và tài sản trên đất
- Các hộ được bồi thường theo đúng quy định của UBND tỉnh & chính sách của địa phương

Đại diện Chủ đầu tư

Đại diện tư vấn

UBND phường/xã

Đại diện

Hộ bị ảnh hưởng

Kế Phái Hưởng



T. UBND XÃ PHƯỚC TRIU
KT. CHỦ TỊCH
PHÓ CHỦ TỊCH
Trịnh Văn Hùng

Lại Đức Thuận

Annex 3: Minutes of Public Meeting Held on 11 October 2013

SOCIALIST REPUBLIC OF VIETNAM

Independence – Liberty – Happiness

SITE VISIT MEETING MINUTE

1. **Time:** 2:00 pm. to 5:00 pm, Friday, 11 October 2013.
2. **Venue:** Project sites and the office of Phuc Triu Commune People's Committee
3. **Attendants:**

3.1. Representatives of Phuc Triu Commune People's Committee:

Mr. Trinh Van Hung – Vice Chairman

3.2. Representatives of Thai Nguyen Project Executing Agency:

Mr. Duong Thai Son - Company Vice Director, PMU Director

Ms. Nguyen Ngoc Anh - Head of Planning and Technical Division of PMU

Mr. Ma Dinh Ly – Deputy Head of General Division of PMU

3.3. Representatives of ADB

Ms. Sushma Kotagiri – Social Development Specialist

Mr. Dang Huu Luu – Resettlement Specialist

3.4. Representatives of Consultant (VIWASE)

Mr. Nguyen Le Phu – Director of the Center of Social and Environment Development and Protection

Ms. Ho Thi Huong – Resettlement Specialist

3.5. Affected households (see attached list)

The meeting content is consultation with the local Government and the affected households on planning and land acquisition and compensation framework for Thai Nguyen City Water Supply Development Project.

1. Mr. Duong Thai Son, Vice Director of Thai Nguyen Water Joint Stock Company, Director of PMU introduced the participants and intent of the meeting.

2. Ms. Sushma Kotagiri, ADB's Social Development Specialist requested the affected households to share their opinions on Project and the Project's land acquisition and compensation framework.

3. Opinions of the affected households:

3.1. Mr. Nguyen Hoang Long, Head of Planning and Technical Division of Coc Lake Forest Management Unit:

- The Coc Lake Forest Management Unit supported the proposed Project;
- The land acquisition areas should be clearly identified and would be the basis for calculation of compensation for the affected households;
- A copy of documents related to the land acquisition for the Project should be sent to the Forest Management Unit to facilitate the future forest management activities.

3.2. Mr. Nguyen Duc Nghi – affected household:

- He supported the proposed Project;
- He wanted to know when the Project would start and the detailed compensation framework.
- From the time of being informed about the Project, the households in the Project area have stopped all economic development activities. Therefore he proposed that this loss should be included in the compensation framework.

3.3. Mr. Dang Van Dao – affected household:

- He supported the proposed Project;
- He wanted to know when the Project would start and the detailed compensation framework.
- Acquisition should be made for the whole land lot if remaining land area is too small and difficult for cultivation and management.

4. Ms. Susma Kotagiri – ADB's Social Development Specialist

- The compensation will be taken in accordance with Project's compensation framework and the Government's relevant policies to ensure that the affected households have opportunity to improve their life or maintain their income as before the Project.
- Actual compensation prices in normal condition at the time of land acquisition will be apply.
- After measurements, detailed information on affected land and assets and compensation unit rates will be posted at Phuc Triu Commune People's Committee.

- Any inquiries or complaints should be directly sent to Mr. Duong Thai Son.
- The Resettlement Plan should be revised in accordance with the ADB's resettlement specialists and sent to Mr. Dang Huu Luu via emails.

5. Mr. Duong Thai Son:

- The information on land acquisition areas will be publicized after the Compensation Plan of the Project is approved.
- Data on affected land areas and assets will be provided according to the latest measurements.
- Relevant legal documents and information will be provided to the affected households and the Coc Lake Forest Management Unit at soonest.

6. Mr. Trinh Van Hung – Vice Chairman of Phuc Triu Commune People's Committee:

- The Phuc Triu Commune People's Committee supported the proposed Project;
- An advantage of the land acquisition for the Project is the number of affected households is not high, resettlement is not required and the affected areas are managed by the Government.
- This is a project of social security, and local people will have benefits after Project's completion. The Committee committed to cooperate with the Project owner in implementation of the Project.

The meeting ended at 5:00 pm. of the same date.

<p>On behalf of PMU</p> <p><i>(signed)</i></p> <p>Duong Thai Son</p>	<p>On behalf of Phuc Triu CPC</p> <p><i>(signed)</i></p> <p>Trinh Van Hung</p>
<p>On behalf of ADB's Mission</p> <p><i>(signed)</i></p> <p>Dang Huu Luu</p>	<p>On behalf of VIWASE</p> <p><i>(signed)</i></p> <p>Nguyen Le Phu</p>

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập – Tự do – Hạnh phúc

BIÊN BẢN LÀM VIỆC

V/v: Đoàn công tác ADB đi kiểm tra thực địa và làm việc với Chủ Dự án, Tư vấn lập dự án, UBND xã phúc triu và các hộ dân bị ảnh hưởng - Phát triển hệ thống cấp nước TP. TN

1. Thời gian làm việc : 14 giờ 00 phút đến 17 giờ 00 phút ngày 11 tháng 10 năm 2013

2. Địa điểm: tại thực địa và văn phòng UBND xã Phúc Triu

3. Thành phần hội nghị :

3.1 Ủy Ban Nhân Dân xã Phúc Triu-TP.Thái Nguyên

- Ông Trịnh Văn Hùng – Phó Chủ tịch UBND

3.2 Ban Quản lý Dự án Đầu tư Xây dựng

- Ông Dương Thái Sơn – Phó Giám đốc Công ty, Giám đốc BQLDA
- Bà Nguyễn Ngọc Anh – Trưởng phòng Kế hoạch Kỹ thuật Ban QLDA
- Ông Ma Đình Lý – Phó Phòng Tổng hợp Ban QLDA

3.3 Văn phòng ADB tại Việt Nam

- Bà: (Ms): Sushma Ktagiri -- Chuyên gia phát triển xã hội
- Ông: Đặng Hữu Lưu – Chuyên gia tái định cư

3.4 Công ty CP Nước và Môi trường Việt Nam (VTWASE)

- Ông : Nguyễn Lê Phú – Giám đốc Trung Tâm PTBV Môi trường và Xã hội
- Bà: Hồ Thị Hương- Phụ trách tái định cư.

3.5 Các hộ gia đình bị ảnh hưởng(có danh sách kèm theo)

NỘI DUNG CUỘC HỌP

Tham vấn chính quyền địa phương và các hộ gia đình bị ảnh hưởng về kế hoạch và chính sách thu hồi đất tại khu vực triển khai xây dựng dự án.

1. Ông Dương Thái Sơn : Phó giám đốc Công ty Cổ phần Nước sạch Thái Nguyên, giám đốc Ban QLDA Đầu tư Xây dựng giới thiệu thành phần và mục đích buổi làm việc.

2. Bà Sushma Ktagiri – Chuyên gia phát triển xã hội của Ngân Hàng Phát triển Châu Á (ADB) đề nghị các hộ gia đình bị ảnh hưởng có ý kiến về việc thực hiện dự án và các chính sách bồi thường GPMB.
3. Ý kiến của Tổ chức và các hộ gia đình nằm trong khu vực bị ảnh hưởng:
 - 3.1- Ông Nguyễn Hoàng Long – Trưởng phòng Kế hoạch Kỹ thuật – Đại diện Ban Quản lý rừng Hồ Núi Cốc có ý kiến :
 - Ban quản lý rừng Hồ Núi Cốc ủng hộ chủ trương thực hiện xây dựng Dự án
 - Phạm vi, ranh giới thu hồi đất phải được xác định rõ để có cơ sở xác định quyền lợi của các hộ bị ảnh hưởng.
 - Hồ sơ và các căn cứ pháp lý về việc thu hồi đất phải gửi cho Ban quản lý rừng Hồ Núi Cốc 01 bộ để lưu làm cơ sở cho việc quản lý rừng trong khu vực.
 - 3.2 – Ông Nguyễn Đức Nghị- Hộ bị ảnh hưởng có ý kiến :
 - Ủng hộ chủ trương thực hiện xây dựng dự án và muốn biết thời gian thực hiện dự án, các chính sách bồi thường của dự án
 - Kể từ khi biết có dự án (năm 2011) các hộ đã dừng không thực hiện các hoạt động phát triển kinh tế trong khu vực do vậy đề nghị có các chính sách bồi thường phù hợp để các hộ bị ảnh hưởng không bị thiệt thòi.
 - 3.3. Ông Đặng Văn Đào – Hộ bị ảnh hưởng có ý kiến:
 - Ủng hộ chủ trương thực hiện dự án.
 - Muốn biết thời gian thực hiện dự án và chính sách về bồi thường GPMB của dự án như thế nào?
 - Đối với những phần đất còn lại có diện tích nhỏ gây khó khăn trong việc quản lý và canh tác, đề nghị dự án cho thu hồi hết.
4. Bà Sushma Ktagiri – Chuyên gia phát triển xã hội của Ngân Hàng Phát triển Châu Á có ý kiến:
 - Công tác đền bù sẽ được thực hiện theo quy định của Chính Phủ và của dự án đảm bảo cho các hộ bị ảnh hưởng không bị thiệt thòi.
 - Giá đền bù đảm bảo áp theo giá quy định tại thời điểm thu hồi.
 - Sau khi dự án thực hiện công tác kiểm kê, sẽ công bố thông tin về mức độ thiệt hại của các hộ bị ảnh hưởng và đơn giá đền bù tại UBND xã Phúc Triu.
 - Mọi thắc mắc, khiếu nại sẽ trao đổi trực tiếp với Ông Dương Thái Sơn, Giám đốc Ban QLDA- Phó giám đốc Công ty CP nước sạch Thái Nguyên.
 - Đề nghị Công ty CP Nước sạch Thái Nguyên và Tư vấn dự án sửa đổi, bổ sung vào báo cáo Kế hoạch Tái định cư theo các ý kiến của Chuyên gia Tái định cư Đặng Hữu Lưu gửi qua đường email.

- Đề Nghị Công ty CP Nước sạch Thái Nguyên và Tư vấn dự án sửa, bổ sung vào báo cáo Kế hoạch Tái định cư theo các ý kiến của Chuyên gia Tái định cư và gửi cho ông Đặng Hữu Lưu qua đường email.
5. Ông Dương Thái Sơn có ý kiến:
- Sau khi phương án đền bù dự án được phê duyệt sẽ công khai thông tin về ranh giới thu hồi đất.
 - Việc xác định mức độ ảnh hưởng sẽ được tổng hợp chính xác theo số liệu đo đạc mới nhất.
 - Chủ Đầu tư sẽ gửi các thông tin, căn cứ pháp lý sớm nhất cho các đối tượng bị ảnh hưởng bao gồm: các hộ bị ảnh hưởng và Ban Quản lý rừng Hồ Núi Cốc.
6. Ông Trịnh Văn Hùng – Phó chủ tịch UBND xã Phúc Trìu có ý kiến:
- Ủng hộ chủ trương thực hiện dự án.
 - Thuận lợi của dự án là khu vực thu hồi đất có số hộ bị ảnh hưởng không nhiều, không phải tái định cư, đất thuộc diện Nhà nước đang quản lý.
 - Đây là dự án an sinh xã hội, sau khi dự án được thực hiện người dân trong khu vực dự án sẽ được hưởng lợi, cải thiện điều kiện sống, mang lại sức khỏe cho cộng đồng. UBND xã cam kết sẽ phối hợp với Chủ Đầu tư trong quá trình triển khai dự án để dự án sớm được khởi công xây dựng.

Buổi làm việc kết thúc lúc 17h ngày 11/10/2013.

ĐẠI DIỆN BAN QUẢN LÝ DỰ ÁN



Dương Thái Sơn

ĐẠI DIỆN UBND XÃ PHÚC TRÌU



TM. UBND XÃ PHÚC TRÌU
KT. CHỦ TỊCH
PHÓ CHỦ TỊCH
Trịnh Văn Hùng

ĐẠI DIỆN ĐOÀN CÔNG TÁC ADB

ĐẠI DIỆN CÔNG TY VIWASE

Nguyễn Lê Phú

CÔNG TY CỔ PHẦN NƯỚC SẠCH THÁI NGUYÊN
BAN QUẢN LÝ DỰ ÁN ĐẦU TƯ XÂY DỰNG

DANH SÁCH THAM DỰ HỘI NGHỊ KIỂM TRA TẠI THỰC ĐỊA

(Kèm theo Biên bản làm việc ngày 11/10/2013)

Dự án: Phát triển hệ thống cấp nước Thành Phố Thái Nguyên

Thời gian: 15.00, ngày 11/10/2013

Địa điểm: UBND xã Phúc Trù

T T	Họ và tên	Địa chỉ	Ký tên	Ghi chú
1	2	3	4	5
1	Trần Văn Hùng	phó chủ tịch UBND xã	<i>[Signature]</i>	
2	Nguyễn Hoàng Giang	Tổng phòng KT - KT, Ban QL Dự	<i>[Signature]</i>	
3	Đài Đức Tuấn	Hôm Đức Chi xã Phúc Trù	<i>[Signature]</i>	
4	Nguyễn Thị Tuyết	Hôm Đức Chi xã Phúc Trù	<i>[Signature]</i>	
5	Đặng Văn Viên	Hôm Đức Chi xã Phúc Trù	<i>[Signature]</i>	
6	Nguyễn Đức Nghi	Hôm Đức Chi xã Phúc Trù	<i>[Signature]</i>	
7	Đặng Văn Đức	Hôm Đức Chi xã Phúc Trù	<i>[Signature]</i>	
8	Đặng Văn Ngõ	Tổng Giám đốc	<i>[Signature]</i>	
9	Đặng Hoài Sơn	phó giám đốc Công ty CP nước sạch	<i>[Signature]</i>	
10	Mai Đình Kỳ	Cán bộ Công ty CP nước sạch	<i>[Signature]</i>	
11	Đặng Hữu Hùng	Chủ tịch UBND xã Phúc Trù	<i>[Signature]</i>	
12				



Giám đốc



Người lập

[Signature]
Mai Đình Kỳ

Annex 4: : Photos of Community Consultation



Annex 5: Detailed Impacts on each Household

	Name of affected Households	Permanent land acquisition		
		Forest land area (m ²)	Affected trees (m ²)	%
1	Nguyen Duc Nghi	220,000	16,902	7.7
2	Tran Van Sau	60,000	4,811	8.0
3	Lai Duc Tuan	220,000	17,444	7.9
4	Tran Van Viet	100,000	7,091	7.1
5	Dang Van Dao	220,000	16,357	7.4
6	Nguyen Thi Tuyen	70,000	4,317	6.2
7	Lai Tuan Dung	120,000	10,020	8.35
8	Lang Van Vien	250,000	22,553	9.02

**Annex 6: Guidelines 1123/ HDLS – TC – NN&PTNT of Inter Department of Finance &
Agriculture and Rural Development**

**PEOPLE’S COMMITTEE OF THAI NGUYEN
PROVINCE**

SOCIALIST REPUBLIC OF VIETNAM.

Independence – Freedom – Happiness

Inter- department of Finance – Agriculture & Rural
development

Thai Nguyen, 21 July 2011

No: 1123/ HDLS – TC – NN&PTNT

**GUIDELINE OF INTER- DEPARTMENT OF FINANCE – AGRICULTURE&RURAL
DEVELOPMENT**

Pursuant to Decision 28/2011/ QĐ – UBND dated 20/6/2011 of People’s Committee of Thai Nguyen Province to promulgate the compensation scheme of plants, crops on the land when State implements land revocation on Thai Nguyen area.

Pursuant to Article 2 of Decision 28/2011/QĐ – UBND dated 20/6/2011 of People’s Committee of Thai Nguyen Province to promulgate the compensation scheme of plants, crops on the land when State implements land revocation on Thai Nguyen area. After discussion to Department of Construction, Department of Natural Resources and Environment, Inter- Department of Finance- Agriculture and Rural development hereby guides the implementation of Decision 28/2011/ QĐ – UBND as follows:

I. GENERAL DECISION

1. Scope of application

This manual guides the implementation of some contents on compensation of plants and crops on the land when State implements land revocation on Thai Nguyen area.

2. Objects of application

Organizations, households and individuals (Who are at home and the Vietnamese’s who settle abroad) using land and plants crops on the land where revoked by the State and being eligible for compensation will be recoverable according to regulation.

3. Compensation of plants, crops and domesticated animals on the land when State implements land revocation on Thai Nguyen area must rely on principles as follows:

- Table of the compensation rate of plants issued by People’s Committee of the province together with Decision No. 28/2011 / QĐ – UBND dated 20/6/2011 is the compensation rate of plants and crops which are property of landowner, and are planted closely consistent with technical process, standard density, standard plant varieties according to regulations issued by specialized management authority, and are planted before land revocation notice issued by the authority, on the principle of actual statistics of the number of plants grown on revoked area at the time taking inventory and the owners must protected them until payment or handover completes, then plants are just cut down or moved.
- New planted trees which are defined stem diameter, height on unit price table is eligible for breeding, time of investment is determined to be 6 months.

4. Cases of plants, crops, domesticated animals having no compensation:

Perennial trees due to liquidation term will be only compensated for cost of cutting down.

II. THE METHOD OF DETERMINING COMPENSATION:**2.4. Timber trees, forest trees:**

- Planting density is based on technical and economic norms issued by specialized management authority for each type of plant in Agriculture - Forestry manufacturing sector on Thai Nguyen province
- Timber, forest trees due to mining period or liquidation term, will be only compensated for cost of cutting down.

REGULATION TABLE OF DENSITY OF SOME PLANTS ON THAI NGUYEN PROVINCE.

To issue together with guideline No 1123/ HDLS – STC – NN&PTNT dated of Inter-Department of Finance- Agriculture and Rural development.

No.	List of trees	Unit	maximize density/hectare
III	Timbers	Tree	
4	Eucalyptus , Acacia ,	“	1.660

Annex 7: Decision 28/2011/QĐ-UBND**THAI NGUYEN PROVINCE'S PEOPLE
COMMITTEE***No: 28/2011/QĐ-UBND***SOCIALIST REPUBLIC OF VIETNAM
INDEPENDENCE- FREEDOM- HAPPINESS***Thai Nguyen, June 20th, 2011***DECISION THE ISSUE OF COMPENSATION PRICE FOR TREES, CROPS ON LAND WHEN
THE LAND ACQUIREMENT TAKES PLACE IN THAI NGUYEN PROVINCE**

Article 1: Issue compensation price for trees, crops on land when the land acquirement takes place in Thai Nguyen province, as follows:

- The price unit is only applied for compensations for trees, crops on land at the time of inventory; trees are planted follow the technical process and density, suitable for crop and animal standard, meet the regulations of authorized agencies.

DETAIL APPENDIX**COMPENSATION PRICE FOR TREES, CROPS ON LAND WHEN THE LAND
ACQUIREMENT TAKES PLACE IN THAI NGUYEN PROVINCE**

Promulgated together with Decision No. 28/2011 / QD-PPC June 20 in
2011 Thai Nguyen province's people committee

No.	List of trees	Unit	Unit price (VNĐ)
IV.	Timber, Forest tree	tree	
2	Trees at the harvested phase (compensation for chop fee)	"	
	- Trees with stub diameter >20 to < 30cm	"	37.000
	- Trees with stub diameter >30 to <40cm	"	75.000