

Resettlement Plan

September 2017

VIE: Water Sector Investment Program Tranche 2 Transmission and Distribution Pipelines of Buon Ma Thuot City

NOTE{S}

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

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**VIET NAM WATER SECTOR INVESTMENT
PROGRAM**

**Buon Ma Thuot and Three Adjacent Districts
Water Supply Project**

RESETTLEMENT PLAN

**Transmission and Distribution Pipelines of
Buon Ma Thuot City**

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CURRENCY EQUIVALENTS

For this report, the rate of **\$1 USD: VND 22,700** has been used.

ACRONYMS AND ABBREVIATIONS

ADB	–	Asian Development Bank
AP	–	Affected Person
DPC	–	District People’s Committee
CMD	–	Cubic Meter per Day
DAKWACO	–	Dak Lak Water Supply and Construction Investment One Member Ltd Co.
DMS	–	Detailed Measurement Survey
DOC	-	Department of Construction
DOF	-	Department of Finance
DONRE	-	Department of Natural Resources and Environment
DP	–	Displaced Person
DPI	-	Department of Planning and Investment
DRC	–	District Resettlement Committee
EMA	–	External Monitoring Agency
GOV	–	Government of Viet Nam
HH	–	Household
IOL	–	Inventory of Losses
LURC	–	Land Use Right Certificate
MPI	-	Ministry of Planning and Investment
MOC	–	Ministry of Construction
NGO	–	Non-Government Organization
NRW	–	Non Revenue Water
PIB	–	Project Information Booklet
PMU	–	Project Management Unit
PPC	–	Provincial People’s Committee
PRC	–	Provincial Resettlement Committee
RP	–	Resettlement Plan (Asian Development Bank term)
RAP	-	Resettlement Action Plan (World Bank term)
RC	–	Resettlement Committee
RCS	–	Replacement Cost Survey
SEID	–	Southeast Asia Infrastructure Division
SES	–	Socio-economic Survey
VND	–	Vietnamese Dong
WPC	–	Ward People Committee
WTP	–	Water Treatment Plant
WU	-	Women Union

GLOSSARY

Compensation	Payment in cash or in kind to replace losses of land, housing income, and other assets caused by the Project.
Cut-off Date	The cut-off date for eligibility for entitlements will be the end of the detailed measurement survey (after completion of the detailed design of the components).
Eligibility	Any person who, as of the cut-off date was located within the affected area of the Project or any component or Sub-project thereof would be considered to be a Displaced Person.
Involuntary Resettlement	Addresses social and economic impacts that are permanent or temporary and are: (i) caused by acquisition of land and other fixed assets, (ii) change in the use of land, or (iii) restrictions imposed on land as a result of an ADB operation., or) iv) loss of resources, and means of livelihood or v) social support systems, which people suffer as a result of the Project and Project components with or without physical displacement.
Land Acquisition	The process whereby a person is compelled by a public agency to alienate all or part of the land he/she owns or possesses, to the ownership and possession of that agency, for a public purpose, in return for fair compensation
Legal Users of Structures	Categories of APs envisaged to have the legal right to build a structure: (i) APs with written permission issued by the relevant authority, (ii) APs who are in the process of obtaining a permanent LURC from the relevant authority and have the document to prove it are considered as having the legal right to build structures, (iii) APs who obtained ownership certificates or legalized certificates for their houses or structures between the cut-off date and the implementation date of the Project, issued by the provincial or district people's committee.
Monitoring	The Process of regularly measuring the progress in effectively completing the Project activities and in achieving the goal and objectives of the Project. Monitoring provides all stakeholders with continuous feedback on implementation. It identifies current or potential successes and problems as early as possible so as to facilitate corrections during the Project implementation
Displaced Persons/ Affected Persons	In the context of involuntary resettlement, displaced persons are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Rehabilitation	Rehabilitation measures include re-establishment of incomes, livelihoods and social systems. Measures include a) restoration of access to public facilities, infrastructure and services, b) mitigation of the loss of access to cultural sites, public services, water resources, grazing or forest resources through the establishment of access to equivalent or culturally acceptable resources and income-earning opportunities. These measures are determined in consultation with affected communities, even when their rights are not formally recognized in national legislation

Relocation	Rebuilding of house assets and public infrastructure in another location
Resettlement Plan	A time-bound action plan with a budget setting out the resettlement strategy, objectives, entitlements, actions, responsibilities and arrangements for monitoring and evaluation.
Resettlement Affects	All negative situations directly caused by the Project, including loss of land, property income generation opportunities and cultural assets
Vulnerable Groups	Distinct groups of people who might suffer disproportionately from resettlement effects, including the poor, landless and semi-landless, female-headed, disabled and elderly households without means of support and those from minority groups.

A. Executive Summary

1. General

1. On 8 February 2011, The Ministry of Planning and Investment (MPI) submitted to the Prime Minister letter No 5044/BKHDT-KTDN regarding “Approval of Sub-projects participating the Viet Nam Water Sector Investment Program, ADB Loan” (Program). The Program is expected to be conducted in 12 provinces including Hai Phong, Da Nang, Thua Thien Hue, Bac Giang, Thai Nguyen, Thanh Hoa, Nghe An, Quang Tri, Quang Nam, **Dak Lak**, Lam Dong and Binh Duong.

2. It is expected that Dak Lak includes two Sub-projects participating in the first phase of the Project, commencing in 2011, namely: (1) Buon Ma Thuot City and Three adjacent districts Water Supply Project (\$30.8 million) (Project); and (2) Cu Kuin Inter-communes Water Supply and Buon Ma Thuot City Water Source Supplementation Project (\$25.4 million).

3. The Project investment components are summarized as below:

Buon Ma Thuot city water supply system:

- Raw water facilities: construct a water intake and 35,000m³/day raw water pumping station; install a 6km long HDPE DN700 raw water pipeline from the raw water pumping station to the water treatment plant (WTP) located on Tan Lap hill;
- Water treatment plant: the proposed 35,000m³/day WTP will be constructed on Tan Lap hill, Krong Ana District;
- Install a 12.5km long DN700-600 gravity transmission pipelines from the WTP to the booster pumping station (32,000m³/day);
- Booster pumping station: construct a booster pumping station (32,000m³/day) at Hamlet 11, Ea Tam ward; Install the transmission pipeline DN600-DI, DN500-DI with total length is 7.798km to centre of Buon Ma Thuot City.
- **Transmission and distribution network in Buon Ma Thuot:** install total of approximately 61.527m transmission and distribution pipelines, include 7 pipelines.

4. This Resettlement Plan is updated for component of the package DLCW04 (Transmission and Distribution Pipelines of Buon Ma Thuot City), which include:

- Pipeline No.1: Located along provincial road No.2 (from point 130-Q2 to point 51, from point 01 to point 120). The pipeline diameter is DN110-HDPE with length of 5.920m; and DN140-HDPE with total length of 22m. The minimum nominal pressure is PN10.
- Pipeline No.2: Located along the provincial road No.2 (from point 203-Q2 to point 136); highway No.14 (from point 136 to point 277); the road to Dray Linh hydropower station from point 277 to point 366; the alley road no.545 (from point 136 to point 530). The pipeline diameters are:DN225-HDPE with length of 4.411m; DN160-HDPE with total length of 847m;DN140-HDPE with total length of 2.588m; and DN110-HDPE with total length of 39m. The minimum nominal pressure is PN10.
- Pipeline No.3: along M're street, Nieng village (from point 225 to point 453); Phan Huy Chu street (from point 453 to point 489). The pipeline diameters areDN110-HDPE with length of 2.638m; DN140-HDPE with total length of 2.320m. The minimum nominal pressure is PN10.
- Pipeline No.4: along Phan Huy Chu street (from point 34-q3 to point 621); Mre street, Nieng village (from point 621 to point 690); related roads of Hoa Xuan Hoa Phu (from point 690 to point 790; from point 790 to point 800). The pipeline diameters are DN110-HDPE with length of 5.437m and with the minimum nominal pressure of

PN10; and DN140-HDPE with total length of 7.591m, DN355-HDPE with length of 2.070m with the minimum nominal pressure is PN16.

- Pipeline No.5: along the related roads (from point 535 to point 861, from point 861 to point 893, from point 861 to point 913). The pipeline diameters are DN110-HDPE with length of 3.507m and with the minimum nominal pressure of PN10; and DN140-HDPE with length of 3.024m with the minimum nominal pressure of PN16.
- Pipeline No.6: along the related roads of Hoa Khanh –Ea Kao (from point 154-q2 to point 1128). The pipeline diameter is DN140-HDPE with length of 3.615m and with the minimum nominal pressure of PN10.
- Pipeline No.7: Along Y wang street (from point 15-q3 to point 1269); alley street No.3 – Vo Van Kiet street (from point 233-q2 to point 1241). The pipeline diameters are DN110-HDPE with length of 1.175m and with the minimum nominal pressure PN10.; DN140-HDPE with total length of 4.302m and with the minimum nominal pressure PN10; DN160-HDPE with length of 5.127m and with the minimum nominal pressure is PN16; and DN225-HDPE with length of 1.316m and with the minimum nominal pressure PN16.

5. This updated Resettlement Plan (uRP) has been prepared for component of the package DLCW04 (Transmission and Distribution Pipelines of Buon Ma Thuot City) including 7 (seven) pipelines with 61.527m of transmission and distribution pipelines, based on (a) ADB's Safeguard Policy Statement (SPS) dated 20 July 2009 and the Resettlement Framework of Viet Nam Water Sector Investment Program – Multitranches Financing Facility (MFF); (b) legal documents of Vietnam and Dak Lak Province, (c) resettlement documents prepared by Resettlement Expert for the component of the package DLCW04; (d) Project site study and public consultation with affected persons (APs) and stakeholders during period March 2017 – July 2017 and DMS of impacts carried out in April - June 2017

2. Scope of Resettlement Impacts

6. The Detailed Measurement Survey (DMS) of impacts was carried out in April – June 2017. The socio-economic survey was conducted in parallel with the DMS process.

7. The Project does not require acquisition of additional land because the construction of the pipelines is entirely within the traffic safety corridor (government-owned land).

8. No houses, buildings nor other religion and historical buildings will be affected under the component package DLCW04 (Transmission and Distribution Pipelines of Buon Ma Thuot City). 13 households (HHs) have secondary structures to be affected by installation of transmission pipelines: specifically, 40.5 m³ of concrete yards and 128.12 m² of brick yards.

9. There are 13 households with trees and crops that will be affected by the installation of pipelines: 10 HHs have pepper, coffee trees; 8 HHs have other trees and 02 HHs have paddy.

10. There are no severely affected households.

11. Among 13 households, there is one HH classified as a vulnerable household (Ede ethnic minority).

3. Socioeconomic Information

12. All 13 household heads are male, there are no female headed household and one household is ethnic minority. Total number of persons affected is 54, average family size is 4.2 person/household. There are no elderly-headed households.

13. Among 54 persons, 33 persons are under labor age and 21 persons are over labor age but there are no elderly-headed households. All household heads are married. Main income source of affected households is from planting of industrial trees such as pepper, coffee, cashew and from salary as government staffs.

4. Information Disclosure

14. Consultations have been conducted in March and June 2017 by DAKWACO, safeguards specialists and relevant agencies. The participants were representatives of local authorities, mass organizations, affected people, and non-affected people who are residing in the project area.

15. In those meetings, participants were given Project Information Booklets (PIBs) and discussed the topics related to the preparation of RP including (i) project's key information and salient features; (ii) list of affected districts and communes and expected scope of impacts; (iii) objectives and principles of the resettlement plan as required by the Government and Safeguard Requirements 2 (SR2) of the 2009 ADB's Safeguard Policy Statement (SPS); (iv) DMS and SES schedule; (v) income restoration allowances; (vi) compensation and resettlement options; (vii) gender issues and vulnerable groups; and (viii) mechanisms for affected persons (APs)' participation, grievance redress, monitoring and evaluation in RP preparation, updating, and implementation stages.

16. Representatives of mass organizations in all affected communes have also attended, such as Vietnam Women's Union, Fatherland Front and Vietnam Farmers' Union. The meetings and consultations, all held in CPC offices, were attended by residents that consisted of 43 males and 35 females.

17. This draft updated Resettlement Plan has been posted at the 4 wards/communes affected by the project by the DAKWACO and CPC of Buon Ma Thuot City.

18. An information booklet outlining key aspects of this Resettlement Plan, including impacts, entitlements, likely time frames, safeguards and benefits, has been prepared (see Annex 1). This project information booklet has been also handed over to all affected households and non-affected people who are interested through the consultations meetings.

5. Grievance Redress Mechanisms

19. The grievance redress mechanism is implemented in two forms: administrative mechanism and judicial mechanism.

20. Regarding the administrative mechanism, the complaint settlement shall be conducted in three levels: commune, district and province. Complainants may exercise their rights to appeal either verbally or in writing and at any time during the Project implementation.

21. If the administrative mechanism has been completed and yet complainants still disagree with the results of the competent authorities' resolutions, they may choose to initiate lawsuits at the district-level people's court. The court is the last resort, when the judgment or decision of the court becomes effective, the parties are obliged to carry out the decision.

6. Legal Framework

22. The project resettlement policy and entitlements have been developed from the laws of the Government of the Socialist Republic of Viet Nam (GOV), principally the Constitution (2013); 2013 Land Law N° 45/2013/QH13 dated November 29 2013, providing Viet Nam with a comprehensive land administration law; Decree N°43/2014/ND-CP dated May 15 2014 guiding implementation of some articles of the Land Law 2013; Decree No. 47/2014/ND-CP dated May 15 2014 on compensation, rehabilitation and resettlement in the event of land recovery by the State; Decree No 44/2014/ND-CP dated May 15 2014 on land prices; and ADB's Safeguard Policy Statement (SPS June 2009) guided by Operations Manual on Involuntary Resettlement (OM Section F1/OP, updated in October 2013).

23. Resettlement provisions and principles adopted in this project will supplement the provisions of relevant decrees currently in force in Viet Nam wherever a gap exists, consistent with 2013 Land Law and Decree N°16/2016/ND-CP which provides that in case of "discrepancy between any provision in an international treaty on Official Development Assistance (ODA), to which the Socialist Republic of Viet Nam is a signatory, and the

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Vietnamese Law, the provision in the international treaty on ODA shall take precedence” (Article 51, Item 1, Article 16/2016/ND-CP).

7. Entitlements, Assistance, and Benefits

24. The project entitlements adopted are based on ADB's SPS (2009) that have been harmonized with the existing GOV laws, Dak Lak PC's Decisions on land acquisition, resettlement and assistance.

25. The cut-off date of eligibility is based on the date when issues the project investment announcement prior to the conduct of DMS, which is 29 February, 2016.

8. Relocation of Housing and Settlements

26. No household has to relocate.

9. Income Restoration

27. There are no severely affected households; therefore there is no need for an income restoration program. There is only one vulnerable group, which will be supported similarly to the poor household policy under Article 24 of Dak Lak Provincial People's Committee (refer to the entitlement matrix for specific activities).

10. Resettlement Budget and Financing Plan

28. The total cost for resettlement is estimated at VND 1,096,858,655.0 (or equivalent to USD 48,320). This proposed budget includes compensation and allowances, cost for resettlement implementation for Compensation, Assistance and Resettlement Boards (DCARB) (2% cost of compensation and allowances), and contingency. DAKWACO will ensure the timely provision of counterpart funds for resettlement, including funds to address any unanticipated impacts.

11. Implementation Schedule

29. Table below summarizes the steps involved in the implementation of land acquisition, compensation and resettlement activities for the project.

Activities	Schedule to complete
Finalization of the RP and approval by ADB	
Detailed Design	June, 2016
Detailed Measurement Survey	February, 2017
Replacement Cost Survey	May 2017
Update compensation rates	June 2017
Approval of updated RP by ADB	August 2017
Award documents	August 2017
Awarding of civil works contracts	August 2017
Compensation of DPs	August – September 2017
Handover of site to contractors, start of civil works	September 2017

30. **Monitoring.** The PMU under DAKWACO will serve as the Project's internal monitoring body. The PMU will submit quarterly monitoring reports to DAKWACO starting from the commencement of RP updating, which coincides with the conducting of the detailed measurement survey and other RP updating activities. DAKWACO, in turn, will include updates on resettlement in its regular project reports to Dak Lak Province and the ADB. Social monitoring reports will be made available to affected households and semi-annual safeguards monitoring reports are required to be submitted to the ADB for web posting.

31. No external monitoring organization (EMO) will be hired as the impacts are not significant.

B. Project description

1. Project Background

32. Vietnam's rapid urbanization has placed enormous pressure on existing water supply, drainage and wastewater services in the country's cities and towns. Government of Vietnam (GoV) policies focus on achieving high economic growth as the key to: (i) narrowing the development gap between Vietnam and other countries in the region, and; (ii) generating sufficient resources to raise living standards, reduce poverty and achieve social equity. Development of water supply, drainage and wastewater services in the country's urban areas is seen as an important contributor to economic growth and poverty reduction ¹.

33. In 2007 Government of Vietnam (GOV) and the World Bank (WB) agreed to proceed with the preparation of the Second Vietnam Urban Water Supply Development Project (VUWSDP II). The original Project Concept for VUWSDP II was based on the ADB-funded Vietnam Urban Water Supply Development Project (VUWSDP I) which will expand water supply systems in urban centers and develop new water supply systems in district towns in the period 2005-2011.

34. In 2009, the GOV received a Grant (PHRD - TF056904) from the Government of Japan through the World Bank for consultancy services to prepare Phase 1 of the VUWSDP II in 2009-2010. The Consultants under the Grant PHRD was mobilized in July 1, 2009 to: (a) prepare overall Pre-feasibility Study Report for the Project including Uong Bi (Quang Ninh), Tam Ky (Quang Nam), Buon Ma Thuot (Dak Lak), My Phuoc 3 (Binh Duong) and Phu Quoc (Kien Giang). Feasibility Study Report for Buon Ma Thuot Water Supply Development Project was developed by VHD International Consultants Ltd. Co. to prepare in 2010.

35. Under the Tranche 2 of Phase II of the Competition Route of VUWSDP Sub-project, proposed investments for new water supply schemes in three (03) district towns of: (1) Ea Kar (Ea Kar District), (2) Buon Don (Buon Don District), and (3) Krong Nang (Krong Nang District) was included. The Project preparation and support for these district towns was implemented in 2008 by Pöyry Environment Oy in association with Pöyry Infra Ltd and national consultants Water and Environment Consultant Ltd (WELI) and Water and Social Development Joint Stock Company (SECO).

36. MPI letter No 240/BKHDT-KTDN dated January 14, 2011 was sent to Director of ADB in Vietnam proposing list of participating provinces in Vietnam Water Sector Development Program under Multitranche Financing Facilities (MFF). The provinces recommended for Phase II of the Program (PFR2) includes Hai Phong, Da Nang, Thua Thien – Hue, Bac Giang, Thai Nguyen, Thanh Hoa, Nghe An, Quang Tri, Dak Lak, Lam Dong and Binh Duong.

37. On February 15, 2011 ADB sent letter to MPI re “Multitranche Financing Facility “Water Sector Investment Program” Second Tranche (2011) – Periodic Financing Request 2 (PFR2)” to agree to the list of participating provinces in PFR2, namely Hai Phong, Da Nang, Thua Thien Hue, Bac Giang, Thai Nguyen, Nghi Son, Nghe An, Quang Tri, Dak Lak (public and private), Quang Nam, Lam Dong and Binh Duong, with total estimated investment capital of \$540 million.

38. It is expected that Daklak includes two Sub-projects participating in the first phase of the Project, commencing in 2011, namely: (1) Buon Ma Thuot City and Three adjacent districts Water Supply Project (\$30.8 million); and (2) Cu Kuin Inter-communes Water Supply and Buon Ma Thuot City Water Source Supplementation Project (\$25.4 million).

¹ Relationship between poverty reduction and urban WSS in Vietnam is clearly referenced in the Comprehensive Poverty Reduction and Growth Strategy (CPRGS).

39. During the period of June 22–24, 2011 ADB Mission visited and discussed with Dak Lak Provincial People's Committee and two proposed Project Owners, namely Dak Lak Water Supply and Construction Investment One Member Limited Company (DAKWACO) and Thuan An Investment and Construction Ltd. Co.

40. The ADB intends to provide an investment Project that will contribute to the Government's goal of expanding the safe and continuous water supply in Buon Ma Thuot City and 03 adjacent district towns of Ea Kar, Buon Don and Krong Nang of Dak Lak Province. The Buon Ma Thuot and 03 adjacent district towns water supply aims to expand water supply coverage and service in these areas and to achieve a continuous high quality 24-hour water supply with good pressure.

41. The Project is expected to improve access to water supply through sustainable and efficient provision of safe water in Buon Ma Thuot City and 03 adjacent district towns of Dak Lak Province. The Outcome will be strengthened financial performance and operational efficiency of DAKWACO to deliver a cost effective service. The outputs of the Project are as below:

- Increased coverage, increase service connections;
- Improved working ratio and operating ratio;
- Improved business planning, financial management and asset management;
- Reduced Non-Revenue Water (NRW).

2. Project Components

42. The Project service areas includes Buon Ma Thuot city and three district towns of Ea Kar, Buon Don and Krong Nang. Main water infrastructure components are presented as below:

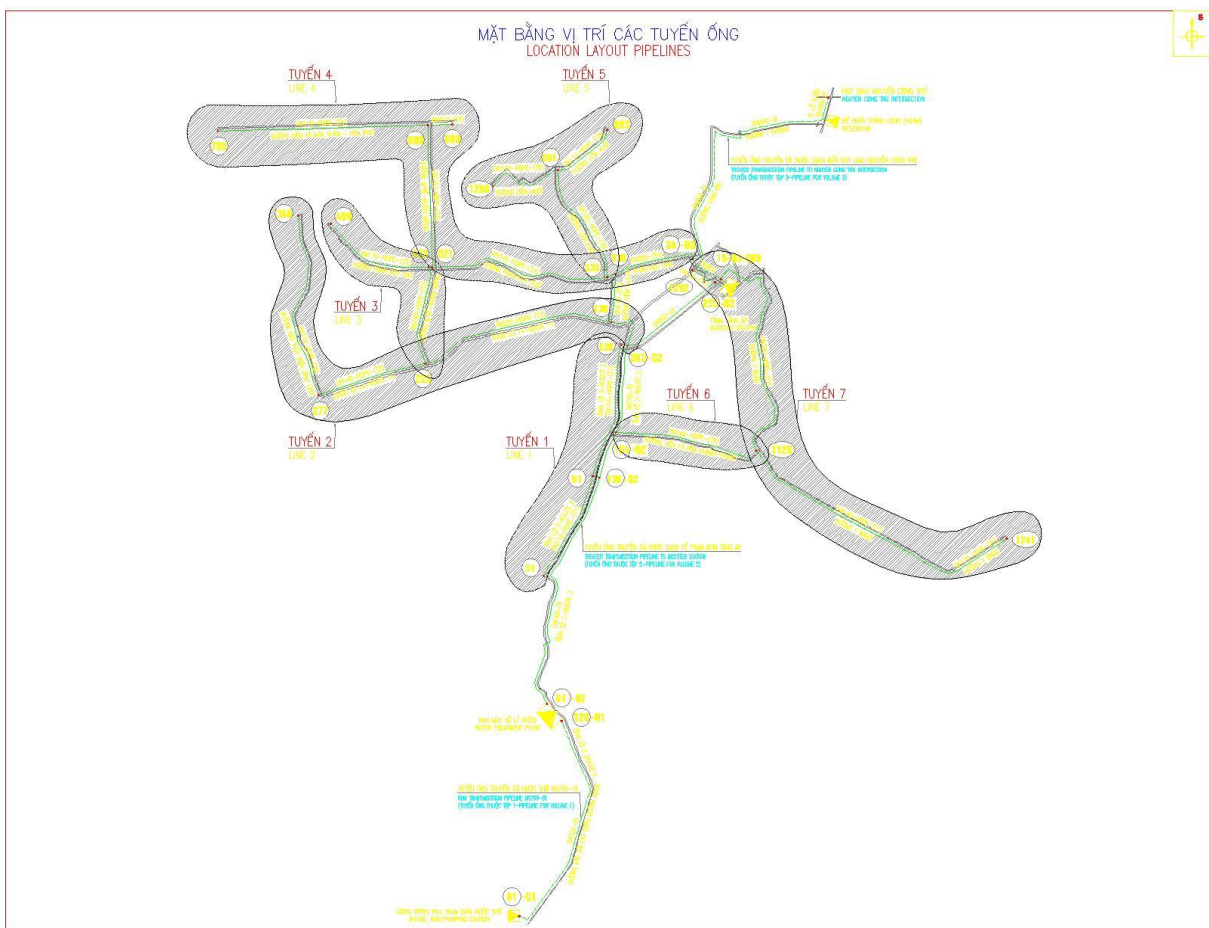
43. The Buon Ma Thuot water supply component includes construction of new raw water source and Water Treatment Plant with capacity of 35,000m³/day and expansion of the existing water supply system as described below:

- Raw water facilities: construct a water intake and 35,000m³/day raw water pumping station. Install a mid-voltage power line from the electricity grid to the raw water pumping station, transformer sub-station and low voltage line, supply standby generator;
- Install a 6km long HDPE DN700 raw water pipeline from the raw water pumping station to the water treatment plant (WTP) located on Tan Lap hill;
- Water treatment plant: the proposed 35,000m³/day WTP will be constructed on Tan Lap hill, Krong Ana District. The treatment process is conventional including: mixing, flocculation, sedimentation, filtration and disinfection. Install a mid-voltage power line from the national grid to the WTP area, transformer substation, and low-voltage power line;
- Chemical houses: Construct and equip a chemical house for alum and lime dosing and a chlorine house with chlorination facilities for automatic chlorine dosing system;
- Sludge settling pond: Construct sludge settling ponds in the WTP site to receive backwash water and sludge from water treatment facilities. In dry season, sludge will be dried in the pond and removed to the landfill. The above surface water which is quite clean will be drained to the city sewerage system.
- Laboratory: construct and equip a testing laboratory at the WTP site to control water quality in the WTP. The operator, laboratory technician and water distribution workers will be trained for water quality monitoring.

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- SCADA: Install a Supervisory Control and Data Acquisition System (SCADA) at the WTP to monitor and control WTP operation. Data will be transmitted to a central control room in the booster pumping station which will also monitor conditions in the distribution network. Provide training in SCADA, management reporting and information systems to DAKWACO engineers, technicians, WTP operators and distribution staff.
- Install a 12.5km long DN700-600 gravity transmission pipelines from the WTP to the booster pumping station. The pipelines will be designed to supply water with 32,000m³/day to the new booster pumping station in the city. Install DN100-150 offtakes from the gravity transmission main to supply 3,000m³/day of treated water to Hoa Phu, Hoa Xuan, Hoa Khanh and Ea Kao communes in the south of the city;
- Booster pumping station: construct a booster pumping station and a 5,000m³ storage reservoir to pump water to the transmission and distribution pipelines. They will be located in the Hamlet 11, Ea Tam ward. The booster pumping station will be equipped with VSD to supply water demand in different time of the network. The pump is sized to supply the peak hourly design flow by 2020;
- Transmission and distribution network: install combined 61.527m transmission main and distribution pipeline, and 22,000 metered service connections.

Figure 1 - Buon Ma Thuot city – impact locations under Project areas



3. Preparation of the Resettlement Plan

44. The resettlement plan ensures that the subproject will (i) avoid involuntary resettlement wherever possible; (ii) minimize involuntary resettlement by exploring subproject and design alternatives; (iii) enhance, or at least restore, the livelihoods of all displaced

persons in real terms relative to pre-subproject levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.

45. This document is derived from the original resettlement plan prepared for the both Buon Ma Thuot city and 03 adjacent district towns of Ea Kar, Buon Don and Krong Nang in April 2012 and updated for Package DLCW-04 (Transmission and Distribution Pipelines of Buon Ma Thuot City), based on the approved detailed design, results of the DMS, replacement cost survey and consultations with APs.

46. This updated RP (uRP) has been prepared for the transmission and distribution lines component and is the guiding document that identifies the key issues to address in reconciling the requirements of ADB's SPS 2009 on Involuntary Resettlement with national and provincial government policies on compensation, assistance and resettlement. Concerns for involuntary resettlement have been integrated in this document and will govern subproject implementation, and monitoring.

47. This uRP includes the following:

- (i) Policy and procedural guidelines for land acquisition, compensation, resettlement, and strategies that will help ensure full restoration of the AH's livelihood and standard of living;
- (ii) Identification of households and communities to be adversely affected by the subproject, where they are located, what compensation and related alleviating measures to be provided to them and how and when these measures will be carried out;
- (iii) A plan on how AHs will be involved in the various stages of the subproject, including resolution of grievances.

48. The resettlement plan is made to minimize negative impacts and ensure mitigation and compensation measures, which will help affected people, recover their living standards at least equal to their condition before the Project implementation. To accomplish this, the resettlement plan will achieve the following objectives:

- Determine Project's affected areas and negative impacts on affected people as well as impacts on their property, socioeconomic and livelihood impacts;
- Determine affected people's rights and entitlements to compensation and support based on the replacement cost principle and the project resettlement requirements;
- Describe Project's procedures for compensation and support policy, including the grievance redress mechanism; and;
- Describe institutional arrangements and financial requirements to implement resettlement activities and monitor the implementation of the resettlement plan.

C. Scope of Land Acquisition and Resettlement

49. A new census and a detailed measurement survey (DMS) was undertaken following detailed design to precisely identify households affected by this Component Package (transmission and distribution pipelines) and their losses.

1. General impacts and compensations arrangements

50. The transmission and distribution pipelines component does not require acquisition of additional land as the construction of the pipeline is completely located within the traffic safety corridor (land under state management). The construction of the pipeline occupies a very small area within the corridor. The traffic and construction are carried out in accordance with the method of rolling, completing section by section of work to return the site immediately, so the transport corridor land will only be temporarily occupied

51. All impacts including loss of crops/trees and other fixed assets for construction of the transmission and distribution pipelines have been identified and described in this RP.

52. Any unanticipated impacts during construction will be addressed as per the Project Resettlement Framework.

2. Steps Taken to Minimize Adverse Impacts

53. To minimize resettlement impacts of the component in Dak Lak province, the following mitigation methods have been carried out:

- The Project team (consultant and DAKWACO) conducted several public consultations with local relevant agencies and affected HH including BMT City ward and commune PCs and the WU, Ethnic minority committee and affected households and incorporated their views and suggestions in this RP; including:
 - (i) The design should minimize impacts to private land, production land of local inhabitants and give more priority on use of public land as much as possible;
 - (ii) The resettlement and compensation shall closely follow regulations and policies of Government of Viet Nam and ADB to make sure adequate and reasonable compensations and benefits are provided to affected people;
 - (iii) The compensation and allowances should be fully paid at replacement cost for assets and trees, crops existing on land without any deductions for salvageable materials or depreciation;
- The construction works will be carried out day by day. The site shall be restored to pre-project condition in the same day to minimize negative impacts during construction such as travel, life of the local people living along the pipelines.

3. Land impact and compensation

54. The Project does not require acquisition of additional land because the construction of the pipelines is entirely within the traffic safety corridor (government-owned land).

55. The component Project of package DLCW04 (Transmission and Distribution Pipelines of Buon Ma Thuot City), will not affect any residential or commercial land or any houses. Therefore there will be no relocation requirements for the component.

56. There are 13 households affected during the implementation of the sub-project component. These households have affected crops inside the traffic corridor and will be affected by the construction of the pipelines. The DMS shows that 10 households have affected coffee trees, 10 households have affected pepper trees, 8 households have other affected trees, 2 households have affected rice crops with an area of 2,668m² (the details are in Table C-1).

57. The project will pay compensation for trees that will be affected inside the transportation corridor land. Rice cultivated on public land will be also compensated at replacement cost.

4. Trees and plants impacts

58. Trees and plants as well as crops (bean, corn) impacted during construction of the Transmission and Distribution Pipeline of Buon Ma Thuot city water supply system are listed below:

Table C-1: Summary of trees and plants – Buon Ma Thuot city

	Trees and plants	Unit	Qty	Notes
4	<i>Transmission and Distribution Pipelines</i>			

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	Coffee	tree	828	10 HHs along the transmission mains and distribution pipelines impacted
	Pepper	tree	567	10 HH along the transmission mains and distribution pipelines impacted
	Rice	m2	2,668	2 HH along the transmission mains and distribution pipeline
	Others (avocado, corn, beans)	tree	567	8 HH in 10 HH along the transmission mains and distribution pipelines impacted.

59. There are 13 households who will be affected by loss of crops and trees, most of which are 'short term' cultivation crops. These HH live along the transmission mains and distribution pipelines.

5. Impacts on structures

60. There are no houses, buildings nor other religion and historical buildings impacted under the component package DLCW04 (Transmission and Distribution Pipelines of Buon Ma Thuot City).

61. All 13 affected HHs have secondary structures to be affected by installation of transmission pipelines, of which 11 households having concrete yards (40.5 m3), and 7 households with affected brick yards (128.12 m2). Details are presented in Table C-2 below.

Table C-2: Summary of structures – Buon Ma Thuot city

	Unit	HHs	Qty
Pipeline No.1: The provincial road No.2 ((from point 130-Q2 to point 51, from point 01 to point 120)			
Concrete yards	m3	1	1.99
Pipeline No.2: The provincial road No.2 (from point 203-Q2 to point 136); highway No.14 (from point 136 to point 277)			
Concrete yards	m3	2	5.466
Brick yards	m2	7	128.125
Pipeline No.3: M're street, Nieng village (from point 225 to point 453); Phan Huy Chu street (from point 453 to point 489);			
Concrete yards	m3	1	0.3825
Pipeline No.4: Phan Huy Chu street (from point 34-q3 to point 621); Mre street, Nieng village (from point 621 to point 690); related roads of Hoa Xuan Hoa Phu (from point 690 to point 790; from point 790 to point 800)			
Concrete yards	m3	2	13.509
Pipeline No.5: the related roads (from point 535 to point 861, from point 861 to point 893, from point 861 to point 913)			
Concrete yards	m3	3	15.053
Pipeline No.6: the related roads of Hoa Khanh –Ea Kao			
Concrete yards	m3	1	0.6075
Pipeline No.7: Y wang street			
Concrete yards	m3	1	2.4945

6. Loss of Livelihood and Employment

62. No household will lose business and jobs due to construction of transmission and distribution pipelines for the sub-project

63. As previously mentioned, there will be 13 households affected by trees, crops planted on Public land, including pepper, cashew, rice and some other crops. However, these effects

are insignificant for each household, as confirmed during public consultations, and no household will lose 10% or more of their income sources.

D. Socio-economic Information and Profile

64. During the DMS, a socio-economic survey (SES) of affected households was carried out. The data generated serves as a base for monitoring to ensure that compensation and mitigation measures are sufficient for APs to at least restore their living standards to pre-project condition. The socio-economic survey covered all 13 affected households. The census was conducted by the PMU with representative from local Buon Ma Thuot People's Committee.

1. General

65. Of the 13 household heads, 13 (100%) are male household heads, there are no female household heads and one household head is ethnic minority.

66. Finding from the survey shows that there are 33 working adults and 21 children under 17 years old. All the household heads are married. There are no elderly-headed households.

2. Employment

67. Among the 33 key members (working adults) of the affected households (husbands and wives), 28 rely on farming and 4 are employed by the government. One also receives pensions or social assistance from the Government.

Table D-1: Summary of affected people employment

No	City/town	Local agencies staff (person)	Farming (person)	Others (person)	Total (person)
1	Buon Ma Thuot	4	28	1	33
	Total	4	28	1	33

Source: social economic survey, June 2017

3. Incomes

68. The main sources of income for the affected households are from coffee cultivation and wages. No affected households are poor in the Project. The poverty line defined in this uRP is that households with per capita incomes of less than VND 900,000/person/month or those that have an average per capita income of from over VND 900,000 to VND 1,300,000/month but fall below the threshold in 03 Indicators that measure the extent of access to basic social services. (Decision No.59/2015/QD-TTg dated 19/11/2015 of the Prime Minister).

Table D-2: Summary of incomes

Income group (VND/month)	% house holds	Average monthly expenses by group (million dong)
> = 5 mil	19.3	4.5
4-4.99 mil	31.1	3.1
3-3.99 mil	8.7	2.8
2-2.99 mil	6.8	1.7
< 2 mil	4.5	1.3
Total	100	

Source: social economic survey, June 2017

4. Education

69. Almost all of the affected head household in Buon Ma Thuot city gained higher education level, as shown in the table below.

Table D-3: Summary of affected persons education

Education	Nb
High school	4
Secondary school	8
Primary school	1

5. Access to Public Services

70. All the households in the Project area are connected to the national electric network.

71. In Buon Ma Thuot City, all surveyed HHs have access to safe water derived from the water supply system or derive their water from wells.

72. All surveyed household at Buon Ma Thuot City have their own in-house toilet with septic tank or dry pit latrines.

6. Household Assets

73. The survey on asset ownership of affected HHs showed that they mainly have the most necessary assets/tools for daily activities. All 13 interviewed households have motorbikes and televisions. Besides, families in general have few assets for a higher quality of life like refrigerator, computer, electric fan and DVD player. All household use mobile phone.

7. Gender and Vulnerability Issues

7.1. Vulnerability

74. Of the 13 affected households, only one household belongs to the vulnerable group: One ethnic minority (H Luyt Nie, ethnic Ede) was identified among the surveyed HHs. This household is integrated with Kinh people, so their level of development is similar to the Kinh. They can communicate fluently in Viet language. According to the Project as well as Government resettlement policies, these vulnerable households will receive additional assistance (income restoration support) as elaborated in the entitlement matrix; however because they are integrated with the Kinh society and do not suffer disproportionately from resettlement effects, the ADB Indigenous Peoples Policy will not be triggered.

75. Regarding allocation of family work among family members, most of the activities are shared by wives and husbands.

76. For household activities, the wife is still largely responsible for managing the money and doing housework. However, making financial or family (education, marriage) decisions is, most of the time, a common decision between husband and wife.

7.2. Gender Strategy

77. A Gender Action Plan (GAP) has been prepared for the Project.

78. The project gender strategy includes specific activities to ensure Project benefits for women, to be applied given the actual sub-project impacts:

- a. The district compensation committees will include representatives from the district and commune Women's Union and women from affected households;
- b. During the conducting of the DMS, men and women from the households will participate in said activity;

- c. Compensation payments and cash assistance will be given to both men and women from the households; specific attention will be provided for the poor women-headed households and elderly women in paying the compensation on time and developing suitable livelihood activities for elderly and poor female-headed households;
- d. Joint registration of land rights in the names of husband and wife and female-headed households will be issued in instances where land is acquired;
- e. Separate discussions with women members, female-headed households, elderly women, and ethnic minority households for selection of relocation sites, housing structures, and other social infrastructures, including timing of relocation;
- f. Special measures will be taken in the relocation of elderly, disabled and female-headed households in terms of location of new site together with their extended families/relatives;
- g. Disaggregated monitoring indicators by gender will be developed for monitoring of social benefits, economic opportunities, livelihood programs, and resettlement activities.

E. Information Disclosure, Consultation, and Participation

1. Objectives of Information Disclosure and Public Consultation

79. In compliance with GOV's Land Law 2013 (Article 48, Article 67, and Article 69), SPS (2009) and ADB's Public Communication Policy (2011), the DAKWOCO promotes the active participation of the Project stakeholders. They have been identified during the series of disclosures and public consultations at commune and village levels, involving stakeholders such as the District level CARBs, CPCs, mass organizations, non-AP residents, and the APs.

80. ADB Safeguards Policy Statement (SPS 2009) requires that in line with ADB's Public Communications Policy, ADB is committed to working with the borrower/client to ensure that relevant information (whether positive or negative) about social and environmental safeguard issues is made available in a timely manner, in an accessible place, and in a form and language(s) understandable to affected people and to other stakeholders, including the general public, so they can provide meaningful inputs into project design and implementation. The disclosure of information, with the consultation and participation of all APs and relevant stakeholders, will minimize the risk of disputes and Project delay. This also facilitates the Project to design resettlement and rehabilitation program as a comprehensive development program that meets the needs, preferences and social benefits of the project investment.

81. Public consultation is of a significant importance, respecting to the disadvantaged, the vulnerable and especially to people living under poor levels. The consultation shall:

- ☐ start early and throughout the project cycle, including stages of project preparation, implementation and monitoring;
- ☐ provide timely, relevant and necessary information which is easily understandable and accessible to affected persons;
- ☐ be done voluntarily;
- ☐ tailor the needs of disadvantaged and vulnerable groups;
- ☐ allow the integration of all relevant opinions of affected persons and other stakeholders into the decision-making process, such as project design, mitigation measures, sharing of benefits and changes that the project brings.

82. The objectives of public information and consultation program with the APs are:

- to ensure that local authorities as well as all APs will be represented in the planning and decision making process. ΔΑΚΩΑΧΟ will keep the dialogue with the PPCs and DPCs during the process of the project implementation. The participation of APs will be continued later by means of requesting districts to invite their representatives to the resettlement activities (asset valuation, compensation, resettlement and supervision);
- to fully share information about the components and operation of the Project with APs in order that this process will be transparent;
- to collect information on the needs and priorities of all APs as well as information about their reactions to proposed policies and activities;
- to ensure that all APs are fully informed about the decisions that will affect their income and living standards, and that they will have the opportunity to participate in the activities and decision making on the issues that will directly affect them. Inform APs regarding entitlements, grievance redress arrangements, consultation and communication arrangements as well as resettlement plan preparation and implementation arrangements;
- to get the cooperation and participation of all APs and communities on activities necessary for the development and implementation of the resettlement plan in a bottom-up manner;
- to ensure the transparency in all activities related to land acquisition, resettlement and rehabilitation.

2. Staging consultation and participation measures

83. The consultation with communities in the affected communes is an important activity in the project. With the above objectives, the DAKWACO will continue to carry out the participatory consultations in every stage of the Subproject cycle relevant to the requirements in the RP as summarized in the table below.

Table E-1. Participatory Consultation in the Project Cycle

Stages	Activities and Target Participants	Responsibility
Project Preparation Pre-Feasibility /Feasibility Study and Drafting of Technical Design	Meet to discuss with the city, district, commune, and village officials, Project Management Board (PMB), and project-based stakeholders about the Project TA, the safeguard policies, and the activities of the consultants.	DAKWACO and Consultants
	Conduct census of the DPs, IOL, social impact assessment of DPs, and replacement cost study (RCS)	Consultants, assisted by commune/village officials
	Discuss the proposed Project resettlement policy with DAKWACO and DPs and solicit their feedbacks.	Consultants
	Disclosure of the results of IOL to DPs and discuss the proposed minimization of impacts and solicit their suggestions and/or comments thereon, including relocation options if needed.	DAKWACO and Consultants, assisted by commune/village officials
	Drafting of the RP and its capsulized summary in leaflet form for submission to DAKWACO for review and endorsement to ADB for approval.	Consultants

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	Distribution of information leaflets to DPs, posting of summary RP at district and commune offices. Posting the RP on the ADB website	DAKWACO ADB
Project Implementation Finalization of Technical Design	Briefing of the respective compensation and resettlement committees in the province, districts and communes, conduct of centerline survey and demarcation of ROW boundaries, and detailed design by the PICs. Conducting Detailed Measurement Survey (DMS) with participation of DPs, updating unit costs (as necessary) Meeting with DPs to discuss and consult the results of DMS, the Project resettlement policy, entitlements and relocation options Updating/revision of the RP and its capsulized summary in leaflet form. Submission of the updated RP and project information leaflet to DAKWACO for review and endorsement to ADB for approval. Distribution of the updated information leaflets to DPs, posting of summary updated RP at district and commune offices. Implementation of Updated RP. Internal monitoring of RP implementation.	DAKWACO and Consultants Consultants assisted by commune/village officials DAKWACO and Consultants, assisted by commune/village officials Consultants Consultants DAKWACO and Consultants
Post Project Implementation Appraisal of Project social safeguards objectives	Overall review of the Project completion performance and conduct interviews with the DAKWACO, selected project-based stakeholders and the DPs if the Project social safeguards objectives have been met.	DAKWACO and Consultants

3. Information Disclosure and Public Consultation during Updated RP Preparation

3.1. Information Disclosure and Public Consultation during uRP Preparation

84. During uRP preparation, public meetings and consultations were held in June 2017 with project-based stakeholders, 78 people including 43 men (55.1%) and 35 women (44.9%), from communes of Buon Ma Thuot City and Krong Ana Districts of Dak Lak Province. They were given the Vietnamese version of Project Information Booklet (PIB). The topics discussed in the public meetings and consultations were: (i) general information of the Project, its location, routes and features; (ii) list of project affected districts, communes and the scale of possible land acquisition; (iii) objectives and principles of RP according to the requirements of the GOV and Safeguard Requirements 2 (SR2) of the 2009 Safeguard Policy Statement (SPS) of ADB; (iv) schedules of DMS and SES; (v) compensation and assistance options; (vi) issues on gender and vulnerable groups; and (vii) mechanisms of APs participation, grievance redress, monitoring and evaluation in all phases of RP preparation, updating and implementation.

85. Representatives of mass organizations in each of the Project communes have also attended the meetings and consultations, such as Vietnam Women's Union, Fatherland Front and Vietnam Farmers' Union.

Table E-2. Dates of Public Meetings and Consultations

No.	Districts and Commune	Date of meetings	Number of Participants		
			Male	Female	Total
1	Ea Tam Commune	March 13, 2017	7	3	10
2	Khanh Xuan Ward	June 12, 2017	7	9	16
3	Ea Kao Commune	June 17, 2017	13	12	25
4	Hoa Khanh Commune	June 14 2017	16	11	27
Total			43	35	78

86. Results of the public consultations are summarized in the table below:

Table E-3. Highlights of Public Consultations

Commune/Ward	Content of consultations	Summary of Public Consultations
1. Ea Tam Commune	<ul style="list-style-type: none"> - General information of the project (scope, location, funding source, etc). - Project impacts on land, assets, structures, trees and crops; and other potential impacts. - Resettlement policies, measures to minimize land acquisition and assets on land. - Compensation and allowance policy of the project. - Implementation schedule (compensation, allowances, relocation, income restoration programs, and construction, etc). - Grievance redress mechanism. 	<ul style="list-style-type: none"> - People agreed with the policy and scale of the Project; - The Project did not affect on agriculture and residential land, but affected on annual crops and perennial crops of the households such as coffee and pepper. No household was largely affected; - When implementing the Project, the Project Owner must compensate and provide support in accordance with the laws and the Project's regulation. - No households have to relocate; - All assets existing on land, including public land shall be full compensated at replacement costs. - Compensation, support timely and adequately for APs.
2. Khanh Xuan Ward	<ul style="list-style-type: none"> - General information of the project (scope, location, funding source, etc). - Project impacts on land, assets, structures, trees and crops; and other potential impacts. - Resettlement policies, measures to minimize land acquisition and assets on land. - Compensation and allowance policy of the project. - Implementation schedule (compensation, allowances, relocation, income restoration programs, and construction, etc). - Grievance redress mechanism 	<ul style="list-style-type: none"> - Agree with the project implementation policy; - The Project caused small impact on assets of people because most of the pipelines are on the traffic corridor; - Compensation and support for APs are requested on time; - Compensation under market prices at the compensation period; - All assets existing on transportation corridor land shall be compensated at replacement costs. - Compensation, support in accordance with the law. - When there are complaints and questions, there must be fully, clear answers and explanations and timely resolution.
3. Ea Kao Commune	<ul style="list-style-type: none"> - General information of the project (scope, location, funding source, etc). - Project impacts on land, assets, structures, trees and crops; and other potential impacts. 	<ul style="list-style-type: none"> - The pipelines travel on the corridor of roads, the affection on property and trees are not significant; - Adequate compensation, support to enable affected people to receive appropriate and practical support;

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	<ul style="list-style-type: none"> - Resettlement policies, measures to minimize land acquisition and assets on land. - Compensation and allowance policy of the project. - Implementation schedule (compensation, allowances, relocation, income restoration programs, and construction, etc). - Grievance redress mechanism 	<ul style="list-style-type: none"> - Concrete, brick yards existing on transportation corridor land should be full compensated at replacement costs. - Compensation at market prices and comply with the law on compensation and support; - Prior notification of compensation, support plans to the people.
4. Hoa Khanh Commune	<ul style="list-style-type: none"> - General information of the project (scope, location, funding source, etc). - Project impacts on land, assets, structures, trees and crops; and other potential impacts. - Resettlement policies, measures to minimize land acquisition and assets on land. - Compensation and allowance policy of the project. - Implementation schedule (compensation, allowances, relocation, income restoration programs, and construction, etc). - Grievance redress mechanism 	<ul style="list-style-type: none"> - Agree with the project implementation policy; - The pipelines travel in the corridor of roads which do not significantly affect property and trees; - Propose appropriate compensation at market prices and the project policies while complying with the laws of Vietnam; - Prior information on compensation options is required; - Concrete, brick yards existing on transportation corridor land should be full compensated at replacement costs. - When there are complaints, they must be resolved promptly, transparently.

87. Feedbacks from the affected households included the followings: (i) there should be appropriate solutions to the remaining and unviable productive land areas, if any; (ii) Compensation rates of the project; and (iii) What is the schedule of project implementation?

88. The DAKWACO has received feedback from affected households and responded to the aforementioned concerns by explaining relevant provisions, such as the 2013 Land Law, Decree No. 47/2014/ND-CP, and Decision No. 39/2014/QD-UBND by Dak Lak Province, of the project resettlement policy, particularly on compensation and the need to minimize adverse social impacts and explaining the environmental management plan of the project. The Project has committed to provide adequate compensation and assistances per the project policy and regulations of the Dak Lak CPC. The DAKWACO pointed out that the project is committed to help the affected households and ensure that their living standards are not worsen off. After the explanation about the basis for compensation and assistance rates, the affected households agreed and reached consensus on the compensation and assistance levels per the draft compensation plans – the PPC rates are not significantly different from the rates found during the RCS (they fall within the range of unit costs as per survey).

3.2. Information Dissemination before ADB Approval of RP

89. Before review by ADB, RP has been publicized in public places. The contents of RP are discussed with the APs. Project information leaflets were prepared and distributed to affected households, in which the contents include: (i) a brief overview of the project, especially the main items to be performed and size of land acquisition; (ii) impacts on land and assets on land; (iii) the rights over the affected land and assets; (iv) detailed implementation plan for assistance, resettlement and compensation payments; (v) mechanisms for grievance redness; and (vi) the contact list of the staff of the implementing agencies and local authorities to ensure that complaints are resolved in a timely and satisfactory manner.

90. Besides project information leaflets, policies related to land acquisition, compensation, assistance and resettlement are disseminated to people through public consultation meetings, and copies of these documents are filed in office of the CPCs and the village chief.

4. Public Consultations during project implementation

91. In the process of updating RP, consultant agency has consulted DPCs, DCARBs, and CPCs in the project area and affected households. Public consultation with affected people through community meetings will be conducted during the implementation of the RP.

92. Copies of the resettlement plan in Vietnamese will be sent to the compensation and site clearance committee, and are publicized at the office and at home CPC village chief.

5. Public consultation and participation in implementation and monitoring of uRP

93. The general principle of the project, as mentioned above is to ensure participation of all affected people and local community in all activities and all phases of the project. Affected households and communities can participate in the following activities:

- ☐ Public consultation in the hamlet on detailed design of the project;
- ☐ The public consultation meetings in hamlets on the impact of the project; compensation policies, assistance and resettlement, detailed implementation plans for resettlement activities and grievance redress procedure;
- ☐ Detailed inventory of affected assets of APs;
- ☐ Replacement cost survey on affected land and assets;
- ☐ Preparation and implementation and monitoring of RP.

6. Disclosure of the uRP

94. An information booklet outlining key aspects of this Resettlement Plan, including impacts, entitlements, likely time frames, safeguards and benefits, has been prepared and distributed. DAKWACO and CPC of Buon Ma Thuot City have posted this draft uRP at the 4 wards/communes affected by the Project. The final approved uRP will likewise be posted at the wards/communes and will be disclosed on ADB website.

F. Grievance Redress Mechanisms

95. A well-defined grievance redress and resolution mechanism has been established to address AP grievances and complaints regarding land acquisition, compensation and resettlement in a timely and satisfactory manner. All APs will be made fully aware of their rights, and the detailed procedures for filing grievances and an Appeal process will be publicized through an effective public information campaign. The grievance redress mechanism and appeal procedures are described in the PIB that has been distributed to APs.

96. APs are entitled to lodge complaints regarding any aspect of the land acquisition and resettlement requirements; compensation policy, entitlements, rates and payment; or strategies and procedures for resettlement and rehabilitation assistance programs. AP complaints can be made verbally or in written form. In the case of verbal complaints, the committee hearing the complaint will be responsible to make a written record during the first meeting with the AP. APs who present their complaints to the WPC, APC or PPC will be exempt from all administrative fees incurred. In addition, APs who lodge complaints and Appeals to district courts will be provided with free legal representation.

97. For the purposes of grievance redress and resolution, the RCs at ward/commune, district and provincial levels will also serve as the Grievance Redress Committees (GRC). To avoid any conflict of interest and to ensure transparency and objectivity in grievance redress, the GRC at both the commune and district levels will also include representatives of the APs

and civil society among its members. The Ward/Commune Grievance Redress Committee will make all reasonable attempts to settle AP's issues at the commune level through community consultation. Moreover, to avoid a redress process, grievances will be prevented to the extent possible through careful Sub-project design and implementation. Effective strategies include full and frank participation and consultation with APs; establishing a rapport between the affected communities and the implementing agencies; and frequent interactions, transparency and monitoring.

98. A four-stage procedure for redress of grievances is proposed:

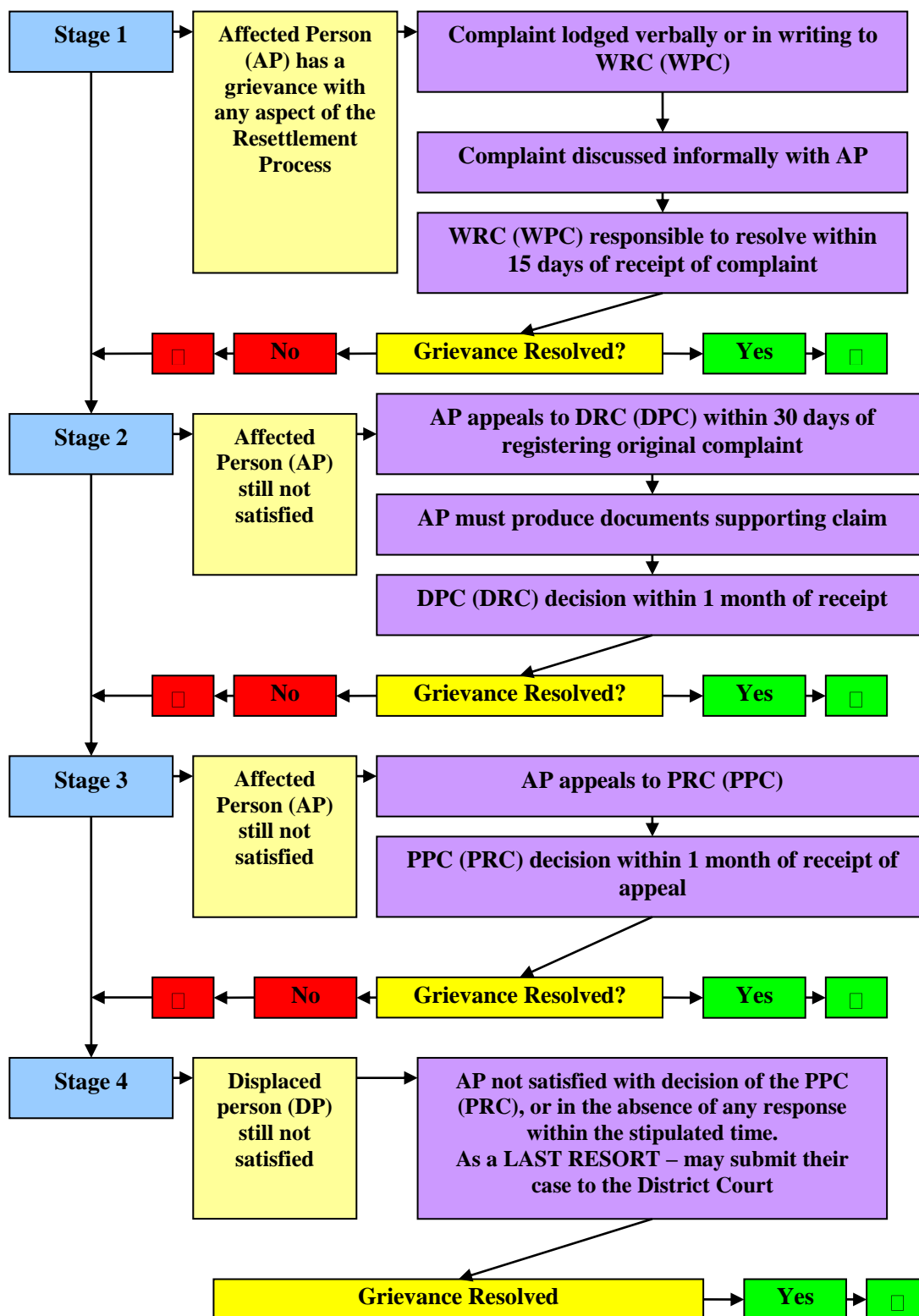
- **Stage 1:** Complaints from APs on any aspect of compensation, relocation or unaddressed losses are first of all lodged verbally or in written form with the Ward/Commune People's Committee (WPC). The complaint will be discussed in an informal meeting with the AP and the CPC. It will be the responsibility of the CPC to resolve the issue within 15 days from the date the complaint is received.
- **Stage 2:** If no understanding or amicable solution can be reached or if no response is received from the WPC within 15 days of registering the complaint, the AP can appeal to the District People's Committee (DPC) in the presence of the District Resettlement Committee (DRC). The AP must lodge the complaint within 30 days of registering the original complaint and must produce documents that support his/her claim. The DPC will provide a decision within 1 month of receiving the Appeal.
- **Stage 3:** If the AP is not satisfied with the decision of the DPC or in the absence of any response, the AP can appeal to the Provincial People's Committee (PPC). The PPC will provide a *decision* on the Appeal within 30 days from the day it is received by the PPC.
- **Stage 4:** If the AP is still not satisfied with the decision of the PPC on Appeal, or in the absence of any response within the stipulated time, the AP as a last resort may submit his/her case to the District Court. Beyond this the AP may lodge their complaint to the Operations Department or the Office of the Special Project Facilitator (OSPF) as detailed above as *per* ADB Policy.

99. The procedure described in these four steps is consistent with the legal process for resolution of disputes in Viet Nam. However, the system is oriented primarily towards disputes between people, as opposed to between people and government. Therefore, as part of the Project's internal monitoring and evaluation, the WPC and DAKWACO will keep a written record of all grievances and complaints registered by APs, as well as their final resolutions.

100. Grievance redress mechanism should not impede access to the country's judicial or administrative remedies. It is not the last resort but any time the AP can access the judicial system.

101. DAKWACO and the Buon Ma Thuot CPC will be responsible for ensuring that the grievance redress procedures and timeframes are explained clearly to each level of People's Committees.

Figure 2: Grievance Resolution Process



G. Legal Framework

1. Relevant Vietnamese Legislation.

102. The legal and policy framework for compensation, resettlement and rehabilitation applied for this subproject are defined by current laws, decrees and related legal documents of the Government of Vietnam and ADB SPS (2009) policies on Involuntary Resettlement. In the event of any discrepancy between the laws and regulations of the Government and the procedures and policies of the ADB on involuntary resettlement, the policies and requirements of the ADB shall be complied with. This is entirely consistent with the Government's Decree No.38/2013/ND-CP dated 13/4/2013 on the management and use of official development assistance (ODA) and preferential loans from donors. This is the basic principle stated in Decree No.38/2013/ND-CP, Article 46 regarding the compensation, support and resettlement: "The compensation, support and resettlement of programs and Projects shall comply with the provisions of the current laws and international treaties on ODA and concessional loans the Socialist Republic of Vietnam is a member. In case of differences between the provisions of the domestic laws with the international treaties, the international treaties shall be applied". Ordinance No.34/2007/PL-UBTVQH11 of the National Assembly dated 20/4/2007 on the democracy implementation in communes, wards and towns regulating the public information on "Projects, works and investment priorities, implementation schedule, compensation, support and resettlement plan for land clearance related to such Projects and works in communes, wards and towns".

1.1. Relevant Vietnamese Legislation

103. The current legal documents required by law for land acquisition, compensation, support and resettlement of the Government of Vietnam are as follows:

- Land Law No.45/2013/QH13 dated November 29, 2013 of the National Assembly of the Socialist Republic of Vietnam, replacing Land Law 2003;
- Decree No.43/2014/ND-CP dated May 15, 2014 of the Government, detailing the implementation of some provisions of Land Law 2013;
- Decree No.44/2014/ND-CP dated May 15, 2014 of the Government on evaluating land prices;
- Decree No.45/2014/ND-CP dated May 15, 2014 of the Government, regulating the collection of land-use lease;
- Decree No.47/2014/ND-CP dated May 15, 2014 of the Government on compensation, support and resettlement when the State acquires land, replacing Decree 197/2004/ND-CP and Decree 69/2009/ND-CP;
- Decree No.104/2014/ND-CP dated November 14, 2014 of the Government on land price frame;
- Circular No.36/2014/TT-BTNMT dated June 30, 2014, detailing the land valuation method; building and adjustment of specific land prices and consultation for land-price valuation;
- Circular No.37/2014/TT-BTNMT dated June 30, 2014, detailing regulations on compensation, support and resettlement when the State acquires land;
- Decree No.42/2012/ND-CP dated 11/5/2012 on the management of paddy land use;
- Decree 11/2010/ND-CP, dated on 24 Feb 2010 on management and protection of road, and Decree 100/2013/ND-CP amending Decree 11/2010/ND-CP.
- Decree No.38/2013/ND-CP, on the management and use of official development assistance (ODA) and preferential loans from donors;

- Ordinance No.34/2007//PL-UBTVQH dated 20/4/2007 of the National Assembly Standing Committee on the implementation of democracy in communes, wards and towns;
- Law on Complaints No.02/2011/QH1 dated November 11, 2011 of the National Assembly of the Socialist Republic of Vietnam;
- Law on Denunciation No.03/2011/QH13 dated November 11, 2011 of the National Assembly of the Socialist Republic of Vietnam;
- Decree No.75/2012/ND-CP dated October 3, 2012, detailing the execution of some articles of the Law on Complaints;
- Decree No.76/2012/ND-CP dated October 3, 2012 detailing the execution of some articles of the Law on Denunciation.

104. The provisions relating to public disclosure of Land Law 45/20013/QH13, Clause 1, Article 67 requires disclosure of information for affected persons "Before issuing a decision on land recovery, at least 90 days prior to the recovery of agricultural land or 180 days prior to the recovery of non-agricultural land, competent state agencies shall notify the land users of the land recovery. The contents to be notified include land recovery, investigation, survey, measurement and inventory plans".

105. The provisions concerning conservation of cultural property are: The Law on Heritage dated June 29, 2001 and the Law on amending and supplementing a number of articles of the Law on Cultural Heritage dated June 18, 2009; Decree No.98/2010/ND-CP dated September 21, 2010, detailing the implementation of some articles of the Law on Cultural Heritage and the Law amending and supplementing a number of articles of the Law on Cultural Heritage.

1.2. Dak Lak province Decisions on land acquisition, compensation and resettlement in the province

106. In addition to the legal documents of the Government of Vietnam, Dak Lak province has issued legal documents, guiding the application of the Government's provisions and implementation of land acquisition, compensation and resettlement in Dak Lak province. The following decisions provide the provisions for compensation, support and resettlement when the Government acquires land in the province:

- Decision No.39/2014/QD-UBND dated November 10, 2014 of the People's Committee of Dak Lak province that provides regulations on compensation, support and resettlement when the State recovers land in Dak Lak province;
- Decision No.29/2015/QD-UBND dated September 18, 2015 of the People's Committee of Dak Lak province that promulgates regulations on unit prices for building houses, structures, works, assets on land to make restitution when the State acquires land in Dak Lak province;
- Decision No.142017/QD-UBND dated March 023, 2017 of the People's Committee of Dak Lak province that issues regulations on the unit prices of crops and trees; when the State recovers land in Dak Lak province;
- Decision No.43/2014/QD-UBND dated December 22, 2014 of the People's Committee of Dak Lak province, promulgating regulations on land prices, land price tariff for period 2014 in Dak Lak province.

2. ADB social Safeguards Policy and Requirements

107. The ADB Safeguard Policy Statement (SPS) of 2009 consolidates three existing safeguard policies: involuntary resettlement (IR), indigenous peoples (IP), and environment.² The objectives of the IR policy are to (i) avoid involuntary resettlement where possible, (ii) to

² The policy on environment is discussed in a separate environment report.

minimize involuntary resettlement by exploring Project and design alternatives, (iii) to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-Project levels and (iv) improve living standards of poor and vulnerable households. The IP policy objectives are to (i) design and implement Projects that fosters full respect for IP's identity, dignity, human rights, livelihoods systems, and cultural uniqueness as defined by the IP themselves and (ii) ensure that IPs receive culturally appropriate social and economic benefits, do not suffer adverse impacts as a result of Projects, and can participate actively in Projects that affect them.

108. The involuntary resettlement requirements apply to full or partial, permanent or temporary physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) resulting from (a) involuntary acquisition of land, or (b) involuntary restrictions on land use or on access to legally designated parks and protected areas. Resettlement is considered involuntary when displaced individuals or communities do not have the right to refuse land acquisition that results to displacement. This occurs in cases where (i) lands are acquired through expropriation based on eminent domain; and (ii) lands are acquired through negotiated settlements, if expropriation process would have resulted upon the failure of negotiation.

109. Projects financed by ADB, including associated facilities that are financed by the government or other sources, are expected to observe the following policy principles:

- Screen early to identify involuntary resettlement impacts and risks and determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- Carry out meaningful consultations with displaced persons, host communities, and concerned non-government organizations. Inform all displaced persons of their entitlements and resettlement options and ensure their participation in various stages of the Project especially vulnerable and poor groups. Establish a grievance redress mechanism to receive and facilitate resolution of the displaced persons' concerns. Support the social and cultural institutions of displaced persons and their host population.
- Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation, assistance at replacement value for land when the loss of land does not undermine livelihoods; (ii) prompt replacement of assets with access to assets of equal or higher value; (iii) prompt compensation, assistance at full replacement cost for assets that cannot be restored; and (iv) additional revenues and services through benefit sharing schemes where possible.
- Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of Project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- Improve the standards of living of the displaced poor and other vulnerable groups, including women head of households, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in

urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.

- Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- Disclose both the draft and final resettlement plan in a form and language understandable to displaced persons and other stakeholders.
- Conceive and execute involuntary resettlement as part of a development Project or programme. Include the full costs of resettlement in the presentation of Project's costs and benefits. For a Project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the Project as a stand-alone operation.
- Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout Project implementation.
- Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

110. Calculation of full replacement cost will be based on the following elements: (i) fair current market value at the time of compensation, (ii) transaction costs, (iii) interest accrued, (iv) transitional and restoration costs, and (v) other applicable payments, if any. In the calculation, depreciation of structures will not be taken into account. It is expected that qualified and experienced experts will undertake the valuation of acquired assets.

111. Persons or households without formal legal rights nor recognized or recognizable claims to the acquired land are still entitled to compensation for their loss of assets other than land if they have been created before the cut-off date, and resettlement assistance.

112. The ADB Policy on Gender and Development (2006) adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate in, and that their needs are explicitly addressed in the decision-making process for, development activities. The new safeguard policy also reiterates the importance of including gender issues in the preparation of safeguards documents at all stages to ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This includes special attention to guarantee women's assets, property, and land-use rights and restoration/improvement of their living standards; and to ensure that women will receive Project benefits. Other policies of the ADB that have bearing on resettlement planning and implementation are the (i) Public Communications Policy (2011), and (ii) Accountability Mechanism (2012).

3. Reconciliation of Government and ADB Policy on Resettlement

113. The resettlement and compensation policies for the Project are in accordance with ADB requirements and laws of the Government of the Socialist Republic of Vietnam. Under the ADB policy, it is a condition of funding that the Bank's requirements are met in relation to resettlement, compensation and rehabilitation to all DPs as defined in the ADB SPS 2009 on Involuntary Resettlement.

114. With the promulgation of Land Law 2013 and the guiding documents, including Decree No.43/2014/ND-CP, Decree No.44/2014/ND-CP, Decree No.47/2014/ND-CP which are directly related to the land acquisition, compensation, support and resettlement, the policy of the Government of Vietnam has become more consistent with the ADB's policy statement on involuntary resettlement (SPS 2009). However, there are some differences between the Government's policies and the ADB's policy on involuntary resettlement.

115. Decree No.43/2014/ND-CP: This decree provides common rules on the matters relating to granting of land-use right certificates (LURC) and land-use issues such as land quota, conditions for the transfer of land-use rights, administrative procedures related to land use (LURC, land recovery and requisition, land dispute settlement...).

116. Decree No.44/2014/ND-CP on land prices. This Decree prescribes the valuation method for land price; building and adjustment of land price frame; specific land valuation and consulting activities for determining prices. Under the provisions of this decree, when the common land prices in the market increase 20% or more compared with the maximum land prices or reduces 20% or more compared with the minimum land prices in the land price frame for the period of 180 days or more, the provincial People's Committee will have to adjust the land prices.

117. Land Law 2013, Decree No.47 and Circular No.37 are the main legal instruments that give guidance and regulations on the rights and entitlements to the compensation, support and resettlement when the State recovers land. Under the provisions of Decree No.47/2014/ND-CP, when the State recovers land, if users do not have papers on land-use rights stipulated in Clause 1, 2 and 3 of Article 100 of the Land Law and Article 18 of Decree No.43/2014/ND-CP but are eligible to the issuance of certificates of land-use rights, ownerships of houses and other assets attached to land, they shall be compensated for land.

118. The differences between the Government's laws and decrees and the ADB's policy on resettlement and compensation and how to solve these differences for this subproject are presented in the table below.

Table G-1: Gaps between National Laws and ADB Policies and Gap Filling Measures

	Land Law 2013, Decree 47/2014/ND-CP, Decree 44/2009/ND-CP	ADB SPS 2009	Project Policy
Criteria of severe AHs	Decree 47/2014/ND-CP, Article 19, Item 3: APs losing 30% or more of productive agriculture land are considered severely impacted and are entitled to livelihood restoration measures.	The involuntary resettlement impacts of an ADB-supported Project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).	Losing 10% or more of the household's productive assets and/or relocation shall be considered as the threshold of severely affected HHs

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APs without LURC	Land Law 2013, Article 77, item 2 and article 92: Persons who has used land before 1st July 2004 and directly be involved in agriculture production on the acquired land without LURC or illegalizable will be compensated for the acquired land area but not exceed quota of agricultural land allocation. But no compensation for non-land assets in the following cases: (i) the assets subject to the land recovery as stipulated in one of items a, b, d, đ, e, l, clause 1, article 64 and items b, d, clause 1, article 65 of the Land Law 2013; the assets created after the notification on land acquisition; and (iii) unused public infrastructures and other works.	Those APs without legal title to land will be included in consultations. Ensure that APs without titles to land, or any recognizable legal rights to land, are eligible for resettlement assistance and compensation for loss of non-land assets created before cut-off date at replacement costs, including dwellings, structures and other improvements to land such as crops, irrigation, at full replacement cost. Safeguards cover involuntary restrictions on land use or on access to legally designated parks and protected areas. Covers temporary and partial losses.	Project affected people, without legal or recognizable legal claims to land acquired, will be equally entitled to participation in consultations and Project benefit schemes where possible, and be compensated for their losses of non-land assets at replacement costs, such as dwellings and structures created before cut-off date. They will be entitled to resettlement assistance and social support to assist them to improve or at least restore their pre-Project living standards and income levels.
Compensation for structures	Land Law 2013, Article 89, item 1: houses/structures used for living purpose will be compensated at replacement cost. Decree 47, article 9: other houses/structures will be compensated equal to the remaining value of the affected house plus some percentage of current value but total compensation amount is not exceed value of the new house/structure.	Rate of compensation for affected houses/structures and other assets will be calculated at full replacement costs without any deductions for salvageable materials or depreciation, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments.	Full compensation at replacement cost will be paid for all affected structures without any deductions for salvageable materials or depreciation, full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments
Monitoring	No monitoring indicators indicated	Monitoring indicators specified for internal and external monitoring and reporting. In case of significant or sensitive impacts, an external monitoring organization is required to conduct monitoring on RP and EMDP implementation	The EA must undertake internal monitoring according to the critical indicators. Since anticipated negative impacts of the Project are minor, there is no need to recruit an external monitoring organization.

119. Although not expected at this time, based on the results of the DMS, any unanticipated impacts including those whose livelihood activities may be affected by construction work will also receive compensation and assistance in line with the project Resettlement Framework.

120. Persons who occupy the Project area after the cut-off date will not be eligible for any compensation or assistance.

4. Principles of Replacement Cost

121. All compensation will be based on the principle of replacement cost. Replacement cost is the amount calculated before displacement which is needed to replace an affected asset without deduction for taxes and/or transaction costs as follows:

- a. Residential land based on actual current market prices that reflect recent land sales, and in the absence of such recent land sales, based on prices of recent sales in comparable locations with comparable attributes; fees and taxes for LURC.
- b. Houses and other related structures based on actual current market prices for materials and labor without depreciation nor deduction for salvaged building materials.
- c. For timber trees, cash compensation at replacement cost equivalent to current market value for each type, age and relevant productive value at the time of compensation based on the diameter at breast height of each tree.

H. Entitlements, Assistance and Benefits

1. Principles on Compensation, Assistance and Resettlement

122. In order to harmonize the above-mentioned gaps between the regulations of GoV and ADB's SPS 2009, the Article 87 of the Land Law 2013 requires that *"For projects using loans from international or foreign organizations for which Vietnam has committed to a policy framework for compensation, support and resettlement, that framework policy shall apply"*. The regulations of the Project in this RP are based on the approved Resettlement Policy Framework of the project. Details are as follows:

- ☐ Involuntary resettlement and impacts on land, structures and other fixed assets will be avoided or minimized where possible by exploring all alternative options.
- ☐ Compensation and assistance will be based on the principle of replacement cost at the time of implementation.
- ☐ Severely affected household is considered when they are losing 10% or more of the household's assets shall be considered as threshold.
- ☐ Displaced persons without title or any recognizable legal rights to land are eligible for compensation for non-land assets at replacement cost and resettlement assistance.
- ☐ Residential and agricultural land for replacement should be close to the previous places as much as possible and be suitable to displaced persons.
- ☐ Meaningful consultation will be carried out with the displaced persons and concerned groups and ensure participation from planning up to implementation. The comments and suggestions of the affected persons and communities will be taken into account.
- ☐ The resettlement plan will be disclosed to affected persons in a form and language(s) understandable to them.
- ☐ Resettlement identification, planning and management will ensure that gender concerns are incorporated.
- ☐ Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups such as households headed by women, children, disabled, the elderly, landless and people living below the generally accepted poverty line.

- ☐ Existing cultural and religious practices will be respected and preserved, to the maximum extent practical.
- ☐ Culturally appropriate and gender-sensitive social impact assessment and monitoring will be carried out in various stages of the project.
- ☐ Resettlement transition stage should be minimized. Restoration measures will be provided to displaced persons before the expected starting date of construction in the specific location.
- ☐ Budget for payment of compensation, assistance, and resettlement and support will be prepared sufficiently and made available during project implementation and by the provinces.
- ☐ Independent assessment of the duration and results of the land recovery should be carried out.
- ☐ The DAKWOCO will not issue notice of proceed to contractors until the DAKWOCO are officially confirmed in writing with ADB that (i) payment has been fully disbursed to the displaced persons and rehabilitation measures are in place; (ii) already-compensated, assisted displaced persons have handed over the affected area in a timely manner; and (iii) the area is free from any encumbrances.

2. Eligibility

123. Eligibility is determined regarding to the cut-off date, which was officially announced by the DPCs on 29 February, 2016.

124. The affected persons are informed of the cut-off date, and any people who settle in the project area after the cut-off date will not be entitled to compensation and/or assistance under the project.

125. In case of persons that the DCARB may declare as eligible persons after the cut-off date, such as: (i) person who is occupying or using the land or assets before the cut-off date but who was not in the list of APs; (ii) households separating from large families³; and (iii) household who bought the affected land or property after the cut-off date. Their eligibility will be declared after verification and certification by the CPC. On the other hand, there are also people who shall be provided assistance after the cut-off date, such as, (a) newly born child, (b) people who have retired from military service and (c) people who have just returned from school to live with the affected household.

126. Any person, who encroached in the ROW after the cut-off date, will not be entitled to compensation and assistance from the Project. They will be informed in advance and required to remove the houses and/or structures before Project implementation. If all actions of diplomacy with the encroacher have been exhausted, compulsory eviction will be the solution.

127. In addition, the extent of eligibility for compensation with regard to land is determined by legal rights to the land concerned. There are three types of affected persons: (i) persons with LURCs to land lost in entirety or partially; (ii) persons who lost land they occupy in its entirety or partially who do not currently possess a LURC but have a claim that is recognizable under national laws; or (iii) persons who lost land they occupy in its entirety or partially who do not have any recognizable claim to that land. Affected persons included under (i) and (ii) above shall be compensated for the affected land and assets upon land. Affected persons included under (iii) shall not be compensated for the affected land, but for the affected assets upon land and are entitled to assistance if they have to relocate or are otherwise severely affected.

³Must be done before the cut-off date or met criteria for separating but not done before the cut-off date.

3. Specific entitlements of APs

128. Affected households will be compensated and assisted as described in the entitlement matrix below. Any unanticipated impacts will be addressed in line with the Project Resettlement Framework.

Table H-1: Entitlement Matrix

No.	Type of Loss/Impacts	Application	Eligible Persons	Entitlements	Implementation Issues
1	Loss of asset (structures built on land)	Partially or Fully affected	Owners/users regardless of legal status (13HH)	<ul style="list-style-type: none"> - Compensation in cash at replacement cost, equivalent to current market prices of material and labor for the affected part, and free of depreciation or reuse of materials at the time of compensation; - Compensation for asset repairing shall be equal to actual cost (materials and labour); 	- Affected people can use salvageable materials
2	Crops	Loss of, or damage to, assets	Owners regardless of tenure status (2 HH)	<ul style="list-style-type: none"> - Cash compensation based on market rate of harvested crop; - In the event that a deadline is given to cease planting crops then APs will be compensated at market rate for loss of potential income on a pro-rata basis for crops normally grown during that season. 	- APs will be given notice Three months in advance regarding site clearance requirement. Crops grown after issuance of the deadline to cease planting crops will not be compensated.
3	Trees	Loss of, or damage to, assets	Owners regardless of land tenure status (11 HH)	- Cash compensation at replacement cost equivalent to current market value given the type, age and productive value at the time of compensation.	- APs will be given notice Three months in advance regarding site clearance requirement. Crops grown after issuance of the deadline to cease planting crops will not be compensated.
4	Vulnerable APs	Loss of land and non-land assets or impact on livelihood	Affected vulnerable groups regardless of severity of impacts (1 HH)	<ul style="list-style-type: none"> - Supported similarly to the poor household policy under Article 24, Decision no. 39/2014/QĐ-UBND of Dak Lak Provincial People's Committee; - Training allowance, job findings and micro-credit assistance. 	

I. Relocation of Housing and Settlements

129. The project implementation only affects some of the secondary structures, which do not affect main houses and architectural structures of households and no households were relocated.

J. Income Restoration and Rehabilitation

130. There are no severely affected households therefore there is no need for an income restoration program. The project will not acquire additional land for installation of the transmission and distribution pipelines. Transportation corridor land will be temporarily affected during construction of pipelines. There are some secondary structures, crops and trees that will be affected. However, this impact is very limited and loss of crops represents less than 10% of the households's income. All affected assets and trees will be fully compensated at replacement cost. There is only one vulnerable household, which will be supported similarly to the poor household policy under Article 24 of Dak Lak Provincial People's Committee (refer to entitlement matrix for specific activities).

K. Resettlement Budget and Financing Plan

1. Financing plan

131. Funds for compensation and implementation of the plan will be from DAKWACO and Dak Lak Province as counterpart fund.

132. DAKWACO will be responsible for channelling funds for the compensation for resettlement to the RCs who will be responsible for making payments directly to APs with respect to land, crops, trees, and any allowances.

2. Adjustment for Inflation

133. The rates for compensation and cash entitlements for rehabilitation as well as allowances payable to APs will be adjusted annually, based on the current annual inflation rate. The PMU, with the Dak Lak PPC, will determine the annual inflation rates and all cash entitlements.

134. However it is expected that all compensation shall be conducted within 2017 and clear sites will be handed over to the contractors for works commencement without delays.

3. Compensation rates

3.1. Compensation rates for land

135. **Price for land:** The component will not require acquisition of land of households and therefore will not have to compensate for affected land.

3.2. Compensation rates for trees, crops and structures

136. A replacement cost survey has been conducted in June, 2017 by the Center for Land Fund Development of Buon Ma Thuot City. Details are presented in Table K-1 below. The affected households agreed and reached consensus on the compensation unit rates – the PPC rates are not different from the rates found during the RCS (they fall within the range of unit costs as per survey).

Table K-1: Summary of Replacement cost survey

No	Items	Unit	Price issued by PPC (VND)	Surveyed cost (VND)	Proposed costs (VND)
I	STRUCTURES				
1	Concrete yards				
1.1	Non-reinforced concrete	M3	1,535,000	1,500,000-1,550,000	1,535,000
1.2	Reinforced concrete	M3	1,597,000	1,550,000-1,650,000	1,597,000
2	Brick yards				

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2.1	Brick Terazzo	M2	263,000	245,000-275,000	263,000
2.2	Terracotta tiles	M2	137,000	125,000-145,000	137,000
II	Crops				
1	Coffee trees				
1.1	Coffee under 12 months	Tree	69,400	65,000-75,000	69,400
1.2	More than 1 year	Tree	102,000	90,000-110,000	102,000
1.3	Coffee in second years	Tree	148,400	140,000-155,000	148,400
1.4	Harvest for year 1 to year 3	Tree	276,400	265,000-285,000	276,400
1.5	Harvest for year 4 to year 5	Tree	301,600	290,000-310,000	301,600
1.6	Harvest for year 6 to year 25	Tree	319,600	305,000-325,000	319,600
1.7	Harvest for year 26 to year 30	Tree	258,400	245,000-265,000	258,400
2	Pepper				
1.1	Pepper under 12 months	Tree	79,500	70,000-85,000	79,500
1.2	Pepper in year 1	Tree	116,800	107,000-125,000	116,800
1.3	Pepper in year 2	Tree	162,200	153,000-168,000	162,200
1.4	Pepper harvested in year 1 to year 2	Tree	462,200	440,000-475,000	462,200
1.5	Pepper harvested from year 3	Tree	618,500	605,000-635,000	618,500
3	Rice	M2	NA	4,000-5,000	5,000
4	Other trees				
4.1	Black spoon	Tree	78,200	70,000-85,000	78,200
4.2	Lagerstroemia	Tree	88,800	75,000-95,000	88,800

3.3. Cost estimates

137. Total estimated budget for compensation of affected assets and assistance in Buon Ma Thuot is 1,096,858,655.0 VND (equivalent to 48,320 USD). This amount covers administration and implementation activities. A contingency of 10% has been added.

Table K-2: RP Cost Estimates

No	Items	Unit	Amount
I	Compensation and allowances	VND	925,766,656
I.1	Compensation	VND	918,566,656
I.1.1	Structures	VND	92,280,040
I.1.2	Trees	VND	811,358,000
I.1.3	Crops	VND	14,928,616
I.2	Allowance		7,200,000
I.2.1	Special allowance	VND	7,200,000
II	Administration	VND	78,515,333
II.1	Implementation (I.1*2%)	VND	18,515,333
II.2	Cadastral measurement	VND	60,000,000
III	Contingency (I*10%)	VND	92,576,666
IV	TOTAL (I+II+III)	VND	1,096,858,655
	USD	USD	48,320

L. Institutional Arrangements

1. Dak Lak Provincial People Committee

138. The Dak Lak People's Committee (DLPC) is responsible for overall implementation of the Project, including the implementation of the RP. The DLPC is responsible for approving the RP for the Buon Ma Thuot Water Supply Project, and for making decisions related to project resettlement issues, in keeping with ADB safeguard guidelines and within the framework provided by this RP and the Resettlement Framework of Viet Nam Water Sector Investment Program MFF (September 2010). The latter includes decisions relating to compensation rates and rehabilitation assistance measures for APs. The DLPC is also responsible for providing the budget for resettlement.

139. After the detailed engineering designs had been completed, the DMS was carried out, the number of APs was revised and the compensation unit rates and allowances were updated for all categories of lost assets based on the replacement cost survey which was carried out during the project implementation. Following the ADB's approval on the updated RP, the DLPC will be responsible for directing and supervising the RP implementation. This will include ensuring speedy resolution of any grievances voiced by APs or town/district authorities. Based on local requirements for implementing resettlement, in each project implementation stage, the DLPC will delegate responsibilities of resettlement implementation for the agencies at the appropriate levels.

140. A new resettlement organization was established at the provincial and district levels since 2015, the Centers for Land Fund Development (CLFD) have been given more responsibilities. The CLFD at the provincial/district level are under DONRE.

141. In Buon Ma Thuot City, the Centre for Land Fund Development (CLFD) was established under the DONRE and has the mandate to implement all resettlement activities.

142. For this Project, Buon Ma Thuot City CLFD has been assigned to work directly with the PMU to prepare and implement the resettlement plan with other relevant institutions. The CLFD implemented the DMS, will establish AHs' database, prepare compensation plans, and payment of compensation, assistance and allowances.

2. The Project Management Unit (PMU)

143. The PMU was set up by the DAWACO. In addition, the PMU has also established a land acquisition unit. This team will coordinate and conduct detailed survey of impacts and carry out the compensation process together with DRC in each project service areas of Buon Ma Thuot.

144. The PMU also includes technical, institutional, social and resettlement, administrative management, and representatives of accounting divisions. Key responsibilities of the PMU include, but are not limited to, the following:

- i. Preparing Draft RPs and then submitting the draft RP to PPC for approval;
- ii. Updating the RP at the time of project implementation, when the detailed design is available, and then submitting the updated RP to PPC for approval.
- iii. Coordinating civil works with land acquisition and resettlement activities;
- iv. Instigating information campaigns, in accordance with established Project guidelines. This include preparation and distribution of the Public Information Booklet (PIB), and stakeholder consultation with the APs. it includes having primary responsibility for letters, forms and other relevant documents, although the preparation of these may be delegated as required;

- v. Developing the mechanisms through which resettlement disbursements and compensation payments for APs will be made, and preparing any associated documents that may be required;
- vi. Coordinating with other departments for the effective implementation of the RP, as approved for the project, and in compliance with the ADB resettlement principles and objectives. This will include ensuring that rehabilitation measures and supporting activities are properly implemented;
- vii. Ensuring a timely resettlement budget flow for the delivery of compensation payments and the rehabilitation of APs, and providing the compensation payments to the APs, and;
- viii. Implementing project accounting and auditing with respect to resettlement implementation, and preparing and submitting regular progress reports to the PSC and ADB on the civil works and status of RP activities;
- ix. Consolidating project progress reports on land acquisition and resettlement for the Dak Lak Province and ADB.

3. People's Committees of Buon Ma Thuot City

145. The People's Committees of Buon Ma Thuot City is responsible for identification of land and structures and appointing members of the District Resettlement Committee (DRC) and assigning functional tasks for the DRC.

146. A City/District Resettlement Committee (C/DRC) will be established in line with arrangements outlined in the RP. The DRC will work closely with the PMU on all resettlement-related issues. The C/DPC chairperson or vice-chairperson will act as the CDPC chairperson, and representatives from District Departments, including finance, natural resources and environment, planning and investment; and representatives from the project owner/investor, Commune People's Committee, mass organizations, APs and other members as required by the Chairperson. A member of the PMU staff should also be a member of District Resettlement Committee, unless otherwise requested. The DRC will assist the DPC/PPC in decision-making on resettlement issues. Key responsibilities of the DRC include, but are not limited to, the following:

- i. Planning and implementation of all resettlement activities in their district
- ii. Finding adequate land for the relocations of individuals;
- iii. Being responsible for DMS, finalizing compensation forms, preparing compensation charts to submit to the PPC for approval and cooperating with PMU for delivery of compensation to APs or carrying out the payment to APs if delegated;
- iv. Establishing inspectors to redress APs grievances on resettlement policies and entitlements;
- v. Establishing, if necessary, ward/commune resettlement committees (W/CRC) and directing their operations during the implementation of the resettlement activities;
- vi. Paying special attention to the needs and demands of specific groups (ethnic minority groups) and vulnerable people (children, the elderly, female-single headed households).

4. Commune/Ward People's Committee

147. All concerned communes/wards People's Committees will be responsible for the following:

- i. Assigning concerned ward/commune officials/professionals to carry out all

- resettlement activities in its ward/commune;
- ii. Assisting other bodies/agencies, including the PMU, in the dissemination of project information and facilitating public meetings and consultation with APs;
 - iii. Assisting other agencies, including the PMU, in census surveys, a replacement cost survey, DMS and other resettlement related activities;
 - iv. Checking and confirming the legal status of affected land, houses, structures and other assets/losses of organizations; and
 - v. Ensuring the DP's grievances redress mechanisms are appropriate and properly put in place,.
 - vi. Documenting DP grievances and maintaining records of all grievances, and assisting and advising APs with respect to the speedy redress of grievances.

5. Responsible for External Monitoring

148. No External Monitoring Agency (EMA) will be hired as the impacts are not significant

M. Implementation Schedule

1. Proposed implementation schedule

149. The project is going to be implemented for 5 years commencing in 2015 and complete in 2020. It is supposed that all detailed design works will be completed by June 2017, follow with construction activities by early 2018. All sites clearance will therefore be conducted within 2017 for handing over to the contractors by September 2017. The systems will be commissioned and put into operations by end of 2018 and early 2019.

150. The following activities are involved in uRP preparation and implementation:

- i. *Detailed Measurement and Census Survey.* Once the detailed design had been completed, a new DMS was conducted. These surveys served as a basis for compensation and updating RP. The data will be computerized by the PMU.
- ii. *Updating Compensation Rates.* During the preliminary detailed design process, the DLPC 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 DPCs, 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.

151. 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, in accordance with the approved updated RP, compensation and assistance payments; and (ii) ensured that required rehabilitation assistance is in place and the area required for civil works is free of all encumbrances.

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

Table M-1: Implementation Schedule

Activities	Schedule to complete
Finalization of the RP and approval by ADB	
Detailed Design	June, 2016
Detailed Measurement Survey	February, 2017
Replacement Cost Survey	May 2017
Update compensation rates	June 2017
Approval of updated RP by ADB	August 2017
Award documents	August 2017
Awarding of civil works contracts	August 2017
Compensation of DPs	August-September 2017
Handover of site to contractors, start of civil works	September 2017

2. Conducting of Detailed Measurement Survey

153. As soon as the detailed design was finalized, the DMS was undertaken by the PMU and CLFD to collect data from all APs to establish their exact impacts, eligibility and entitlements. The data will be entered into a database to document the: a) socio-economic status of affected households, b) nature and extent of losses and c) entitlements for compensation and other assistance. At the time of DMS activities, all APs are required to submit copies of LURCs or any legal papers to assist the PMU and DRCs in the preparation of the Compensation Plan.

154. All DMS forms are reviewed and signed by APs. Representatives of AHHs have involved in the DMS process. After completing DMS, the DMS form has been read and agreed and signed by the household's representative. All DMS have been completed and all affected households' heads already signed in the DMS forms.

155. The official list of APs, their losses, and corresponding payments due disclosed to the displaced persons. Based on DMS data, the Center for Land Fund Development (CLFD) have to prepare compensation cost estimates, then disclosed at the public places (i.e. Commune People's Committee Offices, hamlets offices). A copy of DMS data of losses and corresponding payments has been handed over to each AHH. The compensation costs have been posted many times, if there are complaints relating to compensation plans come from AHHs (such as quantity, compensation rates), CLFD will receive complaints and have a check, review and revise and continue to post it. Recently, the compensation plans have been posted for the first time.

- During DMS, APs participate and give copy of LURC/legal papers to PMU and CLFD;
- PMU and CLFD prepare Compensation Plan (as per DMS rate Approved by PPC)
- PMU and CLFD disclose Compensation Plan to APs
- APs review Compensation Plan and sign for concurrence
- PMU and DRCs submit to Department of Finance (DOF) for review and Approval
- DOF submits to PPC for Approval
- PMU and DRCs include DMS and Compensation Plan in updated RP.

156. Any disagreement on the DMS and Compensation Plan will not be signed by APs until it is resolved following the grievance redress process.

3. Mobilization of Consultants

157. The consultants for detailed design have been mobilized in early 2016.

N. Monitoring and Reporting

158. This section describes the mechanisms and benchmarks appropriate to the project for monitoring and evaluating the implementation of the resettlement plan. It specifies arrangements for participation of affected persons in the monitoring process. No external monitoring organization (EMO) will be hired as the impacts are not significant. This section will also describe reporting procedures.

159. **Internal Monitoring.** The PMU under DAKWACO will serve as the Project's internal monitoring body. As such, the PMU will maintain a file of all data gathered in the field, including a database on the affected households. The PMU will submit quarterly monitoring reports to DAKWACO starting from the commencement of RP updating, which coincides with the conducting of the detailed measurement survey and other RP updating activities. DAKWACO, in turn, will include updates on resettlement in its regular project reports to Dak Lak Province and the ADB. Social monitoring reports will be made available to affected households and semi-annual safeguards monitoring reports are required to be submitted to the ADB for web posting.

160. 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 : Project Information Booklet

<p>Project Information Booklet</p> <p>The Buon Ma Thuot City and 03 adjacent district towns of Ea Kar, Buon Don and Krong Nang Water Supply System Project will be loan funded by the ADB.</p> <p>The objective of the proposed Project is to improve the living conditions and economic potential of residents, and create favorable conditions for the socio-economic development of the town. This objective will be achieved by improving and expanding the existing piped water supply system to meet the water demands forecast up to 2020 in Buon Ma Thuot City and 03 district towns. The main Project items are comprising of raw water pumping station, water treatment plant, booster pumping station and the transmission and distribution pipelines systems.</p> <p>Why is this Project necessary to implement?</p> <p>Due to the increase in water demand in Buon Ma Thuot and 03 district towns of Ea Kar, Buon Don and Krong Nang, needs to supply more treated water to the city/districts; therefore, need to have new investment in order to increase the capacity of DAKWACO.</p> <p>Scope of construction and impact minimization</p> <p>The Project will constructs a number of works as intake and raw water pumping station; raw water transmission pipeline; water treatment plants; water transmission main; buster pumping; treated water transmission main. Accordingly, the Project items will affect communes in Buon Ma Thuot City and 03 district towns.</p> <p>Almost transmission main and distribution pipelines will be installed on public land in footpaths or road corridors.</p> <p>In terms of resettlement, what are the policies and principles of the Project?</p> <p>The basic principles of the Project are:</p> <ol style="list-style-type: none"> All APs are entitled to be compensated for their lost assets, incomes 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. All owners of houses even without LURC will be entitled to a secured tenure site. Compensation for affected assets shall be provided at replacement cost. Payment of compensation for affected assets must be completed prior to commencement of any construction activities. <p>When will the Detailed Measurement Survey be conducted?</p> <p>This activity will be carried out after the Detailed Design has been completed (2016-2017). A Project management Unit (PMU) will be established for the Project. The detailed measurement survey team will be composed of Project representatives (PMU staff) and the Resettlement Committees (commune/ward staff). The survey will only be carried out in the presence of the APs. APs and local authorities will be informed prior to the survey.</p>	<p>Each AP will assist in completing the Detailed Measurement Survey Form for their household. This form will identify all the losses that the household will experience from the Project, and will be the basis for the compensation package for them. The AP will then be given the AP Compensation Form, which summarizes the losses and the total amount of compensation. The household can review this form for 7 days, and if they agree with the details, the head of the household will sign the form.</p> <p>How are the construction impacts supervised and monitored?</p> <p>The PMU will monitor the contractor during construction work. Any disturbances to the lives of people along the pipeline will be recorded and issues reported to the PMU for solutions within 7 days.</p> <p>The abbreviated resettlement plan that states clearly all entitlements and mechanism for ensuring there is no people or properties affected during construction has been disclosed at the People Committee of Buon Ma Thuot City in Vietnamese and English. Anybody can access to this document to understand further about the Project and construction work as well as entitlement if any properties or land affected by construction.</p> <p>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?</p> <p>Any DP may file a complaint or grievance. The Project includes a Grievance Redress. The APs may present their complaints to the concerned local administrative officials and RCs, either verbally or in written form.</p> <p>The complaint can be filed first at the commune level and can be elevated to the highest or provincial level if the APs are not satisfied with the decisions made by the commune or district. APs will be exempted from all taxes and administrative and legal fees associated with resolving the dispute. Anybody living in the construction site who is affected by the construction or annoyed by the contractors can contact PMU or the ADB at the following address:</p> <p>PMU</p> <p>339 Ton Duc Thang, Buon Ma Thuot City. Telephone: 0262 3853835 ; 0262 3852619 Fax: 0260 3859833</p> <p>ASIAN DEVELOPMENT BANK - Viet Nam Resident Mission:</p> <p>Building, 16 Phan Chu Trinh Street, Hoan Kiem District, Hanoi, Viet Nam</p>
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Annex 2: List of affected households

[This information has been removed as it falls within exceptions to disclosure specified in paragraph 97, (exception (x) Information that, if disclosed, would or would be likely to endanger the life, health, safety, or security of any individual, or safety or security of ADB assets, or to prejudice the defense or national security of a member) of ADB's Public Communications Policy (2011).]

Annex 3: Summary Of Public Consultation Meeting Minutes
VIET NAM WATER SECTOR INVESTMENT PROGRAM
Buon Ma Thuot and Three Adjacent Districts Water Supply Project
Transmission and Distribution Pipelines of Buon Ma Thuot City
Minutes of Public Consultation on Compensation, Support and Resettlement Plan

June 2017

I. PARTICIPANTS

Employer's representatives (Dak Lak Water Supply and Construction Investment One Member Ltd Co)

1. Mr. Nguyen Dinh Viet - Position: Project Officer
2. Mr. Nguyen Huu Vu - Position: Technical Officer

Consultant's representatives

1. Nguyen Xuan Nhan - Resettlement Specialist

The representatives of governments and mass organizations of Khanh Xuan ward, Ea Tam, Ea Kao, Hoa Khanh commune include:

1. Chairman/Vice Chairman of People's Committee
2. Chairman of Fatherland Front
3. Party Vice Secretary of ward
4. Chairman of Farmers' Union
5. Chairman of Women's Union
6. Cadastral officer of ward
7. Leader of Residential Quarter

And representatives of the families participating in the consultation meeting. The list of household representatives represent at the consultation meeting is attached to this minute below.

II. CONTENTS OF CONSULTATION:

1. The Employer's representative provided information for the participants to the consultation meeting, including:
 - The description of the project scope and the sub-project scope of Buon Ma Thuot city, Dak Lak province
 - The impacts on land acquisition and property on land;
 - The policies and measures to mitigate land acquisition impacts on property on land;
 - The compensation, support and resettlement policy of the Project;
 - Implementation Plans (the plan for mitigation measures, construction plan, compensation, support and resettlement plan, income rehabilitation plan);
 - Grievance Redress Mechanism.
2. The Employer's representative provided the representatives of local government and mass organizations and participants to the consultation meeting with the following documents:
 - Information leaflets about the Project;
 - The Decision on Compensation Policy in Dak Lak province and the tariff of the compensation unit prices for land, structures, trees, crops in Dak Lak province.
 - The state documents relating to the compensation.

III. RESULTS OF CONSULTATIONS:

- 3.1. The opinions about the project scale:
 - The ward leaders and the leaders of residential quarters as well as the representatives of the local mass organizations totally agree with the project investment and the project

design. During the design process, the Design Consultant consulted the local authorities and the people.

3.2. The opinions about land acquisition impacts and assets on land of the project implementation:

- During the meeting, the Consultant presented the DMS results and the parameters of the land acquisition and property on land, the applicable compensation plans and the entitlement policies for the affected people.
- The DMS results was made public to the affected households. During the inventory of losses, household representatives participated in. The inventory of loss was meticulously and detailed.

3.3. The opinions about policies and measures to mitigate land acquisition impact and property on land

- The mitigation measures to project impacts are included in the project design through the consultations with the people.

3.4. The opinions about the compensation, support and resettlement policy of project

3.4.1. The validity of compensated assets:

- Ensure that all affected households will receive the compensation money for they all are eligible for the compensation.
- During the construction, if impacts arise, the statistics and compensation must be implemented fully.

3.4.2. The compensation unit prices for land and property on land:

- The leaders of the communes/wards and the participants to the consultation meeting recommended the compensation based on the replacement costs.

3.4.3. The assistances types and levels:

- The support policies comply with the general provisions of the Provincial People's Committee. The provincial support levels are appropriate and ensure the objectivity and the fairness.

3.4.4. The resettlement plan and resettlement assistance plan:

No comments

3.4.5. The income restoration activities:

- The project does not seriously affect the lives and incomes of the households.
- The project support policies such ensured the living conditions of affected households, which are not affected negatively in during the project implementation.

3.5. The opinions about the compensation, support and resettlement plan, the income rehabilitation plan and the land acquisition:

- The leaders of the wards, residential quarters and the representatives of the mass organizations are unanimous with the implementation plan of compensation, support and resettlement of the Project.

3.6. The opinions about the Grievance Redress Mechanism.

- Totally agree with the implementation of the Grievance Redress Mechanism for the settlement of complaints and questions the Employer publicized.

The meeting ended at 16.30h on the same day. The representatives of the ward authorities, residential quarters, mass organizations and the representatives of the people attending the meeting together read and agreed with the contents of the minutes of consultation meeting and as the undersigned.

**The representative of the ward people's
committee
(signed)**

**The representative of the residential
quarters:
(signed)**

The representative of the Employer
(signed)

The representative of the Consultant
(signed)

DỰ ÁN CẤP NƯỚC THÀNH PHỐ BUÔN MA THUỘT VÀ 03 HUYỆN PHỤ CẬN

Tiêu dự án: Cấp nước Tp. Buôn Ma Thuột và 03 thị trấn: Thị trấn Ea Kar, huyện Ea Kar; thị trấn Buôn Đôn, huyện Buôn Đôn; thị trấn Krông Năng, huyện Krông Năng thuộc chương trình phát triển ngành nước năm 2011-2012

BIÊN BẢN THAM VẤN

V/v: *Bãi Thuyền và Tân Định Cư*.....

Ngày *13* tháng *05* năm *2017*.

I. THÀNH PHẦN THAM DỰ

Số người tham dự: *10 người*..... gồm

Đại diện chủ đầu tư: Ban QLDA cấp nước

1. *Nguyễn Đình Việt*.....
2. *Nguyễn Thị Ngọc Yến*.....
3. *Nguyễn Tiến Chí*.....

Đại diện Tư vấn

1. *Nguyễn Xuân Nhàn*.....
2. *Tấn Minh Phương*.....
3.

Đại diện chính quyền và cộng đồng:

1. *Trần Văn Hùng*.....
2. *Phạm Tân*.....
3. *Trần Thị Hiền - Nguyễn Quốc Thanh*.....

Và *01* (số lượng) đại diện các hộ gia đình tham gia cuộc họp. Danh sách đại diện các hộ tham gia cuộc họp tham vấn được đính kèm theo biên bản này.

II. THỜI GIAN, ĐỊA ĐIỂM:

Từ *14h00* đến *15h30*; Ngày *13* tháng *5* năm *2017*

Tại: *Hội trường UBND Phường Ea Tam*.....

III. NỘI DUNG THAM VẤN:

1. Đại diện Chủ đầu tư cung cấp các thông tin cho người tham dự cuộc họp tham vấn, bao gồm:

- Mô tả về quy mô dự án Các ảnh hưởng đến thu hồi đất và các tài sản trên đất
- Các chính sách, biện pháp giảm thiểu các tác động thu hồi đất và các tài sản trên đất
- Chính sách đền bù, hỗ trợ, tái định cư của Dự án
- Kế hoạch thực hiện (kế hoạch thực hiện các biện pháp giảm thiểu; kế hoạch xây lắp; kế hoạch đền bù, hỗ trợ, tái định cư; phục hồi thu nhập)

- Cơ chế giải quyết thắc mắc, khiếu nại

2. Đại diện Chủ đầu tư đã cung cấp cho những người tham gia cuộc họp tham vấn các tài liệu sau:

- a. Thông tin chung về dự án
- b.
- c.
- d.



III. KẾT QUẢ THAM VẤN:

3.1. Ý kiến về quy mô dự án:

Đa phần người dân đồng thuận với chủ trương và quy mô thiết kế của dự án

3.2. Ý kiến về mức độ ảnh hưởng thu hồi đất và tài sản trên đất của dự án

Chỉ ảnh hưởng đến đất trồng cây lâu năm, đất nông nghiệp của gia đình

Cây trồng gồm có cây cà phê, cây lúa
Đa phần ảnh hưởng không đáng kể

3.3. Ý kiến về chính sách, biện pháp giảm thiểu các tác động thu hồi đất và các tài sản trên đất

Khi có dự án, chủ đầu tư cũng sẽ sớm trả bồi hoàn chính sách cũng sẽ những phương án khả thi để giảm thiểu tới đa những tác động và ảnh hưởng khi thu hồi đất

3.4. Ý kiến về chính sách đền bù, hỗ trợ, tái định cư của Dự án

3.4.1. Sự hợp lệ của các tài sản được đền bù:

Hợp lệ với qui định pháp luật Việt Nam

3.4.2. Đơn giá đền bù cho đất đai và tài sản trên đất:

Thực hiện theo chính sách của dự án và hợp qui định của UBND Tỉnh Đắk Lắk

3.4.3. Các khoản hỗ trợ và mức hỗ trợ của các khoản hỗ trợ:

Theo định mức quy định của UBND Tỉnh

3.4.4. Các phương án tái định cư và hỗ trợ tái định cư:

Không có hộ nào bị ảnh hưởng phải di chuyển tái định cư

3.4.5. Các hoạt động phục hồi thu nhập:

Đưa bà, hỗ trợ chuyển đổi với kịp thời cho người bị ảnh hưởng để phục hồi sinh kế với thu nhập một cách nhanh nhất

3.5. Ý kiến về kế hoạch thực hiện đền bù, hỗ trợ, tái định cư, phục hồi thu nhập, và thu hồi đất

- Phù hợp với qui định chung của dự án.
- Phù hợp với chính sách qui định của pháp luật Việt Nam.

3.6. Ý kiến về cơ chế giải quyết thắc mắc, khiếu nại.

Không có thắc mắc và khiếu nại.

Cuộc họp kết thúc lúc 15h 20...giờ cùng ngày.

Người lập biên bản

[Signature]
Nguyễn Thị Vũ



Đại diện Chủ đầu tư

(Ký tên)

[Signature]
KT. GIÁM ĐỐC
PHÓ GIÁM ĐỐC
Nguyễn Khắc Dân

Đại diện Tư vấn

(Ký tên)

[Signature]
Nguyễn Xuân Nhàn



Đại diện chính quyền

(Ký tên)

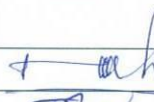

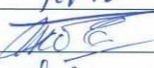


[Signature]
CHỦ TỊCH
Phạm Lân

Đại diện cộng đồng

(Ký tên)

[Signature]
Nguyễn Quốc Thành

Danh sách các thành viên tham dự cuộc họp tham vấn cộng đồng

Stt	Họ và Tên	Chức danh/ đơn vị	Địa chỉ	Dân tộc	Giới		Chữ ký
					Na m	Nữ	
1	Vũ Văn Thưởng	PCT. UBND TP	0903.988.898		X		
2	Phạm Tấn	CT. UBND P. Ba Tam	0905.219.779		X		
3	Nguyễn Quốc Thanh	Tổ trưởng TD Ph	0906.337.954		X		
4	Vũ Thị Hiền	ĐHội Phụ Nữ	0986.675.314			X	
5	Lê Xuân Sắc	ĐD-hộ dân			X		
6							
7							
8							
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- Cơ chế giải quyết thắc mắc, khiếu nại

2. Đại diện Chủ đầu tư đã cung cấp cho những người tham gia cuộc họp tham vấn các tài liệu sau:

- a. Thông tin cơ bản của dự án.....
- b.....
- c.....
- d.....

III. KẾT QUẢ THAM VẤN:

3.1. Ý kiến về quy mô dự án.....

.....Đồng thuận nhất từ đối chủ tướng của dự án.....
.....

3.2. Ý kiến về mức độ ảnh hưởng thu hồi đất và tài sản trên đất của dự án

.....không đáng kể vì trước ông đi thuê hành lang giao
thông.....
.....
.....

3.3. Ý kiến về chính sách, biện pháp giảm thiểu các tác động thu hồi đất và các tài sản trên đất

.....Đề nghị tạo điều kiện cho người bị ảnh hưởng nhận
được mức đền bù, hỗ trợ kịp thời và thỏa đáng.....
.....

3.4. Ý kiến về chính sách đền bù, hỗ trợ, tái định cư của Dự án

3.4.1. Sự hợp lệ của các tài sản được đền bù:

.....Phù hợp với chính sách và pháp luật Việt Nam.....
.....

3.4.2. Đơn giá đền bù cho đất đai và tài sản trên đất:

.....Theo giá thị trường tại thời điểm thu hồi.....
.....

3.4.3. Các khoản hỗ trợ và mức hỗ trợ của các khoản hỗ trợ:

Tuân chỉnh sách dự án.

3.4.4. Các phương án tái định cư và hỗ trợ tái định cư:

Không ảnh hưởng đáng kể tới nhà của không phải di dời nhà của.

3.4.5. Các hoạt động phục hồi thu nhập:

Ảnh hưởng không đáng kể tới thu nhập và sinh kế của người dân.

3.5. Ý kiến về kế hoạch thực hiện đền bù, hỗ trợ, tái định cư, phục hồi thu nhập, và thu hồi đất


Đề nghị chủ đầu tư thực hiện đền bù các nghĩa vụ đền bù và tái định cư phải tuân theo đúng kế hoạch phân bổ đền bù tái định cư cho người dân được biết.

3.6. Ý kiến về cơ chế giải quyết thắc mắc, khiếu nại.

Đề nghị thực hiện giải quyết thắc mắc và rõ ràng những thắc mắc, khiếu nại của người bị ảnh hưởng.

Cuộc họp kết thúc lúcgiờ cùng ngày.

Người lập biên bản


Nguyễn Hữu Chí.

Đại diện Chủ đầu tư

(Ký tên)

Đại diện Tư vấn

(Ký tên)

Đại diện chính quyền

(Ký tên)

Đại diện cộng đồng

(Ký tên)


HỒ CHỦ TỊCH
Nguyễn Xuân Nhàn
Nguyễn Xuân Thắng

Danh sách các thành viên tham dự cuộc họp tham vấn cộng đồng

Stt	Họ và Tên	Chức danh/ đơn vị	Địa chỉ	Dân tộc	Giới		Chữ ký
					Na m	Nữ	
1	Nguyễn Xuân Thắng	PCT Phường	P. Khánh Xuân	Kinh	x		
2	Phạm Quang Vinh	PCT MI	P. Khánh Xuân	Kinh	x		
3	Lê Đức Giang	T. Trưởng TDP	TDP 12	Kinh	x		
4	Nguyễn Thị Cảnh	CHS	TDP 3	Kinh		x	
5	Trần Văn Miê	PN		Ê Đê		x	
6	Đào Kim Uyên	PN	TDP 10	Thái		x	
7	Nguyễn Thị Kim Huyền	PN TDP 4	TDP 7	Kinh		x	
8	Nguyễn Thị Hằng	PN		Kinh		x	
9	Hoàng Thị Kim Thoa	PN	TDP 9	Kinh		x	
10	Đinh Đức Trung	TDP 5	TDP 5	Kinh	x		
11	Hàng Cao Hải	TDP 1	TDP 1	Kinh	x		
12	Nguyễn T. Mai	PN	TDP 8	Kinh		x	
13	Nguyễn Thị Lệ Bào	PN	TDP 5	Kinh		x	
14	Trần Thị Lanh	PN	TDP 11	Kinh		x	
15							
16							
17							
18							
19							
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21							
22							
23							
24							

DỰ ÁN CẤP NƯỚC THÀNH PHỐ BUÔN MA THUỘT VÀ 03 HUYỆN PHỤ CẬN

Tiểu dự án: Cấp nước Tp. Buôn Ma Thuột và 03 thị trấn: Thị trấn Ea Kar, huyện Ea Kar; thị trấn Buôn Đôn, huyện Buôn Đôn; thị trấn Krông Năng, huyện Krông Năng thuộc chương trình phát triển ngành nước năm 2011-2012

BIÊN BẢN THAM VẤN

V/v: Bồi thường và Tái định cư

Ngày 12 tháng 6 năm 2017

I. THÀNH PHẦN THAM DỰ

Số người tham dự:..... gồm

Đại diện chủ đầu tư: Ban QLDA cấp nước

1. Nguyễn Đình Việt
2. Lê Sỹ Tân
3. Nguyễn Hữu Nhí

Đại diện Tư vấn

1. Nguyễn Xuân Nhân
2.
3.

Đại diện chính quyền và cộng đồng:

1. Nguyễn Xuân Thắng
2. Phạm Quang Đình
3.

Và.....(số lượng) đại diện các hộ gia đình tham gia cuộc họp. Danh sách đại diện các hộ tham gia cuộc họp tham vấn được đính kèm theo biên bản này.

II. THỜI GIAN, ĐỊA ĐIỂM:

Từ.....đến.....; Ngày 12 tháng 6 năm 2017

Tại: UBND phường Khánh Xuân

III. NỘI DUNG THAM VẤN:

1. Đại diện Chủ đầu tư cung cấp các thông tin cho người tham dự cuộc họp tham vấn, bao gồm:

- Mô tả về quy mô dự án Các ảnh hưởng đến thu hồi đất và các tài sản trên đất
- Các chính sách, biện pháp giảm thiểu các tác động thu hồi đất và các tài sản trên đất
- Chính sách đền bù, hỗ trợ, tái định cư của Dự án
- Kế hoạch thực hiện (kế hoạch thực hiện các biện pháp giảm thiểu; kế hoạch xây lắp; kế hoạch đền bù, hỗ trợ, tái định cư; phục hồi thu nhập)

- Cơ chế giải quyết thắc mắc, khiếu nại

2. Đại diện Chủ đầu tư đã cung cấp cho những người tham gia cuộc họp tham vấn các tài liệu sau:

- a. Tổng tin chung của dự án.....
- b.....
- c.....
- d.....

III. KẾT QUẢ THAM VẤN:

3.1. Ý kiến về quy mô dự án.....

Tổng nhất và đồng thuận với chủ trương của chủ án.

3.2. Ý kiến về mức độ ảnh hưởng thu hồi đất và tài sản trên đất của dự án

Nhà tuyển chọn đi tuyến hành lang giao thông nên ảnh hưởng không đáng kể

3.3. Ý kiến về chính sách, biện pháp giảm thiểu các tác động thu hồi đất và các tài sản trên đất

Đề nghị được đền bù thỏa đáng, tập thể kiến cho người bị ảnh hưởng nhận được mức hỗ trợ phù hợp và thiết thực nhất

3.4. Ý kiến về chính sách đền bù, hỗ trợ, tái định cư của Dự án

3.4.1. Sự hợp lệ của các tài sản được đền bù:

Phù hợp với chính sách pháp luật hiện hành

3.4.2. Đơn giá đền bù cho đất đai và tài sản trên đất:

Theo giá thị trường

3.4.3. Các khoản hỗ trợ và mức hỗ trợ của các khoản hỗ trợ:

Theo chính sách dự án

3.4.4. Các phương án tái định cư và hỗ trợ tái định cư:

Theo phương án của dự án

3.4.5. Các hoạt động phục hồi thu nhập:

Tuyển dụng, ảnh hưởng không đáng kể tới thu nhập và sinh kế của người dân

3.5. Ý kiến về kế hoạch thực hiện đền bù, hỗ trợ, tái định cư, phục hồi thu nhập, và thu hồi đất

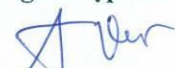
Đề nghị được thông báo trước các phương án bồi thường của dự án đến người dân được biết

3.6. Ý kiến về cơ chế giải quyết thắc mắc, khiếu nại.

Đề nghị được giải thích, разъяс để rõ ràng những thắc mắc, khiếu nại của người dân

Cuộc họp kết thúc lúcgiờ cùng ngày.

Người lập biên bản


Nguyễn Hữu Hữu

Đại diện Chủ đầu tư

(Ký tên)



Đại diện Tư vấn

(Ký tên)


Nguyễn Xuân Nhàn

Đại diện chính quyền

(Ký tên)



Đại diện cộng đồng

(Ký tên)


CHỦ TỊCH
Phan Văn Trường

Danh sách các thành viên tham dự cuộc họp tham vấn cộng đồng

Stt	Họ và Tên	Chức danh/ đơn vị	Địa chỉ	Dân tộc	Giới		Chữ ký
					Na m	Nữ	
1	Phạm Văn Trường	CT UB NO xã	Thôn 3	Kinh	x		<i>[Signature]</i>
2	Lê Phước Quý	BT thôn xã	Tân Hưng	Kinh	x		<i>[Signature]</i>
3	Nguyễn Bình	CĐ HÒA CTR	B. Tân Hưng	Ê ĐÊ	x		<i>[Signature]</i>
4	Nguyễn Hoàng	Buôn Trường	B. H. H.	Ê ĐÊ	x		<i>[Signature]</i>
5	Hoàng Chí Vinh	Thôn 3	Thôn 3	Kinh	x		<i>[Signature]</i>
6	Trần Đình Hết	pho' Buôn	B. H. H.	Ê ĐÊ	x		<i>[Signature]</i>
7	Nguyễn Văn	Đ. X. D. X.	B. H. H.	Ê ĐÊ	x		<i>[Signature]</i>
8	Nguyễn Văn	Thôn 3	Tân Hưng	Kinh	x		<i>[Signature]</i>
9	Nguyễn Văn	Thôn 3	B. cũ Ê ĐÊ	Ê ĐÊ	x		<i>[Signature]</i>
10	Nguyễn Văn	CHTPN	Buôn H. H.	Ê ĐÊ		x	<i>[Signature]</i>
11	Nguyễn Văn	CHTPN	Cao Thắng	Kinh		x	<i>[Signature]</i>
12	Nguyễn Văn	CHTPN	Buôn H. H.	Ê ĐÊ		x	<i>[Signature]</i>
13	Nguyễn Văn	CHTPN	"chi Hội pho"	Kinh		x	<i>[Signature]</i>
14	Nguyễn Văn	CHTPN	Buôn H. H.	Ê ĐÊ		x	<i>[Signature]</i>
15	Nguyễn Văn	CHTPN	Buôn H. H.	Kinh		x	<i>[Signature]</i>
16	Nguyễn Văn	CHTPN	Buôn cũ Ê ĐÊ	Ê ĐÊ		x	<i>[Signature]</i>
17	Nguyễn Văn	Thôn 3	Buôn cũ Ê ĐÊ	Ê ĐÊ	x		<i>[Signature]</i>
18	Nguyễn Văn	Thôn 3	B. H. H.	Ê ĐÊ	x		<i>[Signature]</i>
19	Nguyễn Văn	Thôn 3	Buôn H. H.	Ê ĐÊ	x		<i>[Signature]</i>
20	Nguyễn Văn	Thôn 3	Thôn 4, Ê ĐÊ	Kinh	x		<i>[Signature]</i>
21	Nguyễn Văn	Thôn 3	Thôn 4, Ê ĐÊ	Kinh		x	<i>[Signature]</i>
22	Nguyễn Văn	Thôn 3	Thôn 3	Kinh	x		<i>[Signature]</i>
23	Nguyễn Văn	Thôn 3	Thôn 3	Kinh	x		<i>[Signature]</i>
24							

DỰ ÁN CẤP NƯỚC THÀNH PHỐ BUÔN MA THUỘT VÀ 03 HUYỆN PHỤ CẬN

Tiểu dự án: Cấp nước Tp. Buôn Ma Thuột và 03 thị trấn: Thị trấn Ea Kar, huyện Ea Kar; thị trấn Buôn Đôn, huyện Buôn Đôn; thị trấn Krông Năng, huyện Krông Năng thuộc chương trình phát triển ngành nước năm 2011-2012

BIÊN BẢN THAM VẤN

V/v: Bồi thường và Tái định cư

Ngày 14 tháng 6 năm 2017

I. THÀNH PHẦN THAM DỰ

Số người tham dự: gồm

Đại diện chủ đầu tư: Ban QLDA cấp nước

1. Nguyễn Đình Tú
2. Lê Sỹ Tâm
3. Nguyễn Thái Kh.

Đại diện Tư vấn

1. Nguyễn Xuân Nhân
2.
3.

Đại diện chính quyền và cộng đồng:

1. Hoàng Minh Jua
2. Nguyễn Hoàng Thành
3.

Và.....(số lượng) đại diện các hộ gia đình tham gia cuộc họp. Danh sách đại diện các hộ tham gia cuộc họp tham vấn được đính kèm theo biên bản này.

II. THỜI GIAN, ĐỊA ĐIỂM:

Từ.....đến.....; Ngày 14 tháng 6 năm 2017

Tại: UBND Xã Hòa Khánh

III. NỘI DUNG THAM VẤN:

1. Đại diện Chủ đầu tư cung cấp các thông tin cho người tham dự cuộc họp tham vấn, bao gồm:

- Mô tả về quy mô dự án Các ảnh hưởng đến thu hồi đất và các tài sản trên đất
- Các chính sách, biện pháp giảm thiểu các tác động thu hồi đất và các tài sản trên đất
- Chính sách đền bù, hỗ trợ, tái định cư của Dự án
- Kế hoạch thực hiện (kế hoạch thực hiện các biện pháp giảm thiểu; kế hoạch xây lắp; kế hoạch đền bù, hỗ trợ, tái định cư; phục hồi thu nhập)

- Cơ chế giải quyết thắc mắc, khiếu nại

2. Đại diện Chủ đầu tư đã cung cấp cho những người tham gia cuộc họp tham vấn các tài liệu sau:

- a. Thông tin cơ bản dự án.....
- b.....
- c.....
- d.....

III. KẾT QUẢ THAM VẤN:

3.1. Ý kiến về quy mô dự án.....

Đồng Thuận nhất từ các với chủ trương của dự án.

3.2. Ý kiến về mức độ ảnh hưởng thu hồi đất và tài sản trên đất của dự án

Tuyệt đối đi trong hành lang của chúng ta nên ảnh hưởng không đáng kể

3.3. Ý kiến về chính sách, biện pháp giảm thiểu các tác động thu hồi đất và các tài sản trên đất

Đề nghị bồi thường thỏa đáng

3.4. Ý kiến về chính sách đền bù, hỗ trợ, tái định cư của Dự án

3.4.1. Sự hợp lệ của các tài sản được đền bù:

phù hợp với qui định của pháp luật Việt Nam

3.4.2. Đơn giá đền bù cho đất đai và tài sản trên đất:

Theo giá thị trường và chính sách của dự án

3.4.3. Các khoản hỗ trợ và mức hỗ trợ của các khoản hỗ trợ:

..... Theo chính sách chi trả

3.4.4. Các phương án tái định cư và hỗ trợ tái định cư:

..... Theo phương án mà chủ đầu tư đã lập

3.4.5. Các hoạt động phục hồi thu nhập:

..... Tạo điều kiện ảnh hưởng không đáng kể tới thu nhập
và sinh kế của người dân

3.5. Ý kiến về kế hoạch thực hiện đền bù, hỗ trợ, tái định cư, phục hồi thu nhập, và thu hồi đất

..... Để nghị được thông báo và nắm bắt trước các
phương án bồi thường của dự án

3.6. Ý kiến về cơ chế giải quyết thắc mắc, khiếu nại.

..... Để nghị được giải thích đầy đủ và rõ ràng những
thắc mắc và khiếu nại của người bị ảnh hưởng

Cuộc họp kết thúc lúc giờ cùng ngày.

Người lập biên bản

.....
Nguyễn Hữu Lưu

Đại diện Chủ đầu tư

Đại diện Tư vấn

Đại diện chính quyền

Đại diện cộng đồng



(Ký tên)

.....
HỒ GIÁM ĐỐC
Nguyễn Khắc Dân

(Ký tên)

.....
Nguyễn Xuân Nân



(Ký tên)

.....
HỒ CHỦ TỊCH
Nguyễn Hoàng Thành

(Ký tên)

Danh sách các thành viên tham dự cuộc họp tham vấn cộng đồng

Stt	Họ và Tên	Chức danh/ đơn vị	Địa chỉ	Dân tộc	Giới		Chữ ký
					Na m	Nữ	
1	Hoàng Minh Lua	CT UBND	xã Hòa Khánh	Kinh	x		
2	Nguyễn Hoàng Thành	PC UBND	xã Hòa Khánh	Kinh	nam		
3	Hoàng Thị Khương	CT HM	"	Kinh	Nam		
4	Đặng Hữu Thuận	PC HT C.C.B	"	Kinh	"		
5	Nguyễn Ngọc Vinh	Trưởng thôn	Tp. Hòa Khánh	Kinh	"		
6	Nguyễn Tiến	Trưởng thôn	"	Kinh	"		
7	Tạ Thị Sáu	CT - HPN	"	Kinh		Nữ	
8	Nguyễn Thị Kim Ly	PC - PN	"	Kinh		"	
9	Nguyễn Bá Phấn	Trưởng thôn	T. 17. Hòa Khánh	Kinh	"		
10	Ngô Xuân Vũ	Trưởng thôn	T. 18. Hòa Khánh	Kinh	"		
11	Trần Dũng	T. 1	Thôn 4	Kinh	x		
12	Nguyễn Văn Ngọc	T. 2	Thôn 19	Kinh	nt		
13	Nguyễn Văn Hùng	Buôn Thỉnh	Buôn Khau	Đào	H		
14	Vũ Xuân Thành	Trưởng thôn	Thôn 6	Kinh	N		
15	Nguyễn Thị Ngọc	CH PNT. Thôn 19	T. 19	Kinh		N	
16	Nguyễn TT. Xuân	CH Thôn	Thôn II	Kinh		N.	
17	Đỗ Thị Thanh	Nhà ở	CH Thôn 13	Kinh		Nữ	
18	Võng Thị Lan	CH T. Thôn 19	Hòa Khánh	Hoa		Nữ	
19	Sỹ Thị Thìn	CH T. Thôn 4	Hòa Khánh	Kinh		"	
20	Trần Thị Kiều	CH T. Thôn 7	Hòa Khánh	"		"	
21	Nguyễn Thị Kim Thanh	CH T. Thôn 9	Hòa Khánh	Kinh		"	
22	Trần Thị Ean	CH T. Thôn 20	Hòa Khánh	Kinh		"	
23	Phạm Văn Hồng	T. 2 Thôn 22	Hòa Khánh	Kinh	N		
24	Huyênh Tân Tiến	T. 12	Hòa Khánh	Kinh	N		
25	Lê Văn Quang	T. 10	Hòa Khánh	Kinh	N		
26	Trần Văn Duyệt	T. 9	Hòa Khánh	Kinh	N		
27	Nguyễn Văn Tân	T. 13	Hòa Khánh	Kinh	N		
28	Nguyễn Thanh Dũng	T. 12	Hòa Khánh	Kinh	N		
29	Nguyễn Thị Lê Hằng	T. 8	Hòa Khánh	Kinh	N		
30	Trương Thanh Tuấn	BT Đoàn TN			x		
31	Vũ Thị Huyền	CĐ Hội Nữ			x		
32	Nguyễn Văn Dũng	Thôn 16			x		

Annex 4 : SES and DMS Form

PART 1: IDENTIFICATION AND GENERAL HOUSEHOLD INFORMATION

1.1	Name of Sub-component	1.	2.	3.	
		4.	5.	6.	
1.2	Name of district/commune/				
1.3	Name of Respondent				
1.4	Age of Respondent	(a) 18 to 24	(b) 25 to 34	(c) 35 to 44	
		(e) 55 to 64	(f) over 65	(d) 45 to 54	
1.5	Sex	1 - Male		2 - Female	
1.6	Civil Status	1 - Single	2 - Married	3 - Widow	
		4 – other, please specify			
1.7	Position of Respondent	1	Head of household		
		2	Spouse of head of household		
		3	Other, please describe <i>(how is respondent related to Head of HH)</i>		
1.8	Information on Households Members			Male	Female
		People in household who work			Total
		School age children (6-15 years)			
		School age children who attend school			
		People older than 15 years who are literate			

PART 2: HOUSEHOLD LIVING CONDITIONS

2.1	Source of drinking/cooking water	1. Rain water 2. Traditional shallow well 3. Deep well	4. Public tap 5. Piped water 6. Canal, river pond	7. Other specify
2.2	Source of washing/bathing water	1. Rain water 2. Traditional shallow well 3. Deep well	4. Public tap 5. Piped water 6. Canal, river pond	7. Other specify
2.3	How do you consider the quality of water (from well, public tap or piped water)?	1. Good	2. Acceptable	3. Not good Explain why
2.4	What type of sanitation facility do you have	1. Pit latrine 2. Fish pond toilet 3. Public water-seal toilet	4. Toilet in house with septic tank 5. Toilet in house with septic tank led to sewage	6. Toilet in house Led directly to water bodies 7. No Toilet
2.5	What is your main source of energy for lighting?	1. Electricity from public network 2. Electricity from private network	3. Private generator 4. Gas/kerozene 5. Cylinder gas 6. Batteries	7. Other specify
2.6	What is your main source of energy for cooking?	1. Electricity from public network 2. Electricity from private network	3. Private generator 4. Gas/kerozene 5. Cylinder gas 6. Wood	7. Other specify
2.7	If you are connected to the public network do you	1. Every week 2. Every month	3. Rarely 4. Never	

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	experience cut of power		
2.8	Do you own one or several of these assets?	1. Bicycle 2. Motorbike 3. Car 4. TV 5. CD/DVD player	6. Generator 7. Water pump 8. Rice cooker 9. Mobile phone 10. Desk phone 11. Refrigerator 12. Computer 13. Sewing Machine 14. Truck
2.9	What are the common sicknesses within households during wet and dry season?		

PART 3: HOUSEHOLD INCOME SOURCES AND EXPENDITURES

3.1	What is the household main source of income?	1. Agriculture 2. Fish / shrimp raising 3. Trading – retail/wholesale 4. Services (café, tailor, hairdresser..._	5. Wages / salary from private sector 6. Wages / salary from government 7. Manual / daily labor 8. Lease / rental of property	9. Government pension 10. Financial support from relatives Computer 11. Other 12. Truck
3.2	What is the household secondary source of income?	1. Agriculture 2. Fish / shrimp raising 3. Trading – retail/wholesale 4. Services (café, tailor, hairdresser..._	5. Wages / salary from private sector 6. Wages / salary from government 7. Manual / daily labor 8. Lease / rental of property	9. Government pension 10. Financial support from relatives Computer 11. Other 12. Truck
3.3	Which HH members are responsible for primary source of income	1. HH head only 2. HH head and spouse	3. Adult children only 4. HH head, spouse and adult children	5. Others
3.4	Average monthly household income from main source of income			VND/month
3.5	Average monthly household income from all source of income			VND/month

PART 4: AFFECTED LAND HOLDINGS

2.1 Affected Land		Land areas		Land occupancy status (m2)		
		Total land holdings (m ²)	Affected Area (m ²)	LURC / can be legalized	Lease / temporary right	No right / illegal
		1	2	3	4	5
4.1.1	Residential					
4.1.2	Agricultural					
4.1.3	Fish / shrimp pond					
4.1.4	Garden					
4.1.5	Forest					
4.1.6	Other (specify)					

PART 5: AFFECTED PRINCIPAL AND SECONDARY STRUCTURES

5.1 Principal Structures	Total area (m ²)	Affected area (m ²)	House category	Actual use of structure	Does AP rent structure?		How is structure affected?	
					Yes	Monthly Rent (VND)	Totally	Partially
	1	2	3	4	5	6	7	8

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5.1.1	Main structure								
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House category:

- 1- Category 1 = Villa
- 2- Category 2 = Concrete floors, construction material and equipment are high quality
- 3- Category 3 = Concrete floors, average quality for material and equipment
- 4- Category 4 = Brick wall, wooden frame with tile or tole roof
- 5- Temporary = Bamboo and wooden frame with tole or nipa palm roof

Actual use of structure:

- 1- Housing only
- 2- Commercial only
- 3- Combined living/commercial
- 4- Community use (school, etc.)
- 5- Industrial, commercial and/or storage
- 6- Other: (specify)

5.2 Secondary structures: list only affected secondary structures (temporary commercial kiosk, separate kitchen, separate toilet, animal sheds, wells, fence, grave, etc.)

	Secondary Structure Type	Affected portion:			Construction material
		m ²	M	No.	
		2	3	4	
5.2.1					
5.2.2					
5.2.3					
5.2.4					
5.2.5					
5.2.6					

Construction material:

- 1. Bamboo
- 2. Wood
- 3. Brick
- 4. Concrete
- 5. Steel
- 6. Others (clarify)

PART 6: ANNUAL CROPS AND AQUACULTURE

List all affected crops (rice, upland crops, vegetables, shrimp, fish)

	Type of crop	Affected area (m ²)	Notes
6.1	Rice		
6.2	Other annual crops		
6.3	Vegetables		
6.4	Fishery		

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PART 7: PERENNIAL CROPS AND TREES (FRUIT TREES, TIMBER TREES)

List all affected perennial crops, fruit trees & timber trees by using groups 1 to 5

	Group of perennial crop or tree*	Affected Quantity		*Group of fruit trees and perennial crops and wooden trees)
		No.	M ²	
	1	2	3	
7.1				1- Coconut, mango, star-apple
7.2				2- Longan, orange, mandarin, pomelo, custard-apple, seri
7.3				3- Guava, cashew, pepper, blue-dragon
7.4				4- Papaya, banana, others
7.5				5- Timber trees (acacia, eucalyptus)

PART 8: LOSS OF BUSINESS AND OTHER INCOME

	Type of business*	Tax status of business		Number of employees		Average monthly net income (VND)
		Registered	Non-registered	Full-time	Seasonal	
	1	2	3	4	5	6
8.1						

*Type of business: 1- Small shop/kiosk
 2- Retail store
 3- Services (e.g., barber)
 4- Gas station, garage
 5- Warehouse
 6- Ice factory
 7- Shrimp hatchery / farm
 8- Other:.....

8.4	If your business is affected by land acquisition, what will be the impacts?	1- Minor: Shift back on remaining land and rebuild; little/no loss of income
		2- Medium: Shift back on remaining land and rebuild; loss of income estimated at months
		3- Major: Relocate to new site; rebuild completely; loss of income estimated at months

PART 9: COMPENSATION AND RESETTLEMENT OPTIONS

9.1	If your <u>agricultural or fish/shrimp pond land</u> or other productive land is affected, what are your preferences for compensation?	1- I want to buy replacement land of same category and equal area and/or productivity if available
		2- I want cash compensation equal to market rates for similar land
		3- Not yet decided
9.2	Do you have sufficient <u>remaining residential or non-agricultural land</u> to rebuild your affected structures?	1- Yes
		2- No
9.3	If you cannot rebuild structures on remaining land, what are your preferences for relocation?	1- I want to relocate myself to other land that I own
		2- I want to relocate myself to new land
		3- I want to relocate to a group resettlement site, if available
		4- I want to relocate to an individual resettlement site allocated by the commune
9.4	Do you have any comments?	1. Ψες: ιφ ψες σπεχιψ:
		2. No

ANNEX 5: Photograph of community Consultation Meeting

