

Resettlement Plan

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VIE - WATER SECTOR INVESTMENT PROGRAM - TRANCHE 2 **– THUA THIEN HUE WATER SUPPLY PROJECT** ***(Items: Additional pipelines)***

Prepared by the Thua Thien Hue Water Supply Joint Stock Company (HueWACO) for Thua Thien Hue Provincial People's Committee and the Asian Development Bank (ADB).

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CURRENCY EQUIVALENTS

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ABBREVIATIONS

ADB	-	Asian Development Bank
AH	-	Affected Household
Aps	-	Affected Persons
CARB	-	Compensation Assistance and Rehabilitation Board
CPC	-	Commune People's Committee
CSB	-	Commune Supervisory Board
DARD	-	Department of Agriculture and Rural Development
DMS	-	Detailed Measurement Survey
DOF	-	Department of Finance
DP	-	Displaced Person
DPC	-	District People's Committee
DRC	-	District Resettlement Committee
EA	-	Executing Agency
EM	-	Ethnic Minority
GAP	-	Gender Action Plan
GOV	-	Government of Vietnam
HHs	-	Households
IOL	-	Inventory of Losses
IRMR	-	Internal Resettlement Monitoring Report
LFDC	-	Land Fund Development Center
LURC	-	Land Use Rights Certificate
N-T-P	-	Notice- to- Proceed
ODA	-	Official Development Assistance
PIB	-	Project Information Booklet
PPC	-	Provincial People's Committee
PPMS	-	Project Performance Monitoring System
RCS	-	Replacement Cost Survey
REMDF	-	Resettlement and Ethnic Minority Development Framework
RP	-	Resettlement Plan
SES	-	Socio-Economic Survey
P	-	Project
SPS	-	Safeguard Policy Statement
USD	-	United States Dollar
VAHs	-	Vulnerable affected households
VND	-	Vietnamese Dong
VWU	-	Viet Nam Women's Union
WPC	-	Ward People's Committee
WUGs	-	Water Users Groups

GLOSSARIES

Displaced person - (DP)	Means any person or persons, household, firm, private or public institution that are fully or partially, permanently or temporarily physically displaced (relocated, lost residential land, or lost shelter) and/or economically displaced (lost land, assets, access to assets, income sources or means of livelihood) due to (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. AHs could be of three types: (i) persons with formal legal rights to land lost; (ii) persons who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who have neither formal legal rights nor recognized or recognizable claims to the lost land. In the case of a household, the term DP includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components.
Cut-off date	Means the date of project land acquisition announcement by competent agency. The AHs will be informed of the cut-off date for each project component, and any person who settled or assets created in the project area after the cut-off date will not be entitled to compensation and assistance under the project.
Detailed Measurement Survey (DMS)	Based on the approved detailed engineering design, this activity involves the finalization of project land acquisition and resettlement impacts, including final cost of resettlement. This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project right-of- way (project area) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of AHs will be determined.
Compensation	Means payment in cash or in kind to replace losses of land, housing, income and other assets caused by the Project. All compensation is based on the principle of replacement cost, which is the method of valuing assets to replace the loss at current market rates, plus any transaction costs such as administrative charges, taxes, registration and titling costs.
Ethnic minority (EM)	Any of the 53 ethnic groups in Viet Nam other than the majority Kinh (Viet) and Hoa ethnic group that possess the following characteristics in varying degrees - collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; and customary cultural, economic, social, or political institutions that are separate from those of the dominant Kinh (Viet) society and culture.
Entitlement	Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the AHs, depending on the type and severity of their losses, to restore their economic and

	social base.
Income restoration program	A program designed with various activities that aim to support affected persons to recover their income / livelihood to pre-project levels. The program is designed to address the specific needs of the affected persons based on the socio-economic survey and consultations
Land acquisition	Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
Rehabilitation	This refers to additional support provided to AHs losing productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.
Relocation	This is the physical relocation of a DP from her/his pre-project place of residence and/or business.
Resettlement and Ethnic Minorities Development Plan (REMDP)	A plan for resettlement of an ethnic minority population, combining the resettlement plan with specific ethnic minority concerns and cultural sensitivity for the specific needs of the ethnic minority groups.
Replacement cost	The amount needed to replace an affected asset net of transaction costs such as administrative charges, taxes, registration and titling costs.
Replacement Cost Study	This refers to the process involved in determining replacement costs of affected assets based on empirical data.
Resettlement	This includes all measures taken to mitigate any and all adverse impacts of a project on DP property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation as needed.
Severely affected households (SAH)	This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the project.
Vulnerable groups	These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include households that are: (i) headed by persons with disability, (ii) falling under the national poverty standard, (iii) headed by lonely and elderly persons (iv) under the state beneficiary, (v) woman headed with dependent and (vi) ethnic minorities.

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EXECUTIVE SUMMARY

1. Introduction: This Resettlement Plan (RP) is prepared for the "Thua Thien Hue Water Supply Project (Items: Additional Pipelines)" in Districts of Phong Dien, Phu Vang, Phu Loc, Huong Thuy Township and Hue city, Thua Thien Hue province which is a component of the Thua Thien Hue Water Supply Project (Loan 2961-VIE). This project will focus on installation of ten additional pipelines with an additional length of 21.8 km (increase the total length of new pipeline installation of Thua Thien Hue Water Supply Project from over 700km to roughly 730km). In reality, these additional items are small in comparison with construction work of the original scope, but it supports to assist the transmission capabilities of more than 700 km pipelines of the on-going civil works, to boost the pressure on the whole HueWACO's network and to ensure water supply safety. The RP is prepared based on the results of detail measurement survey (DMS: [conducted from June to August 2019](#)), socio-economic survey (SES), replacement cost survey, and the results of public consultation and participation in project area with the participation and consultation with different stakeholders, including affected people¹. However, the owners of the affected shrimp ponds locating at H41 pipeline is compensated during RP preparation. Therefore, the DDR was prepared and attached in this RP (appendix 1) to reflect compliance with ADB's policy on compensation for these affected households.

2. Project location: This project is implemented in communes of Phong Dien district: Phong Chuong and Phong Binh; communes in Phu Vang district: Phu My, Phu An, Phu Duong, Phu Da and Vinh Xuan; Loc Bon and Thuy Phu communes of Phu Loc district; wards in Huong Thuy town: Thuy Thanh and Thuy Duong; and wards of Hue city: Thuy Bieu, Phu Nhuan, Phu Hoa, An Dong, An Cuu, Truong An and Phuoc Vinh.

3. Scope of land acquisition: According to the results of the detailed measurement survey, no family is relocated. There are about 59 households affected in land and assets by the project, of which 55 households have their land with trees and crops affected while 05 households are affected in land and other assets (01 household is affected in both trees and structure). The project has no permanent land acquisition (they are totally temporary affects on land during the construction phase). The project affects 453 trees of 12 affected households and 9,565 m2 of crop land of 45 households. Other 03 households are affected by their shrimp ponds. There are 02 households whose structures are affected, and no ethnic minority households, graves, historical sites, temples, and agencies / organizations / businesses / communities affected by the project.

¹ Although IOL was conducted on the first of 2019 but there is no RP has been prepared for the additional items or for Thua Thien Hue Project. Therefore, this is the RP and the data is based on a detail measurement survey (DMS), which has been conducted from June to August 2019

4. **Affected households:** There are 59 affected households in the project, and 07 vulnerable households among them.
5. **Legal Policy Framework and Entitlements:** The updated Resettlement and Ethnic Minority Development Framework (uREMDF) was prepared and applied for the project to meet the requirements of the ADB's SPS 2009 on Involuntary Resettlement Policy and the legal documents of the Government of Vietnam (GoV) that are described in Chapter VII in detail. The terms and principles in this RP are in accordance with the current regulations of Vietnam. However, in case of any discrepancy, Asian Development Bank's (ADB's) Policy will be followed.
6. **Information Disclosure, Public consultation and participation:** Information Public consultations and meetings at village and commune levels with the affected persons (APs) and local officials were conducted initially during the IOL time in first half of 2019. Succeeding consultations took place during the DMS period done by HueWACO/PMU and CPCs and continue in June to August 2019 by PMU in combination with CPCs. From the beginning of the project implementation until the RP report implementation, during the project, 13 meetings of information disclosure and consultation / interview with 271 people of which 157 men (accounting for 57.9%) and 114 women (accounting for 42.1%) were carried out in January 2019. Design, project policies and alternative plans for land compensation, replacement cost and income restoration were discussed during the meetings. The grievance redress mechanism was designed and discussed to ensure that the APs' concerns and grievances are addressed and resolved in a timely and satisfactory manner. The rights of the AHs/APs were fully disclosed to them verbally and in writing during the series of consultation meetings during both the IOL and DMS stages in the resettlement planning process. Furthermore, their rights will be reiterated again during the time when compensation will be paid for acquired/affected lands and other assets.
7. **Vulnerable households:** Per results of DMS, SES there are 07 vulnerable households are state beneficiary and female headed with dependent (01 state beneficiary household in Thuy Phu Commune, 05 state beneficiary household and 01 female headed household with dependent in Phu My Commune)
8. **Income restoration plan:** 100% of AHs are slightly affected so the livelihood restoration program is not applied in the project. The consulted AHs also commented that impacts of the project do not make the economic life of the households worse or reduce their income sources due to the small impacts. However, the vulnerable group will receive additional allowances according to the project policy, which is fully listed in the entitlement matrix.
9. **Institutional Arrangement:** Project Management Unit (PMU) will coordinate with relevant agencies in the implementation of the RP. PMU will cooperate with Affected CPCs to ensure that the compensation and other forms of assistance are administered according to the provisions of this RP. HueWACO/PMU implement the compensation, assistance and resettlement process.

10. Implementation schedule: the final RP will be approved before starting the project civil works. Civil contract award for the project shall not be approved by ADB unless its final RP is approved. HueWACO will make sure that construction work will not be implemented by contractors unless PMU before: (i) has adequately finished compensation payment and (ii) ensure that necessary allowances are provided to affected people for life rehabilitation/income restoration and land clearance are completed (if any). According to the implementation plan, any assets lost before **24 August 2019** of all affected households must be compensated and site clearance must be completed by the end of **April 2020**.

11. Monitoring and Evaluation: Monitoring of RP Implementation will be internally conducted on behalf of ADB by HueWACO/PMU and submit to ADB semi-annual report as basis. PMU shall evaluate the achievement of resettlement objectives during the period from 6 to 12 months after resettlement activities have been completed. HueWACO/PMU will also evaluate the extent of living condition restoration of AHs during and after the project (if any).

12. Total resettlement budget: The total estimated budget is **VND 89,062,945** equivalent to USD 3,766. In which: (i) Compensation for affected structures is VND 9,755,000 (iii) Compensation for crops is VND 30,854,735; (iv) Compensation for trees is VND 12,761,040; (v) The lime subsidy for treatment of shrimp pond surface is VND 2,240,000; (vi) The labour assistances for shrimp pond treatment is VND 7,500,000; (vii) The assistance for vulnerable households is VND 14,000,000; (viii) Management and implementation cost is VND 3,855,539 and the contingency is VND 8,096,631. The budget for the resettlement plan is fully funded and paid by HueWACO/PMU.

I. INTRODUCTION

A. Background

13. Thua Thien Hue is a province in the North Central Coast region of Vietnam, approximately in the centre of the country. It borders Quang Tri Province to the north and Da Nang City to the south, Laos to the west and the East Vietnam Sea to the east. The province has 128 km of coastline, 22,000 ha of lagoons and over 200,000 ha of forest. There is an extensive complex of imperial tombs and temples in Thua Thien Hue.

14. The improvement in the water supply system of Thua Thien Hue Province would support social, economic and environmental development of the Province, supporting trade and commerce, facilitating employment generation, and raising income levels in the project component areas and the Province as a whole. The Vietnam Water Sector Investment Program will support women and children as well as address full cost recovery of tariffs to achieve long term financial sustainability of the improvements.

15. The original components of Thua Thien Hue Water Supply Joint Stock Company (HueWACO), among other water supply companies (WSCs) under the Vietnam Water Sector Investment Program are; (i) constructing a WTP approximately 8,000 m³/day; (ii) constructing an approximately 40 km transmission pipeline D400-1,200; and (iii) constructing approximately 378 km distribution pipeline D40-355.

16. By the purpose of taking full advantage of drop-dead fee of USD 3.2 million - a long-term loan with low interest from ADB, Water Sector Investment Program (Tranche 2) – Thua Thien Hue Water Supply Project focuses on (i) reducing all invested items under Tranche 2 of the Project, reducing ADB loans from USD 81.54 million down to USD 35.16 million (mainly for Tranche 1); (ii) adding 10 D1200-225 water supply pipelines (L = 21,811km) to replace an amount poor quality pipelines, in order to improve the water pressure as well as the efficiency of more than 700km installed pipelines of Thua Thien Hue Project; (iii) adjusting some design contents to improve durability of constructed works such as: using round-shape precast manholes, junction protection grease, pipeline porcelain signals, etc. and complementing some equipment along the network: pressure reducing valves, smart meters, pressure & water quality monitoring devices; (vi) using HueWACO capital instead of State budget capital of USD 1.22 million; supplementing the expenses of compensation and ground clearance support of VND 2.8 billion and other costs.

17. By adjusting some contents, the total investment of the Thua Thien Hue Project will be reduced from 104.4 million USD to 46.44 million USD due to the investment in phase 1 only. The above-mentioned modifications and supplements of basic design are agreed by ADB sponsor because of the increasing of sustainability of the water supply works, leads to efficiency of the project, the total loan value of USD 35.16 million is invariant according to the signed loan convention.

18. In the past, there is no Resettlement Plan (RP) has been prepared for Thua Thien Hue Water Supply Project, only the DDR for Thua Thien Hue Water Supply Project has been prepared and submitted to ADB in 2014, because the impacts are all temporary. This RP for 10 additional pipelines is the first RP prepared by HueWACO/PMU according to ADB mission for the project. This RP based on the result of detailed measurement survey (DMS), which has been conducted from June to August 2019, including DDR (in appendix 1) for 03 Ahs with advance payment as mentioned in paragraph 1.

B. Project location and affected area

19. The project will install ten new pipeline routes with the diameter from D225-D1200 in 5 districts of Thua Thien Hue Province. This is one of sub-projects screened from many projects in the province to ensure suitability with social and environmental protection measures of ADB and the Government of Vietnam and with other development selection criteria focusing on its impact on poverty in which activities of maximizing impacts on socio-economic issues from the investments will be implemented basing on priority basis. Other activities include project management assistance and institutional capacity building during the project implementation process, operation, and maintenance process, including asset management.

20. The project focuses on the new installation of transmission pipelines with the diameter from D225 to D1200. The length of additional items is 21.8 km, thereby increasing the total length of pipelines belonging to the Thua Thien Hue Water Supply Project from over 700km to roughly 730km. In reality, these additional items are small in comparison with construction work of the original scope, but it supports to assist the transmission capabilities of more than 700 km pipelines of the on-going civil works, to boost the pressure on the entire HueWACO's network and to ensure water supply safety.

21. The project will be implemented in Phong Dien, Phu Vang, Phu Loc, Huong Thuy town and Hue city with many beneficiaries living in the project areas. The project aims to increase the transmission capacity of over 700km of pipelines under Thua Thien Hue Water Supply Project and directly help increase the water pressure in the network in Phong Chuong and Phong Binh communes of Phong Dien district; Phu My, Phu An, Phu Duong, Phu Da and Vinh Xuan communes of Phu Vang district; Loc Bon and Thuy Phu communes of Phu Loc district; Thuy Thanh and Thuy Duong wards of Huong Thuy Town, Thuy Bieu, Phu Nhuan, Phu Hoa, An Dong, An Cuu, Truong An and Phuoc Vinh wards of Hue City.

C. Measures taken to Minimize Negative Impacts

22. The Project of Installing the additional pipelines in 05 districts and city/town is mostly constructed based on the existing route. To avoid more potential impacts, households were informed during the consultation meetings to refrain from building new structures or plant trees at the identified project area. A public information booklet (PIB) in appendix 7 that explains, among others, the policy on cut-off date for eligibility, was distributed to the AHs and local governments during the preparation of the RP. PIB will be regularly distributed to the AHs and local

governments, as needed, following ADB's concurrence of the project RP. Other than the aforementioned, Government will ensure that the acquisition of assets, payment of compensation, assistance and rehabilitation of the AHs will be completed prior to the issuance of a notice-to-proceed (NTP) to contractors to start construction works.

23. Efforts towards minimizing the adverse environmental impacts of the project during construction will include re-using excavated materials from the existing work to upgrade and maintain the new works, reduce the volume of construction materials to be extracted from borrow pits and transported through public roads, thereby reducing environmental impacts such as dust, air emissions, and noise that would affect local people in the project area particularly children and the elderly who are at greater risk to these environmental impacts.

D. Resettlement Plan

24. This RP ensures that the project will (i) avoid involuntary resettlement wherever possible; (ii) mitigate potential impacts during the project design phase; and (iii) improve the standards of living of affected people especially the vulnerable group, minority people or at least will equal to their pre-project conditions.

25. In addition, the RP is the guiding document that identifies the key issues to address in reconciling the requirements of ADB's Involuntary Resettlement with National and Thua Thien Hue provincial policies. Which include:

- (i) Policy and procedural guidelines for asset acquisition, compensation, resettlement, and strategies that will help ensure full restoration of the affected households' livelihood and standards of living;
- (ii) Identification of households and communities to be adversely affected by the implementation of project, identification of which measures/compensation and mitigation plan which need to be applied;
- (iii) Identification of content, participation plan of affected households in the various stages of the Project, including resolution of grievances; and
- (iv) An estimated budget for resettlement implementation.

26. This RP is prepared based on the results of the detailed measurement survey (DMS), replacement cost, SES and consultations. Construction activities will only start once all compensation and assistances provided to affected households.

II. PROJECT IMPACTS

A. Detailed Measurement Survey (DMS)

27. HueWACO / PMU conducted the Detailed Measurement Survey (DMS) in June 2019 and finished (cut-off day) on 24 August 2019 in the affected districts of Thua Thien Hue Province based on the approved detailed design. Prior to implementing the DMS, PMU/HueWACO has informed the local authorities so they informed the affected households. The measurement

includes: AHs, heads of hamlets / villages, cadastral officials of wards / communes and PMU. The results of DMS are summarized as follows:

B. Area of affected land

1. Permanent land acquisition:

28. There is no permanent land acquisition in the project. The project will temporarily affect the land of the affected households, and affected land will be returned by the recovery to original condition so that the households can keep cultivating in their land after construction.

2. Temporarily affected land:

29. According to the DMS results, the project temporarily impacts 29,281.7 m² of land (including agricultural land, non-agricultural land, and public land). Including (i) 11,195 m² of cultivated land (9,565 m² of crop land of 45 households; 2,430 m² of aquaculture land (shrimp lake) of 03 households) and (ii) 18,086.7 m² of garden and public land. No household is severely affected by land acquisition. Therefore, support for livelihood restoration and income is not provided. The land area affected by the project is detailed in the table below.

Table 1: Detailed area of affected land

District/City	Route	Ward/Commune	Route length (m)	Affected land area (m ²)	No. of AHs	Types of land
Phong Dien	PD12	Phong Chuong	4,246	4,670.6	0	Public land
		Phong Binh	3,454	3,799.4	0	Agricultural land (wasted, fallow and unowned)
Hue	H1ND	Thuy Bieu	150	375	0	Agricultural land (wasted, fallow and unowned)
	H2ND	Truong An	148	236.8	0	Public land
	H36	Phuoc Vinh	443	708.8	0	Public land
		Truong An	477	763.2	0	Public land
	H37	An Cuu	731	804.1	0	Public land
	H38	Phu Hoa	362	181	0	Public land
		Phu Nhuan	362	181	0	Public land
	H39	An Dong	380	532	0	Public land
		Thuy Duong	1,665	2,331	0	Public land
Huong Thuy		Thuy Thanh	370	518	0	Public land
Phu Vang	H40	Phu My	450	630	31	Agricultural land
		Phu An	1,425	1,995	0	Agricultural land
		Phu Duong	355	497	2	Agricultural land

District/City	Route	Ward/Commune	Route length (m)	Affected land area (m2)	No. of AHs	Types of land
	H41	Phu Da	3,845	7,236.3	17	Agricultural land (2.430 m2 are shrimp ponds)
		Vinh Xuan	1,210	1,512.5	3	Agricultural land
Phu Loc	H42	Thuy Phu	600	660	2	Agricultural land
		Loc Bon	1,500	1,650	4	Agricultural land
Total			21,811	29,281.7	59	

Source: DMS December 2019

30. During the construction period, some land plots will be leased as a site for camps and material storage, etc. and this activity will also affect some families living along the routes. Street. However, measures will be taken to minimize this impact. Some pipelines passing agricultural land and ponds will also temporarily affect the farming activities of the people. In order to minimize the unavoidable temporary impact, the contractor must take the following measures: (i) the contractor must pay the land rental to install the temporary works; (ii) temporarily used land must be returned to the original state for families under the confirmation of HueWACO / PMU. The Contractor must negotiate and agree with the landowner before using the leased land for temporary purposes such as material storage / dumping. One of the final payment conditions for the construction contractors is that the contractor must submit documents proving that the temporarily leased land has been returned in the original condition and without encountering any problems in the confirmation of HueWACO / PMU.

3. Status of land use rights of affected households

31. According to the DMS results, all 59 affected households have land use registration certificates (LURCs).

C. Affected households

32. Impacts on household land and assets appears only in Phu Vang and Phu Loc districts. For other districts/cities as Hue, Huong Thuy and Phong Dien, the additional pipelines are running along public land and wasted agricultural land (fallow and unowned), that leads to no impact on household in these districts/cities. According to the results of DMS, the project has affected assets and land of 59 households (257 people) and all of those affected land is agricultural land. Among these 59 affected households, there are 13 households whose garden is affected (12 households have affected trees), 45 households with land for crops cultivation affected temporarily (02 households are affected on both garden and crop land), other 03 households have affected aquaculture land (shrimp ponds). Out of total 59 Ahs, 02 households with affected structures in their garden (01 household is affected on both structures and trees). No household is severely affected. However, these 45 households are only affected on crops (the project is implemented

outside the shrimp harvest so the aquatic products are not affected). Of the 59 households, 07 are vulnerable, in which 01 AH of them is woman headed with dependent household and 06 Ahs are state beneficiary households. There are no ethnic minorities in the project area.

33. The following table describes in detail the affected households:

Table 2: Number of affected households

District	Commune	Affected household	Affected people	Household with affected assets	Household with affected land	Vulnerable household
Phu Vang	Phu My	31	136	31	31	6 (1 woman headed with dependent, 5 state beneficiary)
	Phu Duong	2	12	2	2	0
	Phu Da	17	66	17	17	0
	Vinh Xuan	3	14	3	3	0
Phu Loc	Loc Bon	4	18	4	4	0
	Thuy Phu	2	11	2	2	1 (state beneficiary)
Total		59	257	59	59	7

D. Vulnerable households

34. 07 vulnerable households are state beneficiary and female headed with dependent (01 state beneficiary household in Thuy Phu Commune, 05 state beneficiary household and 01 female headed household with dependent in Phu My Commune).

E. Affected trees and crops

35. Construction of pipelines across agricultural land will affect trees and crops. There will be 9,565 m² of crops of 45 households and 453 trees of 12 households affected by project. The cropland is mainly for rice and some others are for vegetables, short-term crops, etc. The construction of lagoon-crossing pipelines is done outside of aquaculture season (March - May 2020), so there should have no impact on aquaculture. Table 3 and Table 4 below summarize the number of affected crops and trees by communes.

Table 3: Affected crops

Unit: m²

No.	District/Commune	Rice and crops		Total	No. of AHs
		Rice	Other crops (vegetables, short-term crops ...)		
I	Phu Vang district	8,961	-	8,961	41
1	Phu My	2,790	-	2,790	30
2	Phu Duong	1,716	-	1,716	2

4	Vinh Xuan	-	-	-	-
5	Phu Da	4,455	-	4,455	9
II	Phu Loc District	208	396	604	4
1	Loc Bon	-	396	396	3
2	Thuy Phu	208	-	-	1
	Total	9,169	396	9,565	45

Source: DMS December 2019

Table 4: Affected trees

No.	District/Commune	Affected trees		Total	No. of AHs
		Fruit tree	Timber tree		
I	Phu Vang district	45	353	398	9
1	Phu My	45	35	80	1
2	Phu Duong	-	-	-	-
3	Vinh Xuan	-	82	82	3
4	Phu Da	-	236	236	5
II	Phu Loc District	55	-	55	3
1	Loc Bon	55	-	55	3
2	Thuy Phu	-	-	-	-
	Total	100	353	453	12

Source: DMS December 2019

F. Affected houses and structures

36. Affected houses: There is no affected house in the project.

37. Affected architectural objects: there are 2 households affected on architectural objects, as follows: about 20m² of concrete yard and 03 perennial trees of 01 household in Phu Da commune, Phu Vang district and 01 fish ponds of 01 household in Thuy Phu Commune are being affected. All affected structures will be compensated at the prescribed cost.

G. Affected others

38. According to the DMS results, no cultural - historical relics within the project area are affected.

39. Business households temporarily affected by construction process: No business and trading households were temporarily affected during the RP process. In case there are affected business households, the contractor is responsible to apply measures to minimize the impact on such households and accelerate the progress. construction through areas with affected business households.

40. Affected graves: There are no affected graves during the DMS process. In case there are affected graves during the construction process, PMU/HueWACO will additionally *compensate* for affected graves in accordance with the policy.

III. SOCIO-ECONOMIC SITUATION AND INFORMATION

A. Some information of socio-economic in the project area

41. This project is implemented in 18 wards / communes of 1 city (Hue city), 1 town (Huong Thuy town) and 03 districts of Phong Dien, Phu Vang and Phu Loc, including communes of Phong Dien district: Phong Chuong and Phong Binh; communes in Phu Vang district: Phu My, Phu An, Phu Duong, Phu Da and Vinh Xuan; communes of Phu Loc district: Loc Bon and Thuy Phu; wards in Huong Thuy town: Thuy Thanh and Thuy Duong; and wards of Hue city: Thuy Bieu, Phu Nhuan, Phu Hoa, An Dong, An Cuu, Truong An and Phuoc Vinh.

42. **Phong Dien district:** is a district located in the northern gateway of Thua Thien Hue province, 948.23 km² wide, nearly one fifth of the natural area of Thua Thien Hue province. Its Northeast borders on the East Sea; the North borders Hai Lang district, Quang Tri province; the West borders Dakrong district, Quang Tri province; the South borders A Luoi district; and the East and Southeast border Quang Dien and Huong Tra districts respectively. It has a population of about 93,624 people with population density of 99 people / km². The total number of households in Phong Dien district is 22,639 households, in which the number of poor households is 3,244 households (accounting for 14.3%) with 10,168 people (data in 2017).

43. **Phu Vang district:** is a coastal plain district of Thua Thien Hue province. The total area is 278.24 km², the average population is 185,725 people, and the population density is 667 people / km². Bordering on the East Sea to the North, Huong Tra District and Hue City to the West, Huong Thuy District to the South, Phu Loc District to the East. The district has Thuan An seaport which is an important strategic location of Thua Thien Hue province with great economic potentials being exploited and used. The total number of households in Phu Vang district is 39,920 households, in which the number of poor households is 5,272 households (accounting for 13.2%) with 18,251 people (data in 2017).

44. **Phu Loc district:** has an area of 720.36 km², average population of 141,673 people, and population density of 197 people / km² (as of 2018). It is a coastal and lagoon district located at the southern end of Thua Thien Hue province. The North borders Huong Thuy and Phu Vang; the South borders Danang; the East borders East sea; the West borders Nam Dong district. The district has Phong Dien - Hue Solar Power Plant project, which is the first large scale solar power project in operation in Vietnam. The total number of households in Phu Loc district is 32,880 households, in which the number of poor households is 4,554 households (accounting for 13.8%) with 13,364 people (data in 2017).

45. **Huong Thuy town:** has an area of 454.66 km² with 105,541 people (2018). It has 12 affiliated administrative units, including 5 wards and 7 communes. The administrative boundary of Huong Thuy town: the East borders Phu Loc district; the West borders Huong Tra district and A Luoi district; the South borders Nam Dong district; The North borders Hue city and Phu Vang district, Thua Thien Hue province. Huong Thuy town is a highly industrialized locality with Phu Bai international airport which is very convenient for economic and trade development with areas and regions across the country and internationally. The total number of households in Huong Thuy Town is 22,659 households, in which the number of poor households is 1,795 households

(accounting for 7.9%) with 5,162 people (data in 2017).

46. Hue city is the cultural and political center of Thua Thien Hue province. The North of the city and the West borders Huong Tra town, the South borders Huong Thuy town, the East borders Huong Thuy town and Phu Vang district. It is located on both sides of the Huong River downstream, the north of Hai Van pass, 105 km from Da Nang, 14 km from Thuan An seaport, 14 km from Phu Bai international airport and 50 km from Chan May deep-water port. The natural area is 70.67 km² while the population in 2018 is estimated at 358,754 people. Hue City is an ideal place that links unique traditional cultural resources with tourism that no other city or landmark in this country has and is one of the 5 national tourist centers. Hue is located at the center of Vietnam's world cultural heritage sites and close to the ancient cities of regional countries. *The total number of households in Hue city is 68,880 households, in which the number of poor households is 3,305 households (accounting for 4.8%) with 13,761 people (data in 2017).*

B. Socio-economic situation of the affected households under DMS

47. Socio-economic survey (SES) was conducted in September 2019, especially to determine the socio-economic situation and poverty in terms of family income, ownership of assets, level of access to basic services and infrastructure and their views on the project. The survey was conducted for 26 households. Among them, Phu My Commune of Phu Vang District has the highest number of 19 surveyed households (61.3% of total AHs). The table below details the households surveyed by each commune.

Table 5: Number of affected households in SES

No.	Ward/Commune	No. of AHs	No. of HHs surveyed in SES	
			No.	%
	CW05			
1	Phu My	31	19	61,3%
2	Phu Duong	2	0	0,0%
	CW06			
3	Phu Da	17	2	11,8%
4	Vinh Xuan	3	0	0,0%
5	Loc Bon	4	3	75,0%
6	Thuy Phu	2	2	100,0%
	Total	59	26	44,1%

Source: SES September 2019

48. Below are survey results:

The age of affected household head:

49. The majority of the age of the household head is between 41 and over, with 53.8% of the household head aged over 60, followed by 42.3% from 41-60. The age of 40 and under accounts for a very small proportion of only 3.8%. There is no household headed by under 21 households. Specific age is as follows:

Table 6: Age group of affected household heads

Item			Package		Total
			CW05	CW06	
Age of household head divided by intervals	Under 21	No.	0	0	0
		%	0.0%	0.0%	0.0%
	21-40	No.	0	1	1
		%	0.0%	100.0%	3.8%
	41-60	No.	10	1	11
		%	52.6%	14.3%	42.3%
	Over 60	No.	9	5	14
		%	47.4%	71.4%	53.8%
Total		No.	19	7	26
		%	100.0%	100.0%	100.0%

Education level:

50. 34.6% heads of households with secondary education, 23.1% with high school level, 15.4% with primary school level. Especially, there are 2 household headers (7.7%) graduated from university. In the survey, there were also 5 members who cannot read or write.

Table 7: Education level of affected household heads

Item			Package		Total
			CW05	CW06	
Education level	Illiteracy	No.	2	3	5
		%	10.5%	42.9%	19.2%
	Primary	No.	3	1	4
		%	15.8%	14.3%	15.4%
	Secondary	No.	8	1	9
		%	42.1%	14.3%	34.6%
	High school	No.	5	1	6
		%	26.3%	14.3%	23.1%
	Higher Education	No.	1	1	2
		%	5.3%	14.3%	7.7%
Total		No.	19	7	26
		%	100.0%	100.0%	100.0%

Source: SES September 2019

51. **Household scale:** about 4.4 people / household. The household with the most members was 8 people and the least number of members was 1 people. The number of male members in the family (2.4 persons / household) was higher than that of female members (2 people / household). In the households, about 2.8 people are currently working with salaries. The median age of household head is about 62 years old.

Table 7: Number of the family members

Item			Package		Total
			CW05	CW06	
Number of family members	1	No.	1	1	2
		%	5.3%	5.3%	10.5%
	2	No.	1	0	1
		%	5.3%	0.0%	3.8%
	3	No.	1	1	2
		%	5.3%	14.3%	7.7%
	4	No.	4	1	5
		%	21.1%	14.3%	19.2%
	5	No.	2	1	3
		%	1.1%	2.0%	0.7%
	6	No.	5	2	7
		%	26.3%	28.6%	26.9%
	7	No.	3	1	4
		%	15.8%	14.3%	15.4%
	8	No.	2	0	2
		%	10.5%	0.0%	7.7%
Total		No.	19	7	26
		%	100.0%	100.0%	100.0%

Source: SES September 2019

52. 88.5% of surveyed households think that the main occupation of the household heads is agriculture and followed by 7.7% from hired labor. Households all claimed that their main source of income is from two main sources: agriculture (92.3%) and hired labor (46.2%). 65.4% said that both spouses are the main source of income in the family, followed by 23.1% of the source of income from children.

Table 8: Main occupation of the affected household heads

Item			Package		Total
			CW05	CW06	
Number of family members	Agriculture/Forestry	No.	18	5	23
		%	94.7%	71.4%	88.5%
	Freelance/hired labour	No.	0	0	0
		%	0.0%	0.0%	0.0%
	Regular salary	No.	0	0	0
		%	0.0%	0.0%	0.0%
	Trading	No.	0	0	0
		%	0.0%	0.0%	0.0%
	Allowance	No.	1	1	2
		%	5.3%	14.3%	7.7%
	Other	No.	0	1	1
		%	0.0%	14.3%	3.8%
Total		No.	19	7	26

	%	100.0%	100.0%	100.0%
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Source: SES September 2019

53. Spending and income: The expenditure of households was about 11.1 million VND / household and the income was about 12.5 million VND / household / month. Expenditure accounted for about 88.4% of total household income. Average income / person / month was about 2.5 million VND. Survey results showed that Thuy Phu was area with higher income level than other wards/communes. Specifically, spending and income in the wards/communes are as follows:

Table 9: Income and spending of the households

Location		Number of members / household	Spending / household / month	Income / household / month	% of Expenditure / income	Spending / person / month	Income / person / month
Phu My	Mean	5.2	11,250,000	12,813,000	87.8%	2,159,000	2,459,000
	No.	19	19	19			
Phu Da	Mean	5.5	12,250,000	13,000,000	94.2%	2,227,000	2,364,000
	No.	2	2	2			
Loc Bon	Mean	3.3	7,167,000	7,833,000	91.5%	2,150,000	2,350,000
	No.	3	3	3			
Thuy Phu	Mean	5.5	14,250,000	16,500,000	86.4%	2,591,000	3,000,000
	No.	2	2	2			
Total	Mean	5.0	11,086,577	12,536,385	88.4%	2,205,000	2,494,000
	No.	26	26	26			

Source: SES September 2019

54. 80.8% households currently live in grade IV houses, 19.2% of households currently live in one-story houses with flat roofs / tiles (2 households in Phu My Commune, 2 in Thuy Phu Commune and 1 in Loc Bon Commune). There is no household who living in a temporary farm or a temporary house.

55. 100% households have televisions, 96.2% have refrigerators, 92.3% have motorbikes, 69.2% have phones, 34.6% have water heaters, 23.1% have air-conditioners and 1 household has computer. In the survey, no households have a car.

56. 100% surveyed households use tap water. All rated the tap water is good quality and they are used for eating, drinking, bathing and washing clothes. By the way, 1 household uses water from dug wells and drilled wells to water plants as well.

57. 100% affected households are currently using toilets / semi-septic toilets. Household wastewater such as food, bathing and washing of households is mainly discharged / absorbed into their gardens or rivers, canals. Most do not have a drainage system.

IV. INFORMATION DISEMINATION, CONSULTATION AND PARTICIPATION IN COMMUNITY ACTIVITIES

A. Objectives of consultation and information dissemination

58. The dissemination of information, consultation and participation in community activities

aims to: (i) Provide timely and complete information about the project as well as its components and activities; (ii) Collect information on the needs and aspirations of the affected people and communities as well as their responses to the proposed policies and activities; (iii) Receive cooperation and participation in expected activities related to the preparation and implementation of the RP plan; (iv) Ensure that the affected people will be involved in identifying, discussing and solving issues that directly affect their income and life; (v) Ensure transparency in land acquisition, compensation payment and other related activities.

B. Information dissemination

59. With the above objectives and at the request of ADB, HueWACO / PMU has helped CPCs to disseminate information from the beginning and during project preparation and implementation.

60. A series of information dissemination activity has been carried out since the early phase of the project in 2019 and was continued in the DMS and SES activities in 2019. The mentioned information in consultation meetings, the information detailed design and impacts of project were disseminated during this period. Approved RP will be publicly disclosed to local authorities, affected households as well as other project beneficiaries through meetings run by CPCs. In addition, after approval, this RP will be posted on ADB website. Any amendments to this RP will be re-disseminated to affected people, local authorities and posted on ADB's website.

61. APs will be informed in advance of resettlement activities including: (i) consultation meetings on project scale, site clearance and construction plan; (ii) results of detailed measurement surveys; (iii) list of eligible DPs and rights to compensation; (iv) compensation levels and volumes; (v) payment of compensation and other assistance and (vi) other items such as grievance redress mechanism. All notices are made public at the Commune People's Committee offices or other easily accessible locations. Letters, notices or information sheets will be delivered personally to the affected subjects; and be informed on the radio.

1. Consultation and participation in community activities in the stage of preparation RP

62. Consultation and community participation meetings are conducted throughout the entire project implementation process, including planning, design, implementation and monitoring. The objective of the consultation and community participation meetings is to build and maintain liaison between PMU, stakeholders and affected people to ensure their views and concerns. It is noted that during the project planning and implementation process, it helps minimize negative impacts and bring many benefits.

63. The opinions and grievances of affected people are considered in consultation meetings. Consultation results and information dissemination related to entitlements, compensation and support are recorded and included in this RP Plan in the Annex "Community consultation minutes".

64. Consultation meetings were conducted with the following main contents:

- (i) Design feasibility (project characteristics, project location, work items);

- (ii) Disseminate the resettlement policy of the project and compensated and officially supported people;
- (iii) Project implementation plan;
- (iv) Compensation, support and benefit plan for APs;
- (v) Consultation on replacement cost.
- (vi) Consultations on the influence and impact of the project on the APs.
- (vii) Impacts on vulnerable groups and rehabilitation and support measures;
- (viii) Grievance redress mechanism;
- (ix) Collect opinions / views on other issues;
- (x) Gender issues of project (job requirement and fair paying for female labours, etc.)
- (xi) Agree with local authorities, village heads, heads of large organizations and affected families on their issues and views at meetings.

65. At all of these consultation meetings, local authorities, communities and families at risk of being affected agreed on the implementation of the project. All meeting participants are aware of the benefits that the project will bring and they will actively participate in the project implementation.

66. Information of detailed design (general information of subproject consists of location and scope of construction of the project), impacts of project and project implementation schedule were disclosed during DMS duration. This information as well as compensation plan and DMS result will be disclosed to each AH by the local authorities through the meetings organized by CPCs with the participation of PMU staffs.

67. In the RP, information disclosure and consultation / interview with 271 people of which 157 men (accounting for 57.9%) and 114 women (accounting for 42.1%) were carried out, in which 13 of AH heads participated in the consultation meetings. Specific meetings are as follows:

Table 11. Information about consultation meetings

District	Commune	Date	Number of participants			Summary feedback/opinion of participants
			Total	Male	Female	
Hue	An Dong	9/1/2019	7	3	4	<ul style="list-style-type: none"> • Agree with compensation policy of project and agree with compensation unit price issued by HueWACO/PMU; • All affected HHs agree to receive compensation and assistance in cash in accordance with the project's
	An Cuu	9/1/2019	26	17	9	
	Truong An	11/1/2019	55	35	20	
	Phuoc Vinh	24/1/2019	25	13	12	
Phu	Vinh Xuan	3/1/2019	12	6	6	

Vang	Phu Da	9/1/2019	10	6	4	<p>policy;</p> <ul style="list-style-type: none"> • Ensure the participant of female in resettlement activities at least 40%; • Ensure security as well as environment during the construction; • Affected households must be informed of resettlement implementation as soon as possible - at least 3 months prior to the resettlement - so they can set up their own plan to reproduce on the affected land; • Require contractor to restore the site to its original status after construction; Construction activities must be implemented quickly in consistent with the schedule; • Propose to be employed by contractor to do suitable work during the construction process.
	Phu Duong	31/1/2019	7	5	2	
	Phu An	31/1/2019	6	2	4	
Phu Loc	Loc Bon	26/1/2019	34	2	12	
Huong Thuy	Thuy Thanh	10/1/2019	15	7	8	
	Thuy Duong	11/1/2019	31	18	13	
Phong Dien	Phong Chuong	21/1/2019	20	12	8	
	Phong Binh	22/1/2019	23	11	12	
	Total	13	271	157	114	
	%		100%	57,9%	42,1%	

2. Consultation meetings and community activities in the implementation phase of RP

68. During the RP implementation period, HueWACO / PMU together with CPCs, must notify all affected families or people and other beneficiaries through various means such as through workshops and other forms of consultation meetings so that all of these people can participate. In these activities, participants have the opportunity to provide comments or feedback on the project's specifications, impacts and remedies, as well as resettlement plans and compensation expected.

69. Local people must be entitled to supervise and comment on the project's construction activities as well as RP implementation. Representatives of affected households and beneficiaries can join the Commune Supervisory Board (CSB) to directly supervise the project implementation process. They can also raise their reflection if they detect illegal or unreasonable actions of contractors and project implementers during RP implementation in particular and project implementation process in general based on the project grievance redress mechanism outlined later in this RP.

V. GREIVERANCE REDRESS MECHANISM

70. In order to ensure that people's complaints and denunciations on land acquisition, compensation and resettlement are resolved promptly and effectively, a detailed and grievance redress mechanism is needed and agreed at consultation meetings. People can send their questions and grievances to agencies that exercise rights related to compensation, compensation policies, compensation prices, land acquisition, resettlement, allowances and income restoration assistance. In addition, people do not have to pay any costs to resolve complaints and accusations at any level or court. The grievance of the people will be heard through three (03) levels starting at the commune level, to the district level, then the provincial level before filing with the Court - the last place to conduct the arbitration. The project executing agency (EA) will bear all the costs related to administrative and legal procedures in settling complaints or disputes.

71. Below are levels / stages of grievance resolution for project based on Law on Complaint No. 02/2011 / QH13 on November 11, 2011 of the National Assembly:

- ◆ **Phase 1, Commune People's Committee (CPC):** A person can appeal in writing or present directly to any CPC staff, either through a village head or directly to the CPC. These people are responsible for informing the CPC about the grievances received. The CPC will then meet the complainant and have 30-60 days to handle the case; however, the quick or slow resolution also depends on the complexity of the case or geographical distance. The CPC secretary must keep all complaints filed.
- ◆ **Phase 2, District People's Committee (DPC):** If after 30 - 45 days (remote areas), the complainant has not received a response from the CPC, or is not satisfied with the CPC's decision on his appeal, he can apply to a higher level which is the District People's Committee (DPC). DPC will have 30-70 days to handle the case, depending on the complexity or geographical distance. DPC must keep all complaints filed and notify the Land Fund Development Center (LFDC) of the settlement results and the LFDC must help DPC resolve the grievances for the people. DPC must ensure that complainant is informed of the outcome of their actions.
- ◆ **Phase 3, Provincial People's Committee (PPC):** If after 30 - 45 days (in remote areas), the complainant has no information on the result of handling from DPC, or is not satisfied with the handling results, he can apply to the PPC. The PPC has 30-70 days to handle the case in the most satisfactory way, depending on its complexity or remote geography. PPC must also save all complaints filed.
- ◆ **The final stage, the Court:** If after 30 days, the complainant still does not receive the results of the handling, or is not satisfied with the results, then he can go to the PPC office again to continue the complaint. If the complainant is still not satisfied with the second outcome of the PPC, they can apply to the Court for a trial. If the Court supports the complainant, the PPC must increase the level of compensation as decided by the Court. If the Court supports the PPC, the complainant must agree to receive compensation under the PPC's regulations.

72. The above grievance redress mechanism must be public and disseminated to all affected people at consultation and information dissemination sessions to ensure everyone understands and agrees with the procedures and the grievance process. The PMU must monitor the progress of grievance resolution. Complaints must be resolved in accordance with local laws and regulations. During this period, due to complaints being pending, compensation and allowances must be deposited into the escrow account until all parties are satisfied with the outcome. In addition, it must be ensured that the above procedures will not prevent people from seeking resolution from the court or other competent authorities to handle them.

73. Affected households may lodge a complaint in writing directly to the Southeast Asia Department via Vietnam Resident Mission Office in Hanoi. If the affected household is still not satisfied with the Southeast Asia Department's response and only as a last resort, the affected household may access ADB's Accountability Mechanism: <https://www.adb.org/site/accountability-mechanism/main>.

VI. LEGAL AND POLICY FRAMEWORK TO GUARANTEE BENEFITS

74. The legal and policy framework for addressing project impacts on resettlement is issued in accordance with relevant policies and laws of Vietnam and the Compulsory Resettlement Policy of ADB (SPS 2009). In this section, relevant policies and laws of Vietnam, including those of Thua Thien Hue Province and those of ADB, are outlined, if there is a discrepancy (between Vietnamese and ADB), it is necessary to establish and apply policies and principles to the project.

A. Legal basis of the Government of Vietnam

75. The Vietnamese Government's legal framework: Vietnamese Government Laws, Decrees, and Regulations on land acquisition, compensation, resettlement and ethnic minorities include:

- i. Land Law 2013 (No. 45/2013 / QH13) dated 29 November 2013;
- ii. Decree No. 01/2017/ND-CP dated 06 January 2017 of the Government on amendments to the decrees on the implementation of the Land Law;
- iii. Decree No. 34/2016/NĐ-CP dated 14 May 2016 of the Government detailing a number of articles of, and providing measures for implementing, the Law on promulgation of legal documents;
- iv. Decree No. 135/2016/NĐ-CP dated 09 September 2016 of the Government on amendments and supplements to a number of articles of decrees on land levy, land and water surface rents;
- v. Decree No. 16/2016 / ND-CP on management and use of official development assistance (ODA) and concessional loans from foreign donors;
- vi. The Constitution of the Socialist Republic of Vietnam (2013) confirms that all citizens have the right to own and be protected of house ownership;
- vii. Decree 43/2014 / ND-CP dated 15 May 2014 guiding the implementation of the 2013 Land Law;

- viii. Decree 44/2014 / ND-CP dated 15 May 2014 on regulations on land prices.
- ix. Decree No. 45/2014/NĐ-CP dated 15 May 2014 of the Government providing the collection of land use levy;
- x. Decree No. 46/2014/NĐ-CP dated 15 May 2014 of the Government on regulations on collection of land rent and water surface rent;
- xi. Decree 47/2014 / ND-CP dated May 15, 2014 of the Government of Vietnam providing for compensation, support and resettlement when the State recovers land;
- xii. Decree No. 14/2014/NĐ-CP dated 26 February 2014 of the Government stipulating in detail the implementation of electricity law regarding electricity safety;
- xiii. Circular No. 23/2014/TT-BTNMT dated 19 May 2014 of Ministry of Natural Resources and Environment providing for certificate of land use right, house ownership and other properties associated with the land;
- xiv. Circular No. 24/2014/BTNMT dated 19 May 2014 of Ministry of Natural Resources and Environment defining cadastral dossiers;
- xv. Circular No. 25/2014/BTNMT dated 19 May 2014 of Ministry of Natural Resources and Environment defining cadastral maps;
- xvi. Circular No. 27/2018/TT-BTNMT dated 14 December 2018 of Ministry of Natural Resources and Environment defining statistics, control of land and development of Land Use Status Quo Map;
- xvii. Circular No. 29/2014/BTNMT dated 02 June 2014 of Ministry of Natural Resources and Environment detailing land use planning and adjustment;
- xviii. Circular No. 30/2014/BTNMT dated 02 June 2014 of Ministry of Natural Resources and Environment on applications for land allocation, lease, repurposing and expropriation;
- xix. Circular No. 36/2014/TT-BTNMT dated 30 June 2014 of Ministry of Natural Resources and Environment on land pricing method; compilation of and adjustment to land price lists; determination of specific land prices and consultancy on land pricing;
- xx. Circular No. 37/2014/TT-BTNMT dated 30 June 2014 of Ministry of Natural Resources and Environment detailed regulations on compensation, support, and resettlement upon land expropriation by the state;
- xxi. Decision No. 1956/2009/QĐ-TTg dated 17 November 2009 of the Prime Minister Approving the scheme on vocational training for rural laborers up to 2020;
- xxii. Decision No. 63/2015/QĐ-TTg dated 10 December 2015 of the Prime Minister on policy on assistance in vocational training and job search for workers whose land is withdrawn by the state;
- xxiii. Decision 775 / QĐ-TTg dated 20 May 2013 of the Prime Minister approving policies to support residential land, production land and daily-life water for poor ethnic minority and poor households in extremely difficult communes and villages.
- xxiv. Decree 75/2015 / ND-CP of 09 September 2015 of the Government of Vietnam on mechanisms and policies on forest protection and development in association with rapid and sustainable poverty reduction policies and supporting people ethnic minorities period 2015 - 2020.

76. Regarding the regulation on land acquisition of Thua Thien Hue province, the People's Committee of Thua Thien Hue Province has issued Decisions, compensation letters, and support for resettlement policy when the State acquired residential land in Thua Thien Hue Province. as follows:

- i) Decision No. 75/2014 / QĐ-UBND dated December 22, 2014 of the People's Committee of Thua Thien Hue province promulgating the land price list in Thua Thien Hue province, applying for a period of 5 years (2015-2019);
- ii) Decision No. 68/2015 / QĐ-UBND dated December 22, 2015 of the People's Committee of Thua Thien Hue province promulgating unit prices of houses, structures, architectural objects and graves as a basis for compensation and support when State recovers land in Thua Thien Hue province;
- iii) Decision No. 82/2017/QĐ-UBND dated 22 September 2017 of the People's Committee of Thua Thien Hue province promulgating unit prices of plants, animals as basis for compensation and support when State recovers land in Thua Thien Hue Province;
- iv) Decision No. 11/2015 / QĐ-UBND dated March 10, 2015 of the People's Committee of Thua Thien Hue province defining quota for land allocation, recognition of land use rights, transfer of agricultural land use rights to households and individuals in Thua Thien Hue province;
- v) Decision No. 53/2017/QĐ-UBND dated 27 July 2017 of the People's Committee of Thua Thien Hue province amending and supplementing at land price list in Thua Thien Hue Province, applying for a period of 5 years (2015-2019) attached to Decision No. 75/2014/QĐ-UBND dated 22 December 2014 of the People's Committee;

B. Policy of Asian Development Bank

77. Compulsory resettlement policy (SPS 2009): Including physical relocation (relocation and loss of residential land or displacement) and economic relocation (loss of land, assets, income sources, or means of business) as a result of (i) required land acquisition, or (ii) enforcement of land use or access to protected areas or legally designated areas regardless of whether these losses or enforcement are only in whole or in part, permanent or temporary.

78. Projects financed by or administered by ADB must adhere to the following principles:

- i. Early screening of resettlement impacts and risks and identifying the scope of resettlement plans through surveys and / or census on displaced people, including gender assessments related to the impacts and risks of resettlement.
- ii. Conduct consultations with displaced persons, communities and relevant non-governmental organizations. Inform all displaced persons about their entitlements as well as resettlement options and ensure they are involved in the different stages of the project, especially for vulnerable groups and the poor. Establish grievance redress mechanism to address the concerns of displaced persons. Supporting social and cultural organizations

of displaced subjects.

- iii. Improve or at least restore livelihoods of all displaced people through (i) compensate with land or cash if the livelihoods of affected people rely on their land, support based on the value of land compensation if the loss of land does not affect the livelihood, (ii) quickly compensate for assets with equal or better assets, (iii) quickly compensate and fully support the costs of non-recoverable assets, and (iv) additional revenue and services through benefit-sharing mechanisms if possible.
- iv. Provide necessary support for physical and economic displaced persons, including: (i) if relocation, ensure land tenure and better housing in resettlement areas with opportunities for equivalent employment and production, and resettled people must integrate into the new community both economically and socially; (ii) transition and development assistance such as land development, credit lending, training or employment opportunities; and (iii) infrastructure and community services as required.
- v. Improve living standards at least according to national standards for poor and vulnerable displaced people including female headed households. In rural areas, people must be able to access and be able to legally buy land and other sources. In urban areas, people must be supported with reasonable income and be able to afford houses.
- vi. Develop processes in a transparent, consistent and fair manner if land acquisition is resolved through negotiation to ensure that the participants in the negotiation maintain their income or livelihood, or even better than before².
- vii. Ensure that displaced persons do not own land or legal rights to land, are provided with resettlement or compensation for lost non-land assets.
- viii. Develop a resettlement plan based on the rights of displaced persons and plans of livelihood and income restoration, organizational arrangement, monitoring and reporting framework, funding, and implementation according to committed time.
- ix. Disclosure of resettlement plan (draft and official version) in an easy-to-understand language and format for relocated subjects and related subjects.
- x. Awareness and implementation of forced resettlement as part of a development project or program. The presentation of project costs and profits must fully reflect the costs of resettlement. For a project where involuntary resettlement causes significant impacts, the compulsory resettlement component should be considered as an independent activity.
- xi. Payment of compensation and other entitlements for physical relocation prior to physical and economic relocation. Strict monitoring of resettlement plan is implemented during

² ADB involuntary resettlement safeguards are applicable to negotiated settlements if expropriation would result upon the failure of negotiations. Negotiated settlement should be based on meaningful consultation with affected persons, including those without legal title to assets. In doing so, the borrower is required to offer adequate and fair price for land and/or other assets. The borrower is also required to engage an independent external party to document the negotiation and settlement processes. Refer to paragraph 25, Appendix 2 (involuntary resettlement) of ADB SPS (2009).

project implementation.

- xii. Monitor and evaluate the results of resettlement and the impact of relocation on the lives of displaced people and assessing whether the resettlement plan meets the set goals by considering the basic conditions and results of resettlement monitoring. Publication of monitoring reports.

79. The full compensation cost is calculated based on the following factors: (i) state promulgated unit price at the time of compensation; (ii) transaction costs; (iii) accrued interest, (iv) relocation and restoration costs; and (v) other applicable payments, if any. When calculating, the structures will be compensated at the state promulgated cost without deduction of the value of salvageable objects. The valuation of recovered assets should be consulted by experienced consultation.

80. Individuals or households who do not have legal ownership of the land acquired will still be compensated for the loss of non-land assets, such as houses or structures renovated on land at full replacement cost, provided they have occupied or used the land or structures on the acquired land prior to the date of notice of relocation.

C. Reconciliation of Government of Vietnam and ADB Policies on Resettlement

81. The similarity between the regulations of the Government of Vietnam and the ADB Policy is the rights that people enjoy and the legal ownership. Current regulations provide guidelines for (i) the determination of replacement unit prices and the amount of compensation and support for different types of assets; (ii) land compensation and cash compensation support plan; (iii) support for relocation during the relocation period; (iv) provision of land and houses with land use rights certificates; (v) additional support for severely affected and vulnerable households; (vi) support training and livelihood restoration; and (vii) information disclosure, consultation and grievance redress mechanism.

82. The 2013 Land Law (No. 45/2013 / QH13) promulgates regulations on information disclosure (article 67) and publishes compensation plans for affected people (Article 69). Accordingly, affected individuals will be notified at least 90 days in advance for agricultural land and 180 days in advance for non-agricultural land before land restoration. Compensation plan must be disseminated to the affected people and published at the commune People's Committee office before submitting for approval.

83. However, the ADB Policy does not consider cases where there is no legal right to the acquired land so it is considered as an obstacle to receiving compensation for non-land assets and recovery allowances. The fact that affected subjects do not register their business also hinders the receipt of support for livelihood restoration. ADB policy requires that negotiation and resolution on documents be done by an independent external organization.

84. Policy framework and regulations to address the resettlement impacts of the "Thua Thien Hue Water Supply Project (Items: Additional Pipelines)" was established on the basis of policies and Relevant laws of Vietnam and ADB Policy Statement (SPS 2009).

85. Decree 16/2016 / ND-CP on the management and use of official development assistance (ODA) capital and concessional loans from foreign donors stipulates that the compensation, support and resettlement in the implementation of programs and projects comply with current law and international treaties on ODA and concessional loans to which the Socialist Republic of Vietnam is a signatory. In cases where there is a difference between the provisions of domestic law and the signed international treaty on the same issue, the provisions of that treaty prevail.

86. Due to differences between the Vietnam Policy and the ADB Policy, a project policy framework is needed to ensure that those differences are agreed. The table below shows the differences and presents the policies that address the differences.

87. With the issuance of the 2013 Land Law, including Decree 47/2014 / ND-CP, Decree 43/2014 / ND-CP and Decree 44/2014 / ND-CP, State policies and regulations implementation has been agreed with ADB Policy on Compulsory Resettlement (SPS 2009). However, there is still a big gap between the forced resettlement and the policies of the ADB.

88. Below is a table comparing ADB's Policy (SPS 2009) with the Government Policy on Compulsory Resettlement, and regulations for implementation of project resettlement issues.

Table 12: Differences between domestic laws, ADB policies (2009) and Project policies

Main issues	Land Law 2013, ND 47/2004 / ND-CP, ND 44/2009 / ND-CP	ADB Policy SPS (2009)	Project policies
Severely affected Households (loss of productive land)	Decree 47/2014 / ND-CP, Article 19, Clause 3: The severely affected households are those who lose 30% or more of their agricultural land and are supported to recover their livelihoods.	The severely affected households are those who are displaced or lose 10% or more of their means of production (and	The severely affected households are those who lose 10% or more of their means of production.

Main issues	Land Law 2013, ND 47/2004 / ND-CP, ND 44/2009 / ND-CP	ADB Policy SPS (2009)	Project policies
<p>Persons without land use certificates</p>	<p>Land Law 2013, Article 77, Clause 2 and Article 92: For agricultural land used before July 1, 2004, if the land user is a household or an individual directly engaged in agricultural production but does not have a certificate, compensation for the actual land area in use is applied and the compensated area must not exceed the agricultural land assignment quota. However, the properties associated with the land are not compensated for the following: (i) The property falls into one of the cases of land recovery stipulated at Points a, b, d, dd, e, i, Clause 1, Article 64 and Points b and d, Clause 1, Article 65 of this Law; (ii) assets created in contravention of law or created after the notice of land acquisition; and (iii) Socio-technical infrastructure and other construction works are no longer in use</p>	<p>Households who do not have a land use right or do not have a legal title still receive resettlement assistance and compensation for land-attached assets including houses, structures and land-related improvements such as crops and irrigation works with full replacement costs, if they had used them before being informed of the relocation.</p> <p>Safety measures include mandatory restrictions on land use or access to protected areas.</p>	<p>Affected people without land use certificate will still be consulted and enjoy the project's benefits if any and compensation for assets attached to land such as houses and structures that were used before they are notified of relocation. They will also be provided with resettlement and other compensation or social assistance to restore their former lives and income as before or higher</p>

Main issues	Land Law 2013, ND 47/2004 / ND-CP, ND 44/2009 / ND-CP	ADB Policy SPS (2009)	Project policies
Compensation for structures	<p>Land Law 2013, Article 89, Clause 1: Houses / structures for living activities will be compensated according to the state unit price.</p> <p>Decree 47, Article 9: Houses / structures for other purposes will be compensated at the equivalent of the residual value of the house plus a percentage of the current value but the total value of compensation must not exceed the value of a new house / structure.</p> <p>Land Law 2013, Article 92: Property attached to land illegally created or after a notice of land acquisition by the competent authority will not be compensated.</p>	<p>Compensation for acquired houses, land and assets will be based on the principle of replacement cost: i) market value, ii) transaction costs, iii) accrued interest, iv) relocation and restoration costs, v) other applicable payments.</p> <p>Structures built on land without land use right certificates prior to the notice of land acquisition will not be compensated.</p>	Compensation based on the state unit price in combination with AHs for all structures (including those built on LURC-free land before the notice of land acquisition) is not allowed to deduct depreciation of assets and salvaged materials.
Monitoring	Not required	It is requested to be monitored. In the event of a significant or sensitive impact, an external monitoring organization is required to perform RP monitoring	Project implementation agencies are responsible for monitoring RP. The expected negative impacts from the project are not significant. There is no need to hire external experts to conduct monitoring

Main issues	Land Law 2013, ND 47/2004 / ND-CP, ND 44/2009 / ND-CP	ADB Policy SPS (2009)	Project policies
Third-party evaluation of consultations related to land donation	Not required	The borrower must invite an independent third party to document the negotiation and resolution process to address publicly the false information and the overwhelming right of the parties involved in the transaction	In case of land acquisition in the project, HueWACO / PMU will check and report on the negotiation and settlement process. A written agreement signed by the land owner, witnesses and village heads will be attached to the RP.

VII. ELIGIBILITY, SUPPORT AND BENEFITS

A. Conditions for compensation

89. Conditions of compensation and support of the project are calculated based on the cut-off date. Means the date of project land acquisition announcement by competent agency. The AHs will be informed of the cut-off date for each project component, and any person who settled or assets created in the project area after the cut-off date will not be entitled to compensation and assistance under the project.

90. The cut-off date for compensation and support for households affected by the "Thua Thien Hue Water Supply Project (Items: Additional Pipelines)" is 24 August 2019 when HueWACO / PMU completes the DMS. The affected households will be informed about compensation and resettlement assistance. Notification of compensation and resettlement assistance will be posted at WPCs, village cultural houses and other easily accessible places.

91. DPs have been informed of the cut-off date, and any cases arising in the Project area after the cut-off date will not be compensated and / or supported under the Project. Principles and definitions for the cut-off date were discussed during consultation meetings with affected households and communities.

B. Compensation and support benefits

92. Compensation and support for specific impacts of the project and corresponding benefits for the project affected households are detailed in the table below.

Table 13: Entitlement matrix of households affected by the project

Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
A. AFFECTED LAND			
A.1. Affected agricultural land (temporary)			
Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC	Owning agricultural land affected by the project (9,565 m2 of crop land of 45 households and 2430 m2 shrimp pond land of 03 households)	(i) Households whose land will be affected will receive compensation and assistance for affected income/assets (applied for shrimp pond AHs with the assistance of 10 workdays of shrimp pond treatment / AH), and affected trees, crop (ii) The contractor will be responsible for restoring the land before returning it.	HueWACO / PMU is in charge of compensation, support the affected income, and at the same time supervise the restoration of the affected land.
A.2. RESIDENTIAL OR NON-AGRICULTURAL LAND IS AFFECTED			
No residential or non-agricultural land is affected in this project. Thus, compensation is not applied for this type of land.			
B. COMPENSATION FOR HOUSES AND STRUCTURES ON AFFECTED LAND			
B.1. Other constructions such as kitchens, toilets, barns, fences, foundations, etc.			
Owners of structures on the land recovered	The whole or part of the structure or other property is on the affected land of 02 households, including 20 m2 of cement concrete yard, 01 fish pond and 03 Barringtonias.	Cash assistance for remodeling of affected assets equal or better than the old situation.	Households whose structures are located on the affected land will be compensated regardless of whether they have a) land use right certificate OR b) construction permit or not. The cost to repair houses or structures will be negotiated with the affected households. Applying Decision No. 68/2015/QĐ-UBND dated 22 December 2015 and Decision No.

Entitled Persons	Type & Level Of Impact	Compensation Policy	Implementation Issues
			82/2017/QĐ-UBND dated 22 September 2017 of the People's Committee of Thua Thien Hue Province.
C. COMPENSATION OF CROPS AND TREES ON AFFECTED LAND			
Owners of crops and trees on the affected land	Damage of 9,565 m ² of crops for 45 households	If the trees are producing ripe fruit and cannot be harvested, they will be compensated in cash for the trees that have not yet been harvested at the market price based on the average output of the previous 3 years	Households with affected trees will be notified at least 3 months before the harvest season; and will be compensated regardless of whether or not they have a land use right certificate. Compensation will be calculated based on the highest yield of a crop of the previous 3 years. Applying Decision No. 82/2017/QĐ-UBND dated 22 September 2017 of the People's Committee of Thua Thien Hue Province.
	Damage of 100 fruit trees and 353 timber trees of 12 households.	Cash compensation is based on the market value of each type, age and value of the trees lying on the recovered land.	Compensation for damaged trees is calculated based on the age and diameter of trees. Affected households have the right to use the trees that can be taken advantage of. Applying Decision No. 82/2017/QĐ-UBND dated 22 September 2017 of the People's Committee of Thua Thien Hue Province.
D. ECONOMIC REHABILITATION SUPPORT PACKAGE			
<i>D.1. Support economic rehabilitation</i>			

Entitled Persons	Type &Level Of Impact	Compensation Policy	Implementation Issues
<i>No households under the project have permanent land acquisition. Thus, economic recovery assistance is not applicable to this project.</i>			
<p><i>D.2. Special allowances for households vulnerable to socio-economic impacts</i></p> <p>Vulnerable Affected households are those who are: (i) headed by persons with disability, (ii) falling under the national poverty standard, (iii) an elderly single-headed household (iv) under the state beneficiary, (v) woman headed with dependent and (vi) ethnic minorities.</p> <p>There is a total of 07 vulnerable households under the project. However, no household has permanent land acquisition. HueWACO/PMU proposed to support for vulnerable households for their temporary impacts by the assistances of 2.000.000 VND/household in cash.</p>			

VIII. INCOME RESTORATION PROGRAMME

93. Socio-economic survey, community consultation and direct interview on socio-economic conditions and types of support were conducted on 59 households. None of the households was seriously affected. These activities were organized by HueWACO / PMU in September 2019 with the support of WPCs where the project was implemented;

94. According to the results of the socio-economic survey and community consultation, no household would be severely affected by the project implementation. The interviewed households said that the project implementation does not affect their livelihoods much because the project is implemented in a short time, and there is no permanent land acquisition. Therefore, there is no need to design an Income Recovery Strategy for SP.

IX. ESTIMATION AND BUDGET FOR RESETTLEMENT

A. Budget sources

95. The budget for the implementation of the RP will be funded from the counterpart fund of HueWACO / PMU. HueWACO / PMU will provide counterpart funds for implementation of compensation and resettlement, which will be included in the total investment of the Project.

96. HueWACO / PMU will apply the disbursement of land acquisition, support and resettlement of the project through District Land Fund Development Center (District Compensation and Clearance Committees), these units will directly pay to affected households of the project.

B. Study of replacement cost and compensation for affected assets

97. As the requirement of ADB Policy on Involuntary Resettlement, a replacement cost survey (RCS) should be conducted as a basis for calculating the replacement cost for all impacts on land and assets on affected land by the project.

98. The important objective of the RCS is to ensure that the unit price for calculating compensation for all affected assets is the replacement cost. This objective will be achieved through an intensive market survey and / or factors such as production capacity, equivalent factors, value of replacement assets, the disadvantage of affected people, etc. concurrently compare and assess the unit prices that the provincial People's Committee has issued.

- Define the land price at RCS time.
- Define the price of plants and crops at RCS time.
- Define the price of materials and labour cost for house building and architectural objects at RCS time.

99. The replacement cost survey was carried out simultaneously in various ways such as households in the affected areas and nearby areas, local officials, real estate offices at the beginning of 2019, detail in the following ways:

- Directly interview with questionnaires with affected households and surrounding areas to collect information on market prices by land category and assets on land in the project area;
- Consultation with representatives of DOF, LFDC, DONRE, units of PPCs and communes / wards regarding land, asset, crop and tree prices;
- Consultation with some local construction companies in the area on unit price of construction and construction materials;
- Consultation with real estate offices and real estate websites at local for information.

Table 14: Proposed compensation price for land and assets

STT	Type of land/assets	Project area (Ward/Commune)	PPC's unit price (VND)	Surveyed unit price (VND)	Proposed unit price (VND)
I	Residential land	Not applicable due to no affected households	-	-	-
II	Agricultural land	Not applicable due to no affected households	-	-	-
III	Architectural objects				
1	Usual Concrete road and yard (m2)	Phu Da	440,000	440,000	440,000
2	Perennial trees (Barringtonias 15cm) (tree)	Phu Da	35,000	35,000	35,000
3	Fish pond (m3)	Thuy Phu	38,000	38,000	38,000
IV	Crops (m2)				
1	Rice	Phu Da, Phu My, Phu Duong	3,220	3,220	3,220
2	Spinach	Loc Bon	2,640	2,640	2,640
3	Citronella grass	Loc Bon, Thuy Phu	3,960	3,960	3,960
V	Trees				
1	Fruit trees				
1.1.	Small banana	Loc Bon	6,600	6,600	6,600
1.2.	Grown-up banana	Loc Bon	16,500	16,500	16,500
2	Timber trees				
2.1.	Acacia (Many different prices)	Phu Da, Vinh Xuan	14,520 – 48,310	14,520 – 48,310	14,520 – 48,310

STT	Type of land/assets	Project area (Ward/Commune)	PPC's unit price (VND)	Surveyed unit price (VND)	Proposed unit price (VND)
2.2.	Fragrant Rosewood	Phu Da	45,600	45,600	45,600
2.3.	Mint	Phu Da	48,310	48,310	48,310
2.4.	Bamboo	Phu My	18,480	18,480	18,480
2.5.	Neem tree	Phu My	21,120	21,120	21,120

100. Compensation cost for land as well as non-land assets were proposed according to the compensation prices of "Thua Thien Hue Water Supply Project" in 2017, in consultation with local authorities and 59 affected households in September 2019. Through consultation and surveys, the affected households all agreed with the proposed compensation rates.

C. Budget for resettlement

101. The cost of implementation of compensation, support and resettlement for the project includes:

- Compensation and support costs
- Implementation costs
- Provisional expenses

102. Compensation costs include: (i) compensation costs for structures and fish ponds, and; (ii) compensation costs for crops and trees. Support cost is the cost of supporting land restoration before returning (shrimp pond).

103. The implementation cost is equal to 5% of the total cost of compensation, support and temporary cost. The total compensation and support cost of the "Thua Thien Hue Water Supply Project (Items: Additional Pipelines)" is VND 89,062,945, equivalent to USD 3,766. The following is a summary of the costs mentioned above:

Table 15: Summary of compensation and support costs

No.	Type of cost	Amount (VND)	Note
A.	Compensation and support costs = A1 + A2	77,110,775	
A1	Compensation cost (1-4)	53,370,775	
1	Land compensation	-	
2	Compensation of structures and fish ponds	9,755,000	02 households
3	Compensation for crops	30,854,735	
4	Tree compensation	12,761,040	

A2	Subsidies (support for restoring shrimp ponds and for VAHs)	23,740,000	
1	Lime for shrimp surface treatment	2,240,000	03 households
2	Labor cost for shrimp pond treatment	7,500,000	03 households
3	Assistances for VAHs	14,000,000	07 households
B.	Implementation cost (5% xA)	3,855,539	
C.	Contingency (10% x (A + B))	8,096,631	
D.	Total (A + B + C) (VND)	89,062,945	
	Total (USD)	3,766	

X. INSTITUTIONAL ARRANGEMENT

A. Provincial People's Committee (PPC)

104. The Provincial People's Committee (PPC) will be overall responsible for resettlement activities within its administrative jurisdiction. The main responsibilities of the PPC include:

- (i) Carry out information campaign / project awareness on the project development to all relevant institutions and various administrative levels;
- (ii) Overall supervision of activities of HueWACO/PMU and relating parties during project implementation.
- (iii) Settle complaints and outstanding issues.

105. **B. District People's Committee (DPC):** District People's Committee (DPC) assigns Land Fund Development Centre (LFDC) for implementation of RP and redressing complaints and grievances of affected people;

106. LFDC in coordination with PMU implements project activities:

- (i) Public information disclosure and other documents to ensure that site clearance and resettlement procedures are understood by all affected people.
- (ii) Cooperation with HueWACO/PMU in planning and implementation of the Detailed Measurement Survey (DMS), prepare compensation plan.
- (iii) Support DPC and CPCs in grievances redress.

C. Ward/Commune People's Committee (WPC / CPC)

107. WPCs/CPCs will support HueWACO / PMU in implementing resettlement tasks. Specifically, the WPCs / CPCs is tasked:

- (i) Coordinate with HueWACO / PMU and the implementation group to discuss with the residents of the acquired land about land acquisition and inform and announce to them

the resettlement options related to compensation and support resettlement approved by DPC;

- (ii) Assign commune officials to help PMU prepare RP and carry out resettlement activities;
- (iii) Sign Minutes of agreement on compensation with affected households;
- (iv) Handle complaints and supporting DPC, PPC handling complaints.

D. Project management Unit (HueWACO/PMU)

108. HueWACO / PMU is tasked to prepare and ensure the implementation of the approved RP in coordination with WPCs/CPCs to implement compensation, assistance and resettlement. In particular, HueWACO / PMU will be responsible for the following:

- (i) Consult the socio-economic information of the project area;
- (ii) Consult with local authorities and communities on a number of issues prior to project implementation;
- (iii) Prepare and implement RP;
- (iv) Ensure that the counterpart fund is allocated enough for compensation and assistance;
- (v) Coordinate with LFDC and CPC to implement information dissemination activities and consultation with stakeholders;
- (vi) Support in resolving disputes;

XI. IMPLEMENTATION PLAN

109. HueWACO / PMU must ensure that contractors will not be allowed to carry out any works without completing compensation payment and relocation of affected households, and do not accept the works if the contractor has not completed restoration assistance for affected people and site clearance.

110. The project implementation plan for resettlement activities is shown in the following table, including (i) the completed activities for RP preparation; (ii) resettlement implementation activities; and, (iii) internal monitoring activities.

Table 28: Implementation plan

Activities	Time
Official RP is approved by ADB	4/2020
Uploading the RP to ADB and local websites	4/2020
Payment of compensation and assistance (including corrective action plan for 03 advance payment)	5/2020
Site clearance	5/2020
Bidding and awarding of construction and installation packages	5/2020

Starting construction and installation works	5/2020
Internal supervision of HueWACO / PMU	From 7/2020

XII. MONITORING AND EVALUATION

111. HueWACO / PMU is directly responsible for internal monitoring of RP implementation with the following objectives:

- (i) To verify that the project land acquisition plan has been implemented in the right direction, on time, in accordance with the policies and objectives of the project's land acquisition plan, and agreed.
- (ii) To assess whether the land acquisition plan achieves the project objectives and to what extent.
- (iii) To address problems or risks that may be encountered and measures to alleviate them immediately.

112. The main indicators of internal monitoring of resettlement activities are as follows:

- (i) Payment of compensation to displaced people at different levels according to the compensation policy agreed in the land clearance plan in which there is no discrimination on gender or ethnicity or any other factors.
- (ii) Consultancy and information dissemination procedures;
- (iii) Assistance to severely affected groups, if any.
- (iv) Restoration of special facilities, including local roads, domestic and public water sources.
- (v) Disputes and complaints, progress and results, including remedies.
- (vi) A set of dispute procedures and identification of outstanding issues to be addressed and resolved.
- (vii) The degree of attention to the priority of displaced persons in relation to the choices made.
- (viii) Coordinate and complete resettlement activities and decisions on civil engineering contracts and ownership notices.
- (ix) Personnel work, training, work plans and resettlement effectiveness.
- (x) Managing the use of site clearance expenses.

113. HueWACO / PMU will establish an internal resettlement monitoring system and prepare monitoring reports on all areas of land acquisition and resettlement activities of the project. Similarly, all relevant information will be collected from fieldwork to the RP implementation evaluation stage.

APPENDICES

Annex 1. Due Diligence Report for Advance Payment of 3 Affected Households under the H41 additional pipeline of Thua Thien Hue Water Supply Project (Additional items)

A. Background of the Project

A.1. Background of the Project

1. The improvement in the water supply system of Thua Thien Hue Province would support social, economic and environmental development of the Province, supporting trade and commerce, facilitating employment generation, and raising income levels in the project component areas and the Province as a whole. The Vietnam Water Sector Investment Program will support women and children as well as address full cost recovery of tariffs to achieve long term financial sustainability of the improvements.
2. The original components of Thua Thien Hue Water Supply Joint Stock Company (HueWACO), among other water supply companies (WSCs) under the Vietnam Water Sector Investment Program are; (i) constructing a WTP approximately 8,000 m³/day; (ii) constructing an approximately 40 km transmission pipeline D400-1,200; and (iii) constructing approximately 378 km distribution pipeline D40-355.³
3. The water supply and sanitation tranche-2 Subproject located in Thua Thien Hue Province (Subproject) is one of the six tranche-2 Subprojects of the Viet Nam Water Sector Investment Program to be implemented under the Loan Agreement No. 2961 - VIE (SF) between the Socialist Republic of Vietnam (GoV) and the Asian Development Bank (ADB).
4. In fact, the owners of the affected shrimp ponds locating at H41 pipeline is compensated during RP preparation. Therefore, the DDR was prepared as part of the RP to reflect compliance with ADB's policy on compensation for these affected households.

A.2. Project Description

5. This report is prepared for additional items of the Project: installation of ten additional pipelines with an additional length of 21.8 km (from over 700 km to roughly 730 km) with the diameter from D225 to D1200 at three water supply areas namely Phong Dien and Hue city.
6. **H41 additional pipeline.** Connecting LB6 D355 along Thuan Hoa street (ADB-financed pipeline) across lagoon to supply water for coastal communes Phu Dien, Vinh Xuan, Vinh Thanh and Vinh An with the population of 34,400 persons. The ending point of this pipeline is connected to D225 HDPE LB9-line of Vinh Xuan Commune, and it is located on the right side of Vo Phi Trang street with an average excavation depth of 1.35 m. The length of H41 part through shrimp pond is 425m.

Figure 1: H41 additional pipeline

³ Project Administration Manual (December 2012) <<https://www.adb.org/sites/default/files/project-document/75775/41456-033-vie-pam.pdf>>



B. Summary of Project Land Acquisition and Resettlement Impacts

7. **Impacts on land.** According to the DMS results, the project temporarily impacts 29,281.7 m² of land (including agricultural land, non-agricultural land, and public land). Including (i) 11,195 m² of cultivated land (9,565 m² of crop land of 45 households; 2,430 m² of aquaculture land (shrimp lake) of 03 households) and (ii) 18,086.7 m² of garden and public land. No household is severely affected by land acquisition. Therefore, support for livelihood restoration and income is not provided. Especially, the H41 additional pipeline will temporarily affect 8,748.8 m² of agricultural land (2,430 m² of shrimp pond included) in Phu Da and Vinh Xuan communes.

8. Socio-economic survey (SES) was conducted in September 2019, especially to determine the socio-economic situation and poverty in terms of family income, ownership of assets, level of access to basic services and infrastructure and their views on the project. The survey was conducted for 26 households (counting at 44.1% of total AHs).

C. Rationale for the Due Diligence Review

9. **Background.** The shrimp harvest was ended in November 2019. In this time, the heavy rain leads to decrease the salinity of pond water, so the shrimp raising has to be postponed during this period. New harvest will start in March 2020 (about 1 month after Tet holiday). Before March 2020, the owners will renew the ponds to prepare for new harvest (including clean, change the water, etc.). By executing the construction through shrimp ponds during this period, the impacts on shrimp ponds will be minimized. Advance payment has been paid to these 03 AHs in order to start the construction as soon as possible before starting new harvest while the resettlement plan (RP) for the Thua Thien Hue Water Supply Project (Additional items) has not been approved by ADB. This report describes the methodology of the due diligence review, its findings, recommendations and a time bound action plan to address shortcomings in the implemented resettlement process.

10. **Objectives.** The overall objectives of the DDR are to assess whether or not:

- Entitlements provided to affected households (AHs) were not downgraded than those stipulated in RP;
- Assets have been compensated at replacement cost; and
- Compensation and various forms of assistance have been provided to AHs.

11. Based on the assessment, the due diligence also involved development of corrective measures to address identified shortcomings in the land acquisition and resettlement activities carried out.

12. **Methodology.** Methods used during the Due diligence review were: desk review of all available documents including DMS 2019, resettlement plan, direct negotiation with affected households for current status of compensated objects and receipts of compensation payment of affected households.

D. Findings and Recommendations

13. **Scope of land acquisition and resettlement impacts.** Regarding the result of DMS 2019, 8,748.8 m2 of land of 20 AHs are affected by H41 additional pipeline, including (i) 6,318.8 m2 of annual cropland; and (ii) 2,430 m2 of aquaculture land.

14. 03 AHs who received advance payment are located in Phu Da Commune. H41 component of the project will require temporary acquisition of 2,430 m2 of the 03 households for aquaculture land. No residential land was affected. Among these 03 households, none is severely affected or belongs to vulnerable group.

15. **Negotiation for advance payment and construction.** The DMS for the Thua Thien Hue Water Supply Project (Additional items) was conducted from June 2019 to August 2019. After that, PMU made an advance value of compensation for 03 Ahs above. The total advanced compensation value is VND 9,740,000. PMU and consultant have coordinated with local authorities of Phu Da Commune to directly survey for the impacts and negotiate with 03 affected households to disseminate the compensation policies of the project and reach agreement with the AHs to install pipeline in the near future. The result of identifying current status of shrimp ponds for compensation is agreed by PMU, consultant, local authorities and owners (see the attached minutes)

16. The AHs received assistance and compensation for the affected shrimp ponds in advance. The advance amount paid to these 03 AHs is counted at 10.9% of total compensation for the project. The advance compensation amount in 2019 for each AH are summarized in the following table.

Table 2: Advance compensation amount for 03 AHs

No.	Package	Route	Name	Ward / Commune	Advance compensation amount
1	CW06	H41	Mai Anh Quang	Phu Da	3,480,000
2	CW06	H41	Tran Van Toan	Phu Da	3,060,000
3	CW06	H41	Tran Van Thang	Phu Da	3,200,000
Total					9,740,000

17. The compensations for assets on land of these households were calculated based on the unit prices issued by Thua Thien Hue PPC as per the Decision No. 68/2015/QD-UBND dated 22 December 2015 by PPC regulating unit prices of houses, structures, architectural objects and graves as a basis for compensation and support. The assistance is agreed between AHs and PMU at 10 workdays/AH for labor cost of shrimp pond treatment with the price of VND 250,000 each workday.

18. Comparison between the advance payment and entitlements of the AHs as per the above entitlement matrix and actual compensation are presented in the table below.

Table 3: Comparison between the entitlements of the AHs and actual advance compensation made in 2019

Eligible Persons	Category of Impacts	Entitlements as per project RP	Actual compensation
<p><u>Temporary impact of agricultural land</u></p> <p>Owners with LURC, owners in process of acquiring LURC, owners eligible to acquire LURC</p>	<p>Owning agricultural land affected by the project</p> <p>(03 AHs)</p>	<p>(i) Households whose land will be affected will receive compensation and assistance for affected income, and</p> <p>(ii) The contractor will be responsible for restoring the land before returning it.</p>	<p>Advance compensation for the affected land area as per the Thua Thien Hue PPC's issued-compensation unit prices.</p> <p>Advance assistance for 03 as negotiated is cost of lime for surface treatment and 10 workdays/AH.</p> <p>Site restored.</p>

19. By reviewing the above table, the entitlements at the time of preparing this RP, 03 AHs are fully paid comparing with the mentioned entitlements in RP, including support the lime cost for shrimp pond surface treatment, assistance as labor cost for treatment and properly site restoration.

20. PMU and consultant ensure the site restoration to meet the standards so the owners can reproduce on their land. The affected shrimp pond will be kept tracking until the next shrimp harvest begin for any issue arising from the construction. PMU and consultant is continuing the monitoring of the RP implementation and they will be reflected in the next monitoring reports.

BIÊN BẢN

Xác định hiện trạng hoa màu, vật kiến trúc để đền bù
Phục vụ thi công tuyến ống cấp nước sạch

Hôm nay, vào lúc giờ ngày tháng năm 2019, tại hiện trường thi công
Tuyến ống cấp nước sạch Thị trấn Đa Phước, chúng tôi gồm có:

1. Đại diện chủ đầu tư: Công ty Cổ phần và Cấp nước Thừa Thiên Huế:
Ông (Bà): Trần Văn Thọ Chức vụ: Phó Tổng Giám đốc Công ty
Ông (Bà): Tôn Thái Hà Chức vụ: Phó Giám đốc XNCN Hương Phú
Ông (Bà): Nguyễn Thanh Bình Chức vụ: Cán bộ GPMB
Ông (Bà): Chức vụ: Cán bộ

2. Đại diện Tư vấn Giám sát: Chức vụ:
Ông (Bà): Chức vụ:

3. Đại diện UBND Phường, (xã) cùng hộ gia đình :
Ông (Bà): Hồ Xuân Long Chức vụ: Phó Chủ tịch
Ông (Bà): Chức vụ:
Chủ hộ Ông (Bà): Mai Anh Quang Địa chỉ: Thôn Lương Thiện, xã Đa Phước

Các thành phần cùng tiến hành đo đếm số lượng hoa màu, vật kiến trúc (kể cả vùng bị ảnh hưởng) bị thiệt hại khi thi công tuyến ống cấp nước như sau:

Vườn trồng cây: Xứ Lũy một Hố Đầm = 700 kg
Cây, Xứ Lũy một Hố Đầm = 10 cây

Các thành phần đều thống nhất số lượng hoa màu, vật kiến trúc bị thiệt hại trên là đúng và được làm cơ sở để đền bù theo Quyết định số 68/QĐ-UBND ngày 22/12/2015 và Quyết định số 82/QĐ-UBND ngày 22/9/2017 của UBND tỉnh Thừa Thiên Huế.

Biên bản được đọc trước các thành phần cùng nghe và đồng ký tên.



Chủ đầu tư

Đ/D TVGS



UBND Phường (xã)

PHÓ TỔNG GIÁM ĐỐC
Trần Văn Thọ

Hồ Xuân Long

P. Trưởng Bộ phận

CB.GPMB

Chủ hộ

Tôn Thái Hà

Nguyễn Thanh Bình

Mai Anh Quang

SOCIALIST REPUBLIC OF VIETNAM
Independence - freedom - Happiness

MINUTES

Identify the current state of crops and architectural objects for compensation
Serving construction of clean water supply pipes

Today, at on 2019, at the construction site of 355 HDPE clean water pipeline in Phu Da Commune, we are:

Representative of Investor: Thua Thien Hue Water Supply JSC.:

Mr. (Mrs.): Tran Van Tho	Position: Deputy Director General
Mr. (Mrs.): Ton Thai Ha	Position: Deputy Director of Huong Phu Enterprise
Mr. (Mrs.): Nguyen Thanh Binh	Position: Site clearance staff

Representative of Supervision Consultant:

Mr. (Mrs.):.....	Position:
Mr. (Mrs.):.....	Position:

Representative of Phong Thu CPC with the household:

Mr. (Mrs.): Ho Xuan Long	Position: Vice President of CPC
Mr. (Mrs.):.....	Position:

Head of household:

Mr. (Mrs.): Mai Anh Quang	Address : Phu Da Commune
---------------------------	--------------------------

All members together measured the number of crops and architectural structures (including the affected areas) that were damaged during the construction of the water supply pipelines as follows:

Lime for shrimp pond surface treatment = 700kg
Labor cost for shrimp pond treatment = 10 workdays

.....
.....
.....

The members agreed that the amount of crops and architectural structures damaged was correct and used as a basis for compensation according to Decision No. 68 / QD-UBND dated December 22, 2015 and Decision No. 82 QD-UBND dated September 22, 2017 of Thua Thien Hue Provincial People's Committee.

This minutes is read in front of all members for them to listen and sign together.

Representative of Investor	Representative of Supervision Consultant	Representative of CPC
(Signed & Stamped)		(Signed & Stamped)

Tran Van Tho

Ho Xuan Long

.....

Head of Department

Site clearance staff

Head of Household

Signed

Signed

Signed

Ton Thai Ha

Nguyen Thanh Binh

Mai Anh Quang



Huế, ngày tháng năm 2019

BẢNG TÍNH CHI PHÍ ĐÈN BÙ HOA MÀU, VẬT KIẾN TRÚC

- Căn cứ vào Quyết định số 68/QĐ-UBND ngày 22/12/2015 và số 82/QĐ-UBND ngày 22/9/2017 của UBND tỉnh Thừa Thiên Huế "V/v ban hành đơn giá cây trồng, vật nuôi; đơn giá nhà ở, công trình kiến trúc làm cơ sở xác định giá trị bồi thường, hỗ trợ và tái định cư khi nhà nước thu hồi đất trên địa bàn tỉnh Thừa Thiên Huế"

- Căn cứ vào biên bản xác nhận tại hiện trường về hoa màu, vật kiến trúc lập ngày: tháng năm 2019 giữa Công ty và nhân dân có sự xác nhận của Chính quyền địa phương:

Chủ hộ: Nguyễn Hải Cường

Địa chỉ: Tôn Đức Thắng, thị trấn Phố Mới

Chi phí đền bù cụ thể như sau:

SỐ TT	Tên hoa màu, vật kiến trúc	ĐV tính	Khối lượng	Đơn giá (đồng)	Thành tiền (đồng)
1	Vườn rau, cây trồng	Cg	700	1.400	980.000
2	Công xứ lý hố tôn	Cg	10	250.000	2.500.000
3					
4					
5					
6					
7					
8					
9					
10					
*	Tổng cộng: 1.000				3.480.000

Bảng chữ: (Bảng chữ hoa màu, vật kiến trúc, công xứ lý hố tôn)



PHÓ TỔNG GIÁM ĐỐC
Trần Văn Thọ

Đ/D TVGS

Đ/D UBND Phường (xã)



Hồ Xuân Long

P. Trưởng Bộ phận

Người tính

Người nhận

Nguyễn Hải Cường

Nguyễn Thanh Bình

Mai Anh Dương



Hue, 14 March 2019

TABLE OF COMPENSATION AMOUNT FOR CROPS & ARCHITECTURAL OBJECTS

- Pursuant to Decision No. 68 / QD-UBND dated December 22, 2015 and No. 82 QD-UBND dated September 22, 2017 of Thua Thien Hue Provincial People's Committee on "Promulgating unit prices of plants and animals and houses and architectural works as a basis for determining the value of compensation, support and resettlement when the State recovers land in Thua Thien Hue province"

.....
- Based on the on-site confirmation report on crops and architectural objects made in 2019 between the Company and the people with the confirmation of Phong Thu CPC.

Household: Le Duc

Address: Luong Vien Hamlet, Phu Da Town

Specific compensation expenses are as follows:

No.	Name of crops and architectural objects	Unit	Quantity	Unit price (VND)	Total amount (VND)
1	Lime for shrimp pond surface treatment	kg	700	1,400	980,000
2	Labor cost for shrimp pond treatment	workday	10	250,000	2,500,000
3					
4					
5					
6					
7					
8					
9					
10					
*	Total:				3,480,000

In words: (Three million four hundred eighty thousand DONG)

Representative of Investor

Representative of Supervision Consultant

Representative of CPC

(Signed & Stamped)

(Signed & Stamped)

Tran Van Tho

Ho Xuan Long

Head of Department

Calculating Staff

Compensation Beneficiary

Signed

Signed

Signed

Ton Thai Ha

Nguyen Thanh Binh

Mai Anh Quang

Annex 2. Results of DMS 2019

Ward/Commune	District	No. of AHs	Members	Fruit tree (tree)	Timber tree (tree)	Crops (m2)	House (m2)	Other structures (m/m2/m3)	Ancillary Construction	Support of materials for shrimp pond restoration (kg)	Support of labour for shrimp pond restoration (workday)	Fish pond	VHs
CW05 Package													
Phu My	Phu Vang	31	136	45	35	2,790	0	0	0	0	0	0	6
Phu Duong	Phu Vang	2	12	0	0	1,716	0	0	0	0	0	0	0
CW06 Package													
Phu Da	Phu Vang	17	66	0	0	0	0	0	0	1,600	30	0	0
Vinh Xuan	Phu Vang	3	14	0	318	4,455	0	20	3	0	0	0	0
Loc Bon	Phu Loc	4	18	55	0	396	0	0	0	0	0	0	0
Thuy Phu	Phu Loc	2	11	0	0	208	0	0	0	0	0	1	1
	Total	59	257	100	353	9,565	0	20	3	1,600	30	1	7

Annex 3. Summary of affected households

No.	Package	Route	Name of affected household	Ward / Commune	District / City	Year	Note
1	CW06	H41	Ho Sy Lap	Vinh Xuan	Phu Vang	2019	
2	CW06	H41	Le Van Khue	Vinh Xuan	Phu Vang	2019	
3	CW06	H41	Vuong Hong	Vinh Xuan	Phu Vang	2019	
4	CW06	H41	Phan Van Xuat	Vinh Xuan	Phu Vang	2019	
5	CW06	H41	Phan Huu Dong	Vinh Xuan	Phu Vang	2019	
6	CW06	H41	Phan Van Sinh	Vinh Xuan	Phu Vang	2019	
7	CW06	H41	Dinh Nhu Sang	Vinh Xuan	Phu Vang	2019	
8	CW06	H41	Phan Tron	Vinh Xuan	Phu Vang	2019	
9	CW06	H41	Phan Khoi	Vinh Xuan	Phu Vang	2019	
10	CW06	H41	Phan Thoang	Vinh Xuan	Phu Vang	2019	
11	CW06	H41	Phan Thi Giang	Vinh Xuan	Phu Vang	2019	
12	CW06	H41	Nguyen Thi The	Vinh Xuan	Phu Vang	2019	
13	CW06	H41	Phan Cuong	Vinh Xuan	Phu Vang	2019	
14	CW06	H41	Dinh Tu	Vinh Xuan	Phu Vang	2019	
15	CW06	H41	Mai Anh Quang	Phu Da	Phu Vang	2019	
16	CW06	H41	Tran Van Toan	Phu Da	Phu Vang	2019	
17	CW06	H41	Tran Van Thang	Phu Da	Phu Vang	2019	
18	CW06	H41	Phan Chien	Vinh Xuan	Phu Vang	2019	
19	CW06	H41	Phan Dinh Tue	Vinh Xuan	Phu Vang	2019	
20	CW06	H41	Nguyen Van Truong	Vinh Xuan	Phu Vang	2019	
21	CW06	H42	Nguyen Van Nguy	Loc Bon	Phu Loc	2019	
22	CW06	H42	Nguyen Van Sam	Loc Bon	Phu Loc	2019	
23	CW06	H42	Nguyen Ba Thach	Loc Bon	Phu Loc	2019	
24	CW06	H42	Nguyen Thi Tha	Loc Bon	Phu Loc	2019	
25	CW06	H42	Nguyen Vong	Thuy Phu	Phu Loc	2019	State beneficiary
26	CW06	H42	Nguyen Ky	Thuy Phu	Phu Loc	2019	
27	CW05	H40	Nguyen Thua	Phu My	Phu Vang	2019	
28	CW05	H40	Ta Thi Sau	Phu My	Phu Vang	2019	Female headed with dependent
29	CW05	H40	Truong Tuy	Phu My	Phu Vang	2019	
30	CW05	H40	Nguyen Thi Xuyen	Phu My	Phu Vang	2019	
31	CW05	H40	Nguyen Nhat	Phu My	Phu Vang	2019	
32	CW05	H40	Hoang Coi	Phu My	Phu Vang	2019	
33	CW05	H40	Tran Van Ngoc	Phu My	Phu Vang	2019	State beneficiary

34	CW05	H40	Hoang Cong Dang	Phu My	Phu Vang	2019	State beneficiary
35	CW05	H40	Nguyen Khoi	Phu My	Phu Vang	2019	
36	CW05	H40	Le Dinh Nhan	Phu My	Phu Vang	2019	State beneficiary
37	CW05	H40	Pham Sum	Phu My	Phu Vang	2019	
38	CW05	H40	Hoang Van Cat	Phu My	Phu Vang	2019	State beneficiary
39	CW05	H40	Hoang Trung	Phu My	Phu Vang	2019	
40	CW05	H40	Le Van Tuan	Phu My	Phu Vang	2019	
41	CW05	H40	Ta Chau	Phu My	Phu Vang	2019	
42	CW05	H40	Vo Thi Von	Phu My	Phu Vang	2019	
43	CW05	H40	Hoang Tiem	Phu My	Phu Vang	2019	
44	CW05	H40	Le Van Do	Phu My	Phu Vang	2019	
45	CW05	H40	To That	Phu My	Phu Vang	2019	
46	CW05	H40	Le Thi Huong	Phu My	Phu Vang	2019	
47	CW05	H40	Hoang Ho	Phu My	Phu Vang	2019	
48	CW05	H40	Nguyen Sau	Phu My	Phu Vang	2019	
49	CW05	H40	Vo Hoa	Phu My	Phu Vang	2019	
50	CW05	H40	Nguyen Hanh	Phu My	Phu Vang	2019	
51	CW05	H40	Ta Quang Suu	Phu My	Phu Vang	2019	
52	CW05	H40	Ta Thu	Phu My	Phu Vang	2019	
53	CW05	H40	Duong Viet Truyen	Phu My	Phu Vang	2019	
54	CW05	H40	Lai Phuoc Nho	Phu My	Phu Vang	2019	
55	CW05	H40	Duong Nam	Phu My	Phu Vang	2019	
56	CW05	H40	Hoang Ngoc Phuoc	Phu My	Phu Vang	2019	
57	CW05	H40	Hoang Thi Vui	Phu My	Phu Vang	2019	State beneficiary
58	CW05	H40	Le Van Di	Phu Duong	Phu Vang	2019	
59	CW05	H40	Phan Van Truc	Phu Duong	Phu Vang	2019	

Annex 4. List of AHs in socio-economic surveys

No.	Household and name of affected household	Ward / commune	Package	Phone number	Note
1	Hoang Cong Dang	Phu My	CW05	0772484972	State beneficiary
2	Hoang Thi Vui	Phu My	CW05	Không có	State beneficiary
3	Lai Phuoc Thuong (Nho)	Phu My	CW05	0328970297	
4	Nguyen Thi Xuyen	Phu My	CW05	0335601697	
5	Tran Van Ngoc	Phu My	CW05	0333566647	State beneficiary
6	Pham Van Sung	Phu My	CW05	0779432876	
7	Nguyen Dat	Phu My	CW05	0389545292	
8	Hoang Khoi (Coi)	Phu My	CW05	0772422097	
9	Ta Quang Suu	Phu My	CW05	0345820596	
10	Hoang Ho	Phu My	CW05	0774585229 (Daughter)	
11	Duong Nam	Phu My	CW05	0377851856	
12	Nguyen Sau	Phu My	CW05	Không có	
13	Le Dinh Nhan	Phu My	CW05	0365249203	State beneficiary
14	Nguyen Hanh	Phu My	CW05	0973825378	
15	To That	Phu My	CW05	0394527599	
16	Hoang Van Cat	Phu My	CW05	0332952616	State beneficiary
17	Le Van Do	Phu My	CW05	0343605035	
18	Duong Viet Truyen	Phu My	CW05	0389121718	
19	Le Van Tuan	Phu My	CW05	0797320736 (Son)	
20	Nguyen Ky	Thuy Phu	CW06	0337303260	
21	Nguyen Vong	Thuy Phu	CW06	0835324050	State beneficiary
22	Nguyen Van Sam	Loc Bon	CW06	0343059697	
23	Nguyen Ba Thach	Loc Bon	CW06	0966267034	
24	Nguyen Thi Tha	Loc Bon	CW06	0346667554	
25	Mai Anh Quang	Phu Da	CW06	0899202140	
26	Le Van Khue	Phu Da	CW06	0934839795	

Annex 5. Minutes of community consultation meeting

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc



BIÊN BẢN CUỘC HỌP THAM VẤN Ý KIẾN CỘNG ĐỒNG

Về việc đánh giá tác động môi trường và chính sách giải phóng mặt bằng

Tên dự án: Dự án cấp nước Thừa Thiên Huế giai đoạn 2011-2015, có tính đến 2020 thuộc Chương trình phát triển ngành nước Việt Nam, vay vốn ADB.

Hạng mục: Xây dựng tuyến ống truyền tải số 10 (Tuyến D225 qua cầu Phú Bài)

Thời gian: Từ 8 h 00 đến 10 h 00 ngày 26 tháng 1 năm 2019.

Địa điểm: Xã Lạc Bôn, huyện Phú Bài

Số người tham dự: 34 người, trong đó: Nam: 22 người, Nữ: 12 người.

1. Thành phần tham dự:

1.1. Đại diện Chủ đầu tư (Ban QLDA Cấp nước Tỉnh Thừa Thiên Huế)

- Ông/Bà: Nguyễn Liên Minh Chức vụ: Phó Ban QLDA

- Ông/Bà: Trần Thái Hòa Chức vụ: Phó GTĐ, XN Huyện Phú

- Ông/Bà: Trần Văn Sơn Chức vụ: Nhân viên XN Huyện Phú

1.2. Đại diện chính quyền địa phương và các tổ chức đoàn thể

- Ông/Bà: Nguyễn Văn Thọ Chức vụ: Phó CT UBND xã Lạc Bôn

- Ông/Bà: Võ Đại Loan Chức vụ: CT UBND TĐ xã Lạc Bôn

- Ông/Bà: Trần Ngọc An Chức vụ: Trưởng thôn Hòa Vang 4 xã Lạc Bôn

Cùng đại diện các hộ gia đình tham gia cuộc họp. (Danh sách kèm theo).

2. Nội dung làm việc

Đại diện Chủ đầu tư phổ biến thông tin cho người tham dự cuộc họp tham vấn bao gồm:

- Quy mô dự án, địa điểm dự án, mục tiêu dự án và lợi ích từ việc có nước sạch từ dự án.
- Các ảnh hưởng của việc mượn đất thi công; ảnh hưởng của thi công (nếu có nêu ý kiến về mức độ ảnh hưởng); biện pháp giảm thiểu tác động của thi công (mượn đất).
- Chính sách tái định cư thực hiện trong dự án. Sơ bộ số hộ bị ảnh hưởng (nếu có); những tác động không mong đợi và hướng giải quyết.
- Cơ chế giải quyết thắc mắc, khiếu nại.
- Ghi nhận những ý kiến của các thành viên tham dự về dự án.
- Vấn đề Giới của dự án (nhu cầu việc làm và trả lương công bằng cho lao động nữ,...)

3. Thông tin về tuyến ống lắp mới:

- Đường kính: 225 mm, Chiều dài: 2500 m, Chất liệu: HDPE, độ sâu chôn ống: 1250mm
- Vị trí lắp đặt: Dọc đường liên xã Lạc Bôn – Thủy Phú, băng sông Nong và sông Phú Bài.

- Tuyển ống đi dọc đường bê tông liên xã và băng qua sông Nong và sông Phú Bài nên không ảnh hưởng thu hồi đất, giải phóng mặt bằng và tái định cư.
- Không có tài sản trên đất do tuyển ống băng sông.
- Nếu có đền bù sẽ thực hiện theo chính sách đền bù của ADB.
- Đơn vị thi công hoàn trả theo đúng nguyên trạng mặt bằng sau khi thi công.

- Phụ nữ sẵn sàng tham gia dự án và làm các công việc lao động phổ thông nếu dự án có nhu cầu.
- Một số ý kiến phụ nữ mong muốn Công ty khắc phục triệt để tình trạng nước yếu nhất là trong giờ cao điểm và các dịp Lễ, Tết.

- Người dân rất đồng tình, ủng hộ việc thực hiện dự án để sớm tăng áp, đảm bảo cấp nước liên tục, đủ áp lực.
- Tuyển ống sau khi lắp đặt có thể tăng áp lực nước cho xã Thủy Phú và Lộc Bồn, do vậy dự án có ý nghĩa rất lớn trong việc cải thiện sức khỏe và đời sống của người dân.

Cuộc họp kết thúc vào lúc 10 h 00 cùng ngày, các bên thống nhất ký tên.

Đại diện tổ chức đoàn thể



Võ Đại Lâm, P.n

Đại diện Chủ đầu tư

Nguyễn Liên Minh

Trần Kiên Sơn

Nguyễn Văn Thọ

Trần Thái Hòa

Đại diện chính quyền địa phương



Nguyễn Văn Thọ

DANH SÁCH ĐẠI BIỂU THAM DỰ CUỘC HỌP

(Tham vấn cộng đồng Về việc đánh giá tác động môi trường và chính sách giải phóng mặt bằng phục vụ công tác thi công)

Danh sách đính kèm biên bản họp ngày 26 tháng 01 năm 2019, tại xã Lộc Sơn

STT	Họ và tên	Giới tính	Địa chỉ	Ký tên
1	Phan Văn	Nam	Hòa Vang 3 - Lộc Sơn	Phan Văn
2	Võ Đại Thành	Nam	nt	Thần
3	Nguyễn Thị Sen	Nữ	nt	Sen
4	Nguyễn Thị Thuận	Nữ	nt	
5	Nguyễn Thị Yến	Nữ	nt	
6	Nguyễn Văn Cường	Nam	nt	Cường
7	Nguyễn Đức Dũng	Nam	nt	Dũng
8	Nguyễn Cửu Thanh	Nam	nt	Thanh
9	Nguyễn Cửu Liên	Nam	nt	Liên
10	Nguyễn Thị Hồng	Nữ	Hòa Vang 4 - Lộc Sơn	Hồng
11	Nguyễn Văn	Nam	nt	Trần
12	Nguyễn Phú Hòa	Nam	nt	Hòa
13	Nguyễn Thị Huệ	Nữ	nt	Huệ
14	Trần Đình Cường	Nam	nt	Cường
15	Trần Đình Đức	Nam	nt	Đức
16	Nguyễn Cửu Thanh	Nam	nt	Thanh
17	Nguyễn Thị Thuần	Nữ	nt	Thuần
18	Nguyễn Cửu Huệ	Nam	nt	Huệ
19	Mai Thị Cỏ	Nữ	nt	Cỏ
20	Mai Thị Bích	Nữ	nt	Bích
21	Nguyễn Thị Trang	Nữ	nt	Trang
22	Nguyễn Thị Cao	Nữ	nt	Cao
23	Nguyễn Văn Cường	Nam	nt	Cường
24	Nguyễn Văn Sơn	Nam	nt	Sơn
25	Nguyễn Cửu Thị Quy	Nữ	nt	Quy
26	Nguyễn Cửu Đức	Nam	nt	Đức
27	Trần Thị Thuần	Nữ	nt	Thuần
28	Nguyễn Văn Tuấn	Nam	nt	Tuấn

Tổng Thư
Khai Nghi Anh

Translation:

MINUTES OF THE COMMUNITY CONSULTATION MEETING *on evaluation of environmental impacts and site clearance policy*

Project name: Thua Thien Hue Water Supply Project period 2011-2015, vision to 2020
under Vietnam Water Sector Investment Program financed by ADB.

Component: Construction of transmission pipeline No.10 (Pipeline D225 Phu Bai)

Time: From 8h00 to 10h00, January 26th 2019

Venue: Loc Bon Commune, Phu Loc District

Number of participants: 34, *in which: Male: 22, Female: 12.*

1. Participants:

1.1. Representatives of Employer (PMU of Thua Thien Hue Water Supply Project)

- Mr. Nguyen Lien Minh..... Designation: Deputy Director of the PMU
- Mr. Ton Thai Ha.....Designation: Vice Director of Huong Phu Branch
- Mr. Tran Kim Son.....Designation: Staff of Huong Phu Branch

1.2. Representatives of local authorities

- Mr. Nguyen Van Tho.....Designation: Chairman of Loc Bon CPC
- Mr. Vo Dai Lam SonDesignation: Chairman of Committee for Fatherland
Front

- Mr. Tran Ngoc Anh.....Designation: Head of Hoa Vang 4 Village

Together with the representatives of the households participated in the meeting. (*with attached list of participants*).

2. Meeting Contents

The Representative of Employer disseminate the information on the project for participants which includes:

- Scope of project, location of project, objectives of project and benefits from the supply of clean water by the project.
- Influences from land-borrowing for construction, influences of construction (state the extent of influences if any); mitigation measures etc.
- Resettlement policy. Number of affected households (if any); unexpected influences and ways of solving problems.
- Grievance address mechanism.
- Receipt of comments of the participants on the project.
- GAP (demand on recruitment and fair payment for female workers, ...)

3. Information of the pipeline to be installed

- Diameter: 225 mm, Length: 2500 m, Material: HDPE, Laying depth: 1250mm
- Location: Along Loc Bon – Thuy Phu intercommune road, crossing Nong river and

Phu Bai river.

4. Project implementing policy and its permanent and temporary land acquisition (if any).

- The pipeline runs along concrete intercommune road and crosses Nong river and Phu Bai river, which causes no effects on land acquisition or site clearance.
- There are no assets on land as the pipeline is across the river.
- If having any compensation, it will follow the policy of ADB.
- The construction contractor shall ensure to perform the reinstatement right to the original state.

5. GAP implemented under the requirements of ADB

- Women are willing to participate in the project and do any works that the project requires women to do.
- Some women expected the company to solve the problem of weak pressure of water supplied to them during peak hours, holidays or Tet.

6. Results of consultation

- The local residents agreed and supported the project so that the pressure is soon to be boosted and water is supplied continuously.
- The pipeline after being installed would boost pressure for Thuy Phu and Loc Bon communes. Thus the project is of great significance in improving the people's health and life.

7. Others:

.....
.....

The meeting ended at 10h00 at the same day, the parties came to an agreement to sign as below.

**Representatives of
governmental organizations**

**Representative of
Employer**

**Representative of
local authorities**

(Signed)

(Signed)

(Signed)

Annex 6. Socio-economy survey questionnaire

SOCIO - ECONOMY AFFECTED HOUSEHOLD SURVEY FORM

CODE: ____/____/____; Date: ____/____/20__

Village/Area:.....	Commune/Ward:	District /City:
Package	Compensation receiving time:	Month.....Year 201

I. GENERAL INFORMATION ABOUT THE HOUSEHOLD

1. Full name of the respondent:

.....

Age: Gender: Male ☐1 Female ☐2 Education:.....

Occupation: Relationship to the head of household:

Phone number:.....

2. Full name of the head of household:

.....

Age: Gender: Male ☐1 Female ☐2 Education:.....

Occupation:

Address:.....

3. Number of people living and eating with the household head.....

In which: Male: person Female: person

Number of working people with income: people

4. Does your household belong to any of the following? (multiple options can be selected)

No.	Item	Yes	No
1.	Household under the support policy of the state and with meritorious services to the revolution		
2.	Household headed by a woman who is currently raising dependents		
3.	Household headed by the elderly (1-2 people) / a single person without his/her children support.		
4.	Household headed by a child without any support		
5.	Household headed by a disabled person		
6.	Poor household listed in a local poverty book		
7.	Households without land		
8.	Ethnic minority household (specify)		

9.	No households applied		
10.	Business households (Affected during construction - if any)		

II. ECONOMIC CONDITIONS OF HOUSEHOLDS

5. Please specify if your household has any of the following items?

- | | |
|------------------------------|---|
| 1. Radio | 8. Expensive cabinets (VND 1 million or more) |
| 2. DVD and / or Video Player | 9. Computer |
| 3. Radio/ cassette | 10. Air conditioner |
| 4. Motorcycles | 11. Water heater |
| 5. Car | 12. Expensive farming machine (VND 1 million or more) |
| 6. Telephone/ Mobiphone | 13. Others |
| 7. Refrigerator | |

Type of housing: Which of the following is your house? (The surveyor observes housing of a household)

1.	Temporary house	4.	2-storey house
2.	Rural Level 4 House	5.	Over 2-storey house
3.	1-storey house with flat roof / tile roof	6.	Others

6. Water sources and quality of water sources currently being used by your household are

Type of water	Assessment of water quality (Perception)				
	Good	Normal	Polluted	Do not know	Others
1. Rain water					
2. Dug well					
3. Drilled well					
4. Bottled water					
5. Tap water					
6. Ponds / lakes					
7. Other					

7. Type of toilets currently in use: (choose 1 option)

- 1 – Septic / semi-septic toilet 3 – Hygienic 2 compartment toilet 5 – None

2 – Unhygienic 1 - 2 compartment toilet 4 – Other (specify):

8. Estimated total average SPENDING of the household per month / household?

Total spending: _____ million VND / household / month

9. Estimated total average INCOME of the household per month / household from all income sources (agricultural production, wages, business, services, etc.)?

Total income: _____ million VND / household / month

Interviewer: If the respondent cannot give a specific number for his/her total income, ask them and write down an estimate.

10. What are the main sources of household income? (multiple options can be selected)

- | | |
|----------------------------------|---------------------------------------|
| 1. From agriculture / forestry | 4. From business / sales |
| 2. From self-employed / employed | 5. From subsidies / donations / gifts |
| 3. From regular salary | 6. From other occupations (specify) |

.....

11. Please specify the main income earner of the household

1. Husband 2. Wife 3. Both husband & wife 4. Children 5. Others

12. Do you support the implementation of project at local?

2. Yes 2. No: (Reason):.....

III. AFFECTED SITUATION OF HOUSEHOLD

13. Type of land affected by the project?

No.	Type of land	Total area (m2)	Affected situation		Land using start from?	Legal situation of land	Current status of land use
			Permanent	Temporary			
		1	2	3	4	5	6
1.	Residential land						
2.	Agricultural land						
3.	Garden						
4.	Forest/ tree planting land						
5.	Shrimp / fish pond						
6.	Others						
7.	Non-agricultural land						

Item 5 : Legal situation	
1. Has Land Use Rights Certificate (LURC)	3. Applying for legalization
2. Meet the conditions to be issued LURC	4. Has no legal rights
	5. In dispute

6. Rent, borrow or temporarily use	7. Others (Specify)
------------------------------------	---------------------

Item 6 : Current status of land use

- | | |
|-------------------------|-------------------------------|
| 1. Only for residence | 9. Public use |
| 2. Residence and store | 10. Vegetable planting |
| 3. Only store | 11. Perennial tree planting |
| 4. Manufacturing/garage | 12. Fruit tree planting |
| 5. 3 rice crops/year | 13. Raising shrimp, fish |
| 6. 2 rice crops/year | 14. Intensive shrimp raising |
| 7. 1 rice crop/year | 15. Combining rice and shrimp |
| 8. Crops | 16. Others (specify) |

14. House on affected land (if any)

	Partially impact	Fully impact	Status of legally owned certificate		Illegally building on land	Renting house
			Yes	No		
1. Temporary house						
2. Four-level house						
3. House with flat roof / tile roof						
4. Other house (specify)						

Note: In case household has 2 or more house, please specify type and address of houses in area.....

15. Affected architectural objects or construction (if any)

	Unit	Quantity
5. Yard	M2	
6. Fence	M	
7. Wells		
8. Graves		
9. Auxiliary constructions		
10. Gates		
11. Others (please specify type of asset and affected level for compensation calculation)		

16. Impacts on business (if any)

- a. Business location: 1 = In residential house; 2 = Outside house.
b. Business form 1 = Company; 2= Store; 3= Business household.
c. Business Registration 1 = yes; 2 = no

e. Monthly income from business activitiesVND

17. Affected trees, crops, breeding

STT	Trees and crops	Quantity		Size/age	
		Quantity	M2/area	Age	Diameter (cm)
1.	Timber trees (specify)				
2.	Fruit trees (specify)				
3.	Crops				
4.	Rice				
5.	Shrimp/fish raising (if any)				
6.	Others (specify)				

18. How do you assess the impact of land acquisition on your social/economic life?

1. Severely affect 2. Slightly affect 3. Not affect

19. If the implementation of the project affects the family's large agricultural land acquisition, which of the following economic recovery measures would you choose? (only for AHs with affected agricultural land)

1. Receive support money and self-recover income
2. Participate in vocational training programs of the province
3. Participate in local livelihood development program
4. Concessional loan to buy production equipment

20. If you have to resettle (move your residence), what form would you like to choose?

1. Receive compensation and take care of new residence.
2. Receiving the resettlement land plot arranged by the Project
3. Resettlement on the remaining land of the family
4. Others:.....

Thank you for your cooperation!

Full name of the interviewee

(Signature and full name)

Full name of interviewer

(Signature and full name)

Annex 7. Public information booklet

1/ What is the Thua Thien Hue Water Supply Project (Items: Additional Pipelines)?

A component of the Thua Thien Hue Water Supply Project (Loan 2961-VIE). This project will focus on installation of ten additional pipelines with an additional length of 21.8 km (increase the total length of new pipeline installation of Thua Thien Hue Water Supply Project from over 700km to roughly 730km). This project is implemented in Districts of Phong Dien, Phu Vang, Phu Loc, Huong Thuy Township and Hue city, Thua Thien Hue province

2/- What are The scope of land acquisition and the effects on people?

Based on the preliminary results of the feasibility study, the project will need approximately 29.3 ha of land (including public land, gardens, cultivated land and aquaculture land). It is estimated that around 50-60 households may be identified as affected by land acquisition.

3/- Affected Person/ Affected Household (AP/AH), Who are they?

“Affected Person/ Affected Household (AP/AH)” Refer to any person or persons, household, firm, private or public institution that, on account of changes resulting from the Project, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land, water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement.

The cut-off date is the date of project land acquisition announcement by competent agency. The local communities and AHs will be informed of the cut-off date for each project component, and any person who settled or assets created in the project area after the cut-off date will not be entitled to compensation and assistance under the project.

4/- When the project building?

The project will be build on Q2, 2020.

5/- What is the land use right and claim of the household?

Lack of legal basis for LURCs (LURCs, contracts, etc.) does not prevent affected households from receiving compensation. Households without LURCs will be compensated or assisted for their Non-land assets and will be provided with support in accordance with regulations.

6/- Who are The Vulnerable People?

Means individuals or distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of land and property recovery or resettlement and specifically includes: (i) headed by persons with disability, (ii) falling under the national poverty standard, (iii) headed by lonely and elderly persons (iv) under the state beneficiary, (v) woman headed with dependent and (vi) ethnic minorities

7/- How is your affected land compensation by The project?

Those who already have LURCs or are eligible for issuance of LURCs but have not been issued, will be compensated based on the principles of specific cost price corresponding to the unit price

paid by Thua Thien Hue PPC issued at the time of land recovery (including related charges and fees).

For displaced households, compensation may be in the form of cash or land (if any).

8/- How to Compensation, support you're your structures and plants?

Compensation for structures, trees and crops, based on specific pricing principles established by the Thua Thien Hue PPC at the time of land acquisition.

9/- Who will be supported and what are the supported?

The project will support severely affected households: (i) losing 30% or more of their total area of productive land; (ii) those who lose more than 10% but are heavily dependent on production land or below the minimum residential land quota; and (iii) displaced households including those engaged in business activities; and (iii) vulnerable households. The level of support will depend on the level of impact on each household.

10/- What purpose and household will gain from consultations and community information?

Consultation and information disclosure is an indispensable part of the RP. Information in addition to notifying the status of the project implementation, as well as a channel for households, communities to express their views, concerns, and proposals. Consultations have been conducted during the feasibility study and will continue during RP update and implementation.

11/- If you have questions and comments about land acquisition, compensation, support or other questions about RP, how do you do??

You can specify or write an application for the head of your village/community. They will try to help you and resolve your concerns/requests/complaints in a timely and satisfactory manner.

If you think your complaint has not been resolved at the commune level, you can file your complaint to the District, and to the provincial level, and finally, you can file your complaint with the court.

Affected households may lodge a complaint in writing directly to the Southeast Asia Department via Vietnam Resident Mission Office in Hanoi. If the affected household is still not satisfied with the Southeast Asia Department's response and only as a last resort, the affected household may access ADB's Accountability Mechanism:

<https://www.adb.org/site/accountability-mechanism/main>.

12/- How do we get updates on the project?

We will continue to announce information on the progress of the project through the public media such as billboards, radio, television, information brochure resettlement, Grievance Redress Mechanism... Project documents will be posted at your commune/ward office. For more information, you can also reach us through:

- **Southeast Asia Department via Vietnam Resident Mission Office in Hanoi**

Address: 3rd Floor, No.16, Phan Chu Trinh Street, Hoan Kiem District, Ha Noi

Tel: 02439.331.374

The affected household may access ADB's Accountability Mechanism:
<https://www.adb.org/site/accountability-mechanism/main>.

- **HueWACO Project management Unit**

Address: 103 Bui Thi Xuan, Phuong Duc Ward, Hue City, Thua Thien Hue

Tel: 0234 3815.555

Email: pmu@hewaco.com.vn

Annex 8. Some pictures of surveys



