

Resettlement Due Diligence Report

June 2017

VIE: Water Sector Investment Program Tranche 2 Construction of Hung Dao Water Treatment Plant Component

Prepared by the Haiphong Water Joint Stock Company for the Asian Development Bank.

NOTE{S}

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

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**HAIPHONG PEOPLE'S COMMITTEE
HAIPHONG WATER JOINT STOCK COMPANY (HAIPHONG WATER)**

**REHABILITATING AND UPGRADING PROJECT OF
HAIPHONG WATER SUPPLY SYSTEM—STAGE II
CONSTRUCTION OF HUNG DAO WTP COMPONENT**

DUE DILIGENCE REPORT

06/2017

ACROYNYS AND ABBREVIATIONS

ADB	=	Asian Development Bank
AP	=	Affected people
CLFD	=	Center for Land Fund Development
DSC	=	Detail and supervision Consultant
EARF	=	Environmental assessment and review Frame
EIA	=	Environmental impact assessment
EMP	=	Environmental Management Plan
GDP	=	Gross domestic product
IEE	=	Initial Environmental Examination
LIBOR	=	London interbank offering rate
MFF	=	Viet Nam Water Sector Investment Program Multitranche Financing Facility
MOF	=	Ministry of Finance
MPI	=	Ministry of Planning and Investment
NGOs	=	Non-governmental organizations
PMU	=	Project management unit
SBV	=	State Bank of Vietnam
SEDP	=	Social Economic Development Plan
SPS	=	Safety Policy Statement
TOR	=	Terms of Reference

TABLE OF CONTENTS

ACROYNYS AND ABBREVIATIONS.....	5
I. INTRODUCTION	10
1.1 Water sector development programme (MFF)	10
1.2 Do Son water treatment project.....	11
1.3 Summary of Impact	13
1.4 Current Status of Land Acquisition and Compensation.....	17
1.5 Objectives of This Report	17
II. METHOD	18
2.1. Approach.....	18
2.2. Method	18
2.3. Meeting with AHs, local authorities and stake holders	19
2.4. Household questionnaire.....	19
2.5. Replacement cost survey	19
2.6. Situation on the implementation of land acquisition	20
III. DUE DILIGENCE	20
3.1. Detailed Measurement Survey (DMS)	20
3.2. Socio-economic status of AHs.....	22
3.3. Overall assessment of land acquisition, compensation payment, assistance and resettlement.....	27
3.4. Payment of Compensation And Allowances	27
3.5. Description of RCS Implementation.....	27
3.6. Development of Resettlement Site	27
3.7. Income Restoration Program.....	27
3.8. Satisfaction level of compensation	28
3.9. Grievance.....	28
3.10. Public consultation	29
3.11. Monitoring	31
3.12. Compliance assessment	31
IV. PROJECT ORGANIZATION AND IMPLEMENTATION.....	32
4.1. Hai Phong Water Joint Stock Company (Hai Phong Water)	32
4.2. Center for Land Fund Development of Duong Kinh district	32
4.3. People's Committee of Hai Phong city.....	33
4.4. People's Committee of Duong Kinh district.....	33

4.5. Communal People's Committee	33
V. LEGAL POLICY AND RESETTLEMENT.....	33
VI. CONCLUSIONS AND RECOMMENDATIONS	36
VII. APPENDIXES	39
Appendix 1: References.....	39
Appendix 2: Replacement cost survey (RCS)	40
Appendix 3: List of participants and pictures at consultant meeting in March, 2011	43
Appendix 4: List of participants at consultant meeting in May, 2016.....	48
Appendix 5: Minutes of meeting\.....	49
Appendix 6: Pictures at community consultation meeting.....	56
Appendix 7: Sample of household questionnaires	60
Appendix 8: Status of life of seriously AHs after receiving compensation payment	61

LIST OF TABLES

Table 1: Summary of Scope of impacts	13
Table 3: List of severely affected households	16
Table 4: Allowance for vulnerable groups.	17
Table 5: Resettlement work status.....	20
Table 6: Scope of land acquisition	21
Table 7: Land area outside project area.....	22
Table 8: Source of income of the affected people	23
Table 9: Average Income of household/month according to region.....	24
Table 10: Dwelling land outside project area	24
Table 11: Educational of the household head	25
Table 12 : Allocation of work among family members	26
Table 13: Times, locations and number of participants in consultation meetings	30
Table 14: Comparison of the resettlement policies applied to the project with project policies	33
Table 15: Comparison of the replacement price with the unit price of HPPC	41

EXECUTIVE SUMMARY

Introduction

The Hai Phong Water Supply Project has been prepared for inclusion in the second tranche of the Vietnam Water Sector Development Multitranchise Financing Facility (“the MFF”), which was approved by ADB in February, 2011.

A new water treatment plant (WTP) in Hung Dao ward, Duong Kinh district with a capacity of 25,000m³/day shall be constructed at stage 1. The construction items include: raw water pumping station and 22.1 km of transmission pipes. Sub-project will benefit residents and the industrial area in the south of the city, urban expansion and tourism industry is a major contributor to the growing demand.

Impact scope by project

This Report focuses on impacts of the project in Hung Dao ward in Duong Kinh district, Hai Phong province. The Detailed Measurement Survey (DMS) was implemented by the Center for Land Fund Development of Duong Kinh district. They confirmed a total **77,198.3m²** of acquired agricultural land used and managed by 53 households and 01 Ward People’s Committee (PC) in Duong Kinh district. These households are affected by loss of property and livelihood due to construction of Hung Dao WTP.

A draft Resettlement Plan (RP) for Hung Dao WTP was approved in 2012. Resettlement and site clearance for the sub-project was completed in 2013 prior to RP updating. Thus, a due diligence report (DDR) has been required for Hung Dao WTP sub-project in Hung Dao ward to demonstrate compliance with project safeguards requirements; namely, compensation for all impacts at replacement cost and provision of other assistance as per the entitlement matrix in the draft Resettlement Plan.

This DDR aims to (i) summarize actual impacts of the project’s work items in all communes of the whole district; (ii) Assess the project’s compliance in compensation and assistance payment in accordance with the provisions mentioned in agreed draft RP; and (iii) identify the differences (if any) and suggest corrective actions and implementation schedule.

Assessment of land acquisition, compensation and resettlement

At the time of preparation of this DDR, **77,198.3 m²** (accounting for 100% of the affected land area) belonging to 53 households (*with 246 persons*), and 1 ward PC were paid compensation and assistance equivalent to **VND22,258,435,240**

By May, 2016. the major pending non-compliance issue is that a additional transitional assistance in the form of a cash grant equivalent to 30kg of rice per household member for 6 months for 08 vulnerable householdshas not yet implemented. Thus, a corrective action plan with additional budget need to be prepared.

Implementation arrangements

Consultants are responsible for preparing and submitting this report to Project Management Unit (PMU) for review. Then, PMU will submit this DDR to ADB for approval.

I. INTRODUCTION

1.1 Water sector development programme (MFF)

The Government of Vietnam signed a \$1,000 million Financial Framework Agreement (FFA) with the Asian Development Bank for Vietnam's water sector investment program. The Board of Directors under the ADB approved financing for the Program (MFF0054-VIE) on 22 February 2011¹.

MFF supports Vietnam's water supply companies to access financial resources, strengthen business activity and improve financial efficiency. Furthermore, the program assists the investment of funds in Vietnam's water service companies and co-finances National Program on Non-revenue Water (NRW). The program will use MFF to offer long-term and flexible aids for the institutional reform of Vietnam's water sector in ten coming years. MFF will be used as a preference fund in line with other co-financed capital flows, but most importantly assistance to financial and trade access as well as increased involvement of the private sector. Such funds will be further provided with lending periods through loans subject to needs and performance capability of water service companies. Four pilot cities including Danang, Hai Phong, Ho Chi Minh City and Hue are identified to prepare the project² in 2008. The First Financial Revolution (PFR1) by MFF is only provided for Ho Chi Minh City. Whereas, the Second Financial Revolution (PFR2) is supplied to six cities, namely, Hai Phong, Quang Tri, Hue, Danang, Binh Duong and DakLak. The Third Financial Revolution (PFR3) includes seven cities/town, namely, Bac Giang, Thai Nguyen, Nghi Son Economic Zone (Thanh Hoa), Vinh city, Cua Lo town, Thai Hoa town (Nghe An) and Hai Phong.

Impact: Supply safe and sustainable sources of water in Vietnam.

Outcome: Enhance operational effectiveness of Vietnam's water service companies

Output: (i) Increase coverage in accordance with requirements of Draft SEDP 2011-2015 and Plan on the orientation for urban water supply by 2025³ (from 59% in 2010 to 90% in 2020); (ii) improve business plan (compilation of annual business plan), conduct financial management (targeting a self-financing rate⁴ of 20% and debt ratio⁵ of 1.20) and manage assets (to a suitable extent of information technology); and (iii) prevent NRW loss effectively, at least 1%/year or in accordance with Plan on the orientation for urban water supply by 2025, reduce a rate of water loss at 25% and 18% in 2015 and by 2020, respectively in comparison with the current rate of water loss at 30%.

¹ADB 2011. Statement and Recommendation by the Chairman of the Board of Management – Water Sector Development Program - MFF0054-VIE.

² The Asian Development Bank (ADB) provides four technical aids for the preparation of project consolidated into MFF: ADB, 2008, Technical assistance for the Socialist Republic of Vietnam to prepare Danang Water Supply Project (TA7144-VIE), Manila; ADB, 2008, Technical assistance for the Socialist Republic of Vietnam to prepare Hai Phong Water Supply Project (TA7151-VIE), Manila; ADB, 2008, Technical assistance for the Socialist Republic of Vietnam to prepare Ho Chi Minh City Water Supply Project (TA7091-VIE), Manila; ADB, 2008, Technical assistance for the Socialist Republic of Vietnam to prepare Hue Water Supply Project (TA7089-VIE), Manila; ADB, 2008.

³ Decision No. 1929/2009/QĐ-TTg

⁴ Revenue for expense coverage (cover operational and maintenance expenses before depreciation, increase in working capital and debt services) added by minimum level of X% of average fund expenses for three years (previous, current and next years)

⁵ One active DSR allows water service companies to cover their service debts and future fund expenses.

1.2 Do Son water treatment project

The Hai Phong Water Supply Project has been prepared for inclusion in the second tranche of the Vietnam Water Sector Development Multitranche Financing Facility (“the MFF”), which was approved by ADB in February, 2011.

A Resettlement Framework for the MFF provides guidance on project design, impact assessments, entitlements, public consultation and information disclosure, monitoring and reporting, and institutional arrangements for resettlement activities of projects included in the various tranches. The Resettlement Framework satisfies the involuntary resettlement requirements of the ADB’s Safeguard Policy Statement 2009 and has been endorsed by the Ministry of Finance (the Project Executing Agency (EA)) and the guidance is to be followed in the formulation of project components and subproject included in future tranches.

Background on Hai Phong. Hai Phong is the third largest city in Viet Nam, with a population of nearly 1.8 million people. It hosts the main port for the capital, Hanoi, and has also attracted tourism and manufacturing, leading to an annual economic growth rate of 11%, exceeding the national rate of 8%. This growth, however, has been straining the city’s infrastructure, particularly the ability of the Haiphong Water Joint Stock Company (HAI PHONG WATER) to provide clean and adequate water supply services throughout the ever-expanding city. Built in the early 20th century, the system has been struggling to meet its basic mandate, although major improvements began in the 1990s with an injection of investments. Known as “Stage I” of a master investment plan, it focused on improving services in the city’s five main urban districts. Peri-urban and rural areas, however, within the utility’s mandated service area, have remained out of the system’s reach, leaving residents to depend on alternative sources that are typically expensive, inadequate, unsafe and inconvenient.

The utility is now turning its attention to these non-served areas, wanting to expand its system through a follow-up investment supported by the Asian Development Bank, the Hai Phong Water Supply Project (referred to locally as the “Rehabilitating and Upgrading Project of Haiphong Water Supply System—Stage II”). The proposed project, through its upgrading works and new construction, will contribute to the country’s effort to achieve the U.N. Millennium Development Goal 7, Target 10: “To halve by 2015 the proportion of people without sustainable access to safe drinking water and improved sanitation,” while also contributing to other poverty and environmental goals. The proposed project will enable the utility to provide 90% coverage by 2020.

A new water treatment plant in Hung Dao ward, Duong Kinh district with a capacity of 25,000m³/day shall be constructed at stage 1. The construction items include: raw water pumping station and 22,1 km of transmission pipes. Sub-project will benefit residents and the industrial area in the south of the city, urban expansion and tourism industry is a major contributor to the growing demand.

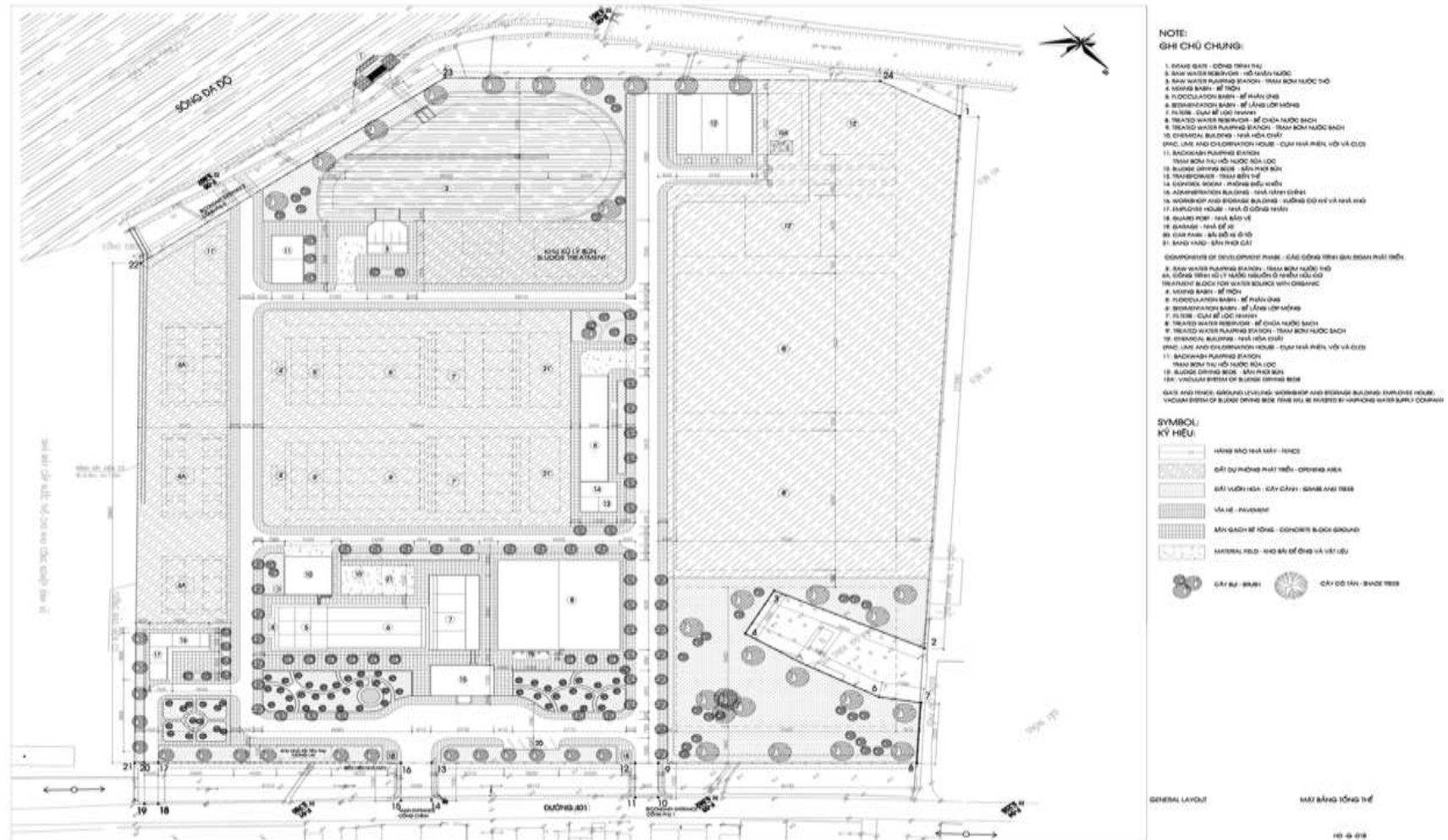
¹VIE-TA7144 – Da Nang Water Supply Project approved on 1/10/2008

¹ VIE-TA7151 – Hai Phong Water Supply Project approved on 20/10/2008

¹ VIE-TA7189 – Ho Chi Minh Water Supply Project approved on 24/6/2008

¹ VIE-TA7089 – Hue Water Supply Project approved on 13/6/2008

FIGURE 1.1 LAYOUT OF DO SON WATER SUPPLY AREA



1.3 Summary of Impact

Hung Dao WTP is located in Hung dao ward, Duong Kinh district. While mitigation measures for minimizing the permanently affected land area were studied and evaluated, land acquisition for the project construction is unavoidable. In addition, during the project construction, another land area will be temporarily affected by construction activities of contractors. The temporarily affected area will be updated in detail in the implementation stage.

The area for construction of WTP is **67.363,2 m²**. However, in DMS process, small remaining areas which are located between the project, 401 road and nearby Da Do river and no longer capable of cultivation were fully acquired at the request of local household. This helps to minimize negative impacts for households. These areas are managed by local authority, therefore, the actual scope of acquisition was bigger than the requested area for construction of WTP. Total acquired land for Hung Dao WTP is **77,198.3m²**.

Table 1: Summary of Scope of impacts

Items	Unit		Scope of impacts
1. Affected Households (AHs):	HH	:	53
Household members	Person	:	246
Of which		:	
+Partial loss of structuresHH	HH		1
+ Households impacted with agricultural land	HH	:	53
+ Public landmanaged by the ward People's Committee (PC)	PC	:	1
2. Affected Area	m²	:	77,198.3
Of which:		:	
+ Agricultural Land	m ²	:	73,484.9
+ Other Land (public land)	m ²		3,713.4
3. Physical Relocated households	HH	:	0
4. Households losing 10% or more of total landholding	HH	:	30
5. Households losing less than 10% total landholding			23
6. Affected business households	HH	:	0
7. Vulnerable HH	HH	:	8

Items	Unit		Scope of impacts
<i>Poor household</i>			2
<i>Woman headed household</i>			3
<i>Preferential treatment policy household</i>			3

(Source: DMS, 2016)

There are 53 households (*total of 246 persons*) affected by the construction of Hung Dao Water Treatment Plant, in which, one household built their house on agricultural land to take care of crops. During preparation of the draft RP in 2012, it was estimated that 64 households (*with 351 persons*) would be affected by Hung Dao WTP while other households have had the affected crops. All affected assets and land have been inspected and compensated under regulations of the Government and resettlement policy of the project. The affected households have received the whole compensations and aids under the approved scheme without any claims. The affected people have handed over their land to the project.

Inspection results show that the scope of land occupation is not large and occupied land is primarily agricultural land for annual tree planting with 73,484.9m² (95.2% of the total affected area) and dedicated land managed by the People's Committee of Ward (including water irrigation ditches, internal roads) with 3,713.4m² (4.8% of the total affected area). The whole agricultural area was statisticized and compensated fully and dedicated land managed by the communal People's Committee wasn't compensated as this is public land.

Besides, there is only one (01) affected household (*in 4 affected persons*) with the demolished dwelling house in the construction scope of water plant. The affected area of dwelling house includes a four-grade house of 54m² and temporary kitchen of 37.3m². However, this affected structure is mainly used for taking care of domestic animals and his main house is in residential area. Assets on land affected by the project consist of several architectural works such as garden hutches, animal husbandry sheds, cement yards, B40 mesh, cesspools. The volume of pond bank excavation and one tomb are affected. See Table 2 for detailed information.

Out of the 53 affected households, there are 30 severely affected households (*with 150 affected persons*) due to loss of more than 10% of production land (see Table 3). All thirty households are reviewed thoroughly by the Center for Land Fund Development and Project Management Unit to support them. Aid level is specified for these as follows: Households with the loss of 10% of production land are supported with 30kg rice multiplied by the number of household members multiplied by 6 months (*20 AHs with 99 persons*), households with the loss more than 70% of production land are supported with 30kg rice multiplied by the number of household members multiplied by 12 months (*10 AHs with 51 persons*). Thus, based on impact levels, the project will propose appropriate aid levels and ensure fairness and transparency as well as reach a high consensus of the affected people.

The project's impact level is inconsiderable and assets of the affected people are statisticized and compensated fully. To ensure the rights and benefits of the affected people, the project has fully provided aids including: aids for stable life and production; aid for the supplement to agricultural land equivalent to 20% of agricultural land price specified by the People's Committee of Hai Phong City; Aids of land adjacent to residential land, allowances for poor households, vulnerable households, etc.

Table 2: Affected Architectural works and plants

No.	Type of effects	Unit	Quantity	Value of compensation (VNĐ)
I	Architectural works			816,686,160
1	House level 4	m2	54.00	197,759,178
2	Kitchen/outbuilding	m2	37.30	60,419,290
3	Breeding facilities /eaves	m2	74.56	16,591,682
4	Courtyard covered by cement	m2	152.80	19,177,856
5	Wall	m3	75.23	24,026,399
6	Well	Pls	2	4,400,000
7	Cesspool, water tank	m3	37.937	26,812,382
8	Guard house for garden/pond	m2	100.70	29,424,186
9	grave	Pls	1.00	1,400,000
10	Excavation and embankment of pond	m3	5,026.67	266,609,308
11	B40 grid, grid, trellis	m2	1,911.77	50,056,811
12	Round culvert, brick culvert	m	31.00	5,777,897
13	Other assets (steps, cement pillars, fences ...)			114,231,171
II	Crop plants			1,351,435,900
1	Fruit-tree	Tree		216,607,000
2	Bananas, papayas	Tree	2,653.20	175,600,000
3	Wood, bamboo ...	Tree	1,852.00	17,350,000
4	Paddy	m2	304.00	418,252,100
5	Crops	m2	59,750.30	44,799,000
6	Flower, Bonsai	Tree	1,996.20	376,649,300
7	Other trees	Tree/Clump/m2		102,178,500

Total			2,169,522,016
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Table 3: List of severely affected households

No.	Name	The total area of agricultural land allocated	Land acquisition under project	Ratio of acquired land compared with total land holding %
1	Đỗ Thị Cậy	962	962	100
2	Đỗ Thị Dinh	2469	602.5	36.1
3	Đỗ Thị Lan	1984	780.3	57.7
4	Đỗ Thị Quý	964	365	37.9
5	Đỗ Thị Rai	1120	1120	100
6	Đỗ Văn Ánh	2399	387	36
7	Đỗ Văn Ân	1443	894	62
8	Đỗ Văn Địa	2472	2135	93.4
9	Đỗ Văn Hào	2433	2331	95.8
10	Đỗ Văn Học	2421	573	37.8
11	Đỗ Văn Hiền	1434	688	48
12	Đỗ Văn Mục	1448	566	91.6
13	Đỗ Văn Phóng	1467	909	62
14	Đỗ Văn Phiến	1984	386	39.3
15	Đỗ Văn Phúc	1440	1110	77.1
16	Đỗ Văn Tám	1235	652	52.8
17	Đỗ Văn Thái	986	368	37.3
18	Đỗ Thị Thuyết	910	525	100
19	Đỗ Văn Sửu	2476	1151	54
20	Đỗ Văn Xoan	2414	303	49.3
21	Bùi Thị Ngà	1052	770	73.2
22	Đồng Thị Thắm	1938	703	36.3
23	Bùi Văn Toàn	1948	661	37.3
24	Hoàng Thị Hạnh	1440	967	80.1
25	Nguyễn Văn Mềm	1479	380	37.6
26	Trần Đình Trọng	1533	953	62.2
27	Trần Quang Đám	1982	903	45.6
28	Đỗ Thị Nấn	2499	481	45.3
29	Đỗ Văn Đoan	3427	477	34.3
30	Đỗ Văn Đông	488	488	100

Survey results indicate that three household with female householders as an economic pillar of the family are affected by the construction of water plant and confirmed as vulnerable ones needed to aid under the project's resettlement policy. Such households have received full compensations and aids for their crops under compensation, assistance and resettlement policies of the Government without any claims. The project has offered aids worth 6,000,000

VND/household to mitigate difficulties and better facilitate three households to stabilize their life quickly. Such households have currently received the above-shown aids and their life has started to stabilize. There are 02 government's preferential policies beneficiary's families. The project also has supported for two families with support as poor and female-headed households, 6,000,000 VND/household. These households also have received support mentioned above. A additional transitional assistance in the form of a cash grant equivalent to 30kg of rice per household member for 6 months for 08 these households also applied in accordance with agreed draft RP. However, this allowance has not yet implemented, thus, a corrective action plan required to prepared to provide this allowance for vulnerable households (*a cash grant equivalent to 30kg of rice per household member for 6 months*).

Table 4: Allowance for vulnerable groups.

No	Allowance	Unit	Quantity	Amount
1	Support to poor houses	Household	3,00	18,000,000
2	Support to families under preferential treatment policy	Household	2,00	12,000,000
3	Support for woman headed hhs	Household	3,00	18,000,000

1.4 Current Status of Land Acquisition and Compensation

Total land area acquired for construction of Hung Dao WTP is **77,198.3 m²** in Hung Dao ward, Duong Kinh district. Up to June 2016, a total number of 53 households (100%) received compensation payment and assistance (loss of **73,484.9 m²** of private land). In addition, **3,713.4m²** of public land was acquired (1 CPC impacted).

1.5 Objectives of This Report

A draft RP was prepared and approved in 2012. Up to June 2016, implementation of compensation payment for the Hung Dao WTP sub-project was completed. Thus, to ensure compliance with the policies on compensation, assistance and resettlement as specified in agreed draft RP for Project, it is required to prepare a Due Diligence Report for Hung Dao WTP where the compensation, assistance and resettlement activities had been completed .

Consultant has prepared this Due Diligence Report for Hung Dao WTP. The objective of DDR is aimed to (i) summarize actual impacts of the project's work items in Hung Dao WTP (ii) Assess policy's compliance with provisions specified in RP and clarify the differences (if any) and propose solutions, and (iii) prepare a suggested corrective actions and implementation schedule.

II. METHOD

2.1. Approach

This DDR focuses on involuntary resettlement in locations designed to build water plants and pipelines.

The method and approach in preparing this report included the following:

- i) Review and evaluate official documents prepared by the competent authorities undertaking resettlement, confirm the compliance with the Government's regulations and project principles on compensation and resettlement;
- ii) Consider and analyze procedures and processes implemented by the Project Management Unit, Center for Land Fund Development of Duong Kinh district and People's Committee of Hung Dao Ward;
- iii) Conduct field survey in the project area, visit construction areas of water plants and pipelines;
- iv) Interview 52/53 affected households living in Hung Dao Ward, Duong Kinh district to assess the satisfaction level of households after having received compensations and aids;
- v) Interview some residents living near the project area to take comparative samples for collecting data to prepare a replacement cost survey;
- vi) Interview officials of the Hai Phong Project Management Unit, key personnel and staff from the Center for Land Fund Development, leaders of the People's Committee of Hung Dao Ward to collect information related to land clearance and other needed information;
- vii) Hold a meeting with several representatives of affected households and social organizations such as Women's Association, Veterans' Association, Fatherland Front and Farmers' Association in the affected commune. The discussed issues in the meeting include (i) compensation price; (ii) land; (iii) assistance to the severely affected people; (iv) measures for the affected people to restore income; (v) and other social issues;
- viii) Evaluate the appropriateness of livelihood restoration objectives and policies of Project with respect to the performance of livelihood recovery for the affected people.

2.2. Method

Collection and processing of secondary information

Collection and processing of secondary information are related to the use of available data collected from the Project Management Unit, Center for Land Fund Development of Duong Kinh district and agencies implementing projects related to compensation and land clearance. The research and analysis of documents at the office, assessment of the acquisition of land as well as land clearance give an overview of community involvement in activities in the project area. Concerned policies of the Government and local governments have been collected and inspected to seek a legal framework and regulations for previously implemented projects or works.

Consulting method

The consultation with the concerned parties enables to consult and receive further information related to the assessment of project activities after a period of performance. Feedback

from beneficiaries, units participating project performance and managers including social groups and societies will give a panoramic and multi-dimensional picture to identify the actual situation of project implementation. Interviews with the relevant agencies, Project Management Unit, Center for Land Fund Development, leaders of the People's Committee of Ward as well as affected household representatives are done to confirm how compensation has been conducted and whether their livelihood is completely recovered or not.

The activities are conducted to prepare this report as follows:

Hold a meeting with all the concerned parties (People's Committee of Ward, locally social organizations such as Women's Association, Farmers' Association, Center for Land Development of Duong Kinh district);

Hold a meeting with the affected people and conduct field survey;

Prepare and survey all the affected households through household questionnaires; (*Refer to Appendix 7*)

Prepare a replacement cost survey

2.3. Meeting with AHs, local authorities and stake holders

Consultant team organized two (02) meetings with the affected households and local social organizations such as Women's Association, Fatherland Front and Farmers' Association at Vong Hai culture housing, Hung Dao ward, Duong Kinh district in May, 2016 . Discussion questions in the meeting include: (i) compensation price; (ii) information disclosure; (iii) assistance to the severely affected people and vulnerable group; (iv) grievance mechanism; (v) measures for the affected people to restore income; (vi) and other social issues.

Besides, Consultants worked with Center for Land Fund Development and surveyed the construction location of Hung Dao Water Treatment Plant. Meetings with the people responsible for the supply of important information and interviews with managers and staff directly conducting compensation and land clearance, consultation with the affected people were held and reviewed to confirm that resettlement compensation for the construction project on Hung Dao Water Treatment Plant were completed in compliance with the agreed draft RP.

2.4. Household questionnaire

The purpose of survey is to collect economic and social information (livelihood, income, etc.) to determine damage level of the affected people (especially seriously affected people), actual status of the affected people, received compensations (including aids) and satisfaction towards compensation policy and level.

52/ 53 affected households completed the household questionnaire. They live in Hung Dao Ward, Duong Kinh district.

2.5. Replacement cost survey

One replacement cost survey was conducted to assess whether compensation price for the affected people (based on the issued price of the provincial People's Committee) was at replacement cost. Such survey focuses on different kinds of crops, structure and land. (*Refer Annex 2*)

Because the acquired land for project implementation is agricultural and household land, the goal of such substitute price survey is to conduct an independent evaluation for the identification of crop and work values in the project area based on current market price. Direct interviews with

local people including ones with affected crops and works as well as ones without any affected crops and structures in the project-affected area were conducted. Interviews include the following contents:

- Price that the owner is ready for the sale of their crops/tree and structures
- Data on the market prices at the time of compensation payment and
- The provincial People's Committee issues a price rate of crops and works.

2.6. Situation on the implementation of land acquisition

Land clearance started from the beginning of 2013. Inspection and measurement were completed in November 2013. The whole compensations and aids for the affected people were conducted in December 2013. Consultation was done for all the affected people as well as local government of Hung Dao commune (*Refer to Appendixes 3&4*). All the affected people attended community meetings. Table 5 presents the status of resettlement in Hung Dao commune.

Most acquired land is agricultural one. In the fact, it is not any few transactions of agriculture land, therefore, in three recent years, prices of land have almost no fluctuation. Thus applied price for compensation is acceptable. A replacement cost survey carried out in 2016 to review and confirm this issue.

Table 5: Resettlement work status

Activities	Time
Community consultation meeting	May 2013
DMS	June – October 2013
Compensation payment	December 2013
Affected people hand over the land for project	March 2014

III. DUE DILIGENCE

3.1. Detailed Measurement Survey (DMS)

DMS activities in Hung Dao WTP were carried out in 2013 and, there were 2 compensation plans (*one compensation plan issued dated November 15, 2013 and another issued dated May 21, 2014*). Currently, there is no complaint related to DMS activities here.

The process of detailed measurement survey (DMS) has been well done in Hung Dao ward, Duong Kinh district. The affected households were informed of the time of DMS and they were involved in all steps of DMS and signed DMS minutes. Land measurement was conducted through machines by companies and cadastral mapping of localities. The survey results showed that 100% of surveyed households confirmed to be involved in the DMS for their properties and homeowners signed DMS minutes. 100% of surveyed households confirmed that DMS figures for their affected assets are correct. The surveyed households said that DMS results have been informed publicly for households.

3.1.1. Impact on land and assets

Hung Dao WTP was acquired 73,484.9m² m² of land belonging to **53** households and 01 CPC.

a) Land

A total 53 households were affected due to permanent land acquisition, in which:

- Agricultural land. 53 households are affected on **73,484.9m²** of agriculture land, in which 30 households are severely affected by losing 10% or more of their productive landholdings and 23 HH is within the marginal impacts;
- Public land. 01 CPC are affected on 3,713.4 m² of public land. This includes specialized land (irrigation ditches, roads.)

b) Structures

- 1 HHs will be affected by partial loss of structures.

c) Crops and trees

- 73,484.9m² affected crops.

d) Loss of business

- 0 HH are affected by loss of business.

e) Vulnerable households

- 8 out of 53 households are identified as vulnerable households, including those poor households (3hhs), preferential treatment policy households (02 hhs), and women headed households 03 hhs). All of the affected people belong to the Kinh group;

3.1.2. Total Paid Cost For Compensation Payment And Assistance

At the time of site visit, total 77,198.3 m² owned by 53 HHs (95.2%) and 3,713.4m² (4.8%) managed by Hung Dao ward PC were paid compensation and assistance. Total cost paid for completed volume was **VND22,258,435,240**. Table 6 presents land acquisition and compensation value in details. At feasibility study (FS) stage, it was estimated that 64 households will be affected by land acquisition but only three (03) of them severely affected (losing more than 10% of its total landholding), 04 households under vulnerable group and total acquired land is 6.4 ha of diversified agricultural land (rice, aquaculture, gardens, fruit tree groves). Total estimated cost for compensation payment in FS phase is **VND15. 301. 859. 788**.

Table 6: Scope of land acquisition

No.	Type of land	No. of affected households	Quantity (m ²)	Compensation (VND)
I	Public land	-	3,713.4	-
1	Specialized land (irrigation ditches, roads)		3,713.4	-
II	Agricultural land	53.0	73,484.9	4,404,935,700
1	Annual crop land	53.0	73,484.9	4,404,935,700

No.	Type of land	No. of affected households	Quantity (m2)	Compensation (VND)
III	Compensation for structure			1,351,435,900
IV	Compensation for crop/tree			816,686,160
IV	Allowances			15,631,977,480
1	Additional Support Agricultural land prices			361,137,480
2	Land adjacent to land residential			14,711,940,000
3	Allowance for stable life and production			564,300,000
4	Allowance for vulnerable group			48,000,000
Total		53.0	77,198.3	22,258,435,240

3.1.3. Pending cases of HHs

At this moment of preparation of DDR, there is not any pending case in project area.

However, vulnerable households have not yet received fully allowance with additional transitional assistance in the form of a cash grant equivalent to 30kg of rice per household member for 6 months in addition to 06 millions/ per household as agreed RP. Thus, a corrective action plan needs to be prepared to ensure the entitlement of AHs

3.2. Socio-economic status of AHs

Total 52⁶/53 AHs in project area interviewed by questionnaire sample in May, 2016, in which 19/52 interviewed person is female, equivalent with 36.5% of the total surveyed households.

3.2.1. Average land area of the affected households outside the project area

On average, every affected household uses more than 3,000m² of agricultural land. There are about 13.45% households with 1,500 – 2,500 m², 56.62% households with 2,500 – 4,500 m² and 21.15% households using agricultural land of over 4,500 m². Whereas, there are only three households with less than 1,500 m² (refer to Table 7 below). Most of the households obtain the certificate of land use rights or possess legal rights to their land.

Table 7: Land area outside project area

⁶ In period of SES survey, one household worked far from home, thus, consultant team only interviewed 52/53 AHs.

Commune/Town	No. of affected households (HH)	Land area outside project area of affected people (m ²)									
		<1.500		1.500-2.500		2.501-3.500		3.501-4.500		>4.500	
		HH	%	HH	%	HH	%	HH	%	HH	%
HưngĐạo	52	3	5.77	72	13.46	12	23.08	19	36.54	11	21.15

Source: Socio-economic Survey 2016

Economic activities of the affected people

The results of socio-economic survey indicate that despite different economic activities, almost a half households (42.3%) have primary sources of income from agriculture, following 28.8% from trade activities and 15.38% from aquaculture. Whereas, other sources of income account for a small proportion. The following table shows sources of income of the affected households.

Table 8:Source of income of the affected people

Commune/Town	No. of households	Agricultural		Commercial - Retail		Service		Hired laborers		Salaried workers		Aquaculture		Civil servants		Others	
Hung Dao	HH	HH	%	HH	%	HH	%	HH	%	HH	%	HH	%	HH	%	HH	%
	52.0	22.0	42.3	15.0	28.8	1.0	1.9	1.0	1.9	1.0	1.9	8.0	15.38	2.0	3.8	2.0	3.8

Source: Socio-economic Survey 2016

Primary sources of income

Most of the affected households involve agricultural activity and obtain income. Average agricultural income of households is not high (about 2.5 – 3.5 million VND/household/month); however, it is stable income to sustain the lives of households. Survey data indicate that other sources of income such as trade, services, employment, etc. are only additional sources contributing to total household income.

Additional sources of income

Most of the affected households in Hung Dao Ward have lived near urban area; therefore, they have opportunities to take part-time jobs for companies in Duong Kinh District and Hai Phong city. Whereas, some households have involved in small trade activities. Survey results have recognized 15 households (28.8%) with income from trade – retail activities known as additional household income because female members (wives) trade green vegetables and agricultural products in the market and Hai Phong city center at the time of non-crop agriculture. Besides, household members work as a worker or employee to get income as their second primary source.

Income by the affected people

In the project area, average income of one household is 7,479,000 VND/month.

It is noted that there are sometimes income from commercial services much higher than that from agricultural production; however, agricultural income is stable and permanent.

Table 9: Average Income of household/month according to region

Commune/Town	Average Income of household/month		
	Primary sources	Additional sources	Total of sources
HungĐạo	5.206.000	2.273.000	7.479.000

Source: Socio-economic Survey 2016

Dwelling land ownership

The surveyed households indicate that household land acquired in the construction area of Hung Dao Water Plant is agricultural land. All households possess dwelling land and housing at different locations outside the project area. Land acquisition for the construction of water plant does not affect their residence and living but partial income due to loss of production land.

An intensive study shows the impact level on household income due to land acquisition is inconsiderable. The area of land acquisition is located near Da Do river, leading to difficult cultivation due to unsecured water irrigation system. Moreover, it is situated near the residential area of multiple rats and pests, so a part of area is uncultivated or transferred to other purposes of use. Such project is in accordance with the transfer of use purpose and approved by local people.

Table 10: Dwelling land outside project area

Location	No. of survey households	The legal status of the land					
		Having certificates of land use rights		Eligible		Ineligible	
		HH	%	HH	%	HH	%
HungĐạo	52	37	71.15	15	28.85	0	0

Source: Socio-economic Survey 2016

3.2.2. Rate of poor households

There are three affected households under the poverty line. National poverty rates specified for the 2011-2015 period is less than 400,000 VND/person/month and less than 500,000 VND/person/month for urban areas, respectively.

All 3 households had received adequate compensation and support to the property and crop damage in accordance with compensation and resettlement policy of the Government and without any complaints. The project has provided assistance for households at 6,000,000 VND/household to mitigate the difficulties and create better conditions for 3 households to stabilize their living. At this time, three households received support above and their life has become more stable.

However, a transitional assistance in the form of a cash grant equivalent to 30kg of rice per household member for 6 months has not yet been provided for 08 of these households. Thus, a corrective action plan needs to be prepared.

3.2.3. Ethnic groups

In the project area, Kinh ethnic group accounts for 100% of the population. Results of the socio-economic survey show that there have not been any affected people who are ethnic minorities.

3.2.4. Health, Education and Gender

Health

There is a health clinic in Hung Dao commune and a health center of Duong Kinh nearby. Besides, there have not been any special diseases reported in the project area.

Education

There are elementary schools, lower and upper secondary schools in the affected commune, Duong Kinh district.

Most of the householders completed elementary education (46.15%) and lower secondary education (34.62%). Whereas, there are nine householders with upper secondary education and one illiterate householder in Hung Dao commune.

Table 11: Educational of the household head

Commune	No. of survey households	Illiteracy		Under Primary		Primary		Secondary		High school		Other	
		HH	%	HH	%	HH	%	HH	%	HH	%	HH	%
Hung Dao	52	1	1.92	0	0	24	46.15	18	34.62	9	17.31	0	0

Source: Socio-economic Survey 2016

3.2.5. Gender

There are 03 female-headed hh in project area. They are the old and live seperately in their household. They are not poor households.

In the fact, there is not any treatment discrimination towards women in the project area. Women involve in jobs like men. Furthermore, they must spend a considerable part of time on home-making and childcare.

Table 12 :Allocation of work among family members

Activities	Husban d	Wife	Both	Other
Family activities				
Money management	10	33	9	0
Housework	4	37	11	0
Making major financial decisions (procurement of expensive items: house, land, motorcycles, etc.)	24	16	12	0
Making decisions about education & career for children	25	14	13	0
Making decisions about their children's marriage	16	10	26	0
Economic activities				
Agriculture	4	6	42	3
Harvest	4	5	43	4
Kitchen and garden	10	28	14	5

Source: Socio-economic Survey 2016

3.3. Overall assessment of land acquisition, compensation payment, assistance and resettlement

At the time of preparation of this report (May, 2016), **77,198.3 m²** of affected land (95.2%) belonging to 53 households and 3,713.4m² (4.8%) managed by Hung Dao ward PC have been paid compensation payment and assistance.

3.4. Payment of Compensation And Allowances

At the time of site visit, total **77,198.3m²** (100%) were paid compensation and assistance. Total cost paid for completed volume was **VND22,258,435,240**

3.5. Description of RCS Implementation

The results of survey carried out by the Consultant showed that in Duong Kinh, there are few transactions of agriculture land, therefore, in five recent years, prices of land have almost no fluctuation.

Based on revised rates, the assessment of payment for compensation and allowances is as follows:

- a) Payment of compensation for land. Compensation for agricultural land are based on rates established in 2011 and 2012, is assessed equivalent to replacement cost and hence in compliance with provisions of policies.
- b) Compensation for Structures. Compensation payment for partial loss of structures on land (1hhs), repair allowance already paid and for loss of structure on land (1hhs). Therefore, it is assessed in compliance with the policies in the RP.
- c) Trees and crops. Compensation for trees and crops is assessed equivalent to market rates and hence in compliance with provisions of policies.
- d) Allowances. Subsistence allowances for 6 months to the hhs affected by 10% or more of loss of agricultural land have been paid. 23 hhs affected by loss of less than 10% of agricultural land have received additional allowance of 20% of land price. The payment of all other allowances (Allowance for additional Support Agricultural land prices; allowance for land adjacent to land residential; allowance for stable life and production and allowance for vulnerable hhs) was assessed in compliance with the policies. Vulnerable hhs identified by the project authorities have not yet received fully allowances as per the policy defined in agreed draft RP. Thus, a corrective action plan need to be prepared.

Development of Resettlement Site

There is no relocating households, thus, it is not necessary to develop a resettlement site

3.6. Income Restoration Program

Hung Dao is a peri-urban Ward; therefore, most of the affected households in Hung Dao Ward get income from different sources because they have done other jobs such as home-based business services, market-based purchase and sale, employment for companies and plants in Duong Kinh district and Hai Phong city. Households' income does not only depend on agricultural production. Because of diverse income structure, land acquisition for the construction of plant has not affected their life and income considerably.

The households affected by the project are at the mild level of impact except for 30 seriously affected households with a loss of more than 10% of production land. The research

indicates that 30 seriously affected households have other sources of income and therefore the project's impact on their income is inconsiderable.

Besides, there are jobs available in the area, thus, it is advantageous for AHs to find out a new job. The results of community consultation meeting present that AHs prefer to receive the allowance in cash and find out job by themselves, they do not want to participate in free two month job training organized by local authority, because it is not effective.

Thereby, it is not necessary to implement a separate program on livelihood recovery. During the compensation and land clearance, the Center for Land Development of Duong Kinh district has offered aids for occupational transfer and employment generation for households with the loss of production land as a livelihood aid for the affected people.

Socio economic survey for 30 seriously affected households was implemented in May, 2016. The result present that these households took part in other activities to generate income. Some households change from agricultural production to husbandary (breeding duck, buffaloes). Some others use compensation payment to open small business at their home and others buy a car to become a driver. In general, their life is restored and it is evaluated as better than their pre-project implementation (*Refer to Appendix 8*)

3.7. Satisfaction level of compensation

An assessment study is conducted through interviews with the affected households and residents living near the construction location of Hung Dao Water Plant (including the affected and non-affected households), 01 household with the affected house to confirm the appropriateness of compensations for the affected households. Responses from the interviewees affirm that compensations for land clearance have been conducted in a transparent manner. Compensations and aids are fully enforced. Compensation values consist of land, architectural items, crops and other aids.

The satisfaction towards compensation is from not only the affected people but also interviews with local governments and social organizations to confirm that all the affected people are satisfied with compensations for their works and crops on land (*Refer to Annex 4, the minute of community consultation meeting*).

3.8. Grievance

A four-stage procedure for redress of grievances :

- (i) **Stage 1.** Complaints of DPs on any aspect of the LAR process and/or RP shall in the first instance be lodged verbally or in written form with the Hung Dao Commune People's Committee (CPC). The complaint can be discussed in an informal meeting with the DP and the Commune chairperson, or, on his/her behalf, an official of the CPC. It will be the responsibility of the CPC to resolve the issue within 15 days from the date the complaint was lodged.
- (ii) **Stage 2.** If no understanding or amicable solution is reached or if the DP receives no response from the CPC within 15 days of registering the complaint, he/she can appeal to the Duong Kinh District Resettlement Committee (DRC) of the Component. The DP must lodge the complaint within one month of registering the original complaint and must produce documents, which support his/her claim. The DRC will provide the decision within one month of the registered claim.

- (iii) **Stage 3.** If the DP is not satisfied with the decision of or in the absence of any response by the DRC, the DP can appeal to the Provincial People's Committee. The PPC, together with PMU, will provide a decision on the claim within 30 days from the day it is received by the PPC.
- (iv) **Stage 4.** If the DP is still not satisfied with the decision of or in the absence of any response by the HPWSCo PMU within the stipulated time, the DP, as his/her last resort, may submit his/her case to the local court. DPs will be provided with free legal representation in case any complaints are lodged in court. Grievance redress mechanism should not impede access to the country's judicial or administrative remedies. It is not the last resort but any time the AP can access the judicial system.

DPs are exempted from all taxes, administrative and legal fees incurred through grievance redress procedures.

Information on the 4 stage project grievance redress mechanism disclosure in community consultation meeting in stage of RP preparation.

The grievance redress mechanism was carried out in compliance with procedures specified in the RP. In process of compensation implementation, in order to ensure progress rate, Hai Phong water company, Centre for Land Development, Hung Dao ward authority set up a standing board to solve promptly complaints of AHs (if any). In the fact, the complaints of AHs solved completely and effectively at stage 1. At the monitoring time, there is not any complaint.

3.9. Public consultation

The disclosure of information and public consultation were conducted correspondingly during the project implementation phase in order to disclose and introduce the Project for AHs, community in the project communes. AHs are informed in detail of implementation plan of resettlement activities, including the minutes of DMS and approved compensation plan. All documents are publicly disclosed for AHs.

Public consultation was carried out as requested to provide project data and entitlements of AHs. According to evaluation survey results during the field trip of the Consultant Team in May/2016, 98% of households responded that they were well-informed and understood about the project as well as the plan of resettlement activities in the district and were fully satisfied with disclosure of information about the project.

Community consultation meetings are conducted during the compensation and land clearance. The first meeting is held in stage of RP preparation (March 3- to March 8, 2011). The second meeting takes place in in December, 2011). Whereas, the third meeting is conducted in stage of DDR preparation (May 11-12, 2016). Centre of Duong Kinh district land fund development organized a community consultation meetings in May, 2013 prior to the DMS to inform AHs the project information and Hai Phong PMU, stake holder invited to take part in. This munitie of consultation meeting kept by LFDC.

a. Information disclosure and public consultation in the process of RAP preparation

The information disclosure and public consultation have been conducted correspondingly throughout the project implementation phase in order to disclose and introduce the Project for

AHs and communities in the project communes. AHs are informed in detail of implementation plan of resettlement activities, including: (i) public consultation contents in relation to works, implementation plan, site clearance plan and construction plan, (ii) detailed measurement survey (DMS), (iii) official and legal list of affected persons and their entitlements, (iv) compensation volume and rate, (v) compensation payment plan and other allowances, and (vi) other issues such as income restoration program for AHs, grievance redress mechanism, monitoring and evaluation.

For Hung Dao WTP Project, the information disclosure and public consultations have been carried out throughout the preparatory phase (stage of RP preparation in 2011) to the implementation phase of compensation and resettlement to ensure that affected households and stakeholders are timely informed of land acquisition, compensation and resettlement as well as opportunities to participate and express their wishes and concerns related to resettlement activities. According to evaluation survey results during the field trip of the Consultant Team in May/2016, most households responded that they are well-informed and understand about the project as well as the plan of resettlement activities in the district and are fully satisfied with the disclosure of information about the project.

b. Information disclosure and public consultation in the process of DDR preparation

As stated previously, at the time of preparing this DDR, all affected households have been paid compensation and assistance. Results of discussions with stakeholders in the process of information disclosure and public consultation carried out in May/2016 showed that Duong Kinh Compensation and resettlement board and the stakeholders implemented fully steps such as disclosure of information about the project, compensation and assistance policies, consultation with affected households about activities related to land acquisition, construction and mitigation measures. However, in order to further strengthen information about the project as well as additional policies according to agreed provisions of the Project. These households will continue to be involved, consulted and disclosed of information in the process of preparing this DDR in May/2016. Table 13 below describes information about consultation meetings (*Refer the list of participants and photos of consultation meetings are shown in Appendixes 3&4*).

Table 13: Times, locations and number of participants in consultation meetings

Consultation activities	Locations	Date of consultation	Main issues of consultation meetings
Community meeting	Vong Hai culture housing	May 11 st and 12 nd , 2016	<ul style="list-style-type: none"> • Overview on implementation status site clearance of Hung Dao WTP Project • Compensation policy and entitlements of AHs. • Grievance and grievance redress mechanism. • Inquiries and proposals from community for livelihood restoration program.

The methods used in public consultation include meetings, interviews with individuals and focus group discussions. Local people in affected villages are willing to discuss and share information. The women and the youth are invited and encouraged to contribute their ideas

3.10. Monitoring

The implementation of compensation activities are monitored regularly to ensure that it is implemented as planned and that mitigating measures designed to address the project's adverse social impacts are adequate and effective.

PMU are responsible for internal monitoring, overseeing the formation, function, and activities of resettlement. The PMU regularly submits monthly progress reports to the ADB.

3.11. Compliance assessment

The survey result present that the implementation of compensation, allowances and assistance and resettlement is basically in accordance with agreed draft RP. However, a additional transitional assistance in the form of a cash grant equivalent to 30kg of rice per household member for 6 months has not yet provided for 08 vulnerable households. Thus, a corrective action plan need to be prepared.

IV. PROJECT ORGANIZATION AND IMPLEMENTATION

4.1. Hai Phong Water Joint Stock Company (Hai Phong Water)

Hai Phong Water Joint Stock Company is the agency implementing Hung Dao water supply project under the management of the People's Committee of Hai Phong city.

Responsibilities of Hai Phong Water:

- Work as a focal point of contact and collaboration to implement project activities and consultants and local governments;
- Participate as a member of the district-level Council for Compensation and Resettlement;
- Establish PDP database suitable for the project;
- Monitor payments and compensations for the affected households;
- Frequently contact Center for Land Fund Development (LFDC) related to the list of PDP, payment and compensation as well as claim handling;
- Make and submit progress reports to the provincial People's Committee, Supervision Consultants and ADB on construction and resettlement plan;
- Support the settlement of claims of the affected households;

4.2. Center for Land Fund Development of Duong Kinh district

The Center for Land Fund Development of Duong Kinh district undertakes land clearance. HPWSCo is directly irresponsible for conducting land clearance for Hung Dao water supply project.

LFDC of Duong Kinh district is assigned to directly work with HPWSCo to conduct land clearance and resettlement with the concerned agencies and units. The Center for Land Development will monitor the detailed survey and establish database on the affected households, impact on assets and livelihoods as well as compensations, aids and allowances.

For such project, LFDC will undertake the following tasks:

- Issue a notice on land acquisition when the project has been officially approved;
- Notify the affected households of the procedure of detailed survey;
- Conduct detailed survey;
- Make database on the affected households;
- Make a scheme for compensation and resettlement under the contents of Resettlement Plan;
- Inform the affected people of proposed compensations and explain their rights and benefits based on project policies and interpret how to calculate those compensations;
- If the affected people agree with the proposal for compensations, make payment and notify the affected people of the date of payment;

- Invalidate the payment of compensations. Copies of documents are provided for consultants and independent agencies to serve supervision and make reports;
- Consider claims in consultation with the concerned parties and households. Submit proposals for claim handling to the appropriate authorities.

4.3. People's Committee of Hai Phong city

The People's Committee of Hai Phong city is responsible for managing land clearance under administrative authority.

4.4. People's Committee of Duong Kinh district

The People's Committee of Duong Kinh district is responsible and collaborates with the Center for Land Development of Duong Kinh district to plan and conduct land clearance for water supply project area.

4.5. Communal People's Committee

The People's Committee of Hung Dao Ward supports the district-level government of land clearance. Receive and handle problems and claims of the affected people, issue documents and invitation letters under the regulated authority. Hung Dao Ward has taken part in planning and implementation of land clearance during project implementation.

V. LEGAL POLICY AND RESETTLEMENT

The Center for Land Development of Duong Kinh district complies with regulations of the Government of Vietnam on resettlement (Decree No. 84/CP, Decree No. 197/CP, Decree No. 69/CP) and Decision No. 130/2010/QD-UBND dated 22/01/2010 by Hai Phong city on compensations and aids for land acquisition; Decision No.1263/2010/QD-UBND dated 30/07/2010 by Hai Phong city on the amendment of several articles of Decision No. 130/2010/QD-UBND; Decision No. 2300 dated 28/12/2012 by Hai Phong city on Hai Phong's land price 2013; The Hai Phong City People's Committee Decision No 1263/2010/QD-UBND dated 30/7/2010 on land use planning, land price, land acquisition, compensation, assistance, and resettlement in accordance with Decree 69/2009.

ADB's policy on involuntary resettlement (as per the ADB Safeguard Policy Statement, 2009)

Table14: Comparison of the resettlement policies applied to the project with project policies

The types of losses	ADB policies	The policies applied in the project area	The gap between ADB policies and applied policies
Agricultural land			

The types of losses	ADB policies	The policies applied in the project area	The gap between ADB policies and applied policies
Agricultural land	Compensation by equivalent land for land or compensation by cash at replacement price, which means that the method of valuation of land for compensation according to the market value at the time of compensation implementation	Compensation by cash according to the compensation price of HPPC for affected land (Decision No. 130/2010)	Price compensation and support for affected people is higher than market prices and it was consulted with the affected people
Works and crops			
Main affected works	Compensation at replacement price according to the current market value in cash, it has not deduct depreciation or material advantage	Compensation by cash according to the compensation price of HPPC for affected works and people (Decision No. 1240/2008, Decision No. 130/2010 and Letter No. 8709/2012)	Price compensation received by AP were multiplied by the coefficient increase and consistent with market prices.
Crops	Compensation is based on the type and age of the trees which was determined when consultation with affected people	Compensation by cash according to compensation price issued by HPPC for plants and crops (Decision No. 130/2010)	Compensate price received by affected people consistent with the market price and it was consulted with the affected people

The project resettlement policy principles as per the agreed draft RP, as follow:

The principles and policies were used in the planning, updating and implementation of the resettlement plans, especially for addressing adverse social impacts. The overall objective of the compensation and entitlement policy of the project is to ensure that all people affected by the project are able to maintain and, preferably, improve their pre-project living standards and income-earning capacity through compensation for the loss of physical and non-physical assets and, as required, other assistance and rehabilitation measures.

The Vietnamese legislation governing resettlement, compensation and rehabilitation of affected households and the ADB's SPS (2009) *Policy on Involuntary Resettlement* have been adapted for the preparation of the Hai Phong Water Supply Project. Wherever a gap exists between the ADB's SPS (2009) *Policy on Involuntary Resettlement* and Vietnamese law, the policies adopted for the project take precedence.

Project Principles

In pursuit of the above resettlement objectives, the following principles are adopted:

- (i) Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- (ii) Carry out meaningful consultations with affected persons, host communities, and concerned nongovernment organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of displaced persons and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- (iii) Improve, or at least restore, the livelihoods of all displaced persons through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii) prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.
- (iv) Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.
- (v) Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing.
- (vi) Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.
- (vii) Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.
- (viii) Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- (ix) Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.

- (x) Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.
- (xi) Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.
- (xii) Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

Eligibility Policy. All DPs who are identified in the project-impacted areas by the cut-off date will be entitled to compensation for their affected assets and rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards and income-earning capacity. The cut-off date will be the final day of the census and DMS. Those who encroach into the Component area after the cut-off date will not be entitled to compensation or any other assistance. They will be given sufficient advance notice to vacate premises and dismantle affected structures prior to project implementation.

VI. CONCLUSIONS AND RECOMMENDATIONS

Based on research results; information provided by local governments; interviews with the concerned parties; HPWSCo representatives, Center for Land Development, local governments and affected households as well as field observation, conclusions of the Assessment Report are summarized as follows:

- (i) Hung Dao Water Supply Project has an inconsiderable impact on the affected people; compensations for damages and aids are conducted for the affected people to restore their socio-economic establishments.
- (ii) Compensation and land clearance were completed by the Center for Land Development of Duong Kinh district in December 2013;
- (iii) The scheme of compensation enforced by the Center for Land Development of Duong Kinh district has complied with the regulations of governmental compensation and resettlement policy as well as rights and benefits for the affected people under the regulations of Vietnam legislation and the project's resettlement policy;
- (iv) The affected households have received compensations, aids and handed over their land to the project;
- (v) Survey result presents that AHs do not want to participate in training activities, thus, they receive assistance in cash as per the entitlement matrix in the agreed draft RP and find out another job by themselves.. Compensations and aids have ensured full rights and benefits so that the affected people can re-invest, recover livelihood and income.

- (vi) The project has offered aids for the poor, supported the stability of their lives and production for seriously affected households. Propose special aids for the vulnerable househouse group under the regulations of agreed draft RP;
- (vii) No opinions or claims related to land clearance sent to HPWSCo, Center for Land Development of Duong Kinh district and People's Committee of Hung Dao commune;
- (viii) Livelihoods of the affected households have been completely recovered.
- (ix) HPWSCo has received and archived legal documents and handing-over minutes from the Center for Land Development of Duong Kinh district and the affected people.
- (x) Review and evaluation are conducted in May 2016, confirming that compensation and resettlement for Hung Dao Water Supply Plant project have basically complied with laws/regulations of the Government and ADB's resettlement policy SPS 2009 and agreed draft RP.

The major pending non-compliance issue is that 08 vulnerable households has not yet received fully allowance with additional transitional assistance in the form of a cash grant equivalent to 30kg of rice per household member for 6 months in addition to 06 millions/ per household as agreed RP. These is shown in the table below together with recommended corrective action plan.

Table 15 Recommended Corrective Action Plan

No.	Issues	Action	Responsible agencies	Time framework
1	For 08 vulnerable households have not yet received fully allowance as agreed RP	A additional transitional assistance in the form of a cash grant equivalent to 30kg of rice per household member for 6 months	Hai Phong PPC; Duong Kinh DPC. Duong Kinh LFDC and Hai Phong PMU	Completed by Quarter 3, 2017.

VII. APPENDIXES

Appendix 1: References

Involuntary resettlement policy. 1998. Asian Development Bank.

Operations Manual on Involuntary resettlement (OM/F2). 2003. Asian Development Bank.

Safeguard policy statement ADB (SPS). 2009.

Decree No. 197/2004/NĐ-CP dated 3/12/ 2004.

Decree No. 69/2009/NĐ-CP dated 13/08/2009.

Decision No. 130/2010/QĐ-UBND dated 22/01/2010 issued by Haiphong People's Committee provisions on compensation support due to land acquisition.

Decision No 1263/2010 / QĐ-UBND dated 30/07/2010 issued by Hai Phong People's Committee on amendment to some articles of Decision No.130/2010 /QĐ-UBND.

Decision No. 2300 dated 28/12/2012 of Hai Phong City's regulations on land prices in Hai Phong in 2013;

Decision No.2680/2014/QĐ-UBND dated 03/12/2014 issued by Hai Phong People's Committee on detailed regulations on compensation, support and resettlement when the State implements land acquisition in Hai Phong city;

Decision No 1263/2010 / QĐ-UBND dated 30/07/2010 issued by Hai Phong People's Committee on planning of land use, land prices, land recovery, compensation, support and resettlement in accordance with Decree 69/2009,;

Agreed draft RP

Appendix 2: Replacement cost survey (RCS)

Introduction of RCS

A replacement cost survey (RCS) had been conducted by a resettlement Consultant to collect necessary information to assess whether or not compensation for affected land and non-land assets was done at replacement cost.. Members of the survey team had carried out a number of interviews to staff of Hai Phong PPC, Duong Kinh DPCs, affected PCs, and, 20 affected people and not affected people were interviewed.

Objective of this RCS survey is to check whether or not compensation that was already paid was at replacement cost. All acquired land was agricultural land and in the fact, there are few transactions of land in five recent years, prices of agricultural land have almost no fluctuation. Thus, compensation price unit applied for Hung Dao WTP is acceptable. Besides, compensation cost plus with allowances ensure AHS' life same and better than project implementation. It was confirmed through a updated social economic survey.

Replacement cost is the amount that is needed to replace an affected asset without deductions for taxes, and/or costs of transaction as follows:

- a. Productive land (agricultural, fishpond, garden, forest) based on market prices that reflect recent land sales, and in the absence of such recent sales, based on productive value.
- b. Standing crops equivalent current market value of the crop at the time of compensation;
- c. Perennial crops and trees, cash compensation equivalent to current market value given the type, age and productive value (future production) at the time of compensation.

Methods of replacement price Survey

Objectives

The purpose of the replacement survey is to determine replacement prices for land, assets, standing crops and perennial/cash crops and works affected by the project to ensure the affected people by the project are compensated according to current market price. It is necessary in order to comply with the compensation policy framework of the project at replacement cost based on current market price and to meet one of the following principles of the project (a) no household is poverty by this project (b) the affected people by this project can still maintain, if not improve, their living conditions as before implementing the project.

The replacement price shall be equivalent or higher than current market price.

Approaches

The evaluation of substitute costs was conducted based on information collected from researches and field surveys including investigation and collection of data from the people living in the affected areas with affected and non-affected people.

Office-based research will focus on concerned publications, documents issued by provincial and district-level governmental agencies. However, such documents are considered as an assistance. The survey towards the collection of suitable substitute price for affected assets is market evidence and fundamental factors as a basis for building substitute prices. The survey with the

people living in the affected area including the affected and non-affected assets will provide information and reliable data for assessment.

Information collection

Information is collected via direct interviews with owners of land, works and crops.

For crops: local people planted trees for wood.

Interviews were conducted with local people (affected and non-affected), owners of locally similar trees for wood). Interviews included price rate that the owner is ready for sale or purchase of trees.

The goals of such assessment are to determine whether the province's issued price is eligible for the affected people to re-build their affected works. The inspection of compensation price for the affected works is based on the principle of substitute price. Information as a basis for evaluation is primarily collected from direct interviews with the concerned parties including work owners (the people with affected and non-affected works by construction of WTP).

The following table presents the results of replacement price survey

Table 16: Comparison of the replacement price with the unit price of HPPC

No.	Items	Unit	Price issued by HPPC (VND)	Replacement price (VND)	Compensation price (VND)
A	Land				
3	Agricultural land	m2	66,000	70,000-75,000	79,200
B	Architectural works				
1	House level 4	m2	1.891.000	1.600.000-1.800.000	1.891.000
2	temporary home	m2	538.000-889.200	450.000-500.000	538.000-889.200
3	Underground water tank	m3	1.089.000	700.000-1.000.000	1.089.000
4	Wells	m	1.400.000	1.200.000-1.400.000	1.400.000
5	Temporary works	m2	449.000-495.000	450.000-480.000	449.000-495.000
C	Trees and crops				
1	Jackfruit, mango	tree	100.000- 600.000	100.000- 500.000	100.000- 600.000
2	Grapefruit, lemon, tangerine	tree	200.000-300.000	100.000-300.000	200.000-300.000
3	Eucalyptus / Acacia	tree	15.000-120.000	5.000-120.000	15.000-120.000
4	Banana, Papaya	tree	40,000-100,000	10,000-100,000	40,000-100,000

5	rice, vegetables	m2	5,000-7,000	4,000-7,000	5,000-7,000
6	bonsai	tree	50,000-100,000	30,000-100,000	50,000-100,000
7	Flower	m2	100,000-200,000	50,000-200,000	100,000-200,000

- House level 4 is the only one storey house with a solid structure (often by bricks)
- Temporary work is made from the leaves and pits like bamboo and it is required to periodic replacement.

Crops

The group of survey interviewed local people and governments. It is the fact that the compensation for crops is in accordance with actual situation and even some crops with their price 1.1 – 1.3 times higher than the issued price of the People's Committee of Hai Phong city.

Building materials

Compensation for building materials reflects substitute price at the time of compensation payment. However, at the time of survey, prices of some building materials such as cement, brick, sand, rock and worker wage are similar in comparison with the time of compensation payment. Issued price of the provincial People's Committee and market price of building materials are identical. Therefore, the affected people are satisfied with compensations from the Center for Land Fund Development.

Appendix 3: List of participants and pictures at consultant meeting in March, 2011

Summary minutes of focus group discussion for AHs of Hai Phong water supply project. (from March 3 to March 11, 2011)

There were 04 focus group with about 10 people in each group, including :), Female only group (March 2); General group (March 3) and Vulnerable group (poor) (March 4); village leader (March 7),

I. PARTICIPANTS

Representative of Hung Dao Ward

1. Mr. Tran Mai Anh – Deputy Chairman of CPC.
2. Mr. Trinh Van Hai – CPC staff.
3. Mr Do Van Chu - CPC staff.

Representative of Client (PMU Haiphong)

1. Mr. Nguyen Van Duc - Deputy Director of PMU
2. Mrs. Pham Thi Thanh Thao – PMU 's staff.
3. Mrs. Pham Thuy Linh – PMU's staff.

Below is summary of their views in focus groups:

- AHs want to receive compensation at cash and propose to develop a acceptable compensation price unit;
- AHs support project implementation because project's objective is to build a water supply plant. Local people will be connect with fresh clean. They consider community health;
- The children of AHs are workers in industrial area with stable wages. Agricultural production is not main income of their household. The agricultural production only aims to provide healthy product for their family. Thus, they prefer to receive compensation at cash and do not want to take part in job training activities.
- Local people want to take part in simple work in construction stage to improve their income;
- Local people propose to free connect with water supply plant.

The list of participation in focus group discussion for woman

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

GIẤY XÁC NHẬN
RECEIPT

- Dự án: Hỗ trợ kỹ thuật nâng cấp hệ thống cấp nước thành phố Hải Phòng giai đoạn 2

Project: Hai Phong Water Supply Project

- Nội dung công việc: Thảo luận nhóm tập trung (Women group)

Contents: Focus Group Discussion

- Khu vực: Nhà máy nước Hưng Đạo, Đồ Sơn

Area: Đồ Sơn, Hưng Đạo WTP

- Nhóm thảo luận:


Group:

STT No.	Họ và tên Name	Nhiệm vụ Position	Thành tiền Total	Ký tên Sign
1	Đỗ Thu Huyền		20.000 đ	Đỗ Thu Huyền
2	Đỗ Thu Diễm		20.000 đ	Đỗ Thu Diễm
3	Đỗ Thị Hải		20.000 đ	Đỗ Thị Hải
4	Đỗ Lan Phương		20.000 đ	Đỗ Lan Phương
5	Bùi Thị Nga		20.000 đ	Bùi Thị Nga
6	Đỗ Thị Ngọc		20.000 đ	Đỗ Thị Ngọc
7	Đỗ Thị Thanh		20.000 đ	Đỗ Thị Thanh
8	Đỗ Thị Chi		20.000 đ	Đỗ Thị Chi
9			160.000	
10				
11				
12				
13				
14				
15				

Hải Phòng, ngày 7 tháng 3 năm 2011

Xác nhận

(4)


 TRẦN VIỆT CƯỜNG

The list of participation in focus group discussion for AHs

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

GIẤY XÁC NHẬN
RECEIPT

- Dự án: Hỗ trợ kỹ thuật nâng cấp hệ thống cấp nước thành phố Hải Phòng giai đoạn 2
Project: Hai Phong Water Supply Project

- Nội dung công việc: Thảo luận nhóm tập trung
Contents: Focus Group Discussion

- Khu vực: Nhà máy nước Hưng Đạo, Đồ Sơn
Area: Do Son, Hung Dao WTP

- Nhóm thảo luận:
Groups:

STT No.	Họ và tên Name	Nhiệm vụ Position	Thành tiền Total	Ký tên Sign
1	Trần Thị Giang		20.000	Giang
2	Đỗ Thị Tuyết		20.000	Tuyết
3	Đỗ Thị Loan		20.000	Loan
4	Trần Thị Chân		20.000	Chân
5	Bùi Thị Ngọc		20.000	Ngọc
6	Trần Thị Mỹ		20.000	Mỹ
7	Đỗ Thị Quý		20.000	Quý
8	Nguyễn Thị Hải		20.000	Hải
9	Trần Thị Nức		20.000	Nức
10				
11			180.000	
12				
13				
14				
15				

Hải Phòng, ngày 7 tháng 3 năm 2011

Xác nhận

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM
CỘNG T

TRÁCH NHIỆM HỮU
MỘT TÍNH V
CẤP NƯỚC
HẢI PHÒNG

Giám đốc
Đoàn Việt Cường

(5)

The list of participation in focus group discussion for vulnerable group

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

GIẤY XÁC NHẬN
RECEIPT

- Dự án: Hỗ trợ kỹ thuật nâng cấp hệ thống cấp nước thành phố Hải Phòng giai đoạn 2
Project: Hai Phong Water Supply Project

- Nội dung công việc: Điều tra Bảng câu hỏi Xã hội học và Bảng Kiểm kê trung dụng đất
Contents: Questionnaires of Social Survey and Inventory of Land losses → Focus group discussion (Poor group) *an hien*

- Khu vực: Nhà máy nước Hưng Đạo, Đồ Sơn
Area: Do Son, Hung Dao WTP

STT No.	Họ và tên Name	Nhiệm vụ Position	Đơn vị Office	Số ngày Days	Đơn giá Rate	Thành tiền Total	Ký tên Sign
1	Đỗ Văn Đạt			7/3/01		20.000	Đạt
2	Nguyễn Chí Quyết			7/3		20.000	Nguyễn Chí Quyết
3	Đỗ Văn Lâm			7/3		20.000	Lâm
4	Đỗ Văn Phúc			7/3		20.000	Phúc
5	Bùi Văn Toàn			7/3		20.000	Toàn
6	Đỗ Văn Trần			7/3		20.000	Đỗ Văn Trần
7	Đỗ Văn Hải			7/3		20.000	Đỗ Văn Hải
8	Nguyễn Văn Hải			7/3		20.000	Nguyễn Văn Hải
9	Trần Thị Huyền			7/3		20.000	Huyền
10	Đỗ Văn Tùng			7/3		20.000	Đỗ Văn Tùng
11							
12						200.000	
13							

Hải Phòng, 7/3/2011

CÔNG TY CẤP NƯỚC HẢI PHÒNG
KT Tổng Giám đốc
PHÓ Tổng Giám đốc *an hien*

(6)

Viet Cường

Some picute at focus group discussion in 2011



Appendix 4: List of participants at consultant meeting in May, 2016

No.	List of people	Organization	Position
1	Tran Viet Cuong	Hai Phong Water	Director of PMU
2	Nguyen Van Duc	Hai Phong Water	Deputy Director of PMU
3	Pham Quang Huy	Hai Phong Water	Staff
4	Pham Thanh Thao	Hai Phong Water	Staff
5	Tran Thanh Bac	Duong Kinh District Land Fund Development Center	Deputy Director
6	Dương Việt Hoài	Duong Kinh District Land Fund Development Center	Staff
7	Trinh Van Hai	Hung Dao Ward	Vice Chairman
8	Dao Ngoc Khoat	Hung Dao Ward	Chairman, Fatherland Front
9	Nguyen Van Duy	Hung Dao Ward	Land survey official
10	Dong Bac Hiep	Hung Dao Ward	Secretary of Youth Union
11	Hoang Thi Nui	Hung Dao Ward	Chairman, Women's Union
12	Do Tuan Ky	Hung Dao Ward	The head of a cooperative
13	Tran Tri Dung	Hung Dao Ward	Farmer's Union
14	Hoang Thi Vuong	Hung Dao Ward	Representative of household
15	Do Van Anh	Hung Dao Ward	Representative of household

Appendix5: Minutes of meeting

Summary minutes of the community meetings.

REHABILITATING & UPGRADING PROJECT OF HAIPHONG WATER SUPPLY SYSTEM (STAGE II)

Water Treatment Plant at Hung Dao Commune, Duong Kinh District

Minutes of the meeting on the water treatment plant and resettlement policy
applied to affected people

12/05/2015

I. PARTICIPANTS

Representative of Duong Kinh District Land Fund Development Center

1. Mr. Tran Thanh Bac – Deputy Director.
2. Mr. Duong Viet Hoai – Specialist.

Representative of Hung Dao Ward

1. Mr. Trinh Van Hai - Vice Chairman.
2. Mr. Nguyen Van Duy - Land survey official.

Representative of Client (PMU Haiphong)

1. Mr. Nguyen Van Duc - Deputy Director of PMU
2. Mrs. Pham Thi Thanh Thao – PMU 's staff.
3. Mrs. Pham Thuy Linh – PMU's staff.

Representative of Consultant

1. Mr. Nguyen Xuan Nhan - Resettlement Specialist
2. Mr. Nguyen Van Manh- Resettlement Specialist

Representative of Governmental institutions and organization at Hung Dao Ward including:

Dao Ngoc Khoat	Hung Dao Ward	Chairman, Fatherland Front
Dong Bac Hiep	Hung Dao Ward	Secretary of Youth Union
Hoang Thi Nui	Hung Dao Ward	Chairman, Women's Union
Do Tuan Ky	Hung Dao Ward	The head of a cooperative
Tran Tri Dung	Hung Dao Ward	Farmer's Union

Hoang Thi Vuong	Hung Dao Ward	Representative of household
Do Van Anh	Hung Dao Ward	Representative of household

II. CONSULTATION MEETING CONTENTS:

1. Representative of Client provided the following information:

- Scope of the project and construction of water treatment plant Sub –Project in Duong Kinh District, Haiphong city.
- Impact of land acquisition;
- Measures to minimize the impact of land acquisition and property on land;
- Policy on compensation, support and resettlement of the project;
- The implementation plan (plan for mitigation measures, construction plans, plans for compensation, support and resettlement, income restoration plan);
- Addressing complaint Mechanism.

2. Representative of Client provided the following documents:

- Project Background Sheet;
- Decision on compensation policy in Hai Phong and compensation unit price for land, structures, trees and crops in Haiphong.
- Documents of the Government relating to the compensation.

III. RESULT:

3.1. Comments on the construction of water treatment plant.

- The commune leaders, representatives of local organizations agreed to invest and project design. During the design process, Design Consultant consulted with local government and local people.

3.2. Comments on the land acquisition impact:

- At the meeting, Consultant presented Detailed Measurement Survey (DMS) and coefficients for compensation prices of land and property on the land, the compensation method is applied and ensure the rights of affected persons.
- Detailed Measurement Survey (DMS) Result was posted publicly to the affected households.

3.3. Comments on policies and measures to minimize the impact of land acquisition and property on land.

- The mitigation measures are addressed in the project design through consultations with people.

3.4. Comment on compensation, support and resettlement policies:

3.4.1. Eligibility of property

- To ensure that all affected households will receive their compensation by cash for land and property on land.
- During construction, if any impact arises, statistics and compensation must be fully implemented.

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

- Leaders of the communes/wards and participants said that the compensation was based on the new unit prices applied in 2013 and 2014.

3.4.3. The types of assistance and support:

- The support policies shall comply with the general provisions of Haiphong People's Committee and project policy. The level of support is appropriate and to ensure objectivity and fairness.

3.4.4. Resettlement plan and support plans for resettlement:

- To recommend alternate resettlement in the residential area of the ward which is suitable with production conditions and livelihoods of households.
- PMU should notify the specific work plan for clearance aims to help people to be able to hand over the land as schedule, especially for households whose houses were affected so that they may be stable soon.

3.4.5. The earnings recovery operations:

- The project does not cause serious impact on the lives and incomes of households.
- Support policy of the project, stability support and support for vulnerable groups to ensure that the living conditions of the affected households will not be negatively affected during the project implementation.
- Local people do not want to take part in job training, they prefer to receive allowance in cash to find out job by themselves

3.5. Comments on compensation, support and resettlement, income restoration plan and land acquisition:

- Leaders of the Ward and representatives of organizations agreed with the implementation plan of compensation, support and resettlement of the project.

3.6. Comments on the mechanism for resolving complaints.

- All participants agreed with the implementation of complaint resolution mechanism for resolving complaints.

The meeting closed at 16.30h on the same day. Representatives of Ward People's Committee, representatives of organizations and participants attending the meeting, read and agreed to the contents of the consultation meeting minutes and sign as follows.

**Representative of
Commune's People
Committee**
(Signed)

Representative of organization (signed)

- Vietnamese Fatherland Front:
- Women's Union.....
- Farmer's Union
- Affected household.....

.....
.....

**Representative of
residential area:**
(Signed)

.....
.....

Representative of Client
(Signed)

Representative of Consultant
(Signed)

Phụ lục 3: Biên bản cuộc họp

góc

**DỰ ÁN ĐẦU TƯ MỞ RỘNG HỆ THỐNG CẤP NƯỚC
THÀNH PHỐ HẢI PHÒNG - GIAI ĐOẠN II**

Hạng mục: Xây dựng Nhà máy xử lý nước tại phường Hưng Đạo, quận Dương Kinh

**BIÊN BẢN THAM VẤN
Về thực hiện Kế hoạch đền bù, hỗ trợ tái định cư**

Thời gian: Vào hồi 14 giờ 30 phút, ngày 11/5/2016.

Tại: Nhà văn hóa Vọng Hải, phường Hưng Đạo, quận Dương Kinh, Thành phố
Hải Phòng

I. THÀNH PHẦN THAM DỰ

Đại diện Trung tâm Phát triển Quỹ đất quận Dương Kinh

Ông Trần Thành Bắc Chức vụ: Phó Giám đốc

Ông Dương Việt Hoài Chức vụ: Cán bộ

Đại diện Ủy ban nhân dân phường Hưng Đạo

Ông Trịnh Văn Hải Chức vụ: Phó Chủ tịch

Ông Nguyễn Văn Đúy Chức vụ: Cán bộ địa chính

Đại diện Tư vấn Tái định cư

Ông Nguyễn Xuân Nhân Chức vụ: Trưởng nhóm

Ông Nguyễn Văn Mạnh Chức vụ: Thành viên đoàn Tư vấn

Đại diện chủ đầu tư: Công ty Cổ phần Cấp nước Hải Phòng

Ông Nguyễn Văn Đức Chức vụ: Phó Giám đốc Ban Quản lý

Bà Phạm Thị Thanh Thảo Chức vụ: Cán bộ Ban Quản lý

Ông Phạm Quang Huy Chức vụ: Cán bộ Ban Quản lý

Bà Phạm Thùy Linh Chức vụ: Cán bộ Ban Quản lý

II. NỘI DUNG THAM VẤN

Nội dung tham vấn bao gồm:

- Quy mô dự án và hạng mục dự án xây dựng Nhà máy nước Hưng Đạo tại phường Hưng Đạo, quận Dương Kinh
- Các ảnh hưởng đến thu hồi đất và các tài sản trên đất
- Các biện pháp giảm thiểu các tác động thu hồi đất và các tài sản trên đất
- Khuôn khổ pháp lý cho việc thu hồi đất và tái định cư
- Quy trình thực hiện công tác bồi thường tái định cư

- Các chính sách quyền lợi và trách nhiệm của các bên trong công tác bồi thường
- Chính sách đền bù, hỗ trợ, tái định cư, phục hồi thu nhập của Dự án
- Cơ chế giải quyết thắc mắc, khiếu nại...

III. KẾT QUẢ THAM VẤN

3.1. Ý kiến về quy mô dự án

Đồng ý với quy mô đầu tư của dự án

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

Mức độ ảnh hưởng thu hồi đất và tài sản trên đất của dự án là không đáng kể do các hộ dân có nguồn sinh kế chính từ bên ngoài.

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

Dự án đã lựa chọn phương án thiết kế phù hợp trên cơ sở khai sát và thỏa thuận vì từ dự án với địa phương nhằm giảm thiểu các tác động thu hồi đất và tài sản trên đất

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

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

Các tài sản bồi thường là tài sản hợp lệ, tất cả các tài sản bị ảnh hưởng đã được thống kê và bồi thường đầy đủ

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

phù hợp với thực tế triển khai dự án, đơn giá đền bù đúng quyền lợi của các hộ gia đình theo quy định chính sách bồi thường

3.4.3. Các khoản hỗ trợ và mức hỗ trợ

Theo quy định của UBND thành phố Hải Phòng & chính sách pháp luật của chính phủ.

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

Áp dụng đầy đủ theo yêu cầu trong công tác bồi thường và giải phóng mặt bằng

3.4.5. Các hoạt động phục hồi thu nhập

Tất đồng của dư án đến nguồn thu nhập của các hộ là không lớn. Trong quá trình thực hiện bồi thường cấp đất, các hộ bị ảnh hưởng đã nhỏ trước khi nhận hồ sơ chuyển đổi nghề nghiệp làm nông là nhận hồ sơ và kê

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

Đảm bảo thực hiện đầy đủ chính sách, đáp ứng yêu cầu hiện tại của dư án

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

Đã thiết lập cơ chế giải quyết thắc mắc, khiếu nại theo đúng quy định của người bị ảnh hưởng để đảm bảo tiếp cận, phản ánh ý kiến

Cuộc họp kết thúc vào giờ phút cùng ngày. Biên bản được đọc lại cho đại diện các bên tham gia: Trung tâm Phát triển quỹ đất quận Dương Kinh; Lãnh đạo Ủy ban nhân dân phường Hưng Đạo; Đại diện các tổ chức đoàn thể của phường và đại diện người dân tham dự cuộc họp cùng nghe, thống nhất với nội dung Biên bản cuộc họp và cùng ký tên dưới đây.

ĐẠI DIỆN UBND PHƯỜNG HƯNG ĐẠO


PHÓ CHỦ TỊCH
Trịnh Văn Hải

ĐẠI DIỆN TRUNG TÂM PHÁT TRIỂN
QUỸ ĐẤT QUẬN DƯƠNG KINH


PHÓ GIÁM ĐỐC
Trần Thành Bắc

ĐẠI DIỆN TƯ VẤN


Nguyễn Xuân Nhàn

ĐẠI DIỆN CHỦ ĐẦU TƯ


Nguyễn Văn Đức

**DỰ ÁN ĐẦU TƯ MỞ RỘNG HỆ THỐNG CẤP NƯỚC
THÀNH PHỐ HẢI PHÒNG - GIAI ĐOẠN II**

Hạng mục: Xây dựng Nhà máy xử lý nước tại phường Hưng Đạo, quận Dương Kinh

**BIÊN BẢN THAM VẤN
Về thực hiện Kế hoạch đền bù, hỗ trợ tái định cư**

Thời gian: Vào hồi 14 giờ 30 phút, ngày 21/5/2016

Tại: Nhà văn hóa Vọng Hải, phường Hưng Đạo, quận Dương Kinh, Thành phố
Hải Phòng

I. THÀNH PHẦN THAM DỰ

Đại diện Trung tâm Phát triển Quỹ đất quận Dương Kinh

- | | |
|------------------------|-----------------------|
| 1. Ông Trần Thành Bắc | Chức vụ: Phó Giám đốc |
| 2. Ông Dương Việt Hoài | Chức vụ: Cán bộ |

**Đại diện Chính quyền Ủy ban nhân dân phường Hưng Đạo, các tổ chức
đoàn thể, Trưởng thôn và đại diện các hộ dân phường Hưng Đạo**

- | | |
|------------------------|------------------------------------|
| 3. Ông Trịnh Văn Hải | Chức vụ: Phó Chủ tịch UBND |
| 4. Ông Đào Ngọc Khoát | Chức vụ: Chủ tịch Mặt trận Tổ quốc |
| 5. Ông Đỗ Tuấn Kỳ | Chức vụ: Chủ nhiệm Hợp tác xã |
| 6. Ông Nguyễn Văn Đúy | Chức vụ: Cán bộ địa chính |
| 7. Bà Nguyễn Thị Thúy | Chức vụ: Cán bộ địa chính |
| 8. Ông Đồng Bắc Hiệp | Chức vụ: Bí thư Đoàn Thanh niên |
| 9. Bà Hoàng Thị Núi | Chức vụ: Hội phụ nữ |
| 10. Ông Trần Trí Dũng | Chức vụ: Chủ tịch Hội Nông dân |
| 11. Ông Đỗ Văn Ân | Chức vụ: Tổ trưởng Tổ dân phố số 3 |
| 12. Ông Trần Duy Hưng | Chức vụ: Tổ trưởng Tổ dân phố số 4 |
| 13. Bà Hoàng Thị Vượng | Chức vụ: Đại diện hộ dân |
| 14. Ông Đỗ Văn Ánh | Chức vụ: Đại diện hộ dân |

Đại diện Tư vấn Tái định cư

- | | |
|--------------------------|---------------------------------|
| 15. Ông Nguyễn Xuân Nhân | Chức vụ: Trưởng nhóm |
| 16. Ông Nguyễn Văn Mạnh | Chức vụ: Thành viên đoàn Tư vấn |

Đại diện chủ đầu tư: Công ty Cổ phần Cấp nước Hải Phòng

- | | |
|----------------------------|-----------------------------------|
| 17. Ông Nguyễn Văn Đức | Chức vụ: Phó Giám đốc Ban Quản lý |
| 18. Bà Phạm Thị Thanh Thảo | Chức vụ: Cán bộ Ban Quản lý |
| 19. Bà Phạm Thùy Linh | Chức vụ: Cán bộ Ban Quản lý |
| 20. Ông Phạm Quang Huy | Chức vụ: Cán bộ Ban Quản lý |

II. NỘI DUNG THAM VẤN

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

- Mô tả về quy mô dự án và hạng mục dự án xây dựng Nhà máy nước Hưng Đạo tại phường Hưng Đạo, quận Dương Kinh
- Các ảnh hưởng đến thu hồi đất và các tài sản trên đất
- Các biện pháp giảm thiểu các tác động thu hồi đất và các tài sản trên đất
- Khuôn khổ pháp lý cho việc thu hồi đất và tái định cư
- Quy trình thực hiện công tác bồi thường tái định cư
- Các chính sách quyền lợi và trách nhiệm của các bên trong công tác bồi thường
- Chính sách đền bù, hỗ trợ, tái định cư, phục hồi thu nhập của Dự án
- Cơ chế giải quyết thắc mắc, khiếu nại...

III. KẾT QUẢ THAM VẤN

3.1. Ý kiến về quy mô dự án

Đồng ý với quy mô đầu tư của dự án

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

Mức độ ảnh hưởng thu hồi đất và tài sản trên đất của Dự án là không đáng kể do các hộ dân có nguồn sinh kế chính từ bên ngoài.

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

Dự án đã lựa chọn phương án thiết kế phù hợp trên cơ sở khảo sát và thỏa thuận vị trí dự án với địa phương nhằm giảm thiểu các tác động thu hồi đất và tài sản trên đất.

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

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

Các tài sản bồi thường là tài sản hợp lệ, tất cả các tài sản bị ảnh hưởng đã được thống kê và bồi thường đầy đủ.

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

Phù hợp với thực tế hiện khai dự án, đơn giá bồi thường dựa trên giá của các hộ gia đình theo quy định chính sách bồi thường.

3.4.5. Các hoạt động phục hồi thu nhập

3.4.6. Ý kiến về kế hoạch thực hiện đền bù, hỗ trợ, tái định cư, phục hồi thu

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

trăm bài thực hiện đầy đủ hình thức, đáp ứng yêu cầu phần thi của dự án

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

Đã thiết lập cơ chế giải quyết tranh chấp, khiếu nại theo đúng quy định về người bị ảnh hưởng để đồng tiếp cận và phản ánh ý kiến

Cuộc họp kết thúc vào 15 giờ 30 phút cùng ngày. Biên bản được đọc lại cho đại diện các bên tham gia: Trung tâm Phát triển quỹ đất quận Dương Kinh; Lãnh đạo Ủy ban nhân dân phường Hưng Đạo; Đại diện các tổ chức đoàn thể của phường và đại diện người dân tham dự cuộc họp cùng nghe, thống nhất với nội dung Biên bản cuộc họp và cùng ký tên dưới đây.

ĐẠI DIỆN CHỦ DẠU

ĐẠI DIỆN TƯ VẤN

[Signature]
Nguyễn Xuân Nhàn

ĐẠI DIỆN TRUNG TÂM PHÁT TRIỂN QUỸ ĐẤT QUẬN ĐƯƠNG KINH

TRUNG TÂM PHÁT TRIỂN QUỸ ĐẤT QUẬN ĐƯƠNG KINH

PHÓ GIÁM ĐỐC

ĐẠI DIỆN UBND
PHƯƠNG HUNG ĐẠO

KT. CHỦ TỊCH
PHÓ CHỦ TỊCH
Trịnh Văn Hải

ĐẠI DIỆN CÁC TỔ CHỨC ĐOÀN THỂ

Đại diện Mật trận Tổ quốc

Đại diện Hợp tác xã

Đại diện Hội phụ nữ

Đại diện Đoàn Thanh niên

Đại diện Tổ dân phố

Đại diện hộ dân

ồ quốc *Phước*
Quốc *Đức* *Ngọc* *Khánh*
Thị *Thị* *Thị* *Thị*
 h niên *Thị* *Thị* *Thị* *Thị*
Thị *Thị* *Thị* *Thị*
 Anh *Đoàn* *Văn* *Anh*
 Hoàng *Thị* *Viên*

Appendix 6: Pictures at community consultation meeting



Appendix 7: Sample of household questionnaires

BẢNG HỎI KHẢO SÁT KINH TẾ XÃ HỘI

Giám sát & đánh giá thực hiện Chính sách an toàn

Loại ảnh hưởng: ☐ 1 Một phần ☐ 2 Tái định cư

I. Thông tin về hộ gia đình BAH

1.1. Chủ hộ:

1	Tên chủ hộ		
2	Giới tính:	1- Nam 2- Nữ	
3	Tuổi		
4	Dân tộc	1- Kinh / Việtnam	2- Khác.....
5	Hiện trạng hôn nhân	1- Có vợ/chồng 2- Góa vợ / chồng	3- Ly hôn 4- Độc thân
6	Trình độ văn hóa	1- Mù chữ 2- Chưa hết tiểu học 3- Tiểu học	4- PT trung học 5- Cao đẳng, đại học 6- Trên đại học
7	Nghề nghiệp chính	1- Nông nghiệp 2- Nuôi cá / thủy sản 3- Buôn bán 4- Lái xe 5- Làm thuê	6- Cán bộ/CNV nhà nước 7- Giáo viên, cán bộ y tế 8 - Thất nghiệp; đang tìm việc 9- Không LĐ, như nghỉ hưu, nội trợ 10- Khác (cụ thể)
8	Tình trạng cư trú	1- KT 1 2- KT2	3- KT3 4- Khác:.....

1.2. Các thành viên trong gia đình

		Tổng số
1	Số người thường xuyên sống trong gia đình	
2	Số lao động chính (16 tuổi trở lên)	

II. Phổ biến thông tin dự án

2.1. Ông/bà có nắm được các thông tin về dự án không?

☐ 1 Có ☐ 2 Không (chuyển câu 10)

2.2. Ông/bà biết được những thông tin đó từ những nguồn nào dưới đây?

- ☐ 1 Từ bướm ☐ 4 Cán bộ chính quyền địa phương
☐ 2 Bảng tin ☐ 5 Cán bộ dự án
☐ 3 Thông tin đại chúng (báo, đài...) ☐ 6 Họp tổ dân phố
☐ 7 Nguồn khác (ghi rõ)

2.3. Ông/bà có hiểu hết về chính sách và những quyền lợi mà mình được hưởng qua các đợt tuyên truyền không?

☐ 1 Có ☐ 2 Không

Nếu không thì do:

☐ 1 Tuyên truyền không rõ ☐ 3 Không biết gặp ai để hỏi

- 3.1. Ông/bà có được thông báo trước về thời gian đo đạc, kiểm đếm tài sản thiệt hại của gia đình ông/bà không?
- ☐1 Có ☐2 Không
- 3.2. Ông/bà có tham gia vào việc đo đạc, kiểm đếm tài sản ảnh hưởng của ông/bà không?
- ☐1 Có ☐2 Không
- 3.3. Ông/bà có tài sản nào bị kiểm đếm sót không?
- ☐1 Có ☐2 Không
- Nếu có thì đó là cái gì?
- 3.4. Việc đo đạc đất, nhà bị thiệt hại có chính xác không?
- ☐1 Có ☐2 Không
- 3.5. Ông/bà có được xem lại và ký vào biên bản kiểm đếm không?
- ☐1 Có ☐2 Không
- 3.6. Ông/bà có được giữ lại 1 bản tính toán giá trị bồi thường tài sản của mình không?
- ☐1 Có ☐2 Không
- IV. Bồi thường và các khoản hỗ trợ:**
- 4.1. Ông/bà có được thảo luận để chọn lựa các phương án bồi thường không? (ví dụ thảo luận về phương án bồi thường bằng tiền, "đất đổi đất", đổi nhà)
- ☐1 Có ☐2 Không
- 4.2. Gia đình Ông/bà có được xem biên bản tính tiền không?
- ☐1 Có ☐2 Không
- 4.3. Ông/bà đã nhận được bất cứ 1 khoản bồi thường nào chưa?
- ☐1 Nhận rồi ☐2 Chưa được nhận
- Nếu có thì đó là
- ☐1 Bồi thường về đất ☐2 Bồi thường tài sản
- ☐3 Tiền bồi thường khác (cây cối...)
- 4.4. Thời gian ông/ bà nhận bồi thường là khi nào?
- ☐1 Trước khi thi công
- ☐2 Trong khi thi công
- ☐3 Sau khi thi công
- 4.5. Gia đình ông (bà) được nhận những hình thức trợ cấp nào dưới đây?
- ☐1 Hỗ trợ tỉ lệ mất ruộng
- ☐2 Hỗ trợ chi phí hoa màu, cây cối
- ☐3 Trợ cấp kinh doanh
- ☐4 Hỗ trợ đào tạo nghề
- ☐5 Trợ cấp vận chuyển di dời vật liệu tận dụng
- ☐6 Có nhưng chưa nhận được
- ☐7 Không có trợ cấp nào cả
- 4.6. Ông/bà có cảm thấy hài lòng với giá bồi thường không ?
- ☐1 Có ☐2 Không
- Nếu không hài lòng thì vì sao?
-

V. Khôi phục và cải thiện cuộc sống

Appendix 8: Status of life of seriously AHs after receiving compensation payment

No	Name	Total agriculture area	% of land loss	Compensation (VNĐ)	Population	Living Condition	Living condition (after compensation)
1	Đỗ Thị Cậy	962	100	670,924,400	3		Born in 1958, live with daughter working in leather shoes company, living standard is quite sustainable.
2	Đỗ Thị Dinh	2469	36.1	429,635,500	6		Born in 1962, they work as famers and sell broom in the market
3	Đỗ Thị Lan	1984	57.7	549,846,860	4		Born 1959, service in pagoda.
4	Đỗ Thị Quý	964	37.9	272,351,000	5	Female headed households	91 years old, living with son, the son produces ice. Living standard is good.
5	Đỗ Thị Rai	1120	100	772,294,000	4	pass away	
6	Đỗ Văn Ánh	2399	36	293,159,400	8	family under preferential treatment policy	Born in 1962, working for leather shoes company, living standard is good

7	Đỗ Văn Ân	1443	62	632,281,800	5		Cell secretary with support. His wife has retirement salary, one son works for leather shoes company.
8	Đỗ Văn Địa	2472	93.4	829,277,000	7		Mrs. Do Thi Quy 's son, producing ice. Living standard is good.
9	Đỗ Văn Hào	2433	95.8	862,682,200	10	Poor (pass away)	Compensation was tranfered to his child.
10	Đỗ Văn Học	2421	37.8	412,572,600	5		Born in 1955, bonsai business, his wife sells goods in the market, his child works in leather shoes company.living standard is good.
11	Đỗ Văn Hiền	1434	48	480,205,600	3		born in 1969, taxi driver, living stand is good.
12	Đỗ Văn Mực	1448	91.6	424,759,200	3	Poor (pass away)	
13	Đỗ Văn Phóng	1467	62	641,355,800	4	family under preferential treatment policy	Building worker, living standard is good.
14	Đỗ Văn Phiến	1984	39.3	410,285,418	6		Motor bike fixer, his wife has retirement salary. Living standard is good.

15	Đỗ Văn Phúc	1440	77.1	1,427,668,668	4		Born in 1963, use compensation for buying buffalo. Living standard is good.
16	Đỗ Văn Tám	1235	52.8	471,702,400	4		Born in 1979, they continue working as farmers, use compensation for grocery business. Living standard is good.
17	Đỗ Văn Thái	986	37.3	357,387,200	4		Born in 1960, they sell fruit in the market. Living standard is good.
18	Đỗ Thị Thuyết	910	100	371,605,000	2	Pass away	
19	Đỗ Văn Sừu	2476	54	740,865,200	5	Poor	Born in 1959, after receiving compensation, family as extended raising ducks for egg-production and buffalo. Living standard is good.
20	Đỗ Văn Xoan	2414	49.3	216,018,600	3		They are living with their son. 86 years old. Their son is doing food and drinks services business. Living standard is good.
21	Bùi Thị Ngà	1052	73.2	574,124,000	7	Female headed households	65 years old. Living nearby her son. Her son is building worker. Income is good.
22	Đông Thị Thâm	1938	36.3	506,618,600	5		Husband is safeguard, living with her son who works as worker. Living standard is good.

23	Bùi Văn Toàn	1948	37.3	464,378,200	4	Pass away	
24	Hoàng Thị Hạnh	1440	80.1	707,715,400	6	Female headed households	68 years old, living with daughter in-law, daughter in-law and grandchild work for leather shoes company. Living standard is good.
25	Nguyễn Văn Mềm	1479	37.6	276,956,000	6		72 years old, retired, both of them have retirement salary. Living with their son and support money to them.
26	Trần Đình Trọng	1533	62.2	697,803,466	5		Born in 1972. Before that, He used to be driver for bus company. After receiving compensation, he bought a car for his own business.
27	Trần Quang Đàm	1982	45.6	671,992,795	5		Born in 1960, doing business in fertilizer and having a grinder for business as: husking rice.. Living standard is good.
28	Đỗ Thị Nấn	2499	45.3	335,302,200	5		Born in 1952, they are living with their son. He is driver. Living standard is good.
29	Đỗ Văn Đoan	3427	34.3	346,217,400	7		Born in 1952, his wife sells broom in the market. living standard is good.
30	Đỗ Văn Đông	488	100	358,449,600	5		Born in 1971, building worker, has a three-wheeled taxi for doing business in tranfering building material