

Social Monitoring Report

Semestral Report
January – June 2015

VIE: Power Transmission Investment Program, Tranche 1 500/220kV Pho Noi-Bac Ninh 2 Transmission Line and 500kV Pho Noi Substation

Prepared by the Northern Vietnam Power Projects Management Board for the National Power Transmission Corporation and the Asian Development Bank.

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ADB

VIE: MFF POWER TRANSMISSION INVESTMENT PROGRAM

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ACRONYMS

ADB	Asian Development Bank
AP	Affected Person
CPC	Commune People's Committee
DMS	Detailed Measurement Survey
DCARB	District Compensation and Resettlement Board
EM	Ethnic Minorities
LIC	Local implementation consultant
GoV	Government of Viet Nam
PPCs	Provincial People's Committees
RPF	Resettlement Policy Framework
ROW	Right of Way
RP	Resettlement Plan
RS	Resettlement site
NPPMB	Northern Power Project Management Board
VND	Viet Nam Dong
TNA	Training need assessment
T/L	Transmission line

1. INTRODUCTION TO THE PROJECT

1.1. Project of civil work up to June, 2015.

1. Bac Ninh 2 – Pho Noi 500/220kV transmission line: The contractors had completed the supply of goods and equipment. The civil work for the transmission line had been started since December 2013 and had not completed yet. The status of construction for 500/220kV Bac Ninh 2 – Pho Noi Transmission line include: (i) number of foundations handed over: 90/92 and (ii) number of foundation molded: 87/92; (iii) Towers erected: 80/92 and (iv) Wire stringed: 30,127 km.

2. 500kV PN S/C sub-project: Construction for 500kV Pho Noi Substation: has not been deployed. The contract for supply of equipment and material for 500kV Pho Noi substation and connection was awarded to joint venture of SIEMENS Limited Company (Siemen Ltd Vietnam) & PT Siemens Indonesia & Siemens Transformer (GuangZhou) Ltd Company. Contract for supply of equipment and materials had been signed between NPPMB and bidder since September 2013. Auto-transformer and CIF goods are shipped and stored at Potracos warehouse. EXW goods are not delivered yet.

Table 1: Project progress to the reporting time

Subprojects	Number of foundations	Number of foundations handed over	Number of foundation molded	Towers erected	Wire stringed
Bac Ninh 2 – Pho Noi 500/220kV transmission line	92	90	87	80	30.127 km
500kV PN S/C sub-project	44 ¹	0	0	0	0

Sources: NPMB's data and reports, LIC's progress reports

Overview subprojects

3. The Socialist Republic of Viet Nam has received a loan from the Asian Development Bank (ADB) towards the cost of the Power Transmission Investment Program, Tranche 1. There are 4 Sub-projects included in the tranche 1 of the Multi tranche Financing Facility: Power Transmission Investment Program (the Facility) that finances part of the National Power Transmission Corporation's (NPT) medium-term

¹ This is the total number of 4 component connection sub-projects of 500kV PN S/C sub-project, specifically: 1) 500 KV Quang Ninh – Thuong Tin: 5 foundations in Viet Hung commune-Hung Yen province; 2) 500 KV Bac Ninh 2 – PhoNoi: 05 foundations in Viet Hung commune-Hung Yen province; 3) 220 KV Pha Lai – Gia Loc: 16 foundations including 1 foundation sharing with 500 KV Bac Ninh 2 - Pho Noi in Viet Hung commune-Hung Yen province; 4) 220 KV Thuong Tin – Kim Dong: 19 foundations in Viet Hung and Luong Tai commune, Hung Yen province and Ngoc Lien commune, Cam Giang district, Hai Duong province

power transmission expansion program in Viet Nam. Part of the proceeds of the loan will be applied for the construction of the (i) 500kV/220kV Bac Ninh 2 – Pho Noi transmission line and (ii) 500kV Pho Noi substation. The National Power Transmission Corporation (NPT) is the executing agency and the Northern Power Project Management Board (NPMB) is the implementing agency for the two sub-projects.

4. Location. The Bac Ninh 2-Pho Noi 500kV/220kV transmission line and associated 500kV Pho Noi substation is located in the two provinces of Bac Ninh and Hung Yen respectively. The starting point of the transmission line will be the 500kV bus bar of the Pho Noi substation that is located in the Hung Yen province and the ending point will be the 220kV bus bar of the Bac Ninh 2 substation located in the Bac Ninh province.

5. The 500kV/220kV Bac Ninh 2-Pho Noi transmission line (500kV/220kV BN2-PN T/L) is built with following specifications:

- Voltage level: 500kV/220kV
- Starting point: the proposed 500kV Pho Noi substation
- Ending point: the proposed Bac Ninh No.2 220kV substation
- Total length of the line: 30km
- Location: the line goes through 12 communes of 5 districts in two provinces (Tien Du, Que Vo, Gia Binh, Thuan Thanh districts of Bac Ninh province and Van Lam district of Hung Yen province).

6. The 500kV Pho Noi substation and connections (500kV PN S/C) is built with following specifications:

- Voltage level 500kV/220kV
- Area occupied 239,872.7 m² (included substation and access road)
- Location: Viet Hung, Luong Tai commune, Van Lam district, Hung Yen province and Ngoc Lien commune, Cam Giang district, Hai Duong province

1.2. Safeguard policy and implementation personnel

1.2.1. Project policy and the gaps between government regulation and Donor's requirement

7. In general, Land Law 2013; Decrees No. 47/2014/ND-CP; 44/2014/ND-CP; Decree No.43/2014/ND-CP; Circular No. 36/2014/TT-BTNMT, dated 30 June 2014 detail regulation on method of land valuating, construction, adjustment of price unit, land valuating and consultation for defining land price; Circular No. 37/2014/TT-BTNMT, dated 13 August 2014 detail regulation on compensation, assistance and resettlement in the event of land recovery by the State.), satisfy the most principles and objectives of the ADB's SPS, 2009.

8. However, due to existence of some gaps between policy of Vietnam and ADB, the Government had approved a Resettlement policy Framework for the MFF. Table 4.1 below provides summary of differences between Resettlement Policies of the Government of Vietnam and the Asian Development Bank and the Policy proposed for the MFF.

Table 2. Discrepancies between Decree 47/ND- CP, Decree 43/ND- CP and ADB Safeguard Policy Statement

	Policies of GoV (Land Law 2013, Decree 43/2014/ND – CP and Decree 47/2014/ND - CP)	ADB SPS, 2009	Project Policy
Severely impacted APs losing productive land	Art 19, Decree 47/2014/ND-CP , Stipulates that households directly engaged in agriculture production losing 30% and more of agricultural land, are entitled to support for stabilizing livelihood.	The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income generating).	Losing 10% or more of the household's assets shall be considered as threshold.
APs without LURC	<p>Article 75, Land Law 2013, promulgating regulations on eligibility for land compensation when the State acquires land for the purposes of national defense, security, socio-economic development in the national and public interests.</p> <p>Article 3, of Decree No. 47/2014/ND – CP stipulates that in case those who own land acquired for building the State structures and meet conditions on land ownership rights as stipulated in provisions of Article 76, Land Law 2014 will be eligible for compensation for remaining investment costs on land. Unless otherwise, the People's Committees of the provinces and cities directly under the Central authority shall be responsible for considering and solving for specific case.</p> <p>Art 1, 2, 3, 4 , Article 82, Land Law 2013 stipulate cases ineligible for compensation on land when the State acquires land.</p> <p>Art 1, 2 and 3, Article 92, Land Law 2013 stipulate cases ineligible for compensation for on-land assets when the State acquires land.</p>	<p>Those APs without legal title to land will be included in consultations. Ensure that APs without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets including dwellings, structures and other improvements to land such as crops, irrigation, at full replacement cost.</p> <p>Safeguards cover involuntary restrictions on land use or on access to legally designated parks and protected areas. Covers temporary and partial losses.</p>	Project affected people, without legal or recognizable legal claims to land acquired, will be equally entitled to participation in consultations and project benefit schemes where possible, and be compensated for their lost non-land assets such as dwellings and structures occupied before cut-off date. They will be entitled to resettlement assistance and other compensation and social support to assist them to improve or at least restore their pre-project living standards and income levels.

	Policies of GoV (Land Law 2013, Decree 43/2014/ND – CP and Decree 47/2014/ND - CP)	ADB SPS, 2009	Project Policy
Compensation for lost land	<p>Article 3, Art 6, Decree No. 47/2014/ND – CP: The compensation rates for land shall be determined by the PPC in accordance with the Government regulations for the type of land which has been used for at the time of land acquisition.</p> <p>Art 74, Land Law 2013: The compensation must be made in the form of allocating new land with the same land use purpose with the recovered land. If there is no land available for compensation, the land users shall receive compensation in money calculated according to the specific land price of the type of recovered land which is decided by the provincial-level People’s Committee at the time of the recovery decision.</p>	Land based livelihoods restoration based upon land based strategies where possible, or cash compensation at replacement value provided loss of land does not undermine livelihoods for those with legal rights to land.. Provide adequate and appropriate replacement land. If land not available non-land based options built around opportunities for employment, self-employment should be provided in addition to cash compensation for land and non-land assets lost.	Where appropriate land-based compensation is not viable replacement cost surveys have been carried out and will be carried out by the project staff to ensure that project rates for all categories of loss will be equivalent to replacement cost at current market value, to be updated at the time of compensation and combined with other assistance and livelihood restoration measures to ensure full restoration and improvements. Provided AP has legal or recognizable claim, compensation is for full amount of land acquired.
Differences between compensation rates and market rates	<p>Article 113, Land Law 2013, Land price frames</p> <p>The Government shall promulgate land price frames once every 5 years for each type of land and for each region. During the implementation of land price frames, if the popular price in the market increases 20% or more over the maximum price or reduces 20% or more below the minimum price prescribed in land price frames, the Government shall adjust land price frames accordingly.</p>	Provide physically and economically APs with needed assistance including 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 APs economically and socially into host communities, ii) transitional support and development assistance such as land development, credit facilities, training or employment opportunities, and, iii) civil infrastructure as required.	Physically displaced (relocated) APs are to receive relocation assistance, secured tenure to relocated land, with comparable access to production and employment opportunities, and civic infrastructure and community services as required, transitional support and development assistance such as land development, credit facilities, training or employment opportunities.
Compensation for structures	<p>Art 89, Land Law 2013 – Compensation for House, Structures on Acquired Land.</p> <p>Clause (1) – For houses and land-attached residential construction facilities of households, individuals or overseas Vietnamese which are wholly or partially dismantled upon land recovery by the State while the remaining part does not meet technical standards as</p>	Rate of compensation for acquired housing, land and other assets will be calculated at full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments.	Full compensation at replacement cost will be paid for all affected structures without any deductions for salvageable materials or depreciation, full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and

	Policies of GoV (Land Law 2013, Decree 43/2014/ND – CP and Decree 47/2014/ND - CP)	ADB SPS, 2009	Project Policy
	<p>prescribed by law, their owners are entitled to compensation equivalent to the value of new houses and construction facilities with equivalent technical standards.</p> <p>If the remaining part of the houses and construction facilities still meets the technical standards as prescribed by law, the compensation must be made based on the actual damage.</p> <p>Art 92, Land Law 2014 Cases ineligible for compensation for land-attached assets upon land recovery by the State</p> <p>Cases of land recovery due to termination of land use in accordance with law, voluntary return of land or risks threatening human life</p> <p>Clause (1) Organizations to which land is allocated by the State without land use levy, or organizations to which land is allocated with land use levy and the land use levy is originated from the state budget, are dissolved, go bankrupt, move to another place, or have lower or no land use demand; land users which lease land with annual rental payment are dissolved, go bankrupt, move to another place, or have lower or no land use demand</p> <p>Clause (2) Land-attached assets which are illegally created or created after the notice of land recovery by a competent state agency takes effect.</p> <p>Clause (3) Technical infrastructure, social infrastructure and other construction facilities which are no longer in use.</p>		restoration costs, v) other applicable payments
Compensation for registered businesses	Article 19.4b of Decree No. 47/2014/ND-CP stipulates that economic organizations, households and individuals engaged in production and business	Affected business owners are entitled to i) costs of re-establishing commercial activities elsewhere, ii) the net income lost during the	Affected business owners are entitled to i) costs of re-establishing commercial activities elsewhere, ii) the

	Policies of GoV (Land Law 2013, Decree 43/2014/ND – CP and Decree 47/2014/ND - CP)	ADB SPS, 2009	Project Policy
	and foreign-invested enterprises, that have to stop production and business, are entitled to support in cash for stabilizing production which does not exceed 30% of the after-tax income of one year being the average of the three preceding years, averaged over last 3 years as certified by Tax Dept.	transition period, iii) costs of transferring and reinstalling plant, machinery and equipment.	net income lost during the transition period, iii) costs of transferring and reinstalling plant, machinery and equipment.
Compensation for non-registered businesses	Decree No. 47/2014/ND-CP Provincial-level People's Committees shall decide on the level and time of support and periodically pay support money suitable to local practical conditions.	No distinction between registered or non-registered businesses in regards to compensation entitlement for lost income and other assistance.	The DPC must certify that the AP has a business in current operation and approve the level of lost income.
Monitoring	No monitoring indicators indicated	Monitoring indicators specified for internal and external monitoring and reporting	The Executing Agency (EA) must appoint an independent external monitor and undertake internal monitoring according to the critical indicators.

1.2.2. Implementation personnel

9. To assist in achieving social safeguard compliance, NPPMB proposes to engage one local social consultant, part-time working with 16 person-months, starting from November, 2013, responsible for 02 subprojects, including: 500kV/220kV Bac Ninh 2 – Pho Noi Transmission line and 500kV Pho Noi Substation.

According to TOR, detailed duties of the local social implementation consultant include the followings:

- The provide guidance to the NPPMB on the documents which need to be prepared following ADB's requirements.
- Carry-out awareness rising and capacity building to the NPPMB and local planning and implementation agencies on ADB's social safeguard requirements and procedures in general, on the 2848 VIE social policy frameworks in particular and some new subprojects.
- Update RPs and submit to ADB for approval.
- Provide guidance and supervise the local planning and implementing agencies on implementation of social safeguard issues following the ADB's policy and the project policy frameworks.
- Review documents to confirm with the NPPMB required standard of report prepared by consultants.
- Prepare and implement are the corrective action plans following the due diligence reports, monitoring reports, mission findings and others.
- Advise NPPMB when social impacts happening by contractor are not being effectively managed.
- Provide a coordinated approach to social impact management for the projects.
- Supervise the implementation of project social safeguard policies of local planning and implementation agencies in general, of corrective action plans of NPPMB in particular.
- Prepare the progress reports and supervision reports to submit quarterly to the NPPMB and to ADB.
- Prepare the supervision report

2. THE IMPLEMENTATION OF SOCIAL SAFEGUARD POLICY

2.1 Consultation, participation and information disclosure

10. Project information disclosure is an important task during project implementation. When this work is implemented effectively, it will facilitate project implementation process as local people will have comprehensive understanding of project information and benefits. Therefore, they will support and actively

participate in the project. Project information disclosure and public consultation are aimed to: (i) increase local people's awareness of the project; (ii) avoid the risks of project delay; (iii) design an appropriate resettlement program for APs and maximize the project's socio-economic benefits; (iv) ensure that AP's can really participate in making decisions on issues directly concerning their income and living standards; and (v) ensure transparency of all activities related to land acquisition, resettlement, and living restoration.

11. Communication and information disclosure on the Project have been conducted right after the approval of the Project. Before site clearance activities are carried out, information about APs' benefits, Project policies, Project's environment impacts, Project operationalization, responsibilities of stakeholders and grievance mechanism, etc. were all made known to local people by the local authorities at all levels.

12. Project information disclosure and community consultation under the two sub-projects were carried out in the steps as follows:

- Publicize project information at DPCs, CPCs, and community cultural houses and the communes' loud speakers.
- DMSs: NPMB (Compensation department) together with the DCRBs in Bac Ninh province and Center for Land Fund Development in Hung Yen province prepares the compensation plans to submit to the Project District Peoples Committees for approval. Based on the results, DCRBs in the sub-project in Bac Ninh province and Center for Land Fund Development in the sub-project in Hung Yen province prepared the compensation options and NPMB review and approve them.
- After the compensation plans are delivered to the Communes, the Communes invite chiefs of the hamlets to a meeting to discuss about organization of compensation disclosure to villagers. The chiefs then help CPCs invite AHs to a meeting at communal houses to inform about the acquired land area of each household then post them at DPCs, CPCs, and community cultural houses and read through communes' loud speakers. If there is neither error nor mistake, compensation should be paid to APs and obtain a list of recipient's signatures. If have, then the information is cross-checked with the APs to fix it before processing the next step.

13. Before conducting the site clearance, information on the entitlement, project policies, environment impact of the project, project implementation arrangement, responsibilities of the stakeholders and grievance redress mechanism etc were informed to the local people through several consultation meetings.

14. During the implementation period, to the reporting time, the project information and resettlement issues have been disseminated to the local people for two times by the NPMB and the DCARBs/CLFD. The first time was before DMS and the second

time was the publicizing the compensation plan in offices of the CPCs and communal houses of the affected villages.

15. During the public posting of the compensation plan, some households in the surveyed villages had some complaints about the mistakes/errors regarding the inventory and the pricing, staff of NPMB/Division of Compensation together with the DCARBs/CLFD and the CPCs have checked and revised and then prepared final payment plan then reposting.

16. The timing for posting the compensation plan in both sub-projects was 20 days (20 days for the first posting, after revising, another 20 days were for reposted the revised plan). These practices in 500kV/220kV Bac Ninh 2- Pho No T/L sub-project and 500kV Pho Noi substation sub-project were checked with the local authorities and APs . They confirmed that the timing for posting of compensation plans/revised compensation plans were strictly followed.

17. Beside, the communal authorities also provide information to the AHs through communal loudspeakers for them to know about the DMS plan, posting of compensation plan and payment plan. It is noted by the consultant that most of the AHs know clearly about the project information i.e. project impact, project scope, DMS, payment of compensation and assistance, construction projection of the project etc.

18. Aside from the official public disclosure and consultation, it is seen that project information was communicated with the local authorities and citizens in many ways, i.e. DMS when the measurements were taken with the household's participation, the publication of compensation plan, and through loudspeakers when the AHs were informed to go to receive compensation and assistance amount. However, the survey results shown that still there are some certain restrictions, such as (i) Information dissemination was mainly one way, there are no exchanging of opinions from the project to people, the AHs did not have many opportunities to exchange and dialogue with the investor and the local governments (ii) the information and compensation policy of the project were provided mostly verbally during meetings, many of the AH did not remember the details so the community's understanding about the project's AH support policy is limited. It was cross-checked with APs and the staff in charge from NPMB that in 500kV Pho Noi substation sub-project, when AHs come to receive the compensation money, if they were still confused about the project's policies (i.e. discrepancies between cost-norms of the two sub-projects applied, he was there to explain very carefully to them to avoid misunderstanding and unneeded complaints that may arise which were confirmed by the APs interviewed.

19. General comments: Public consultation had been conducted by NPMB, DCARBs/CLFD, relevant CPCs in an openly and transparently basis. In the consultation meetings, officials announced the project's contents, entitlement of the AHs, grievance redress mechanism. The chief/deputy chiefs of the affected villages are considered as the key supporter for the project in terms of advocating and

motivating the AHs to participate actively in the public consultations and support the project in general.

2.2. Inventory and entitlement

20. DMS of 500 KV/220KV Bac Ninh 2- Pho Noi sub-project was prepared since December 2013. All DMSs in the four project districts of Bac Ninh province have been completed as of the monitoring time (May 2015).

21. DCARBs in Bac Ninh province together with the Resettlement Division of NPPMB, communal inventory teams conducted the measurements, preparing DMS results with the participation of the concerned land owners. After DMS, the results were delivered to the AHs. They checked and then signed in the DMS lists. The measurement processes were jointly participated by: (i) staff from NPPMB/compensation division; (ii) staff of DCARBs in Bac Ninh province; (iii) communal staff; (iv) village staff; (v) representatives of the AHs. After agreeing on the affected land and crops, all parties signed in the DMSs. This was the basis for preparing compensation plans for the AHs

22. At the moment, the DMS for 500kV Pho Noi substation was prepared since June 2014. All DMSs in the two communes of Luong Tai and Viet Hung in Van Lam district, Hung Yen province have been completed as of the monitoring time (May 2015).

23. Center for Land Fund Development (CLFD) in Hung Yen province together with the Resettlement Division of NPPMB, communal inventory teams conducted the measurements, preparing DMS results with the participation of the concerned land owners. After DMS, the results were delivered to the AHs. They checked and then signed in the DMS lists. The measurement processes were jointly participated by: (i) staff from NPMB/compensation division; (ii) staff of CLFP in Hung Yen province; (iii) communal staff; (iv)village staff; (v) representatives of the AHs. After agreeing on the affected land and crops, all parties signed in the DMSs. This was the basis for preparing compensation plans for the AHs.

2.3. Compensation payment

2.3.1. Affected households

24. Bac Ninh 2 Pho Noi T/L subproject has 381 AHs and Pho Noi 500 KV substation subproject has 422 AHs.

Table 3: Summary of affected households of 2 subprojects

Subproject	District	AHs	Seriously AHs
500 KV BAC NINH 2 – PHO NOI T/L SUB-PROJECT			
	Gia Binh district, Bac Ninh province	39	0
	Tien Du district, Bac Ninh province	186	0
	Que Vo district, Bac Ninh province	69	0
	Thuan Thanh district, Bac Ninh province	87	0
	Van Lam district, Hung Yen province	indefinite	
Total		381	0
PHO NOI 500KV SUBSTATION SUB-PROJECT			
Total	Van Lam dis, Hung Yen province	422	0

2.3.2. Compensation payment

500 Kv/220 KV Bac Ninh 2- Pho Noi T/L in Bac Ninh

25. The total cost estimate for payment of compensation and assistance of 500 Kv/220 KV Bac Ninh 2- Pho Noi T/L in Bac Ninh province is VND 26,495,000,000 (equivalent to USD 1,232,326). In which, (i) total compensation for affected land is VND 3,308,819,266; (ii) total compensation for crops and trees is VND 406,914,348; (iii) total amount of assistance is VND 19,897,831,000; (iv) management cost is VND 472,271,292; (v) contingency is VND 2,408,583,591. In Bac Ninh province, compensation payment completed for 86/86 foundations. There are 86 tower locations in Bac Ninh province out of 92 ones in the scheme. To the reporting time (May 2015), all the payments under the sub-project in Bac Ninh province have been made.

26. To be noticed about the payment plan, AHs were informed by loud speakers regarding the venue and timing of payments. The payment process seemed convenient for the AHs. One staff from Resettlement and Compensation Division of NPPMB together with staff from corresponding CARDS came to the communes to proceed the payment. Payments were made at the communal cultural houses. Payment for each AH was made in one time, combined with all other assistances, i.e. for livelihood stabilization and job creation, for each AH. Payments have been made quickly with simple and favorable procedures for the affected people. They signed in the compensation logbooks. A small number of AHs when asked said they were not given with receipt or logbook, however, they were able to remember the

compensation amounts paid which were then cross-checked by the consultant with the DMS table and compensation plan; they confirmed that the amounts were correct with the DMS results and the totals specified in the DMS tables and compensation plan.

27. The payments were reportedly correct and exact with the DMS results. As of the monitoring time, all households in the surveyed communes received their money.

500 Kv Pho Noi subproject

28. The compensation payment for 500kV Pho Noi Substation sub-project has been assigned for Center for Land Fund Development (CLFD) of Hung Yen Department of Natural Resources and Environment for preparing, submit for approval of compensation and assistance plan and coordinating with NPPMB for payment.

29. To be noticed about the payment plan, AHs were informed by loud speakers regarding the venue and timing of payments. The payment process seemed convenient for the AHs. One staff in charge of payment from NPMB together with staffs from CLFD visited Viet Hung and Luong Tai communes. The payments were made at the CPC's offices. Payment for each AH was made in one time, combined with all other assistances, i.e. for livelihood stabilization and job creation, for each AH. Payments have been made quickly with simple and favorable procedures for the affected people They signed in the compensation logbooks and were able to keep one copied sheet of each AH. A small number of AHs when asked said they were not given with receipt or logbook. They said that they were: (i) signed in the DMS proceedings to confirm their loss and the amount to be received and (i) in the payment receipts to confirm that they had received the money but no any documentation from the project were given for keeping. Since they were able to remember the compensation amounts paid, the amounts were then cross-checked by the consultant with the DMS table and compensation plan; they confirmed that the amounts were correct with the DMS results and the totals specified in the DMS tables and compensation plan.

30. The payment of compensation and assistance for AHs under 500kV Pho Noi substation subproject in Hung Yen province started since October 2014. To the reporting time, all AHs received the payments.

2.3.3 Displaced households

31. Acquired land for 02 subprojects is mainly agricultural land and there is not nay displaced household.

2.4. Allowances

32. Types of assistances are mostly (1) for livelihood stabilization, (2) for occupation changing and job generation, (3) for people with temporary titles which is equal to 30% of the compensation rate of the permanent titles (i.e. 30% of 70,000 VND/m²) (without receiving the (1) and (2), this is only found in BN2-PN 500/220kV

T/L sub-project in Bac Ninh province, in Hung Yen, most of the titles are permanent,) and other types of assistance such as bonus for early moving (10,000 VND/m² in Hung Yen only) and removing graves.

2.4.1. Allowances for seriously affected households

33. According to the RP, severely affected households mean all APs that lose 10% or more of total productive land, other assets and/or income sources or lose 10% or more of their total income sources due to the Project. Accordingly, the results of Detailed Measurement Survey for foundation show that 370 HHs in total have been affected by the sub-project in 4 districts of Tien Du, Que Vo, Gia Binh and Thuan Thanh in Bac Ninh province, of which, 25 AHs were losing more than 10% their agricultural land, and no AH being relocated or resettled, no AH having their houses/structures affected. All of them informed that their incomes are no longer based on only agricultural activities but also based on other businesses.

34. In Hung Yen province, it was identified in the DMS that there are 174 HHs losing from 10-30% land area, 90 HHs losing from 30-70% and 1 HH losing more than 70% of total land holding. While assistance amount for livelihood stabilization is paid directly to the AHs, assistance for vocational education and training for the severely affected households are transferred to the account of Hung Yen Department of Labor, Invalids and Social Affairs to provide training for those AHs who have desires to get vocational training for doing a new job. It was shared by Viet Hung CPC staff and local people during the survey that AHs feel very inconvenient with this set up, since Viet Hung and Luong Tai communes are about 50km far from the capital city of the province, if someone wants to get training they should pay more for logistics to get training than the funding for training itself. It was also asked by the Viet Hung CPC staff and people in the questionnaires and in-depth interviews that if possible, they would like to receive the assistance in cash so that they can have more specific and practical for vocational training plans.

2.4.2. Vulnerable groups

35. According to the DMS results, there are 78 affected households that are woman headed HH out of 370 AHs, no poor household and no ethnic minority ones in 04 districts of 500kV/220kV Bac Ninh 2-Pho Noi T/L sub-project. The survey results show no poor households in the surveyed villages. i.e. household with income of less than VND 500,000 /head/month).

36. According to the DMS results, in 500kV Pho Noi Substation sub-project, there are 67 affected households that are women headed HH out of 422 households. During the survey, it was identified that there are 6 poor households in the surveyed villages of Sam Khuc and Dong Chung of Viet Hung commune i.e. household with income of less than VND 500,000 /head/month).

2.5. Resettlement sites

37. There is not any resettlement site in both subprojects

2.6. The income restoration programme

38. 500kV/220kV Bac Ninh 2-Phoi Noi T/L sub-project 04 project districts is located in Bac Ninh and the poverty line is VND 400.000 / person / month as prescribed in the Decision No 09/2011/QD-Ttg of Prime Minister applied for period 2011-2015. No household is identified as poor APs in the list of affected households. Thus, it is not necessary to prepare the restoration programme

39. 500kV PN S/C sub-project : 01 project districts is located in Hung Yen and the poverty line is VND 400.000/ person/month as prescribed in the Decision No 09/2011/QD-Ttg of Prime Minister applied for period 2011-2015. 8 household is identified as poor AHs in the list of affected households. NPMB should coordinate with stakeholder to prepare the restoration programme to ensure the entitlement of vulnerable group (8 poor HHs identified in DMS)

2.7. Grievance and grievance mechanism

40. Under the sub-projects, grievance redress mechanisms have been established which allow APs to appeal their problems arising from the compensation/allowance/assistance and to settle any general project-related disputes.

41. In order to ensure that all APs' grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to APs to air their grievances, a well defined grievance redress mechanism needs to be established. All APs can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition, resettlement, allowance and income restoration. Otherwise, all APs are not ordered to pay any fee during the grievance and complaints at any level of trial and court.

3. MONITORING FINDINGS

42. In order to ensure implementation of safeguard in accordance with ADB requirement, NPPMB selected 03 consultants, in which 02 social consultants (01 national consultant and 01 external monitoring consultant) and 01 environmental consultant. According to TOR's requirements 03 consultant issued annual/semi/quarterly reports and submit to NPMB/ ADB in accordance with the progress mentioned in signed contracts.

43. In March and May 2015, Consultant and NPPMB visited the two sub-project areas: 500kV Pho Noi sub-station and connection and 500KV/220KV Bac Ninh 2 – Pho Noi to prepare internal monitoring report.

44. In 500kV Pho Noi Substation sub-project, the consultant worked with Center for Land Fund Development in Hung Yen province (who were undertaking compensation of the project), representatives of Viet Hung commune and Luong Tai commune, Van Lam district, Hung Yen province had a consultation meeting with 25 AHs. The consultation focused on the compensation, site clearance and obstacles during the implementation.

45. In 500KV/220KV Bac Ninh 2 – Pho Noi sub-project, Consultant met with the representatives of DCABs of Thuan Thanh and Tien Du. Also, Consultant and NPPMB worked with people from Minh Dao commune, Tien Du district and Tram Lo commune of Thuan Thanh district and surveyed 12 AHs in the project area.

46. The external monitoring consultant (EMC) have worked in the project during March, May 2015 in both sub-projects 500KV Pho Noi substation sub-project and 500KV/220KV Bac Ninh 2 – Pho Noi transmission line sub-project. EMC worked with Center for Land Fund Development in Hung Yen province, leaders and people in Viet Hung province and surveyed AHs.

47. In 500KV Bac Ninh 2- Pho Noi sub-project, EMC worked with DCABs of the districts of Thuan Thanh, Tien Du and Que Vo. Also, EMC worked with the CPCs in the project areas and surveyed AHs to collect information on the compensation and site clearance.

48. Consultant and EMC prepared independent monitoring reports after the site monitoring to submit to NPMB and ADB. Consultant submitted two internal quarterly reports in Quarter 1/2015 and Quarter 2/2015. EMC submitted three independent monitoring reports as of the reporting time.

4. CONCLUSION AND RECOMMENDATION

4.1. Conclusion

49. Generally, the implementation of compensation and resettlement plan proved to be good, complying with the resettlement procedures presented in the project's RP and the legal documents of Vietnamese Government. As of May 2015, the payment of compensation for the transmission line and towers in Bac Ninh has been carried out in most parts. The compensation for the substation in Hung Yen has almost finished with some pending cases.

4.2. Recommendations

50. Vocational training programs for the AHs should be tackling, as being observed by IMC, they keen on jobs which need immediate skills (masonry, tailoring etc). The project communes are recommended to help put together the list of vocational training needs to submit to the Provincial Departments of Labor, Invalids and Social Affairs to consider.

51. NPMB coordinate with stakeholder (consultants, local authorities) to provide additional allowance for vulnerable AHs which were defined as single woman headed AHs and elderly AHs (01 household in Tu Ne village, Minh Dao commune, Tien Du district in 500kV/220kV BN2-PN T/L sub-project in Bac Ninh province and 10 AHs in Viet Hung commune, 500kV PN S/C sub-project in Hung Yen province). That these households are being assisted by the project is in accordance with the project policy.

52. Monitoring during the construction phase should be enhanced to ensure that any negative impacts on the local people during construction will be measured and compensated in accordance with the project policies.

4.3. Work plan for next stage

Prepare the quarterly reports

Prepare semi –annual report of 2015

Prepare Due Diligence Report for connection part in Hung Yen.