

Resettlement and Ethnic Minorities Development Plan

April 2015

VIE: Renewable Energy Development and Network Expansion and Rehabilitation for Remote Communes Sector Project - Subproject: Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province

CURRENCY EQUIVALENTS

(as of 30 December 2014)

Currency unit – Viet Nam Dong (VND)

\$1.00 = VND21,200

ABBREVIATIONS

ADB	-	Asian Development Bank
AH	-	Affected Household
AP	-	Affected Person(s)
PAH	-	Project Affected Households
CPC	-	Commune Peoples, Committee
DCARB	-	District Compensation, Assistance and Resettlement Board
PMU	-	Project Management Unit
DMS	-	Detailed Measurement Survey
DONRE	-	Department of Natural Resources and Environment
DP	-	Displaced person
DPC	-	District Peoples, Committee
DRC	-	District Resettlement Committee
EA	-	Executing Agency
EM	-	Ethnic Minority
FS	-	Feasibility Study
GOV	-	Government of Vietnam
IOL	-	Inventory of Losses
LIC	-	Loan Implementation Consultant
LURC	-	Land Use Rights Certificate
MONRE	-	Ministry of Natural Resources and Environment
PCARB	-	Provincial Compensation, Assistance and Resettlement Board
PPC	-	Provincial People Committee

REMDF	-	Resettlement and Ethnic Minority Development Framework
REMDP	-	Resettlement and Ethnic Minorities Development Plan
RRCA	-	Rapid Replacement Cost Assessment
SPS	-	Safeguard Policy Statement
VND	-	Vietnamese dong
VWU	-	Viet Nam Women's Union

GLOSSARY

Compensation	-	Means payment in cash or in kind to replace losses of land, housing, income and other assets caused by the Project. All compensation is based on the principle of replacement cost, which is the method of valuing assets to replace the loss at current market rates, plus any transaction costs such as administrative charges, taxes, registration and titling costs.
Cut-off date	-	Means the date of land acquisition announcement of competent agency. The APs will be informed of the cut-off date for each subproject component, and any people or assets that settle in the subproject area after the cut-off date will not be entitled to compensation and assistance under the subproject.
Detailed Measurement Survey (DMS)	-	With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of APs earlier done during REMDP preparation. The final cost of resettlement can be determined following completion of the DMS.
Displaced person (DP)	-	Means any person or persons, household, firm, private or public institution that are fully or partially, permanently or temporarily physically displaced (relocated, lost residential land, or lost shelter) and/or economically displaced (lost land, assets, access to assts, income sources or means of livelihood) due to (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. DPs could be of three types: (i) persons with formal legal rights to land lost; (ii) persons who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who have neither formal legal rights nor recognized or recognizable claims to the lost land. In the case of a household, the term DP includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components.

Ethnic minority (EM)	- Any of the 53 ethnic groups in Viet Nam other than the majority Kinh (Viet) group that possess the following characteristics in varying degrees - collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; and customary cultural, economic, social, or political institutions that are separate from those of the dominant Kinh (Viet) society and culture.
Entitlement	- Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the DPs, depending on the type and severity of their losses, to restore their economic and social base.
Income restoration program	- A program designed with various activities that aim to support affected persons to recover their income / livelihood to pre-project levels. The program is designed to address the specific needs of the affected persons based on the socio-economic survey and consultations
Inventory of Losses (IOL)	- This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the subproject right-of-way (subproject area) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of DPs will be determined.
Land acquisition	- Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
Rehabilitation	- This refers to additional support provided to DPs losing productive assets, incomes, employment or sources of living, to supplement payment of compensation for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.
Relocation	- This is the physical relocation of a DP from her/his pre-project place of residence and/or business.
Resettlement and Ethnic Minorities Development	- A plan for resettlement of an ethnic minority population, combining the resettlement plan with specific ethnic minority concerns and cultural sensitivity for the specific needs of the

Plan (REMDP)		ethnic minority groups.
Replacement cost		- The amount needed to replace an affected asset net of transaction costs such as administrative charges, taxes, registration and titling costs.
Replacement Study	Cost	- This refers to the process involved in determining replacement costs of affected assets based on empirical data.
Resettlement		- This includes all measures taken to mitigate any and all adverse impacts of a project on DP property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation as needed.
Severely affected households		- This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets (generating income), and/or, (ii) have to relocate.
Stakeholders		- Individuals, groups, or institutions that have an interest or stake in the outcome of a project. The term also applies to those potentially affected by a project. Stakeholders include land users, country, regional and local governments, implementing agencies, project executing agencies, groups contracted to conduct project activities at various stages of the project, and other groups in the civil society which may have an interest in the project.
Vulnerable groups		- These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalised by the effects of resettlement and specifically include households that are: (i) headed by women with dependents, (ii) headed by persons with disability, (iii) falling under the national poverty standard, (iv) with children and elderly who have no other means of support, (v) landless, and (vi) ethnic minorities.

NOTE

In this report, "\$" refers to US dollars.

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Executive summary

1. Introduction:

This Resettlement and Ethnic Minority Development Plan (REMDP) is prepared for the subproject of “Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province” – one of the subprojects of the “Renewable Energy Development and Network Expansion and Rehabilitation for Remote Communes Sector Project” proposed for phase 3 of ADB funding. Work items include: (i) The medium voltage (35 kV) lines are rebuilt in length of 42.90 km; (ii) The low voltage lines are rebuilt in length of 129.015 km which consists of: (1) 3.057km for the rehabilitation line with one phase (2) 41.249km for rehabilitation line with three phases; (3) 32.244km for construction line with one phase; (4) and 52.015km for construction line with three phases; (iii) New construction of 33 substations (which are designed as the hang-up station) with a total capacity of 1,571.5 kVA; (iv) Newly installed 3,409meters, 2,799meters for moving and reconnection. (behind the meter, every household is equipped with 01 electric panel including one 10A-fuse, one 20A-socket, one switch and one compact fluorescent light; The sub project will be done in 24 communes in 06 districts of Yen Bai Province.

The Resettlement and Ethnic Minority Development Plan (REMDP) is prepared based on the results of Inventory of Losses (IOL), the results of the socioeconomic survey, the updated resettlement and ethnic minority development framework (REMDF), and the results of public consultation and participation in subproject area. It will be updated after the completion of DMS if there is significant change in scope of impacts.

2. Scope of impacts:

According to the survey results, the scope of subproject' impacts including:

- Total of PAHs: 83 ho (372 nguoi)
- Resettlement of households: 0 household
- Affected resident land: 0 m²
- Permanently agriculture land acquisition: 348 m²
- Permanently vacant land acquisition: 4,100 m²
- Permanent affected crops (vegetable, rice): 186m²
- Affected perennial trees: 294 trees
- Affected buildings and structures: 0

3. Legal and Policy Framework

The REMDP of the subproject is prepared based on current policies and laws of Vietnam Government, and ADB's SPS 2009 on Involuntary Resettlement (IRR) and Indigenous People (IP) safeguards. The overall objective of these policies is to ensure

that all displaced persons (DPs) are able to improve or at least restore the living standards of their lives as before project implementation.

4. Information disclosure and public consultation

In order to ensure the transparency of the project information; all related activities such as land acquisition; compensation, support, resettlement, and income restoration are closely discussed, consultations on these matters are held with the affected community, people, and related agencies and Project Information Booklets are delivered into their hands through consultation meetings. Public consultation and information disclosure have been done from 17th February to 19th February, 2014 with a total of 06 community consultations at 06 locations communes affected. Total number of people attending in the meeting are 38 people, in which, there are 08 women. Representatives of project Owner and consulting Company presented to the public on the following issues:

- A project description: Plan for line construction, transformer station locations and the necessary to build the works as mentioned above, funding for the project investment, project objectives, the project items.
- The project compensation policies;
- Measures to mitigate the impact to people ...

Through the consultation meetings, local people have understood the scope of land acquisition and agreed with the compensation policies as well as the compensation, assistance and resettlement plan.

5. Issues on gender and EMs

Most of the population in the subproject are ethnic minority. The ethnic minorities living in the projects area include: Dao, Tay, H'mong, Thai, Muong, Nung and Cao Lan group. The choice of the subproject coincides with the poverty reduction target to the ethnic minorities of Yen Bai province. The gender mainstreaming strategy described in the REMDP encourages the participation of women in the resettlement board, strengthens the capacity of women and vulnerable groups to ensure that women and ethnic minorities benefit fully from the subproject, while minimizing the negative impacts.

6. Institutional arrangement:

NPC will pay all costs for compensation, assistance and income restoration. The District Compensation Committee (DCC) will be responsible for DMS and preparation of compensation plan. The REMDP, including budget, will be submitted to PPC for review and approval. The DCC and Commune People's Committee will be responsible for disbursement of compensation directly to affected households. The venue of the payment is usually the commune office although this may change according to the request of affected households. Payment forms for signature will be provided to affected households.

7. Implementation schedule

The final REMDP will be implemented before starting the subproject works. All the DPs will be paid compensation for their affected assets by January 2015, and site clearance will be completed the following month.

8. Monitoring and evaluation

The PMU and NPC will have joint responsibilities in the internal monitoring of REMDP implementation with results will be reported to ADB on quarterly basis. All activities in REMDP are time bounded and the progress of implementation will be obtained by PMU from the field on monthly basis and transmit them to NPC for their assessment, and adjust the work program if necessary. The monthly internal monitoring reports will cover those related to performance indicating the measurement of input indicators against proposed timetable and budget including the provision and physical delivery of compensation, clearing of structures and assistance to APs, including grievance and redress, among others.

There is no requirement on external monitoring for implementation of compensation and assistance of the subproject due to minor impact. Therefore, there will not be any external monitoring agency for the sub project to be recruited.

9. Resettlement Budget and Financing Plan

The budget for implementing the compensation, assistance and income restoration for affected households is estimated at VND **194,686,240VND (\$9,183)**. This amount includes administration and implementation fee (2% of total budget) and 10% for contingency. This will be updated following completion of the DMS and replacement cost study results at the time of REMDP implementation.

I. SUBPROJECT DESCRIPTION

A. BACKGROUND

1 The project: Renewable energy development and network expansion and rehabilitation for remote communes sector project

The Renewable energy development and network expansion and rehabilitation for remote communes sector project (or the “Project”) consists of two investment components: (i) Component 1 will develop about 5-10 grid connected run of the river mini hydropower plants (capacity less than 7.5 megawatt (MW) having a total capacity of 30 MW in Dien Bien and Lai Chau provinces in Northern Viet nam and in Central Viet Nam. This will also provide electricity connections to about 60-75 poor, remote ethnic minority villages in the Northern Vietnam and about 100 gigawatt hours (GWh) of renewable energy to the national grid. The project will provide a sustainable financing mechanism to remote mountainous provinces in the Northern Viet Nam to finance rural electrification through the revenues from sale of electricity to national grid. (ii) Component 2 of the Project will support the Government’s ongoing special program of supporting rural electrification for poor provinces inhabited by ethnic minorities by which the Government provides 85% of the funding and EVN 15%. The Government is providing more than USD70 million to regional power distribution companies of Viet Nam Electricity (EVN) to electrify more than 100,000 households in five provinces in the Central Highland. The Government intends to extend this program to five more provinces in the Northern mountainous areas (i.e. Lai Chau and Dien Bien provinces), and Mekong delta (Tra Vinh and Soc Trang provinces) and central Vietnam. This is estimated to require about USD 90 million. The proceeds from component 2 will be allocated for financing the Government’s program in these additional five provinces. Approximately 100,000 poor households in about 1,000 villages are expected to receive electricity under this component.

The Project will also include an associated technical assistance grant for capacity building for renewable energy development.

The Project aims to promote pro-poor and balanced economic development of remote mountainous communes and poor communes in other parts of the sustainable use of electricity in an affordable manner. The outcomes of the sector Project are to (i) provide reliable and affordable supply of electricity to remote mountainous communes, (ii) improve living conditions and income generation through productive use of electricity, and (iii) provide a sustainable source of financing for future rural electrification through sale of electricity to national grid

2 Subproject: Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province.

2.1 Project Objectives

The sub-project “Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province” – one of 06 subprojects under the project “Renewable energy development and network expansion and rehabilitation for remote communes sector project” in Vietnam will be invested at this stage (Phase 3) aims to: (i) Supply of electricity for households without electricity. They are mainly ethnic minorities in Yen Bai Province; (ii) Upgrading and Expansion the low & medium voltage of the electricity distribution networks in Yen Bai. (iii) Provide and improve power quality for about 6,925 households without electricity who are poor ethnic minorities households in the remote communes in Yen Bai province.

2.2 Scope of project

Work items include:

- ✓ The medium voltage (35 kV) lines are rebuilt in length of 42.90 km;
- ✓ The low voltage lines are rebuilt in length of 129.015 km which consists of: (i) 3.057km for the rehabilitation line with one phase (ii) 41.249km for rehabilitation line with three phases; (iii) 32.244km for construction line with one phase; (iv) and 52.015km for construction line with three phases
- ✓ New construction of 33 substations (which are designed as the hang-up station) with a total capacity of 1,571.5 kVA;
- ✓ Newly installed 3,409 meters, 2,799 meters for moving and reconnection. (behind the meter, every household is equipped with 01 electric panel including one 10A-fuse, one 20A-socket, one switch and one compact fluorescent light.

Table 1: The Project Categories

No	District /Communes	Quantity	Capacity	Length of medium voltage line (m)	Length of low voltage line (m)
		Substation	(kVA)	35kV	0.4kV
I	Van Chan District	3	285	750	22,293
1	Suoi Bu	1	160	500	2,240
2	Phu Nham				6,655

No	District /Communes	Quantity	Capacity	Length of medium voltage line (m)	Length of low voltage line (m)
		Substation	(kVA)	35kV	0.4kV
3	Phuc Son				8,425
4	Nghia Son				2,882
5	Son Thinh	2	125	250	2,091
II	Yen Binh District	2	235	2,240	8,077
6	Phuc An	1	75	2,160	4,738
7	Vu Linh	1	160	80	3,339
III	Mu Cang Chai District	3	292	5,912	14,830
8	Khao Mang	2	192	2,500	5,966
9	Che Cu Nha	1	100	3,412	4,513
10	Kim Noi				4,351
IV	Van Yen District	8	870	21,647	23,793
11	Tan Hop	1	75	2,118	2,952
12	Dong An	1	100	74	1,787
13	Chau Que Ha	4	435	13,948	11,269
14	Lam Giang	1	100	2,554	3,002
15	Lang Thip	1	160	2,953	4,783
V	Tran Yen District	11	1,225	8,340	43,360
16	Quy Mong	2	200	4,700	7,257
17	Hong Ca	2	200	700	6,150

No	District /Communes	Quantity	Capacity	Length of medium voltage line (m)	Length of low voltage line (m)
		Substation	(kVA)	35kV	0.4kV
18	Minh Quan	2	200	2,000	9,777
19	Minh Tien	1	100	50	3,117
20	Bao Dap	3	425	790	14,568
21	Hoa Cuong	1	100	100	2,491
VI	Luc Yen District	6	860	4,011	16,662
22	Tan Linh	3	420	3,108	9,344
23	An Lac	2	340	655	4,600
24	Phuc Loi	1	100	248	2,718
	Total	33		42,900	129,015

B. SUBPROJECT LOCATION AND IMPACT AREAS

The affected areas of the subproject at 24 communes of 06 districts in Yen Bai province, including:

No.	Districts	Communes
1.	Van Chan	Suoi Bu, Phu Nham, Phuc Son, Nghia Son and Son Thinh communes; Total 5 communes.
2.	Yen Binh	Phuc An and Vu Linh communes; Total 2 communes.
3.	Mu Cang Chai	Khao Mang, Che Cu Nha and Kim Noi communes; Total 3 communes.

No.	Districts	Communes
4.	Van Yen	Tan Hop, Dong An, Chau Que Ha, Lam Giang and Lang Thip communes; Total 5 communes.
5.	Tran Yen	Quy Mong, Hong Ca, Minh Quan, Minh Tien, Bao Dap and Hoa Cuong communes; Total 6 communes.
6.	Luc Yen	Tan Linh, An Lac and Phuc Loi communes; Total 3 communes.

The subproject affected areas include:

- pile foundation low voltage line (1.2 ÷ 1.8 m², depending on location)
- area surrounding the pile foundation during construction phase, temporary affected areas of the route-with the average of 6m wide for medium voltage line, 6m² area for transformer station, 4m wide for low voltage line- this route be calculated for cultivated land. The land area could be temporarily affected from 1 to 2 months.

C. MEASURES TAKEN TO MINIMIZE NEGATIVE IMPACTS

Measures to minimize the impacts of the sub-project have been comprehensive calculated by the Owner, design consultants and local authorities. Furthermore, during the public consultations, affected community proposed measures to minimize impact on land acquisition and on-land assets. The mitigation measures for land acquisition and on-land assets include:

- Designate a route of the alignment that will not affect houses and other economic assets;
- Place the alignment outside residential, historical and protected areas;
- Follow as much as possible the designated route in locating the towers; and
- Use of existing roads for access.
- In implementation stage, resettlement impacts will be further avoided by timing the construction period after the harvest and before the planting season and reducing the duration of the construction period through multiple work shifts.
- Construction process will be strictly monitored to minimize spillage of rock and soil which affects fields, areas planted with fruit trees, and the road system of households within the subproject area.

D. RESETTLEMENT AND ETHNIC MINORITY DEVELOPMENT PLAN

REMDP is prepared to mitigate the adverse social impact of the subproject and ensure that the mitigation and compensation measures will enable the affected people restore if not enhance the living standards that they have before the subproject. It ensures that the subproject will (i) avoid involuntary resettlement wherever possible; (ii) minimize involuntary resettlement by exploring subproject and design alternatives; (iii) enhance, or at least restore, the livelihoods of all heavily affected HHs or displaced persons in real terms relative to pre-project levels; and (iv) improve the standards of living of the displaced poor and vulnerable groups.

This document develops a roadmap for affected EMs. The objective is to design and implement subprojects in a way that fosters full respect for EMs' identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the EMs themselves so that they (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of subprojects, and (iii) can participate actively in subprojects that affect them.

This REMDP is the guiding document that identifies the key issues to address in reconciling the requirements of ADB SPS (2009) with national and provincial government policies. It includes the following:

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

The REMDP will be updated during project implementation following the detailed measurement survey (DMS) if there is a significant change in scope of impacts. Commencement of civil works will be conditional to the completion of payments of compensation and allowances as confirmed by the LIC resettlement specialist.

II. PROJECT IMPACTS

A. SURVEY PROCESS

An impact assessment was carried out in 24 communes of 6 districts, of Yen Bai province. An Inventory of the Losses (IOL) of affected assets, and a socio economic census of the affected households was conducted. A rapid replacement cost assessment (RRCA) was also conducted to evaluate the rates being used to compensate losses of land and crops, and other non-land based income to ensure that DPs would be compensated at the appropriate replacement cost. Additionally, consultation meetings with DPs, non-affected beneficiaries, women, ethnic minorities, etc., were conducted to provide relevant information on the subproject and to understand their concerns and expectations as well as gender issues and ethnic minority issues.

Inventory of Losses (IOL): It was done based on the subproject preliminary design. For households that were losing agricultural land without any structures, the IOL was completed by enumerators through reference to the cadastral records of the communes. The amounts indicated for area of land loss and use of land will be validated during the DMS that will be done during the implementation stage. For affected persons losing houses or structures, the enumerators collected the information on the property of the affected households by interviewing the head of household as well as noting the information about the structures from observation.

Census: Information on the overall socioeconomic profile of the subproject area was taken from the Provincial and district Year Book, and annual socioeconomic reports of communes. The census collected information on the profile and characteristics of all affected households, their income levels and sources of income, ethnic composition, education levels and basic information on their plans after compensation by directly interviewing them.

Rapid Replacement cost Assessment (RRCA): a rapid survey was conducted to verify market prices of assets based on information collected from land/assets transactions on the market of project region and consultation with APs and non-APs. The purpose of the Rapid Replacement Cost Assessment is to ensure compensation for affected assets at replacement costs.

Focus Group Discussions (FGD) and Consultations: In addition to the census, focus group discussions with both affected households and non-affected households were organized in each of the villages affected by the subproject. For affected households, the FGDs aim to discuss and consult with the people about the scope and scale of impacts, entitlements, preliminary implementation schedule, and redress grievance. With the information on the overall subproject impacts, the FGDs have given the affected households the opportunity to understand and share their ideas and expectations about the subproject. Separate FGDs were also held with women and ethnic minorities.

B. PERMANENT IMPACTS

2.1 Impacts on Land

The medium-voltage line are selected to go through uncultivated hills, low forest, and barren land strips along the roads so the impact on land caused by the project is very little. The Subproject will be recovered 4,448m² of land for constructing pile foundation, consists of: 300m² of agricultural land (including 84m² of paddy land and 216m² of uplands land) of 84 households; 48m² of garden land and 4,100m² of vacant land.

As well as the number of affected households are presented in Table 2 and Table 3:

Table 2: Impacts on land

No	District/Communes	Acquired land (m2)				
		Agricultural land		Garden land	Vacant land	Total
		Paddy land	Uplands land			
	Total	84	216	48	4,100	4,448
I	Van Chan District	2	0	6	220	228
1	Suoi Bu				41	41
2	Phu Nham				34	34
3	Phuc Son	2		2	42	46
4	Nghia Son				26	26
5	Son Thinh			4	77	81
II	Yen Binh District	38	4	2	170	214
6	Phuc An	38	4	2	126	170
7	Vu Linh				44	44
III	Mu Cang Chai District	0	40	2	535	577
8	Khao Mang		12		242	254

No	District/Communes	Acquired land (m2)				
		Agricultural land		Garden land	Vacant land	Total
		Paddy land	Uplands land			
9	Che Cu Nha		28	2	255	285
10	Kim Noi				38	38
IV	Van Yen District	16	94	12	1,524	1,646
11	Tan Hop	8	14	2	148	172
12	Dong An				48	48
13	Chau Que Ha	8	28	4	935	975
14	Lam Giang		22	4	180	206
15	Lang Thip		30	2	213	245
V	Tran Yen District	6	56	16	1,171	1,249
16	Quy Mong		20	4	344	368
17	Hong Ca		16	4	127	147
18	Minh Quan	2	18		276	296
19	Minh Tien	2		2	62	66
20	Bao Dap		2	4	301	307
21	Hoa Cuong	2		2	61	65
VI	Luc Yen District	22	22	10	480	534
22	Tan Linh	10	18	4	303	335
23	An Lac	8	2	4	115	129
24	Phuc Loi	4	2	2	62	70

(Source: According to the survey results in February, 2014)

Table 3: Counts of Households losing land per commune

Unit: Household

No	District/Communes	Acquired land (m2)			
		Paddy land	Garden land	Uplands land	Total
	Total	16	24	44	84
I	Van Chan District	1	3	-	4
1	Suoi Bu				0
2	Phu Nham				0
3	Phuc Son	1	1		2
4	Nghia Son				0
5	Son Thinh		2		2
II	Yen Binh District	3	1	1	5
6	Phuc An	3	1	1	5
7	Vu Linh				0
III	Mu Cang Chai District	-	1	9	10
8	Khao Mang			4	4
9	Che Cu Nha		1	5	6
10	Kim Noi				0
IV	Van Yen District	4	6	16	26
11	Tan Hop	2	1	3	6
12	Dong An				0
13	Chau Que Ha	2	2	5	9
14	Lam Giang		2	3	5
15	Lang Thip		1	5	6
V	Tran Yen District	3	8	11	22
16	Quy Mong		2	4	6
17	Hong Ca		2	3	5
18	Minh Quan	1		3	4

No	District/Communes	Acquired land (m2)			
		Paddy land	Garden land	Uplands land	Total
19	Minh Tien	1	1		2
20	Bao Dap		2	1	3
21	Hoa Cuong	1	1		2
VI	Luc Yen District	5	5	7	17
22	Tan Linh	2	2	4	8
23	An Lac	2	2	2	6
24	Phuc Loi	1	1	1	3

(Source: According to the survey results in February, 2014)

Note: Each HH may be affected by three impact types

2.2 Affected households

In the subproject, 6,208 households will be benefited, of which: 3,409 households will be applied with new meters and 2,799 household will be benefited on new transmission lines. Total estimated number of affected households by Subproject in province location are 89 households including 05 households in Van Chan district, 05 households of Yen Binh District, 13 households of Mu Cang Chai district, 26 households of Van Khe district, 24 households of Tran Yen district, and 16 households of Luc Yen district. In which, there are 88 households of the ethnic minority groups, 01 households of the Kinh group, 72 poor households, and there is no household with female-headed household.

2.3 Impacts on Trees and Crops

The implementation of the subproject will affect 194 trees of different types of 47 households, consists of: 13 fruit trees and 181 industrial trees. The number of affected trees is considered very small and scattered in 24 communes.

Table 4: Impacts on trees

Types of tree	Unit	Quantity	Number of AHs
Plum	(tree)	5	5
Litchi (longan)	(tree)	1	1
Orange	(tree)	7	7
Acacai	(tree)	153	26

Types of tree	Unit	Quantity	Number of AHs
Bamboo	(tree)	3	1
Pine	(tree)	25	7
Total		194	42

(Source: According to the survey results in February, 2014)

Besides, the subproject will affect 112m² vegetable areas and 74 m² of rice areas.

2.4 Impacts on Houses and other structures

The subproject will not affect any structures/houses or other assets on land.

2.5 Impacts on public assets

Besides these above impacts, the subproject will not affect any public assets.

2.6 Impacts on livelihoods and incomes of households

The IOL results show that the potentially acquired agriculture land area is very small (from 0.01% to 0.13% of the total of land area holding), thus the land acquisition will have no impacts on livelihood and income of households.

2.7 Temporary impact

During construction, land will be needed temporarily for construction facilities (i.e. worker's camp, materials storage site, etc.), which may impact on households in the subproject area. Efforts will be made to minimize such temporary impacts. To address unavoidable temporary impacts, the civil works contract will include the following provisions: (i) contractor to pay rent for any land required for construction work; (ii) temporarily used land will be restored or improved to its pre-project condition. With mitigation measure, the temporary impacts from civil works are expected to be insignificant.

III. THE SOCIO ECONOMIC PROFILE

A. SOCIOECONOMIC FEATURES OF YEN BAI PROVINCE

Geological position and natural area:

Being a mountainous province deeply located in the continent, Yen Bai is one of 13 Northern mountainous provinces lying between the Northeast and Northwest areas. Its North borders with Lao Cai province, its South borders with Phu Tho province, its East borders with two provinces of Ha Giang and Tuyen Quang and its West borders with Son La province. Yen Bai is the home of 9 administrative units (1 city, 1 town and 7 districts) with total 180 communes, wards and towns (159 communes and 21 wards and towns).

Its total natural land area is 688,627.64 hectares, In which 583,717.47 hectares, 51,713.13 hectares and 53,197.04 hectares of agricultural land area, non-agricultural land area and unused land area, making up 84.76%, 7.51% and 7.73% of natural land area, respectively.

Topography, climate and hydrography:

**** Topography:***

Being is situated in the Northern mountainous area, Yen Bai is characterized by gradually high topography from the Southeast to Northwest and formed by 3 large mountain ranges with the same direction from Northwest to Southeast: Its West is characterized by Hoang Lien Son - Pu Luong range between Hong River and Da River, the next is the Con Voi ancient mountain range between Hong River and Chay River; whereas its East has limestone mountain range between Chay River and Lo River. In spite of relatively complicated topography, it is possible to divide into 2 large areas namely high and low areas. The high area has the average elevation of 600m and above, accounting for 67.56% of the entire province. This area is characterized by scattered population, high potential on land, forestry products, minerals and socio-economic development. While the low area has the elevation of under 600m, mainly low mountainous terrain, apron valley, accounting for 32.44 % of natural area of the province.

Project is carried out in flat terrain areas with favorable construction conditions.

**** Climate:***

- Yen Bai is located in the tropical moonson climate range with average temperature of 22 - 23⁰C; average rainfall of 1,500 – 2,200 mm/year and average humidit of 83 – 87%. Yen Bai can be divided into 5 climatic subregions by climate and topography factors. Mu Cang Chai subregion is characterized by average elevation of 900m, average temperature of 18 – 20⁰C which sometimes reduce to under 0⁰C in winter. Van Chan – Nam Van Chan subregion is characterized by average elevation of 800m, average temperature of 18 – 20⁰C. Its North is the heavy rain subregion and its South is the least

rainfall region in the province. Van Chan – Tu Le subregion has average elevation of 200 – 400m and average temperature of 21 – 32⁰C. Subregion of the Southern Tran Yen-Van Yen, Yen Bai city, Ba Khe has average elevation of 70m and average temperature of 23 – 24⁰C which has the most frequent drizzle rain in the province.

*** Hydrography:**

There are two main river systems namely Hong River and Chay River which share the same flow direction of Northwest and Southeast. In addition, approximately 200 canals, large and small springs are available with the lake and damp system. However, the project do not take place across 02 rivers above

Table 5: Area, population and population density in the subproject

		Total area	Average	Population
1.	Van Chan district	1,207.59	148,557	123
2.	Yen Binh district	772.62	106,571	138
3.	Mu Cang Chai district	1,197.73	52,047	43
4.	Van Yen district	1,390.44	118,935	86
5.	Tran Yen district	628.58	28,905	129
6.	Luc Yen district	808.98	105,153	130

Source: Statistic book 2012 – Yen Bai province

Poverty status in Yen Bai:

Yen Bai province is a poor mountainous province in the north of the country with natural are of 6.807km², total population is more than 765,000 people (according to statistics in 2012 of Yen Bai), including 30 ethnic groups living together. According to report of People Committee of Yen Bai province, total of provincial poverty households in beginning of period (December 2012) were 55 831 households, accounting for 29.23%. Total number of poor households after investigating, reviewing in 2013 were 49,530 households, accounting for 25.38%, reduce 3.85% compared with number of poverty household in 2012, exceeding the target of 0.35% (planning is 3.5%). 9/9 of towns and cities beyond poverty reduction targets which was assigned by the provincial People's Committees in 2013, in which Mu Cang Chai reached the highest target of 3.55%, and secondly is Tram Tau with 0.64%.

Table 6: Rate of poor households in the subproject districts in 2013

		poor households	Rate
1.	Van Chan district	4,821	19.56
2.	Yen Binh district	5,223	18.84

3.	Mu Cang Chai district	6,422	66.35
4.	Van Yen district	3,149	22.36
5.	Tran Yen district	4,941	21.42
6.	Luc Yen district	4,933	23.15

Source: Statistic book 2012 – Yen Bai province

Causes of poverty: Natural conditions are severe; educational level is low; health care for the people is poor, the population growth rate is high, particular in some places it is nearly 4%, condition of infrastructural facilities such as: electricity, roads, schools, medical stations, markets... are lacking and poor. The above weaknesses make economy of Yen Bai province developing slowly, productions are mainly subsistence.

EMs in the subproject area

Sub-project "Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province " will be implemented launched in 24 communes in 06 districts and of Yen Bai province. The subproject area is mainly ethnic groups (accounting 90% of the total population in the district). The ethnic minorities living in the subproject areas including: Tay, Muong, Thai, Dao, Nung, Mong and Cao Lan group. The number of ethnic minority households affected 88 households (480 people) accounted for 99% of total households affected by the subproject. Majority land of ethnic minorities in the Project area is paddy field, land for forest, hills and fruits. Rice cultivation and forestation are main agricultural activities of ethnic minority people in the Project area. Ethnic minority farmers often hire ploughs and Paddy Threshers in the commune to plough and pluck rice. They often put down microorganism fertilizer in the field. Garden land is used for a series of puREMDPoses, including Planting long-day crops in combination with short-day crops, breeding cows, pigs, chicks and ducks. The cultivated land is often used to cultivate industrial tree, bamboo, acacia, cinnamon, litchi....

Table 7: Preliminary research on ethnic minorities in the Project area

N o.	Commune/district	People		Distribution of ethnic minorities in the							household
		M a l e	f e m a l e	D a c k	T a i	v o n	u n	h a u	s o	L	
I	Van Chan district	14	11	0	0	0	0	3	1	0	5
1	Phuc Son	6	4	-	-	-	-	2	-	-	2
2	Son Thinh	8	7	-	-	-	-	1	1	-	3
II	Yen Binh district	11	11	3	2	0	0	0	0	0	5
3	Phuc An	11	11	3	2	-	-	-	-	-	5

N o.	Commune/district	People		Distribution of ethnic minorities in the							Household
		Male	Female	Da Nang	Cham	Khmer	Other	Other	Other	Other	
III	Mu Cang Chai	36	48	0	0	13	0	0	0	0	13
4	Khao Mang	17	22	-	-	6	-	-	-	-	6
5	Che Cu Nha	19	26	-	-	7	-	-	-	-	7
IV	Van Yen district	71	82	18	8	0	0	0	0	0	26
6	Tan Hop	18	17	4	2	-	-	-	-	-	6
7	Chau Que Ha	22	29	6	3	-	-	-	-	-	9
8	Lam Giang	15	16	3	2	-	-	-	-	-	5
9	Lang Thip	16	20	5	1	-	-	-	-	-	6
V	Tran Yen district	56	64	5	1	0	0	3	13	1	24
10	Quy Mong	19	22	-	1	-	-	2	5	-	8
11	Hong Ca	12	10	2	-	-	-	-	3	-	5
12	Minh Quan	10	12	1	-	-	-	1	2	-	4
13	Minh Tien	6	7	2	-	-	-	-	-	-	2
14	Bao Dap	6	9	-	-	-	-	-	3	-	3
15	Hoa Cuong	3	4	-	-	-	-	-	-	1	1
VI	Luc Yen district	38	38	8	4	0	4	0	0	0	16
16	Tan Linh	18	18	4	2	-	2	-	-	-	8
17	An Lac	13	12	3	1	-	1	-	-	-	5
18	Phuc Loi	7	8	1	1	-	1	-	-	-	3
	Total	226	254	34	15	13	4	6	14	1	88

B. VULNERABILITY

Vulnerable groups in subproject are poor ethnic minorities households. There are 72 HHs are vulnerble in the subproject.

C. GENDER ISSUES

Through survey information in February 2014 still showed evidence of persistence of gender inequality in the Northern Uplands Areas in general and in Yen Bai province in particular. I.e, cultural norms in this area continued to put women of ethnic minorities into the fragile position in the family, in the community and their voice in the family, community, sometimes did not consider important. Accordingly, women continue to be

disadvantaged in all areas, from access to agricultural extension services to healthcare, education and resources for production

Illiteracy status of ethnic minority women have been hindered their participation in social activities in general, as well as the activities of socio-economic development invested by the Government/Donor. Many minority women do not have the opportunity to go to school and can not read and write the Kinh language, which prevents them from participating more actively in the new economic development opportunities from economic market. Women from ethnic minorities, especially in the remote villages have fewer opportunities to participate in community meetings and this prevents them from contact with society and opportunity to speak of their own needs.

Women in subproject area have very little representation in the traditional leadership and decision-making, and their representation in the political leadership is limited to the Women's Union. Women in the subproject area have been disadvantaged in comparison with men because the patrilineal and patrilocal kinship system still exists. A majority of women are not able to decide their happiness and future by themselves as their husbands are still sought by their parent or through match makers. The women of the family participate in all discussions of the family activities but men usually make the final decision. To guarantee the participation of women in the resettlement planning activities and incorporation of their concerns, representatives from the women's union will be invited in all consultations related to the subproject and election of representatives to the resettlement planning bodies will be done separately by men and women.

Among the AHs, both men and women share outdoor and indoor tasks such as farming, looking after the children, house cleaning, etc. But men participate in community activities more than women. At hamlet meetings to discuss about hamlet issues or public facilities in the commune/hamlet area, the households' heads are invited. Wives attend such meetings only when their husbands are not available. Women's limited involvement in community events is due to their pre-occupation with household tasks, lack of confidence and language skills. During public consultation, a lot of women said they did not know clearly about project information as they did not attend the hamlet meetings.

D. SOCIAL IMPACT ASSESSMENT

The lines will be selected that are going to the vacant land. The effected land for the position of pile foundation low voltage line is very little. Most of the works will be done within the existing location of the facilities and ROW. Hence, adverse impacts on EM households will be limited to marginal losses of their agricultural land. These losses will be compensated in cash based on replacement cost and will be offset by the positive benefits brought about by the improved road, improved/extended irrigable area, and reduced incidence of flooding. No adverse impact is expected from the subproject on the EMs' use and access to land and natural resources, cultural and communal integrity, socioeconomic status, health, education, livelihood and social security status. However, efforts will be made to ensure that they are informed and are able to participate and

benefit from the subproject taking into account their traditional ways of information gathering and participation.

E. MEASURES TO MINIMIZE NEGATIVE IMPACTS ON EMs

In addition to providing compensation for their minor land and crop losses, the DRC will disseminate subproject information to EMs in coordination with their traditional leaders to ensure that EMs get maximum benefit from the advantage conditions brought by the subproject. In particular, the following actions will be done:

- (i) The PMU and consultant will coordinate with local/traditional patriarchs (zia lang) in the conduct of consultations, information dissemination and grievance redress involving households from ethnic minorities.
- (ii) A representative from each EM group will be included in the district/village resettlement committee.
- (iii) During the DMS, the district/village RC will ensure that both men and women, and female-headed EM households are informed and participate. They will provide translation as needed to ensure that AHs belonging to EMs understand and are in agreement with the DMS results. Adversely impacted EMs are considered vulnerable and will be entitled to support for vulnerable households.
- (iv) All public information and consultation meetings in ethnic minority villages will include local translation in minority languages so that information and exchange of views is facilitated for all men and women DPs. Village meetings will be held to raise DP awareness and understanding of resettlement related issues such as project timing, entitlements, compensation determination and payments, grievance process, support for relocation/rebuilding etc., and specific women focus groups will also be held to cover the same issues.
- (v) Monitoring of consultation and awareness generation activities, as well as DP rehabilitation and satisfaction will be undertaken by the PPMU and CPMU using gender and ethnicity disaggregated data.
- (vi) Internal monitoring will ensure consultation incorporates translation to EM languages in minority villages and for minorities living in villages of other ethnicity.

Both male and female EM members will be able to participate in the jobs that are created during road upgrading and post-construction in the Project area. In the surveys and stakeholder meetings held, all EM groups expressed interest in the job opportunities as well as increasing their incomes from agriculture and other activities.

Gender action plan. Even though women will not be significantly adversely affected by the subproject, a gender action plan is necessary to facilitate women participating in subproject processes and provide opportunities for women to increase their income without increasing their burdens increase, and to raise the social status of women in the subproject area. The gender action plan will include the following:

- (i) The contractors will be encouraged to also employ women in regular maintenance and repair work;
- (ii) Provisions will be made in the civil works contracts to ensure (a) equal pay for men and women workers with similar type of work, (b) safe working conditions for both men and women; (c) refraining from use of child labour; and (d) encouraging use of local labor (both men and women)
- (iii) The local contractor will not use child labour;
- (iv) Encourage the use of local labour (both men and women);
- (v) Coordination will be made with the the Women's Union in the conduct of surveys, consultations and design works at the detailed design phase. Similar regular coordination will be made during the construction and operation phase to ensure that women's concerns are identified and addressed;
- (vi) Training on gender mainstreaming for the implementing agencies at provincial, and local levels (i.e. PPMUs, and other stakeholders);
- (vii) Training and capacity building for women to participate in community decision making and sub-projects in a most meaningful way (i.e. training on participation and negotiation skills, marketing skills, cultivation skills and eliminating illiteracy for women);
- (viii) The extension services targeted at women are designed and delivered to women;
- (ix) At least one woman will be representative of the commune women in the commune supervisory boards (accounting for about 1/3 of its members).

IV. DISCLOSURE, PUBLIC CONSULTATION AND PARTICIPATION

4.1. During preparation of REMDP

The public consultation with representatives of local authorities and mass organizations of 24 affected communes was held before implementing the IOL. The contents of the consultation included (i) an introduction of scope and objectives of the sub-project Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province (ii) the scope of potential impacts of sub-project components and measures for mitigating negative impacts, (iii) the compensation, assistance and resettlement policy based on the Resettlement framework of the “Renewable energy development and network expansion and rehabilitation for remote communes sector project (or the “Project”) consists of two investment components:” approved by ADB and the Government and entitlements related to land and assets of affected households (iv) the implementation schedule for compensation, assistance and resettlement of the Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province subproject and (v) the grievance redress mechanism.

The public consultation was carried out for all affected households. At the same time, the public consultative meetings also have the participation of leaders of affected communes, of mass organizations of communes and villages, and village leaders. The public consultative meetings focused on clarifying 5 contents of the first consultation and collecting the opinions of the participants.

Besides the public consultative meetings, the focused group discussions and in-depth interviews were also conducted to clarify three issues: (i) Policies on compensation, assistance and resettlement of the Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province subproject (ii) impacts of land acquisition on income and livelihoods of affected households, (iii) to discuss and propose activities to support the restoration of households’ income. Minutes of the meeting of the sub-community consultation projects is attached in Appendix 06.

The focused group discussions were implemented with commune leaders, representatives of mass organizations, village leaders and representatives of households expected to be severely affected in the event of land acquisition and with female headed households as well. During the discussions the participants were mainly concerned about the following issues:

- (i) Detailed Measurement Survey: The process of the Detailed Measurement Survey (DMS) must be correct and accurate. Results of the DMS must be listed at public place so that affected people can know their level of impact and whether it is correct or not;
- (ii) Compensation price: The local people required that the compensation price must be at market price;;

- (iii) Compensation options: The compensation must be implemented publicly and paid once for the affected people;
- (iv) Assistance allowance: There must be a specific program to assist the severely affected households, women headed households and disable people;
- (v) The livelihood restoration and life stabilization: People suggested that program income restoration and livelihood development need to be implemented before having the decision of land acquisition.
- (vi) Grievance redress mechanism: There must be a mechanism to resolve grievances and complaints quickly and efficiently, to avoid the situation of all levels warding off settlement or take longer to resolve.

- During subproject implementation

The Sub-project Information Booklet will be prepared and distributed to the affected households in the second public consultation. The following information is provided in the project information booklet: (i) a brief background of Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province subproject, especially the main works to be undertaken and the scale of land acquisition; (ii) impacts on land and on-land assets; (iii) the entitlements due to affected land and assets; (iv) detailed plan of implementation of compensation, assistance and resettlement payments; (v) grievance redress mechanism; and (vi); contact list of persons of EA and local authorities to ensure the grievances to be resolved quickly and efficiently.

In addition to the Information Booklet of the Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province subproject, policies related to land acquisition, compensation, assistance and resettlement of the Government, and of Yen Bai PPC and Resettlement Framework have been distributed to the participants of public consultation meetings, the leaders of communes, villages and a copy of these documents will be kept at the offices of the CPC.

A copy of the REMDP in Vietnamese will be sent to CPCs, and disclosed at the offices of the CPC and in village leaders' houses.

The approved REMDP of the subproject will be uploaded on the ADB websites in both English and Vietnamese and disclosed to the ethnic minority people through commune and village meetings in coordination with their traditional leaders.

- Participation of the local people

The general principle of the subproject, as mentioned above, is to ensure that affected people and local communities participate in all activities and all phases of the subproject.

During the preparation of resettlement plan subproject, households and communities have already participated in the following activities:

- (i) Public consultative meetings at village level on the design of the subproject;
- (ii) Public consultative meetings at village level on the impacts of the subproject; the policies on compensation, assistance and resettlement, the detailed implementation schedule of resettlement activities and the grievance redress mechanism;
- (iii) the IOL for affected households
- (iv) the survey process for the replacement cost of affected land and assets;
- (v) the discussion on the income restoration and livelihood development options.

The affected households and communities will continuously participate in implementing and monitoring compensation, assistance and resettlement activities, as well as income restoration and livelihood development activities for affected households.

Table 8: Consultative meetings

N	Date	Commune	Location	Number of	Number of female
1	18/2/2014	Son Thinh	CPC	07	0
2	19/2/2014	Phuc An	CPC	04	01
3	17/2/2014	Chi Cu Nha	CPC	08	02
4	19/2/2014	Tan Hop	CPC	04	01
5	19/2/2014	Quy Mong	CPC	07	0
6	17/2/2014	Tan Linh	CPC	08	04

In consultation meetings, representatives of commune authorities and affected households agreed to contents in entitlement matrix. People's opinions and suggestions on 5 consultation contents as shown in minutes of public consultation meetings. Affected people agreed to entitlements and compensation price of PPC. Minutes of the meetings are presented in Appendix 05.

V. GRIEVANCE REDRESS MECHANISM

In order to ensure that all DPs' 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 DPs to air their grievances, a well-defined grievance redress mechanism needs to be established. All DPs 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. Furthermore, DPs will not be ordered to pay any fee during the grievance and complaints at any level of trial and court. Complaints will pass through 3 stages before they could be elevated to a court of law as a last resort.

The following stages for grievance redress are established based on Complaint Law no. 02/2011/QH13, dated 11/11/2011:

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

Second Stage, District People's Committee: If after 30 days or 45 days (in remote area) the aggrieved affected household does not hear from the CPC, or if the affected household is not satisfied with the decision taken on his/her complaint, the affected household may bring the case, either in writing, to any member of the DPC. The DPC in turn will have 30 days or maximum of 70 days following the lodging of the complaint, depending on complicated case or remote area, to resolve the case. The DPC is responsible for documenting and keeping file of all complaints that it handles and will inform the DRC of any determination made and the DRC is responsible for supporting DPC to resolve AH's complaint. The DPC must ensure their decision is notified to the complainant.

Third Stage, Provincial People's Committee: If after 30 days or 45 days (in remote area) the aggrieved affected household does not hear from the DPC, or if the affected household is not satisfied with the decision taken on his/her complaint, the affected household may bring the case, either in writing, to any member of the PPC. The PPC has 30 days or maximum of 70 days, depending on complicated case or remote area, to resolve the complaint to the satisfaction of all concerned. The PPC is responsible for documenting and keeping file of all complaints that reaches the same.

Final Stage, the Court of Law Arbitrates: If after 30 days following the lodging of the complaint with the PPC, the aggrieved affected household does not hear from the PPC, or if he/she is not satisfied with the decision taken on his/her complaint, the complainant can appeal again to the PPC. If the complainant is not satisfied with the second decision of the PPC, the case may be brought to a Court of law for adjudication. If the court rules in favour of the complainant, then PPC will have to increase the compensation at a level to be decided by the court. In case the court will rule in favour of PPC, then the complainant will receive compensation approved by PPC.

The above grievance redress mechanism will be disclosed and discussed with the DPs to ensure that the DPs understand the process. PPMU/ DRCs and monitoring unit are responsible for follow up of the grievance process. Notwithstanding the provisions of the grievance process, local laws and regulations will take precedence. Amount of compensation and allowances of the complainant should be deposited in an escrow account until his/her complaint resolved satisfactorily. Note further that the above cited procedures do not prevent a complainant to seek resolution of his/her complaint directly to the court at any stage of the complaint resolution process.

VI. LEGAL AND POLICY FRAMEWORK

The legal and policy framework for addressing the resettlement impacts and ethnic minority issues related to the “Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province” is provided by relevant policies and laws of Viet Nam and the ADB’s Safeguard Policy Statement (SPS 2009).

There is basic congruence between Viet Nam’s laws and ADB’s involuntary resettlement safeguards especially with regard to the entitlement of persons with legal rights/titles. However, ADB Safeguard Policy does not consider the absence of legal rights of DPs on the acquired land as an impediment to receiving compensation for other assets and for rehabilitation assistance. Non-registration of an DP's business also does not bar them from being assisted in restoring their business. Engagement of an independent external party to document negotiation and settlement process is also only required under ADB policy.

With regard to ethnic minorities (EMs), a key difference is in the definition of IPs. There are also no specific requirements under Viet Nam legislation for development projects concerning impacts on ethnic minorities.

Item 2, Article 87 of the Land Law 2013 and Decree no. 38/2013/ND-CP on management and use of ODA fund regulates that compensation, assistance and resettlement for ODA-funded programs and projects shall comply with existing regulations and International treaties on ODA and concessional loans to which the Socialist Republic of Vietnam is a contracting party. In cases where there is discrepancy between provisions of Vietnamese laws and the international treaties, such international treaties shall prevail.

Differences between Viet Nam regulations and ADB SPS (2009) are addressed in the Resettlement and Ethnic Minority Development Framework (REMDF) for the “Renewable Energy Development and Network Expansion and Rehabilitation for Remote Communes Sector Project” agreed between the Viet Nam Government and ADB and applied in the preparation of this REMDP.

Table 9: Project Policies to Address Discrepancies Between Viet Nam Regulations and ADB SPS (2009)

	Viet Nam Regulations	ADB SPS (2009)	Project Policy
Severely impacted DPs losing productive land	Decree 47/2014/ND-CP, Article 19, Item 3:: DPs losing at least 30% of productive agriculture land are	DPs who are (i) physically displaced from housing, or (ii)losing 10% or	DPs losing 10% or more of the household’s productive assets (income

	Viet Nam Regulations	ADB SPS (2009)	Project Policy
	considered severely impacted and are entitled to livelihood restoration measures.	more of their productive assets (income generating) are considered severely impacted.	generating) or who are physically displaced from housing shall be considered as severely impacted
DPs without LURC	<p>Land Law 2013, Article 77, item 2 and article 92Persons who has used land before 1st July 2004 and directly beinvolved inagriculture production on the acquiredland without LURC orillegalizablewill be compensated for the acquired land area but not exceed quota of agricultural land allocation.But no compensation for non-land assets in the following cases: (i) the assets subject to the land recovery as stipulated in one of items a, b, d, d, e, I, clause 1, article 64 and items b, d, clause 1, article 65 of the Land Law 2013; the assets created after the notification on land acquisition; and</p>	DPs losing land who have neither formal legal rights nor recognized or recognizable claims to such land are entitled to be compensated for the loss of assets other than land, such as dwellings, and also for other improvements to the land, at full replacement cost (including temporary and partial losses), provided they occupy the land or structures prior to the cutoff date for eligibility for resettlement assistance	DPs, LURC or recognisable 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

	Viet Nam Regulations	ADB SPS (2009)	Project Policy
	(iii) unused public infrastructures and other works.		and income levels.
Compensation for affected house/structures	Land Law 2013, Article 89, item 1: houses/structures used for living puREMDPose will be compensated at replacement cost. Decree 47, article 9: Houses/structures used for other puREMDPoses will be compensated equal to the remaining value of the affected house plus some percentage of current value but total compensation amount is not exceed value of the new house/structure.	Non-land assets, including house/structure created before the cutoff date will be compensated at replacement cost without deduction for salvageable materials or depreciation	Full compensation the cost of new house/structure with similar technical standard will be paid for all affected houses/structures without any deductions for salvageable materials or depreciation,
Monitoring	No monitoring indicators indicated	Monitoring indicators specified for internal and external monitoring and reporting. In case of significant or sensitive impacts, an external monitoring organization is required to conduct monitoring on	The EA must undertake internal monitoring according to the critical indicators. Anticipated negative impacts of the project are minor, it is no need to recruit an external monitoring

	Viet Nam Regulations	ADB SPS (2009)	Project Policy
		REMDP implementation	organization.
Third-party validation of consultations related to land donations	Not required.	The borrower is required to engage an independent third-party to document the negotiation and settlement processes to openly address the risks of asymmetry of information and bargaining power of the parties involved in such transactions.	In case of land donations involving marginal portions of land, the LIC will verify and report on the negotiation and settlement processes as part of the due diligence report. A voluntary donation form signed by the respective landowners, witnesses, and village leaders will be attached in the report.

Consistent with the policy principles in the REMDF, the following specific principles are adopted for this REMDP:

- (i) Vulnerable households will be provided appropriate assistance to help them improve their socio-economic status. The type of assistance will be identified during REMDP preparation as per consultation with DPs.
- (ii) Payment for affected lands and assets upon lands will be based on the principle of replacement cost. Replacement cost surveys will be carried out by an independent appraiser to ensure that compensation rates for all categories of loss will be equivalent to replacement cost at current market value, to be updated at the time of compensation. Cash compensation for affected structures will be made without any deductions for salvageable materials or depreciation, full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments

- (iii) Temporarily affected land and communal infrastructure will be restored to pre-subproject conditions.
- (iv) During finalization of REMDP, RCS shall be carried by an experienced appraiser to identify the market rates and replacement costs for the affected lands and assets upon lands.
- (v) Assurances on life and production stabilization will be provided to those who lose 10% or more of their productive income generating assets and/or being physically displaced. The subproject will focus on strategies to avoid further impoverishment and create new opportunities to improve status of the poor and vulnerable people and will be entitled to participate in an income restoration program, which will be mainstreamed in the District Extension Program.
- (vi) Assistance shall be provided in accordance with the current Provincial regulations for those below the official poverty line, and for vulnerable groups (e.g. significant affected ethnic minorities or female-headed households, etc.) as per consultation results.
- (vii) Social impacts assessment will be conducted and updated open to use of similar methods to assess potential project impacts, both positive and adverse, on EMs.
- (viii) Capacity building programs for EMs in the subproject area will be provided. Meaningful consultations with local EMs will be carried in all stages of the subproject. The grievance redress mechanism has been developed and will be discussed and disclosed publicly in the communities.
- (ix) The subproject will ensure the rights of local EMs to benefit from the use of their cultural resource and knowledge.
- (x) The draft REMDP was prepared and consultants will be recruited to assist the final REMDP preparation, implementation and monitoring.
- (xi) Key information in the REMDP, including measurement of losses data, detailed asset valuation, compensation and resettlement options, detailed entitlements and special provisions, grievance procedures, timing of payments and displacement schedule will be disclosed to the DPs in Vietnamese, such as posting a summary of REMDP in commune offices and the distribution of project information booklets (PIBs) to the DPs.
- (xii) Full consultation with local EMs will be made to define areas with customary rights and to reflect the issues in an updated REMDP with particular actions to protect or compensate the areas.

1 Capacity building programs and financial assistance for EMs in the subproject area will be integrated in Training about agriculture, power safety use for local people and students . Funds are from EVN's corresponding capital

Compensation, support and resettlement procedures of local government (Yen Bai province) include:

- Decision No. 35/2013/QĐ-UBND dated 31.12.2013 by the Provincial People's Committee on the announcement of street classification, location land price in Yen Bai province in 2014.
- Decision No. 37/2013/QĐ-UBND dated 31.12.2013 by the Provincial People's Committee on the issuance of compensation unit price for tree when land is being confiscated by the State in Yen Bai province.

VII. ENTITLEMENTS, ASSISTANCE AND BENEFITS

A. ELIGIBILITIES

Eligibility for compensation with regard to land is determined by legal rights to the land concerned. There are three types of DPs: i) persons with Land Use Rights Certificates (LURCs) to land lost, ii) persons who lose land they occupy who do not currently possess a LURC but have a claim that is recognizable under Vietnamese laws, or, iii) persons who lose land they occupy who do not have any recognizable claim to that land. DPs included under i) and ii) above shall be compensated for the affected land and assets upon land. DPs included under iii) shall not be compensated for the affected land, but for the affected assets upon land and are entitled to assistance if they have to relocate. For this subproject only those under type I and ii have been identified in the preparation of the draft REMDP.

All DPs who satisfy the cut-off date for eligibility are entitled to compensation for their affected assets (land, structures, trees and crops), and rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels.

Non-eligible DPs include those making claims based on subsequent occupation after the cut-off date. The cut-off date for eligibility should be the date of subproject land acquisition announcement of competent agency.

B. COMPENSATION AND ASSISTANCE

The implementation of compensation, assistance and resettlement of the “Renewable energy development and network expansion and rehabilitation for remote communes sector project (or the “Project”) consists of two investment components:” in general and of the sub-project "Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province" in particular will follow the principles below:

- a. Involuntary resettlement and impacts on land, structures and other fixed assets will be avoided or minimized where possible by exploring all alternative options.
- b. Compensation and assistance will be based on the principle of replacement cost at the time of implementation.
- c. Severely impacted household is considered when they are losing 10% or more of the household's productive assets shall be considered as threshold or will be required to relocate.
- d. Displaced persons without title or any recognizable legal rights to land are eligible for compensation for non-land assets at replacement cost if created before the cut-off date.

- e. Residential and agricultural land for replacement should be close to the previous places as much as possible and be suitable to displaced persons.
- f. Meaningful consultation will be carried out with the displaced persons and concerned groups and ensure participation from planning up to implementation. The comments and suggestions of the APs and communities will be taken into account.
- g. The REMDP will be disclosed to APs in a form and language(s) understandable to them prior to submission to ADB.
- h. Resettlement identification, planning and management will ensure that gender concerns are incorporated.
- i. Special measures will be incorporated in the resettlement plan to protect socially and economically vulnerable groups such as households headed by women with dependents, children, disabled, the elderly, landless and people living below the generally accepted poverty line.
- j. Existing cultural and religious practices will be respected and preserve, to the maximum extent practical.
- k. Culturally appropriate and gender-sensitive social impact assessment and monitoring will be carried out in various stages of the project.
- l. Resettlement transition stage should be minimized. Restoration measures will be provided to displaced persons before the expected starting date of construction in the specific location.
- m. Budget for payment of compensation, assistance, and resettlement and support will be prepared sufficiently and made available during project implementation and by the Yen Bai provinces.
- n. Reporting and internal monitoring should be defined clearly as part of the management system of resettlement..
- o. The PMU will not issue notice of possession to contractors until the PMU are officially confirmed in writing that (i) payment has been fully disbursed to the displaced persons and rehabilitation measures are in place (ii) already-compensated, assisted displaced persons have cleared the area in a timely manner; and (iii) the area is free from any encumbrances.

C. ENTITLEMENT MATRIX

Consistent with the Project principles and policies, APs of the sub-project "Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province" are entitled to receive compensation and assistance, depending on the type and severity of their losses in accordance with the Project policies. These entitlements are summarized in the matrix below. It should be noted that these

entitlements may be updated, as necessary, during the process of updating the REMDP based on the results of consultation meetings.

Regulations in the matrix below will be applied in providing payment of compensation, assistance and resettlement for AHs. When setting up specific compensation options, the District Compensation and Site clearance Board will follow the regulations to calculate the amounts of compensation and assistance. However, if there is any regulation in which the amount of compensation and assistance cost in Decisions of PPC of Yen Bai is higher than in the Entitlement Matrix, the compensation and assistance will be implemented in accordance with the Decisions of Yen Bai PPC. If there is any regulation in which the amount of compensation and assistance cost in Decisions of PPC of Yen Bai is lower than in the Entitlement Matrix, the compensation and assistance will be implemented in accordance with the regulations of the Entitlement Matrix.

Table 10: Entitlement Matrix

No.	Type of Loss/Impacts	Level of Impact	Eligible Persons	Entitlements	Implementation Arrangements
I. LANDS					
1	Productive Land (Agricultural land)	Partially permanent loss (loss of productive land of the HH while the remaining unaffected portion remains viable for continued use):	All AHs with LURC or legalizable, according to the IOL 300m ² of agricultural land (including 84m ² of paddy land and 216m ² of uplands land) belonging to 84 HHs	Cash compensation for acquired land at replacement cost. For trees/crops, see item II below.	AHs will receive full the compensation at the replacement cost before site clearance. They will keep using the remaining unaffected portion of the land
2	Public land	Partially permanent loss (the remaining	Total 5,429 m ² of public land belonging to CPC	Cash compensation for CPC as set out in provincial policy	It will be paid the compensation before site

No.	Type of Loss/Impacts	Level of Impact	Eligible Persons	Entitlements	Implementation Arrangements
		portion is viable for continued use).			clearance.
3	For the portion of agriculture land to be used temporarily: Cash compensation for standing crops at market price and income lost from the temporary use duration. The land will be restored to pre-project conditions before returning to the users.				
II CROPS AND TREES					
4	Crops and trees	Loss of or damage to crops/ trees created before the cut-off date	All AHs according to the IOL, regardless of land use status: 74 m ² of rice and 112m2 of vegetable will be affected belong to 49 AHs	Cash compensation for standing crops at market price at the time of land acquisition.	APs will be given three months notice that the land on which their crops are planted will be recovered and that they can harvest their crops on time. In case harvesting cannot be done before land acquisition, compensation for standing crops will be applied.
5	Trees	Loss of or damage to assets	Owners regardless of tenure status: 194 trees, including 05 plums, 01 fablic, 7 oranges, 153 acaicas, 25 bamboos	Cash compensation at market price at the time of compensation.	APs have the right to use salvageable trees.

No.	Type of Loss/Impacts	Level of Impact	Eligible Persons	Entitlements	Implementation Arrangements
			and 3 pines will be cut down belong to 42 AHs		
III. TRANSITION ASSISTANCE					
6	Job training/creation	Losing productive land	AHs who will lose agriculture land. Total 300m2 of agricultural land (including 84m2 of paddy land and 216m2 of uplands land) belonging to 84 HHs	Assistance for job training/creation at prices which equal 2.5 times the value of agriculture land (paddy, uplands). (Article 17) of the Decision No. 17/2014/QĐ-UBND of the Yen Bai province's People's Committee issued on September 17th, 2014)	Assistance will be paid at the same time of compensation payment and before site clearance.
7	For vulnerable groups	HHs lose land	Affected vulnerable groups (ethnic minorities, poor, policy households, and headed by woman with dependents or elderly) regardless of severity of impacts: <i>There are 72 affected vulnerable households</i>	Assistance is 2,000,000 VND per household ²	The DCARB will prepare the list of vulnerable people.

² As RF of the project was approved by ADB and GoV

VIII. RESETTLEMENT BUDGET AND FINANCING PLAN

The unit price of compensation

The consultancy specialists for the REMDP of the Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province subproject has conducted the replacement cost survey for affected land and assets in subproject area (in 24 affected communes and one affected ward) to compare the price stipulated by Yen Bai People's Committee with market price , then proposed reasonable compensation and assistance price. The replacement cost survey activity aims to ensure compliance with the provisions of the Resettlement Framework of the project that compensation will be paid at market price and replacement cost for affected land and assets.

Results of the replacement cost study showed that compensation unit price stipulated by Yen Bai PPC is relatively close to market price. Result of the replacement cost assessment showed no significant difference between the market price / replacement cost and the compensation price regulated by Yen Bai PPC. The assessment result was publicized in consultative meetings in villages. All the affected households agreed on result of the assessment. As the result consists with the price of Yen Bai PPC at the time of assessment, affected households agreed to use the price of Yen Bai PPC a basis for compensation and assistance. The agreement was confirmed in the minutes of consultative meeting. If there is any change in the market price of land and other assets during REMDP implementation, the current market price will be updated and applied for compensation. .

Table 11: Compensation unit price for affected agricultural land

Unit: VND/m²

No.	Local	Paddy land	Garden/ uplands
1	Tran Yen commune	30,000	18,000
2	Yen Binh commune	30,000	18,000
3	Van Chan commune	30,000	18,000
4	Van Yen commune	30,000	18,000
5	Mu Cang Chai commune	30,000	18,000
6	Luc Yen commune	30,000	18,000

Table 12: Compensation unit price for perennials

Unit: VND/tree

Type	Unit
Plum	65,000
Fabric (lichi)	275,000
Acacia	20,000
Orange	65,000
Pine	26,000
Bamboo	40,000

Table 13: Compensation unit price for crops

Unit: VND/m²

Type	unit
Rice	3,000
Vegetable	10,000

Table 14: Compensation cost estimate Summary

Unit: dong

No .	Commune/district	Permanent land acquisition	Compensation cost for affected	Compensation cost for affected average	TOTAL	
					VND	USD
	Total	7,272,000	5,193,000	1,342,000	13,807,000	651
I	Van Chan	168,000	460,000	60,000	688,000	32
1	Suoi Bu	-	-	-	-	-
2	Phu Nham	-	-	-	-	-
3	Phuc Son	96,000	-	40,000	136,000	6
4	Nghia Son	-	-	-	-	-
5	Son Thinh	72,000	460,000	20,000	552,000	26
II	Yen Binh	1,248,000	185,000	102,000	1,535,000	72
6	Phuc An	1,248,000	185,000	102,000	1,535,000	72
7	Vu Linh	-	-	-	-	-

No .	Commune/dist rict	Permanent land	Compensat ion cost for	Compensatio n cost for	TOTAL	
					VND	USD
	Mu Cang	756,000	1,093,000	80,000	1,929,000	91
8	Khao Mang	216,000	388,000	40,000	644,000	30
9	Che Cu Nha	540,000	705,000	40,000	1,285,000	61
10	Kim Noi	-	-	-	-	-
	Van Yen	2,388,000	1,075,000	708,000	4,171,000	197
11	Tan Hop	528,000	185,000	84,000	797,000	38
12	Dong An	-	-	-	-	-
13	Chau Que Ha	816,000	385,000	204,000	1,405,000	66
14	Lam Giang	468,000	340,000	180,000	988,000	47
15	Lang Thip	576,000	165,000	240,000	981,000	46
V	Tran Yen	1,476,000	1,570,000	206,000	3,252,000	153
16	Quy Mong	432,000	845,000	40,000	1,317,000	62
17	Hong Ca	360,000	380,000	40,000	780,000	37
18	Minh Quan	384,000	280,000	20,000	684,000	32
19	Minh Tien	96,000	-	40,000	136,000	6
20	Bao Dap	108,000	65,000	40,000	213,000	10
21	Hoa Cuong	96,000	-	26,000	122,000	6
	Luc Yen	1,236,000	810,000	186,000	2,232,000	105
22	Tan Linh	696,000	585,000	70,000	1,351,000	64
23	An Lac	348,000	225,000	64,000	637,000	30
24	Phuc Loi	192,000	-	52,000	244,000	12

Total cost for compensation and assistances for the sub-project

Total cost for REMDP implementation for the sub-project "Extension and rehabilitation of medium and low voltage network for poor and remote communes in Yen Bai province" is **194,686,240VND (\$9,183)**. The estimation is based on results of the IOL and RCS carried out by consultant group and based on regulations on assistances as per approved Resettlement Framework of the "Renewable energy development and network expansion and rehabilitation for remote communes sector project "

The total cost for compensation and assistance will be updated after having results of the DMS and RCS at the time of REMDP implementation if necessary.

IX. INSTITUTIONAL AND IMPLEMENTATION ARRANGEMENT

1. NPC will be responsible for budget preparation and pay all costs for compensation. The DCC and Commune People's Committee will be responsible for disbursement of compensation directly to affected households. The venue is usually the commune office although this may change according to the request of affected households. Payment forms for signature will be provided to affected households. NPC with support of ADB resettlement consultant is responsible for internal monitoring and reporting to ADB in quarterly base.

X. IMPLEMENTATION SCHEDULE

The implementation schedule for compensation and assistance activities is presented in Table 19.

Table 15: Implementation schedule

Activities	2014												2015							
	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	
• Pubic consultation on the sub-project																				
• Survey on socio-economic conditions of affected households																				
IOL																				
RCS																				
Preparation of REMDP																				
Pubic consultation on REMDP																				
Complete REMDP																				
Complete REMDP and submit to ADB for approval																				
Dissemination information on approved REMDP																				
Update REMDP when detailed planning 1/500 is approved and publicized (if the detailed design has significant impacts)																				

Activities	2014												2015							
	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	
Submit updated REMDP to ADB for approval																				
Disburse compensation																				
Carry out income restoration activities																				
Monitoring and assessment																				

XI. MONITORING AND EVALUATION

Monitoring and evaluation aims to ensure (i) compliance of various groups with the resettlement plan and compensation rates and procedures; (ii) availability of resources and the effectiveness of implementing organizations; and (iii) ensure the well being of the affected persons and the restoration of their standard of living to the pre-project level.

Internal Monitoring

The EVN-NPC under support of ADB resettlement consultant will set up the internal monitoring and reporting system. As part of the internal monitoring, quarterly progress reports on resettlement will be prepared and submitted to ADB for review and uploading on the ADB website. The report will contain the following: (i) receipt of compensation payment and assistance by the affected persons as defined in the approved REMDP; (ii) completion of the land acquisition, compensation, resettlement of displaced households and other resettlement activities; (iii) conduct of information dissemination and disclosure and consultations; (iv) complaints filed and their settlement; (v) status of income and living conditions of the affected people particularly the severely affected ones; (vi) suggestions of the affected people; (vii) expenses and budget performance.

The monitoring reports will track the performance of resettlement activities against the schedule. It will also facilitate, if there are any delays and mistakes, the identification of the reasons and solutions. The PPMU will conduct the quarterly internal monitoring and report and submit to NPC for review. The report will be quarterly submitted to ADB.

There is no requirement of external monitoring on implementation of compensation and assistance for the project.

Table 16: Monitoring and Evaluation Indicators

Type	Indicator	Examples of Variables
Inputs Indicators	Staffing and Equipment	Number of project dedicated PPMU staff Formation of DRC Number of DRC members and job function Adequate equipment for performing functions (including grievance recording) Training undertaken for all implementing agencies Construction Contractor meeting local employment targets for unskilled labor

Type	Indicator	Examples of Variables
	Finance	Resettlement budgets disbursed to DRC and DPs in timely manner
Process Indicators	Consultation, Participation, and Grievance Resolution	<p>Distribution of PIB to all DPs</p> <p>REMDP available in all districts</p> <p>Consultations and participation undertaken as scheduled in the REMDP</p> <p>Grievances by type and resolution</p> <p>Number of local-based organizations participating in subproject</p>
OUTPUT INDICATORS	Acquisition of Land	Area of cultivation land acquired
	Buildings	<p>Number, type and size of private houses/structures acquired</p> <p>Number, type and size of community buildings acquired</p> <p>Number, type and size of government assets affected</p>
	Trees and Crops	<p>Number and type of private trees acquired</p> <p>Number and type of crops acquired</p> <p>Crops destroyed by area, type and number of owners</p>

Type	Indicator	Examples of Variables
	Compensation and Rehabilitation	<p>Number of households affected (land, buildings, trees, crops)</p> <p>Number of owners compensated by type of loss</p> <p>Amount compensated by type and owner</p> <p>Number and amount of payment paid</p> <p>Compensation payments made on time</p> <p>Compensation payments according to agreed rates</p> <p>Number of owners requesting assistance for additional replacement land</p> <p>Number of replacement land purchases effected</p> <p>Number of LURCs issued</p> <p>Number of vulnerable groups provided additional assistance</p> <p>Number of DPs who received support under livelihood restoration program</p>

XII. APPENDIX APPENDIX 1. LIST OF HOUSEHOLDS AFFECTED ON LAND

[illegible]

No ,	Householder name	Permanent land acquisition (m ²)				Permanent lost trees. crops							
		Field land	Gardent land	Uplands land	Total	Perennial, fruits loss						Area of rice and crops (m ²)	
						Plum tree	Lichi, longan	Orange	Acacia	Pine tree	bamboo	Rice area	Vegetable area
*	CPC of Phuc Son				42								
4	Nghia Son				26								
*	CPC of Nghia Son				26								
5	Son Thinh		4		77		1	1			3		2
	Dao Van Chinh		2										2
	Bui Trung Kien							1			3		
	Ha Dinh Thuy		2				1						
*	CPC of Son Thinh				77								
II	Yen Binh district	38	2	4	170	0	0	1	6	0	0	34	0
6	Phuc An	38	2	4	126			1	6			34	

No ,	Householder name	Permanent land acquisition (m ²)				Permanent lost trees. crops							
		Field land	Gardent land	Uplands land	Total	Perennial, fruits loss						Area of rice and crops (m ²)	
						Plum tree	Lichi, longan	Orange	Acacia	Pine tree	bamboo	Rice area	Vegetable area
	Dang Van Van	4										4	
	Vuong Hong Tang	30										30	
	Le Van Danh			4					6				
	Chu Tuan Vinh	4											
	Dinh Van Nghi		2					1					
*	CPC of Phuc An				126								
7	<i>Vu Linh</i>				44								
*	CPC of Vu Linh				44								
III	Mu Cang Chai district	0	2	40	535	3	0	0	35	3	3	0	8
8	<i>Khao Mang</i>			12	242	2			9	3			4

No ,	Householder name	Permanent land acquisition (m ²)				Permanent lost trees. crops							
		Field land	Gardent land	Uplands land	Total	Perennial, fruits loss						Area of rice and crops (m ²)	
						Plum tree	Lichi, longan	Orange	Acacia	Pine tree	bamboo	Rice area	Vegetable area
	Cu A Trau					1							
	Vang A Nha			4						3			
	Sung A Ly			4					4				
	Ly A Lau								5				
	Giang A Vang			2		1							2
	Lu A Cho			2									2
*	CPC of Khao Mang				242								
9	<i>Che Cu Nha</i>		2	28	255	1			26		3		4
	Giang Pang Mang			6					7				
	Giang A Cua					1					3		

No ,	Householder name	Permanent land acquisition (m ²)				Permanent lost trees. crops							
		Field land	Gardent land	Uplands land	Total	Perennial, fruits loss						Area of rice and crops (m ²)	
						Plum tree	Lichi, longan	Orange	Acacia	Pine tree	bamboo	Rice area	Vegetable area
	Lu A Dang			8					10				
	Khang Nha Cua			4					3				
	Ho Giang Lu			8					6				
	Vang Tong Xay		2										2
	Lu A Hu			2									2
	CPC of Che Cu Nha				255								
10	Kim Noi				38								
*	CPC of Kim Noi				38								
IV	Van Yen district	16	12	94	1,524	2	0	1	36	0	4	16	66
11	Tan Hop	8	2	14	148	1			6			8	6

No ,	Householder name	Permanent land acquisition (m ²)				Permanent lost trees. crops							
		Field land	Gardent land	Uplands land	Total	Perennial, fruits loss						Area of rice and crops (m ²)	
						Plum tree	Lichi, longan	Orange	Acacia	Pine tree	bamboo	Rice area	Vegetable area
	Cao Van Luu	4										4	
	Dam Duc Thuan			4									4
	Trieu Van Cuong			8					6				
	Ly Xuan Hoang	4										4	
	Truong Van Chuc		2			1							
	Chu Van Dai			2									2
*	CPC of Tan Hop				148								
12	<i>Dong An</i>				48								
*	CPC of Dong An				48								
13	<i>Chau Que Ha</i>	8	4	28	935			1	16			8	18

No ,	Householder name	Permanent land acquisition (m ²)				Permanent lost trees. crops							
		Field land	Gardent land	Uplands land	Total	Perennial, fruits loss						Area of rice and crops (m ²)	
						Plum tree	Lichi, longan	Orange	Acacia	Pine tree	bamboo	Rice area	Vegetable area
	Trieu Manh Duc			6									6
	Ly Trong Son			8					10				
	Dam Van Xuong			8									8
	Le Van Tha	4										4	
	Phung Van Huynh			4					6				
	Ly Trong Tuan	4										4	
	Dang Van Duc		2										2
	Cao Tien Luan			2									2
	Hoang Van Tuan		2					1					
*	CPC of Chau Que Ha				935								

No ,	Householder name	Permanent land acquisition (m ²)				Permanent lost trees. crops							
		Field land	Gardent land	Uplands land	Total	Perennial, fruits loss						Area of rice and crops (m ²)	
						Plum tree	Lichi, longan	Orange	Acacia	Pine tree	bamboo	Rice area	Vegetable area
	Dang Quang Thien			6					5				
	Ly Ngoc Tiem			8									8
	Dam Thanh Vinh			4									4
	Trieu Van Duong		2			1							
*	CPC of Lang Thip				213								
V	Tran Yen district	6	16	56	1,171	0	0	2	56	0	8	2	20
<i>16</i>	<i>Quy Mong</i>		<i>4</i>	<i>20</i>	<i>344</i>			<i>1</i>	<i>29</i>		<i>5</i>		<i>4</i>
	Lo Van Lam			4					5				
	Lo Van Lan								4				
	Ha Van Lieu			8					10				

No ,	Householder name	Permanent land acquisition (m ²)				Permanent lost trees. crops							
		Field land	Gardent land	Uplands land	Total	Perennial, fruits loss						Area of rice and crops (m ²)	
						Plum tree	Lichi, longan	Orange	Acacia	Pine tree	bamboo	Rice area	Vegetable area
	Bui Van Liem			4					4				
	Hoang Van Vinh			4					6				
	Mai Van Chuyen										5		
	Tong Van Thai		2					1					2
	Doan Van Me		2										2
*	CPC of Qui Mong				344								
17	<i>Hong Ca</i>		4	16	127				13		3		4
	Bui Van Han			4					3				
	Dam Van Ich			8					6				
	Pham Xuan An			4					4				

No ,	Householder name	Permanent land acquisition (m ²)				Permanent lost trees. crops							
		Field land	Gardent land	Uplands land	Total	Perennial, fruits loss						Area of rice and crops (m ²)	
						Plum tree	Lichi, longan	Orange	Acacia	Pine tree	bamboo	Rice area	Vegetable area
	Trinh Van Bao		2										2
	Le Van Muc		2								3		2
*	CPC of Hong Ca				127								
18	<i>Minh Quan</i>	2		18	276				14				2
	Bui Van Tam			6					4				
	Ly Minh Binh			8					7				
	Le Van Minh			4					3				
	Hoang Thanh Son	2											2
*	CPC of Minh Quan				276								
19	<i>Minh Tien</i>	2	2		62								4

No ,	Householder name	Permanent land acquisition (m ²)				Permanent lost trees. crops							
		Field land	Gardent land	Uplands land	Total	Perennial, fruits loss						Area of rice and crops (m ²)	
						Plum tree	Lichi, longan	Orange	Acacia	Pine tree	bamboo	Rice area	Vegetable area
	Ly Van Hoa			2									2
	Dam Van Ich		2					1			3		
*	CPC of Tan Linh				303								
23	An Lac	8	4	2	115			1			4	8	4
	Ly Van An	4										4	
	Cao Duc Tri	4										4	
	Hoang Van Dong		2										2
	Truong Ngoc The		2					1			4		
	Nong Quang Hung			2									2
*	CPC of An Lac				115								

No ,	Householder name	Permanent land acquisition (m ²)				Permanent lost trees. crops							
		Field land	Gardent land	Uplands land	Total	Perennial, fruits loss						Area of rice and crops (m ²)	
						Plum tree	Lichi, longan	Orange	Acacia	Pine tree	bamboo	Rice area	Vegetable area
24	Phuc Loi	4	2	2	62							4	4
	Hoang Van Dong	4										4	
	Phung Van Long		2										2
	Trieu Van Dan			2									2
*	CPC of Phuc Loi				62								

APENDIX 3: MINUTE OF COMMUNITY CONSULTATION MEETING

MẪU 1.1:

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

BIÊN BẢN THAM VẤN CỘNG ĐỒNG VỀ KẾ HOẠCH TÁI ĐỊNH CƯ

Dự án: Mở rộng, cải tạo lưới điện cho các xã vùng sâu, vùng xa tại tỉnh Yên Bái

Vay vốn ADB - Vốn dư Cầu phần 1

Xã: Sông Lũng Huyện: Yên Châu

I. THÀNH PHẦN THAM DỰ:

1. Đại diện Chủ đầu tư:

- | | |
|------------------|----------------|
| - Ông (Bà) | Chức vụ: |
| - Ông (Bà) | Chức vụ: |

2. Đại diện Đơn vị tư vấn; Công ty TNHH tư vấn xây dựng Năng Lượng.

- | | |
|--------------------------|-----------------------|
| - Ông : Nguyễn Đức Quyết | Chức vụ: Phó giám đốc |
| - Ông (Bà) | Chức vụ: |

3. Đại diện UBND xã:

- | | |
|------------------|----------------|
| - Ông (Bà) | Chức vụ: |
| - Ông (Bà) | Chức vụ: |

4. Đại diện/ người đứng đầu các nhóm dân tộc thiểu số (nếu có):

- | | |
|------------------|----------------|
| - Ông (Bà) | Chức vụ: |
| - Ông (Bà) | Chức vụ: |

5. Đại diện các hội đoàn thể địa phương:

- | | |
|-----------------------------------|---------------------------|
| - Ông (Bà) <u>Đặng Thanh Thủy</u> | Chức vụ: <u>Đoàn TNCS</u> |
| - Ông (Bà) <u>Hà Thủy Tiên</u> | Chức vụ: <u>CT APNA</u> |
| - Ông (Bà) <u>Lô Đức Xuân</u> | Chức vụ: <u>CT HCCB</u> |
| - Ông (Bà) <u>Nguyễn Thị Bảy</u> | Chức vụ: <u>CT HND</u> |
| - Ông (Bà) | Chức vụ: |
| - Ông (Bà) | Chức vụ: |
| - Ông (Bà) | Chức vụ: |
| - Ông (Bà) | Chức vụ: |
| - Ông (Bà) | Chức vụ: |

6. Đại diện các hộ gia đình: 1 người, trong đó số người dân tộc thiểu số:

II. NỘI DUNG THAM VẤN:

1. Đơn vị Tư vấn thông báo về:

- Nội dung dự án (lý do đầu tư, quy mô dự án, vị trí, hướng tuyến ...)
- Chính sách đền bù, tái định cư, chính sách môi trường, chính sách đối với người dân tộc thiểu số của ADB và Chính phủ Việt Nam.
- Mục tiêu của kế hoạch hành động tái định cư (RP) là với ý kiến tư vấn của người dân và cộng đồng, đề xuất các giải pháp giảm thiểu các tác động tiêu cực đối với những người bị

hường bởi dự án và hỗ trợ họ khôi phục đời sống ít nhất là bằng hoặc hơn trước khi bị ảnh hưởng bởi dự án (như các biện pháp đền bù, hỗ trợ khôi phục.....)

2.2 Ý kiến tham vấn cộng đồng:

2.1. Người dân trong xã có đồng ý tham gia thực hiện dự án không? Có: ☒ Không:.....

Nếu không, vì sao?

2.2. Tham vấn của cộng đồng về những tác động tích cực của dự án đối với đời sống sinh hoạt các hoạt động kinh tế, văn hoá – xã hội và môi trường:

- Trước khi xây dựng:

Thông báo tới các cấp địa phương tới người dân
Trong khu vực công trình xây dựng
Cũng như bản báo đưa ra phương án hợp lý nhất

- Trong khi xây dựng:

Đẩy nhanh tiến độ thi công, sớm đưa công trình vào
sử dụng, thu hút phát triển văn hoá, giải toả địa phương
Đảm bảo an toàn cho người dân địa phương, dân khu vực
lưu ý công trình

- Sau khi xây dựng:

Người dân được sử dụng điện, cải thiện chất lượng cuộc sống
thả nã phát triển đời sống, kinh tế, văn hoá

2.3. Tham vấn của cộng đồng về những tác động tiêu cực tiềm tàng (có thể xảy ra) gây ra bởi dự án do việc chiếm dụng đất đai, nhà ở, công trình, cây cối hoa màu, phải di dời hoặc di chuyển tái định cư và các giải pháp giảm thiểu.

- Trước khi xây dựng:

+ Đất đai: Chưa chiếm dụng đất
+ Nhà ở/ công trình: Chưa chiếm dụng đất
+ Cây cối/ hoa màu: Chưa chiếm dụng đất
+ Khác:

- Trong khi xây dựng:

+ Đất đai: Thu hồi 1 phần nhỏ để xây dựng móng cột, trạm biến áp.
+ Nhà ở/ công trình: Không ảnh hưởng
+ Cây cối/ hoa màu: Ảnh hưởng trong phạm vi bán kính 10m
+ Khác:

- Sau khi xây dựng xong:

+ Đất đai: Tại các vị trí TBA, móng cột đã bị thu hồi
+ Nhà ở/ công trình: Không
+ Cây cối/ hoa màu: Ảnh hưởng trong phạm vi bán kính 10m
+ Khác:

2.4. Các hộ bị ảnh hưởng đồng ý các hình thức chi trả đền bù nào sau đây:

- Đền bù bằng tiền mặt hoặc vật tư: Tiền mặt
- Hình thức đất đổi đất (đối với trường hợp bị chiếm dụng đất vĩnh viễn):

- Kết hợp đền bù bằng đất và bằng tiền hoặc vật tư: ...✓.....

2.5. Đối với những hộ có nhà ở, công trình trong hành lang an toàn điện, nếu kỹ thuật cho phép, có sử dụng những biện pháp hỗ trợ phòng chống cháy nổ thay thế cho các giải pháp di dời, di chuyển không? Có: ✓...; Không:; Nếu không thì vì sao?

2.6. Người dân và cộng đồng trong vùng dự án có đồng ý tham gia công tác giảm thiểu các tác động tiêu cực gây ra bởi dự án (do việc chiếm dụng đất đai, tài sản phải di dời ...) như:

- i) Thực hiện đúng quy trình kiểm kê, đền bù, giải phóng mặt bằng và tái định cư;
- ii) Thực hiện đúng quy trình khiếu nại;
- iii) Cam kết thực hiện đúng các quy định về hành lang an toàn điện (như không được trồng cây lâu năm hay xây dựng công trình ...);
- iiii) Tham gia và thực hiện đúng các quy định về phòng chống cháy nổ, để phòng các tai nạn do điện giật gây ra?

Có: ✓...; Không:; Nếu không thì vì sao?

2.7. Người dân và cộng đồng trong dự án có đồng ý tham gia:

- i) Thực hiện dự án;
- ii) Thực hiện công tác giám sát quá trình đền bù, tái định cư;
- iii) Giám sát quá trình thi công công trình đối với nhà thầu;
- iiii) Giám sát môi trường trong toàn bộ quá trình trước khi xây dựng, trong khi xây dựng, sau khi xây dựng kết thúc không?

Có: ✓...; Không:; Nếu không thì vì sao?

2.8. Các ý kiến tham vấn khác của người dân và cộng đồng:

- Đền bù tổn thất tay người dân

III. Ý kiến bình luận (nhận xét, đánh giá) và **đề xuất của Tư vấn** (về các kết quả tham vấn nêu trên, đặc biệt là giải pháp giảm thiểu các tác động tiêu cực tiềm tàng đối với các hộ bị ảnh hưởng bởi dự án, đặc biệt đối với các hộ là dân tộc thiểu số sao cho phù hợp về văn hoá ...)

- Xem xét biệt đãi
- Đến bù bồi tận tay người dân
- Về sinh môi trường sạch sẽ

Sơn Thịnh, ngày 18 tháng 02 năm 2014

ĐẠI DIỆN CHỦ ĐẦU TƯ

ĐẠI DIỆN ĐƠN VỊ TƯ VẤN



PHÓ GIÁM ĐỐC
Nguyễn Đức Quyết

ĐẠI DIỆN CHÍNH QUYỀN ĐỊA PHƯƠNG



T/M. UBND XÃ
CHỦ TỊCH

Hà Xuân Mai

ĐẠI DIỆN CÁC HỘI ĐOÀN THỂ ĐỊA PHƯƠNG



Lo Văn Tuấn

ĐẠI DIỆN NGƯỜI ĐỨNG ĐẦU CÁC NHÓM DÂN TỘC THIỂU SỐ

MẪU 1.1:

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

**BIÊN BẢN THAM VẤN CỘNG ĐỒNG
VỀ KẾ HOẠCH TÁI ĐỊNH CƯ**

**Dự án: Mở rộng và cải tạo lưới điện cho các xã vùng sâu, vùng xa tỉnh Yên Bái
vay vốn ADB - Vốn dự cầu phần 1**

Xã: phước An Huyện: Yên Bình Tỉnh: Yên Bái

I. THÀNH PHẦN THAM DỰ:

1. Đại diện Chủ đầu tư:

- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:

2. Đại diện Đơn vị tư vấn:

- Ông (Bà) Nguyễn Quốc Tuấn Chức vụ: phó Giám đốc
- Ông (Bà) Chức vụ:

3. Đại diện UBND xã:

- Ông (Bà) Nguyễn Công Nghĩa Chức vụ: phó Chủ tịch
- Ông (Bà) Chức vụ:

4. Đại diện/ người đứng đầu các nhóm dân tộc thiểu số (nếu có):

- Ông (Bà) Lý Văn Yên Chức vụ:
- Ông (Bà) Chức vụ:

5. Đại diện các hội đoàn thể địa phương:

- Ông (Bà) Trần Duy Tuấn Chức vụ: Bí thư Đoàn xã
- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:

6. Đại diện các hộ gia đình: 4..... người, trong đó số người dân tộc thiểu số: 2.....

II. NỘI DUNG THAM VẤN:

1. Đơn vị Tư vấn thông báo về:

- Nội dung dự án (lý do đầu tư, quy mô dự án, vị trí, hướng tuyến ...)
- Chính sách đền bù, tái định cư, chính sách môi trường, chính sách đối với người dân tộc thiểu số của ADB và Chính phủ Việt Nam.
- Mục tiêu của kế hoạch hành động tái định cư (RP) là với ý kiến tư vấn của người dân và cộng đồng, đề xuất các giải pháp giảm thiểu các tác động tiêu cực đối với những người bị

hưởng bởi dự án và hỗ trợ họ khôi phục đời sống ít nhất là bằng hoặc hơn trước khi bị ảnh hưởng bởi dự án (như các biện pháp đền bù, hỗ trợ khôi phục.....)

2.2 Ý kiến tham vấn cộng đồng:

2.1. Người dân trong xã có đồng ý tham gia thực hiện dự án không? Có: ☒ Không: ☐

Nếu không, vì sao?

2.2. Tham vấn của cộng đồng về những tác động tích cực của dự án đối với đời sống sinh hoạt các hoạt động kinh tế, văn hoá – xã hội và môi trường:

- Trước khi xây dựng:

- Trong khi xây dựng:

Tăng cường giao lưu với hơn 100 người dân địa phương và dân vùng lân cận.
Thúc đẩy việc chung tay làm việc địa phương.

- Sau khi xây dựng:

Được sự đồng ý giúp phát triển văn hóa, hình thành địa phương.

2.3. Tham vấn của cộng đồng về những tác động tiêu cực tiềm tàng (có thể xảy ra) gây ra bởi dự án do việc chiếm dụng đất đai, nhà ở, công trình, cây cối hoa màu, phải di dời hoặc di chuyển tái định cư và các giải pháp giảm thiểu.

- Trước khi xây dựng:

+ Đất đai: Không ảnh hưởng
+ Nhà ở/ công trình: Không ảnh hưởng
+ Cây cối/ hoa màu: Không ảnh hưởng
+ Khác:

- Trong khi xây dựng:

+ Đất đai: Không ảnh hưởng
+ Nhà ở/ công trình: Không ảnh hưởng
+ Cây cối/ hoa màu: Ảnh hưởng ít, không đáng kể
+ Khác:

- Sau khi xây dựng xong:

+ Đất đai: Không ảnh hưởng
+ Nhà ở/ công trình: Không ảnh hưởng
+ Cây cối/ hoa màu: Phát hành cây trồng với những cây trồng
+ Khác:

2.4. Các hộ bị ảnh hưởng đồng ý các hình thức chi trả đền bù nào sau đây:

- Đền bù bằng tiền mặt hoặc vật tư:
- Hình thức đất đổi đất (đối với trường hợp bị chiếm dụng đất vĩnh viễn):

- Kết hợp đền bù bằng đất và bằng tiền hoặc vật tư:

2.5. Đối với những hộ có nhà ở, công trình trong hành lang an toàn điện, nếu kỹ thuật cho phép, có sử dụng những biện pháp hỗ trợ phòng chống cháy nổ thay thế cho các giải pháp di dời, di chuyển không? Có: ☒; Không:; Nếu không thì vì sao?

2.6. Người dân và cộng đồng trong vùng dự án có đồng ý tham gia công tác giảm thiểu các tác động tiêu cực gây ra bởi dự án (do việc chiếm dụng đất đai, tài sản phải di dời ...) như:

- i) Thực hiện đúng quy trình kiểm kê, đền bù, giải phóng mặt bằng và tái định cư;
- ii) Thực hiện đúng quy trình khiếu nại;
- iii) Cam kết thực hiện đúng các quy định về hành lang an toàn điện (như không được trồng cây lâu năm hay xây dựng công trình ...);
- iiii) Tham gia và thực hiện đúng các quy định về phòng chống cháy nổ, để phòng các tai nạn do điện giật gây ra?

Có: ☒; Không:; Nếu không thì vì sao?

2.7. Người dân và cộng đồng trong dự án có đồng ý tham gia:

- i) Thực hiện dự án;
- ii) Thực hiện công tác giám sát quá trình đền bù, tái định cư;
- iii) Giám sát quá trình thi công công trình đối với nhà thầu;
- iiii) Giám sát môi trường trong toàn bộ quá trình trước khi xây dựng, trong khi xây dựng, sau khi xây dựng kết thúc không?

Có: ☒; Không:; Nếu không thì vì sao?

2.8. Các ý kiến tham vấn khác của người dân và cộng đồng:

...Thủ công, nhanh gọn, đảm bảo tiến độ, an toàn, kỹ thuật.....

III. Ý kiến bình luận (nhận xét, đánh giá) và đề xuất của Tư vấn (về các kết quả tham vấn nêu trên, đặc biệt là giải pháp giảm thiểu các tác động tiêu cực tiềm tàng đối với các hộ bị ảnh hưởng bởi dự án, đặc biệt đối với các hộ là dân tộc thiểu số sao cho phù hợp về văn hoá ...)

Về sinh môi trường sạch sẽ trong khi thi công và khi hoàn
thành công trình.
Đảm bảo tiến độ và chất lượng công trình.
Đảm bảo thời gian xử lý thiệt hại của dân.

Phước An, ngày 19 tháng 02 năm 2014

ĐẠI DIỆN CHỦ ĐẦU TƯ



ĐẠI DIỆN ĐƠN VỊ TƯ VẤN

ĐẠI DIỆN CHÍNH QUYỀN ĐỊA PHƯƠNG



PHÓ CHỦ TỊCH
NGUYỄN CÔNG NGHĨA

ĐẠI DIỆN CÁC HỘI ĐOÀN THỂ ĐỊA PHƯƠNG



BI THU
Trần Duy Tiến

ĐẠI DIỆN NGƯỜI ĐỨNG ĐẦU CÁC NHÓM DÂN TỘC THIỂU SỐ

Lý Văn Yên

K/T GIÁM ĐỐC
PHÓ GIÁM ĐỐC
Nguyễn Quốc Tuấn

MẪU 1.1:

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

BIÊN BẢN THAM VẤN CỘNG ĐỒNG
VỀ KẾ HOẠCH TÁI ĐỊNH CƯ

Dự án: Mở rộng và cải tạo lưới điện cho các xã vùng sâu, vùng xa tỉnh Yên Bái

Vay vốn ADB - Vốn dự Cầu phần 1
Xã: Chợ Lúa Nhỏ Huyện/TP: Mỹ Lương Châu

I. THÀNH PHẦN THAM DỰ:

1. Đại diện Chủ đầu tư:

- | | |
|------------------|----------------|
| - Ông (Bà) | Chức vụ: |
| - Ông (Bà) | Chức vụ: |

2. Đại diện Đơn vị tư vấn; Công ty TNHH tư vấn xây dựng Năng Lượng.

- | | |
|--------------------------|------------------------|
| - Ông : Nguyễn Đức Quyết | Chức vụ: .Phó giám đốc |
| - Ông (Bà) | Chức vụ: |

3. Đại diện UBND xã: Chợ Lúa Nhỏ

- | | |
|----------------------------|------------------------------|
| - Ông (Bà) <u>Hà A Nhỏ</u> | Chức vụ: <u>Phó Chủ tịch</u> |
| - Ông (Bà) | Chức vụ: |

4. Đại diện/ người đứng đầu các nhóm dân tộc thiểu số (nếu có):

- | | |
|-----------------------------------|----------------|
| - Ông (Bà) <u>Giảng Păng Mang</u> | Chức vụ: |
| - Ông (Bà) | Chức vụ: |

5. Đại diện các hội đoàn thể địa phương:

- | | |
|----------------------------------|-------------------------------|
| - Ông (Bà) <u>Hà A Hà</u> | Chức vụ: <u>Chủ tịch HND</u> |
| - Ông (Bà) <u>Khang Giảng ở</u> | Chức vụ: <u>Chủ tịch MTTQ</u> |
| - Ông (Bà) <u>Thang A Lu</u> | Chức vụ: <u>Chủ tịch CCB</u> |
| - Ông (Bà) <u>Giảng Thi Mang</u> | Chức vụ: <u>Chủ tịch HPN</u> |
| - Ông (Bà) <u>Giảng A Hà</u> | Chức vụ: <u>Bí thư Đ TN</u> |
| - Ông (Bà) | Chức vụ: |
| - Ông (Bà) | Chức vụ: |
| - Ông (Bà) | Chức vụ: |

6. Đại diện các hộ gia đình:..... người, trong đó số người dân tộc thiểu số:

II. NỘI DUNG THAM VẤN:

1. Đơn vị Tư vấn thông báo về:

- Nội dung dự án (lý do đầu tư, quy mô dự án, vị trí, hướng tuyến ...)
- Chính sách đền bù, tái định cư, chính sách môi trường, chính sách đối với người dân tộc thiểu số của ADB và Chính phủ Việt Nam.
- Mục tiêu của kế hoạch hành động tái định cư (RP) là với ý kiến tư vấn của người dân và cộng đồng, đề xuất các giải pháp giảm thiểu các tác động tiêu cực đối với những người bị

hường bởi dự án và hỗ trợ họ khôi phục đời sống ít nhất là bằng hoặc hơn trước khi bị ảnh hưởng bởi dự án (như các biện pháp đền bù, hỗ trợ khôi phục.....)

2.2 Ý kiến tham vấn cộng đồng:

2.1. Người dân trong xã có đồng ý tham gia thực hiện dự án không? Có: ☒ Không: ☐

Nếu không, vì sao?

2.2. Tham vấn của cộng đồng về những tác động tích cực của dự án đối với đời sống sinh hoạt các hoạt động kinh tế, văn hoá – xã hội và môi trường:

- Trước khi xây dựng:

- Trong khi xây dựng:

Tạo công ăn việc làm cho lao động địa phương
Tăng cường tiếp xúc

- Sau khi xây dựng:

Nâng cao chất lượng cuộc sống, văn hóa, tinh thần của người dân
Nâng cao năng suất lao động, thu nhập của người dân

2.3. Tham vấn của cộng đồng về những tác động tiêu cực tiềm tàng (có thể xảy ra) gây ra bởi dự án do việc chiếm dụng đất đai, nhà ở, công trình, cây cối hoa màu, phải di dời hoặc di chuyển tái định cư và các giải pháp giảm thiểu.

- Trước khi xây dựng:

+ Đất đai: Không ảnh hưởng
+ Nhà ở/ công trình: Không ảnh hưởng
+ Cây cối/ hoa màu: Không ảnh hưởng
+ Khác:

- Trong khi xây dựng:

+ Đất đai: Thi công đất xây dựng móng cột THA, tập kết vật liệu
+ Nhà ở/ công trình: Không ảnh hưởng
+ Cây cối/ hoa màu: Ảnh hưởng tạm thời khi xây dựng, vận chuyển
+ Khác:

- Sau khi xây dựng xong:

+ Đất đai: Không ảnh hưởng
+ Nhà ở/ công trình: Không ảnh hưởng
+ Cây cối/ hoa màu: Ảnh hưởng do phá rừng làm đất trồng
+ Khác:

2.4. Các hộ bị ảnh hưởng đồng ý các hình thức chi trả đền bù nào sau đây:

- Đền bù bằng tiền mặt hoặc vật tư: Tiền mặt
- Hình thức đất đổi đất (đối với trường hợp bị chiếm dụng đất vĩnh viễn):

- Kết hợp đền bù bằng đất và bằng tiền hoặc vật tư:

2.5. Đối với những hộ có nhà ở, công trình trong hành lang an toàn điện, nếu kỹ thuật cho phép, có sử dụng những biện pháp hỗ trợ phòng chống cháy nổ thay thế cho các giải pháp di dời, di chuyển không? Có: Có; Không:; Nếu không thì vì sao?

2.6. Người dân và cộng đồng trong vùng dự án có đồng ý tham gia công tác giảm thiểu các tác động tiêu cực gây ra bởi dự án (do việc chiếm dụng đất đai, tài sản phải di dời ...) như:

i) Thực hiện đúng quy trình kiểm kê, đền bù, giải phóng mặt bằng và tái định cư;

ii) Thực hiện đúng quy trình khiếu nại;

iii) Cam kết thực hiện đúng các quy định về hành lang an toàn điện (như không được trồng cây lâu năm hay xây dựng công trình ...);

iiii) Tham gia và thực hiện đúng các quy định về phòng chống cháy nổ, để phòng các tai nạn do điện giật gây ra?

Có:; Không:; Nếu không thì vì sao?

2.7. Người dân và cộng đồng trong dự án có đồng ý tham gia:

i) Thực hiện dự án;

ii) Thực hiện công tác giám sát quá trình đền bù, tái định cư;

iii) Giám sát quá trình thi công công trình đối với nhà thầu;

iiii) Giám sát môi trường trong toàn bộ quá trình trước khi xây dựng, trong khi xây dựng, sau khi xây dựng kết thúc không?

Có:; Không:; Nếu không thì vì sao?

2.8. Các ý kiến tham vấn khác của người dân và cộng đồng:

Được đền bù thiệt hại hoa màu đất tảo tay người
bị thiệt hại

III. Ý kiến bình luận (nhận xét, đánh giá) và đề xuất của Tư vấn (về các kết quả tham vấn nêu trên, đặc biệt là giải pháp giảm thiểu các tác động tiêu cực tiềm tàng đối với các hộ bị ảnh hưởng bởi dự án, đặc biệt đối với các hộ là dân tộc thiểu số sao cho phù hợp về văn hoá ...)

Xem xét các thiết hại
Đến khi tới tận tay người dân bị ảnh hưởng khi
có dư ảnh chi qua

Chợ Cu Nha, ngày 17 tháng 02 năm 2014

ĐẠI DIỆN CHỦ ĐẦU TƯ

ĐẠI DIỆN ĐƠN VỊ TƯ VẤN



PHÓ GIÁM ĐỐC
Nguyễn Đức Quyết

ĐẠI DIỆN CHÍNH QUYỀN ĐỊA PHƯƠNG



ĐẠI DIỆN CÁC HỘI ĐOÀN THỂ ĐỊA PHƯƠNG



Khang A Xã

ĐẠI DIỆN NGƯỜI ĐỪNG ĐẦU CÁC NHÓM DÂN TỘC THIỂU SỐ

mang
giàng giàng mang

MẪU 1.1:

CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập - Tự do - Hạnh phúc

BIÊN BẢN THAM VẤN CỘNG ĐỒNG
VỀ KẾ HOẠCH TÁI ĐỊNH CƯ

Dự án: Mở rộng và cải tạo lưới điện cho các xã vùng sâu, vùng xa tỉnh Yên Bái
vay vốn ADB - Vốn dự cấp phần 1

Xã: Tân Lập Huyện: Yên Sơn Tỉnh: Yên Bái

I. THÀNH PHẦN THAM DỰ:

1. Đại diện Chủ đầu tư:

- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:

2. Đại diện Đơn vị tư vấn:

- Ông (Bà) Nguyễn Văn Tuấn Chức vụ: phó giám đốc
- Ông (Bà) Chức vụ:

3. Đại diện UBND xã:

- Ông (Bà) Đỗ Khắc Cường Chức vụ: Chủ tịch
- Ông (Bà) Chức vụ:

4. Đại diện/ người đứng đầu các nhóm dân tộc thiểu số (nếu có):

- Ông (Bà) Hà Văn An Chức vụ:
- Ông (Bà) Chức vụ:

5. Đại diện các hội đoàn thể địa phương:

- Ông (Bà) Trần Đình Khôi Chức vụ: Bí thư
- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:
- Ông (Bà) Chức vụ:

6. Đại diện các hộ gia đình: 4 người, trong đó số người dân tộc thiểu số: 2

II. NỘI DUNG THAM VẤN:

1. Đơn vị Tư vấn thông báo về:

- Nội dung dự án (lý do đầu tư, quy mô dự án, vị trí, hướng tuyến ...)
- Chính sách đền bù, tái định cư, chính sách môi trường, chính sách đối với người dân tộc thiểu số của ADB và Chính phủ Việt Nam.
- Mục tiêu của kế hoạch hành động tái định cư (RP) là với ý kiến tư vấn của người dân và cộng đồng, đề xuất các giải pháp giảm thiểu các tác động tiêu cực đối với những người bị

hưởng bởi dự án và hỗ trợ họ khôi phục đời sống ít nhất là bằng hoặc hơn trước khi bị ảnh hưởng bởi dự án (như các biện pháp đền bù, hỗ trợ khôi phục.....)

2.2 Ý kiến tham vấn cộng đồng:

2.1. Người dân trong xã có đồng ý tham gia thực hiện dự án không? Có: ..✓... Không:.....
Nếu không, vì sao?

2.2. Tham vấn của cộng đồng về những tác động tích cực của dự án đối với đời sống sinh hoạt các hoạt động kinh tế, văn hoá – xã hội và môi trường:

- Trước khi xây dựng:

- Trong khi xây dựng:

.....Giữa dân và nhà máy...liên lạc...giữa...cộng nhân...thời...sống...và...
người dân...thực...phục...tư...văn...hóa...tính...
.....Tăng...kinh...tế...phương...tăng...thời...gian...thi...cộng...
.....

- Sau khi xây dựng:

.....Người dân trong vùng được sử dụng...đi...qua...đá...tăng...lượng...
phát...triển...kinh...tế...văn...hóa...Nông...cáo...đến...đời...sống...tinh...thần...
.....sức...lao...động...
.....

2.3. Tham vấn của cộng đồng về những tác động tiêu cực tiềm tàng (có thể xảy ra) gây ra bởi dự án do việc chiếm dụng đất đai, nhà ở, công trình, cây cối hoa màu, phải di dời hoặc di chuyển tái định cư và các giải pháp giảm thiểu.

- Trước khi xây dựng:

+ Đất đai:.....không bị ảnh hưởng.....
+ Nhà ở/ công trình:.....không bị ảnh hưởng.....
+ Cây cối/ hoa màu:.....không bị ảnh hưởng.....
+ Khác:.....

- Trong khi xây dựng:

+ Đất đai:.....không ảnh hưởng nhiều chỉ xin làm móng cột và THA.....
+ Nhà ở/ công trình:.....không ảnh hưởng.....
+ Cây cối/ hoa màu:.....Ảnh hưởng trong thời kỳ xây dựng và chuyển vật liệu.....
+ Khác:.....

- Sau khi xây dựng xong:

+ Đất đai:.....không ảnh hưởng.....
+ Nhà ở/ công trình:.....không ảnh hưởng.....
+ Cây cối/ hoa màu:.....Ảnh hưởng do phát quang rừng.....
+ Khác:.....

2.4. Các hộ bị ảnh hưởng đồng ý các hình thức chi trả đền bù nào sau đây:

- Đền bù bằng tiền mặt hoặc vật tư:.....
- Hình thức đất đổi đất (đối với trường hợp bị chiếm dụng đất vĩnh viễn):.....

- Kết hợp đền bù bằng đất và bằng tiền hoặc vật tư:

2.5. Đối với những hộ có nhà ở, công trình trong hành lang an toàn điện, nếu kỹ thuật cho phép, có sử dụng những biện pháp hỗ trợ phòng chống cháy nổ thay thế cho các giải pháp di dời, di chuyển không? Có: ..✓...; Không:; Nếu không thì vì sao?

2.6. Người dân và cộng đồng trong vùng dự án có đồng ý tham gia công tác giảm thiểu các tác động tiêu cực gây ra bởi dự án (do việc chiếm dụng đất đai, tài sản phải di dời ...) như:

- i) Thực hiện đúng quy trình kiểm kê, đền bù, giải phóng mặt bằng và tái định cư;
- ii) Thực hiện đúng quy trình khiếu nại;
- iii) Cam kết thực hiện đúng các quy định về hành lang an toàn điện (như không được trồng cây lâu năm hay xây dựng công trình ...);
- iiii) Tham gia và thực hiện đúng các quy định về phòng chống cháy nổ, để phòng các tai nạn do điện giật gây ra?

Có: ..✓...; Không:; Nếu không thì vì sao?

2.7. Người dân và cộng đồng trong dự án có đồng ý tham gia:

- i) Thực hiện dự án;
- ii) Thực hiện công tác giám sát quá trình đền bù, tái định cư;
- iii) Giám sát quá trình thi công công trình đối với nhà thầu;
- iiii) Giám sát môi trường trong toàn bộ quá trình trước khi xây dựng, trong khi xây dựng, sau khi xây dựng kết thúc không?

Có: ..✓...; Không:; Nếu không thì vì sao?

2.8. Các ý kiến tham vấn khác của người dân và cộng đồng:

...Thi công nhanh gọn... đảm bảo đúng tiến độ... an toàn... kỹ thuật.....

III. Ý kiến bình luận (nhận xét, đánh giá) và đề xuất của Tư vấn (về các kết quả tham vấn nêu trên, đặc biệt là giải pháp giảm thiểu các tác động tiêu cực tiềm tàng đối với các hộ bị ảnh hưởng bởi dự án, đặc biệt đối với các hộ là dân tộc thiểu số sao cho phù hợp về văn hoá ...)

Xem xét, kiểm tra ^{hàng} công thức bài của người dân tộc
đến bù đắp với những thiếu sót của người dân tộc
phương.

ĐẠI DIỆN CHỦ ĐẦU TƯ

ĐẠI DIÊN ĐƠN VI TƯ VẤN



KIT GIÁM ĐỐC
PHÓ GIÁM ĐỐC
Nguyễn Quốc Tuấn

ĐẠI DIỆN CHÍNH QUYỀN ĐỊA PHƯƠNG



CHỦ TỊCH

Đỗ Khắc Cường

ĐẠI DIỆN CÁC HỘI ĐOÀN THỂ ĐỊA PHƯƠNG



Triệu Đình Khôi

ĐẠI DIỆN NGƯỜI ĐỨNG ĐẦU CÁC NHÓM DÂN TỘC THIỂU SỐ

Hà Văn An

Appendix 5: Minutes of meeting

BIÊN BẢN HỌP DÂN

(Đính kèm biên bản tham vấn cộng đồng)

Xã: Sơn Thôn... - Huyện/TP: Đầm Cầu... - Tỉnh: Yên Bái

1. Nội dung cuộc họp:

- Đơn vị tư vấn của Chủ đầu tư trình bày các nội dung về dự án bao gồm:

+ Thông tin về dự án: Xã: Sơn Thôn... - Huyện/TP: Đầm Cầu... - Tỉnh: Yên Bái
được chọn để đầu tư cải tạo lưới điện trung hạ áp bằng nguồn vốn tài trợ của ADB thông qua dự án

+ Tuyến đường dây dự kiến sẽ được cải tạo và mở rộng, vị trí đặt trạm biến áp

+ Các tác động dự án sẽ gây ra

+ Các biện pháp giảm thiểu

2. Ý kiến đóng góp của chính quyền và người dân địa phương:

..... Chính quyền và nhân dân địa phương ủng hộ việc
thực hiện dự án Sơn Thôn... tạo điều kiện tối
nhất để dự án được thực hiện nhanh nhất

..... Đề nghị lập kế hoạch thực hiện và san lấp mặt bằng,
chọn địa điểm xây dựng, đặt các trạm biến áp
ở các vị trí thuận lợi

..... Đề nghị các đơn vị khảo sát, đo vẽ và lập bản đồ địa hình
địa phương gây ảnh hưởng của việc thi công xây dựng
hàng rào, nhà cửa của người dân

..... Đề nghị đơn vị thi công hạn chế gây ồn ào, bụi bẩn
trên đường, thay đổi nguồn nước của địa phương, đảm bảo an
toàn cho người dân cũng như các nhân viên xây dựng

..... Đề nghị thực hiện đền bù đúng quy định
..... Đề nghị tăng cường phối hợp thi công, sớm thực hiện
thanh toán và hoàn công



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TH. UBND. XÃ
CHỦ TỊCH

Hà Xuân Hải

BIÊN BẢN HỢP DÂN

(Đính kèm Biên bản tham vấn cộng đồng)

Xã: Chợ Gạo Nhà Huyện: Muông Chải Tỉnh: Yên Bái

1. Nội dung cuộc họp:

- Đơn vị tư vấn của Chủ đầu tư trình bày các nội dung về dự án bao gồm:
- + Thông tin về dự án: Xã Chợ Gạo Nhà huyện Muông Chải tỉnh Yên Bái được chọn để đầu tư cải tạo lưới điện trung hạ áp bằng nguồn vốn tài trợ của ADB thông qua dự án
- + Tuyến đường dây dự kiến sẽ được cải tạo và mở rộng, vị trí đặt trạm biến áp
- + Các tác động dự án sẽ gây ra
- + Các biện pháp giảm thiểu

2. Ý kiến đóng góp của chính quyền và người dân địa phương:

- Người dân và chính quyền địa phương ủng hộ việc tạo điều kiện để dự án được thực hiện thuận lợi nhất, ...
- Đề nghị các đơn vị thi công đảm bảo an toàn cho người dân địa phương phương tiện qua lại trên thi công ...
- Đề nghị các đơn vị thi công thực hiện vệ sinh công trường hàng qua lại trên thi công và ngay sau khi hoàn thành đảm bảo vệ sinh môi trường cho địa phương ...
- Đề nghị thực hiện thi công vào sau vụ thu hoạch để hạn chế thiệt hại hơn nữa cho người dân ...
- Đề nghị thực hiện đền bù đền xới người dân đúng với chính sách ...

ĐẠI DIỆN ĐƠN VỊ TƯ VẤN



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ĐẠI DIỆN CHÍNH QUYỀN ĐỊA PHƯƠNG



PHÓ CHỦ TỊCH

Hồ Văn Minh

BIÊN BẢN HỌP DÂN

(Đính kèm Biên bản tham vấn cộng đồng)

Xã: Tân Hợp Huyện: Vân Yên Tỉnh: Yên Bái

1. Nội dung cuộc họp:

- Đơn vị tư vấn của Chủ đầu tư trình bày các nội dung về dự án bao gồm:
- + Thông tin về dự án: Xã Tân Hợp huyện Vân Yên tỉnh Yên Bái được chọn để đầu tư cải tạo lưới điện trung hạ áp bằng nguồn vốn tài trợ của ADB thông qua dự án
- + Tuyến đường dây dự kiến sẽ được cải tạo và mở rộng, vị trí đặt trạm biến áp
- + Các tác động dự án sẽ gây ra
- + Các biện pháp giảm thiểu

2. Ý kiến đóng góp của chính quyền và người dân địa phương:

- Người dân và chính quyền địa phương ủng hộ việc thực hiện dự án và mong muốn dự án được thực hiện sớm nhất.
- Trong quá trình thi công phải đảm bảo an toàn cho người dân và tài sản của họ. Đơn vị thi công phải thực hiện vệ sinh đảm bảo vệ sinh môi trường trong quá trình thi công và sau khi công trình hoàn thành.
- Đề nghị đơn vị tư vấn đưa ra phương pháp lập lý lịch giám sát, thiệt hại của dân.
- Đề nghị thực hiện đền bù cây cối đứng trước thiệt hại của dân và theo quy định của nhà nước.

ĐẠI DIỆN ĐƠN VỊ TƯ VẤN



ĐẠI DIỆN CHÍNH QUYỀN ĐỊA PHƯƠNG



CHỦ TỊCH

Đỗ Khắc Cường

BIÊN BẢN HỌP DÂN

(Đính kèm Biên bản tham vấn cộng đồng)

Xã: Phước An Huyện: Yên Bình Tỉnh: Yên Bái

1. Nội dung cuộc họp:

- Đơn vị tư vấn của Chủ đầu tư trình bày các nội dung về dự án bao gồm:
- + Thông tin về dự án: Xã Phước An huyện Yên Bình tỉnh Yên Bái được chọn để đầu tư cải tạo lưới điện trung hạ áp bằng nguồn vốn tài trợ của ADB thông qua dự án
- + Tuyến đường dây dự kiến sẽ được cải tạo và mở rộng, vị trí đặt trạm biến áp
- + Các tác động dự án sẽ gây ra
- + Các biện pháp giảm thiểu

2. Ý kiến đóng góp của chính quyền và người dân địa phương:

- Chính quyền và nhân dân địa phương hoàn toàn đồng ý và sẵn sàng tham gia tích cực hỗ trợ các đơn vị tư vấn, thi công để dự án sớm hoàn thành
- Đề nghị thực hiện thi công san lấp, thu hoạch đất hạn chế ảnh hưởng tới học mùa của người dân
- Đề nghị các đơn vị thi công đảm bảo chất lượng công trình
- Đề nghị đơn vị thi công thực hiện vệ sinh sạch sẽ công trường san lấp, thi công, đảm bảo vệ sinh môi trường của địa phương
- Đề nghị đơn vị tư vấn đưa ra phương pháp thi công giảm thiểu tác động tiêu cực của người dân
- Đảm bảo đơn vị đúng với thiết kế của người dân

ĐẠI DIỆN ĐƠN VỊ TƯ VẤN



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PHÓ CHỦ TỊCH
NGUYỄN CÔNG NGHĨA

