

# Social Monitoring Report

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Quarterly Internal Social Monitoring Report (July to September 2021)  
October 2021

## Viet Nam: Northern Mountain Provinces Transport Connectivity Project

Prepared by Project Management Unit 2 (PMU2) under Ministry of Transport (MOT) for Asian Development Bank (ADB).

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## CURRENCY EQUIVALENS

Currency unit: Vietnam Dong (VND) and US dollar (US\$)

Exchange rate on 10<sup>th</sup> July 2021: \$1 = VND 23,080

## ABBREVIATIONS

ADB	Asian Development Bank
AH	Affected Household
AP	Affected Person
CPC	Commune People's Committee
DARD	Department of Agriculture and Rural Development
DDD	Detailed Design & Documentation Consultant
DMS	Detailed Measurement Survey
DOC	Department of Construction
DOLISA	Department of Labor, Invalids, and Social Affairs
DONRE	Department of Natural Resources and Environment
DOF	Department of Finance
DOT	Department of Transport
DPC	District People's Committee
EA	Executing Agency
EMDP	Ethnic Minority Development Plan
(C)-EMP	Environment Management Plan / Contractor - Environment Management
FGD	Focus Group Discussion
FS	Feasibility Study
GAP	Gender Action Plan
GOA	Government of Australia
GOV	Government of Vietnam
GRM	Grievance Redress Mechanism
ICB	International Competitive Bidding
IEE	Initial Environmental Examination
ILRP	Income and Livelihood Restoration Program
IR	Involuntary resettlement
KIIs	Key Informant Interviews
MOT	Ministry of Transport
NCB	National Competitive on Bidding
NMPTCP	Northern Mountain Provinces Transport Connectivity Project
NH	National Highway
NTP	Notice to Proceed
PMC	Project Managing Contractor
PMU	Project Management Unit
PPC	Province People's Committee
PR	Provincial Road
RP	Resettlement Plan
SAP	Social Action Plan
SPS	Safeguard Policy Statement
TCVN	Vietnamese National Standards
TCN	National Technical Regulation
TOR	Terms of Reference

## **GLOSSARIES**

- Displaced person (DP)** - Means any person or persons, household, firm, private or public institution that are fully or partially, permanently or temporarily physically displaced (relocated, lost residential land, or lost shelter) and/or economically displaced (lost land, assets, access to assets, income sources or means of livelihood) due to (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. AHs could be of three types: (i) persons with formal legal rights to land lost; (ii) persons who have claims to such lands that are recognized or recognizable under national laws; and (iii) persons who have neither formal legal rights nor recognized or recognizable claims to the lost land. In the case of a household, the term DP includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components.
- 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 project land acquisition announcement by competent agency. The AHs will be informed of the cut-off date for each project component, and any person who settled or assets created in the project area after the cut-off date will not be entitled to compensation and assistance under the project.
- Detailed Measurement Survey (DMS)** - Based on the approved detailed engineering design, this activity involves the finalization of subproject land acquisition and resettlement impacts, including final cost of resettlement. This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project right-of-way (project area) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of AHs will be determined.
- Ethnic Minority (EM)** - Any ethnic group of VietNam, except the dominant Kinh Group, who has the following characteristics at different levels - living in the rural and remote area or having ancestor's territory in the project area and depending on natural resources of these area and territory, and having a social or cultural identity distinct from that of the dominant group (Kinh-Viet).
- Entitlement** - A range of various activities including compensation, assistance in income restoration, shift in occupation, relocation... etc, provided to affected people based on the type and level of impact which aims to restore their socio-economic conditions.
- 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.

<b>Land acquisition</b>	- 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
<b>Rehabilitation</b>	- This refers to additional support provided to APs 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
<b>Relocation</b>	- This is the physical relocation of an AP from her/his pre-project place of residence and/or business.
<b>Resettlement and Ethnic Minorities Development Plan (REMDP)</b>	- A plan for resettlement of an ethnic minority population, combining the resettlement plan with specific ethnic minority concerns and cultural sensitivity for the specific needs of the ethnic minority groups.
<b>Replacement Cost</b>	- The amount needed to replace an affected asset net of transaction costs such as administrative charges, taxes, registration and titling costs
<b>Replacement Cost Survey</b>	- This refers to the process involved in determining replacement costs of affected assets based on empirical data
<b>Resettlement</b>	- This includes all measures taken to mitigate any and all adverse impacts of a project on AP property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation as needed.
<b>Severely affected household (SAH)</b>	- This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the subproject.
<b>Stakeholders</b>	- 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.
<b>Vulnerable group</b>	- These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) female headed households with dependents, (ii) disabled household heads or having disable members, (iii) households falling under the generally accepted indicator for poverty, (iv) children and the elderly households who have no other means of support, (v) landless, (vi) ethnic minorities and (vii) Benefited social policy families.

## **WEIGHTS AND MEASURES**

<b>km</b>	<b>-</b>	<b>kilometer</b>
<b>kg</b>	<b>-</b>	<b>kilogram</b>
<b>ha</b>	<b>-</b>	<b>hectare</b>
<b>m</b>	<b>-</b>	<b>meter</b>

## **NOTES**

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## PROJECT OVERVIEW

<b>Project Number and Title:</b>	Loan 3762 - Northern Mountain Provinces Transport Connectivity Project (NMPTCP)	
<b>Social Safeguards Category</b>	Indigenous Peoples	B
	Involuntary Resettlement	A
<b>Reporting period:</b>	July to September 2021	
<b>Key project's performances in reporting period (Jul to Sep 2021)</b>	<ul style="list-style-type: none"> <li>- Approval of compensation plans for 574 AHs with 38,216,776,090 VND and conducted payment to 538HHs Packages XL08 with 36,197,859,322 VND.</li> <li>- Prepare compensation plans for Packages XL 09. The remaining packages are being established and measured cadastral map.</li> </ul>	
<b>Key project's performances in the next reporting period (Oct to Dec 2021)</b>	<ul style="list-style-type: none"> <li>- Designing of the DEDs for 9/11 remaining packages</li> <li>- Completion the draft versions of uRP and uEMDP of Package XL09</li> <li>- Preparation and approval the RPs and EMDPs for packages XL08 and XL09</li> <li>- Conduct DMS for 9 remaining packages</li> </ul>	

## I. PROJECT INTRODUCTION

### 1. General Information

1. The Northern Mountain Provinces Transport Connectivity Project (NMPTCP) will be implemented by the Government of Vietnam (GOV) through a Loan from the Asian Development Bank (ADB) under the Ministry of Transport (MoT) with the aim to enhance the access to the Greater Mekong Sub-region (GMS) corridors in the north-western region through upgrading national and provincial highways to: (i) provide reliable access to basic social services such as education, health care, job training, and emergency disaster relief; (ii) increase economic and employment opportunities for the people of the north-western provinces, especially the poor ethnic minorities; (iii) provide further opportunities of cross-border trade with the Lao People's Democratic Republic and the People's Republic of China; (iv) save travel time and costs, hence reducing fuel consumption and carbon dioxide emissions; and (v) ensure consistency of standards over the entire road stretches, including road safety and climate resilience features.

2. The Project involves the improvement and upgrading of two national highways and two provincial roads with approximately 199 kilometers (km) in length that will connect several towns/districts in the provinces of Lai Chau, Lao Cai and Yen Bai to the Noi Bai - Lao Cai Expressway.

3. The Project roads including 02 following routes as illustrated in Figure 1: location Map below:

The route 1: From Bao Ha to Lai Chau city, the road section of 147 km.

The route 2: From Mau A to Nghia Lo town, the road section of 52 km.

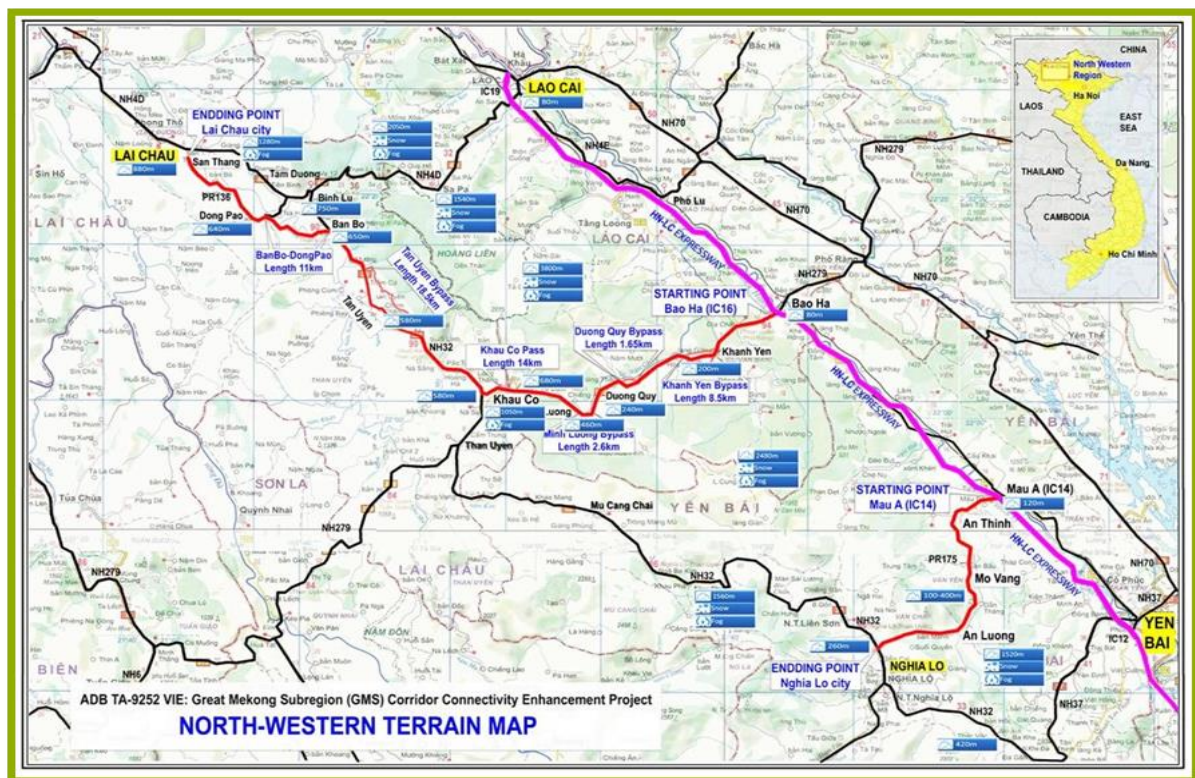


Figure 1: The project Roads Map (two red lines)

4. Scale of the project:



- Road connecting Lai Chau with Noi Bai - Lao Cai expressway: The route is designed with the scale of mountainous grade III road in accordance with TCVN 4054: 2015, design speed  $V_{tk} = 60\text{ km/h}$ ; sections passing Khau Co pass and Khe Lech pass are designed with the scale of mountainous grade IV road in accordance with TCVN 4054: 2015, design speed  $V_{tk} = 40\text{ km/h}$ ; section passing Hoang Lien - Van Ban nature reserve (Km52 + 000 - Km63 + 444.68) is designed with the scale of mountainous grade V road (in accordance with Decision No. 2276 / QD-BTNMT by the Ministry of Natural Resources and Environment dated July 18, 2018). Length of route L = 146.6 km;
- Road connecting Nghia Lo with Noi Bai - Lao Cai expressway: The route is designed with the scale of mountainous grade IV road in accordance with TCVN 4054: 2015, design speed  $V_{tk} = 40\text{ km/h}$ . Length of route L = 52.73 km.

5. The Existing Roads and Upgrading Road of the Project as follows:

**Table 1: The information of Existing Roads and Upgrading Road**

No.	Road Section – By Pass	Length (km)	Bridges	Current Road Class	Upgraded Road Class
The route 1: Bao Ha to Lai Chau city					
1.	NH 279	69	8 existing & 5 new	IV	III (IV, V in steep section)
1b	Duong Quy (Bypass)	2.03			III
1c	Minh Luong (bypass)	1.69			III
2.	NH 32	44	18 existing & 5 new (2 viaducts)	IV	III (IV in steep section)
3.	PR 136	19	5 existing & 1 new	V	III
3a	Ban Po-Dong Pao Bypass	10.8			III
The route 2: Mau A to Nghia Lo town					
4.	PR 175	52	2 existing & 3 new	-	IV

## 2. Information of construction packages and schedule.

6. The project is divided into 11 work packages as follows:

**Table 2: Construction packages information and schedule**

No.	Package name	From Km to Km	District/Province	Status of the design	Status of award of civil works contracts	Civil works progress
1	Package XL-01	Km0+00 to Km18+500 (including replanting the forest) belongs to the road connecting to Lai Chau	Van Ban District, Lao Cao Province	Ongoing	Expected in Q1/2022	Start from Q1/2022
2	Package XL-02	Km18+500 to Km40+000 belong to the road connecting to Lai Chau	Van Ban District, Lao Cao Province	Ongoing	Expected in Q1/2022	Start from Q1/2022
3	Package XL-03	Km40+000 to Km63+446 belong to the road connecting to Lai Chau	Van Ban District, Lao Cao Province	Ongoing	Expected in Q1/2022	Start from Q1/2022
4	Package XL-04	Km64+272 to Km84+554 belong to the road connecting to Lai Chau	Than Uyen & Tan Uyen Districts, Lai Chau Province	Ongoing	Expected in Q1/2022	Start from Q1/2022
5	Package XL-05	Km84+554 to Km107+757 belong to the road connecting to Lai Chau	Tan Uyen District, Lai Chau Province	Ongoing	Expected in Q1/2022	Start from Q1/2022

No.	Package name	From Km to Km	District/Province	Status of the design	Status of award of civil works contracts	Civil works progress
6	Package XL-06	Km107+757 to Km120+600 belong to the road connecting to Lai Chau	Tam Duong & Tan Uyen Districts, Lai Chau Province	Ongoing	Expected in QI/2022	Start from QI/2022
7	Package XL-07	Km120+600 to Km128+040 belong to the road connecting to Lai Chau	Tam Duong District, Lai Chau Province	Ongoing	Expected in QII/2022	Start from QII/2022
8	Package XL-08	Km128+040 to Km146+540 (including replanting the forest) belong to the road connecting to Lai Chau	Tam Duong District and Lai Chau City, Lai Chau Province	Completed and submitted to MOT for approval	Expected in QIV/2021	Start from QIV/2021
9	Package XL-09	Km00+000 to Km20+667 (including replanting the forest) belong to the road connecting to Nghia Lo	Van Yen District, Yen Bai Province	Completed and submitted to MOT for approval	Expected in QIV/2021	Start from QIV/2021
10	Package XL-10	Km20+667 to Km38+252 belong to the road connecting to Nghia Lo	Van Yen and Van Chan Districts, Yen Bai Province	Ongoing	Expected in QI/2022	Start from QI/2022
11	Package XL-11	Km38+252 to Km54+069 belong to the road connecting to Nghia Lo	Van Chan District, Yen Bai Province	Ongoing	Expected in QII/2022	Start from QII/2022

### 3. Objectives of internal monitoring

7. Because this project is categorized as A in involuntary resettlement and B for indigenous people, therefore project is required both the internal and external monitoring reports during project implementation. The main purpose of the internal monitoring is to ensure that matters related to involuntary resettlement have been implemented in accordance with the policies and procedures of the RPs/uRPs/EMDP/DDR following ADB SPS 2009 and project policy.

8. The general objectives of internal monitoring are to: (i) report on the status and assess the compliance with the agreed social safeguards documents, including RP/EMDP/DDR; (ii) confirm the availability/handover of land to the proposed subprojects; (iii) monitor contractors' compliance to policy framework's provisions related to temporary land acquisition during civil works; (iv) ensure that the standards of living of affected households is restored or improved; (v) monitor the implementation process; (vi) assess the sufficient implementation of compensation, resettlement measures and social development assistance programs; (vii) identify problems or potential problems; and (viii) identify and implement quick response measures to mitigate emerging issues.

9. This report is prepared by PMU2 to provide information and report to ADB on the implementation status of social safeguard covering the period from July to September 2021.

### 4. Institutional arrangements

10. In order to ensure the compliance of the project with regard to the implementation of safeguard policies of ADB, since the beginning time of project preparation stage, the PMU2 has assigned officers to take responsible for social safeguard policy issues, including social, ethnic minority and land acquisition and environment with support of the Project Implementation Supervision Consultant (PISC) namely Sambo (Korean Consultant) that has

been negotiated with PMU2. It is estimated that the consulting contract will be signed in December, 2021. The contract between PISC and PMU.2 is under negotiating for signing contract. Besides, PMU2 in coordination with SMEC implemented trainings for the provinces as reported in Q3-2020 report.

11. In addition, an external monitoring agency (EMA) on social and resettlement was also recruited due to the project's category A for involuntary resettlement as requirement of ADB SPS 2009. External Monitoring Agencies (EMA) was mobilized in Quarter III 2020. First report will be completed and submitted to ADB in July 2021.

#### **5. Summary of impacts based on detailed designs/DMS results**

12. By the time of this report, the DMS has been completed only for package XL- 08 and being conducted for package XL-09. The remaining packages have just completed or not completed for technical designs, so DMS has not been conducted yet. This will update the progress in the Quarter report No4.2021. Please see below table for more details of impacts by Package XL-08 and XL-09. Please see below table for more information of impacts by packages:

**Table 3. Summary of impacts by package XL-09 and XL-08**

Package name	Total number of affected HHs	Number of relocated households	Number of households losing production land from 10% or more	Number of vulnerable households						Number of affected organizations
				EM HHs	Women with dependent HHs	Poor HH	Disable HHs	Policy HHs	Elderly HHs	
Package 1	NA	NA	NA	NA	NA				NA	Being measured and established cadastral map
Package 2	NA	NA	NA	NA	NA				NA	
Package 3	NA	NA	NA	NA	NA				NA	
Package 4	NA	NA	NA	NA	NA				NA	
Package 5	NA	NA	NA	NA	NA				NA	
Package 6	NA	NA	NA	NA	NA				NA	
Package 7	NA	NA	NA	NA	NA				NA	
Package 8	582	36	3	347	1	32	1	0	0	9
Package 9	921	23	121	215	28	7	6	15	1	11
Package 10	NA	NA	NA	NA	NA				NA	Being measured and established cadastral map
Package 11	NA	NA	NA	NA	NA				NA	

Source: DMS results done by LFDCs by September 2021; NA=Not Available

## **II. DETAILED PROGRESS OF RESETTLEMENT IMPLEMENTATION**

### **1. Status of social safeguards documents for subprojects**

13. RP and EMDP updating progress was delayed due to the delay in the completion of DED (delay in the detail design and resettlement mark demarcation work of the design consultant) and effect of Covid 19 and delay in the issuance of compensation prices of the provinces. In addition, initially, the technical design consultant only carried out the socio-economic survey with a sample of 30% of the total affected households. However, on the basis of completed DMS data, ADB required to conduct an additional SES with 100% of severely affected and vulnerable households, which resulted in the need to carry out procedure request for additional funding for implementation, leading to delay in updating RP/EMDP.

14. Regarding to Package CW08, while the uRP is not approved yet by ADB, 454 AHs have been paid the compensation and assistances with an amount of VND 36,529,903,177. Thus, a due diligence review is prepared to examine whether or not the compensation payment complied with requirements on compensation/support entitlements as set forth in the Project's RP/uRP. The DDR has considered, reviewed all project's documents regarding social, compensation/support plans and found out 06 issue of recommended corrective action plan. The implementation of this CAP will be updated in SMR of Q4.2021.

15. For Construction Package 8 and 9, the respective RP is expected to be updated by 30 October 2021. For other Construction Packages (except Construction Packages 8 and 9), the respective RPs are expected to be updated based on the progress rate of DMS and draft of compensation data. When the ADB has approved updated RP, the draft of compensation data will be updated accordingly (if necessary) before compensation payment is made. The provisions (entitlements) indicated in the agreed updated RP will be applied in the detailed compensation plans to the households.

### **2. Public consultation and project information disclosure**

16. Information dissemination and community consultation activity are taking place during the project's implementation process. At the time of this reporting, at least two rounds of information dissemination and community consultation have been organized in the project provinces during project preparation and updating the safeguards documents for each package. In addition, as for ADB's requirement, the approved uRPs/uEMDPs have also been disclosed to all affected households and other stakeholders, besides the copies of these uRPs/uEMDPs that were placed in the commune/and villages.

17. The first period of dissemination of information and community consultation was organized by the consultant during the FS preparation in coordination with local authorities in stage of 2018 and 2019. The latest information dissemination and community consultation exercise was carried out in 2021, after approval of the detailed engineering design (DED) and construction drawings of Package XL08, 09 by the competent authorities; information dissemination through consultative meetings was conducted with communal authorities and representatives of affected HHs in their communes.

18. In the third quarter of 2021, Land Fund Development Centers published draft compensation plans of 574 HHs (Package XL-08). People agree with the contents of the publicly posting plan because it causes little impact and road is widened for local economic

development. The process of disseminating information through public meetings and publicly posting of the compensation plan has been highly effective and in line with ADB's policies.

19. At this moment, due to Covid 19 pandemic, in order to ensure the safety for experts and local community, community consultation meetings have not yet implemented. Consultant only carried out interviewing 07 cases to collect data and update the progress rate of project implementation for preparing this report.

### 3. DMS implementation

20. Construction package No.8, No.9: DMS has been completed for 6/7 communes. DMS for Mo vang commune will be completed by 30 October 2021. The DMS was implemented by the LFDC districts . These units are very capable, because they have implemented all the projects in the city/district, both foreign and national projects. Currently, PMU2 is coordinating with provinces and districts of package 8 and package 9 to give priority to completing site clearance and starting construction soon. The remaining packages are being carried out detailed design and mapping.

21. The DMS process is being implemented with the following specific steps:

- AHs have been invited in a meeting to disseminate information about the project and DMS plan of the project. The specific date of DMS in each household will be notified in advance by the village leader; DMS commence date of communes are in the table 2-A below.
- DMS team member of commune include member of LFDC, commune, village. AHs were also invited to join the DMS process, check the DMS records and sign to confirm the DMS minutes. In case the AHs have any question or request for checking, AHs inform to LFDC for reviewing, updating if necessary. When AHs have agreed with the DMS, AHs will sign the DMS. AHs will keep one (01) copy of DMS minute for their reference.
- The LFDCs have coordinated with the communes to prepare the list first and conduct DMS later. The DMS results are accurate and complete. The land acquisition rate of households and households under preferential treatment policy and vulnerable households have been determined in accordance with the project's regulations. Some households which have been not determined the subjects are still being identified by districts and provinces. People appreciate the road construction project and realize that the process is correct and sufficient for the people.

22. The remaining packages have not completed technical designs, have not set up site clearance piles and handed over to localities, so DMS has not been conducted. PMU2 will update the progress in the next quarter report.

**Table 4. DMS Status of the Subprojects as of Sep 2021**

No.	Subproject/Package	DMS commencement date	DMS completion date	Notes
I	<b>Package XL-08</b>			
1	<b>Tam Duong District, Lai Chau, Province</b>			
1.1	Ban Giang Commune	13/4/2021	Completed	

No.	Subproject/Package	DMS commencement date	DMS completion date	Notes
1.2	Ban Hon Commune	24/5/2021	Completed	
<b>2</b>	<b>Lai Chau City, Lai Chau Province</b>			
2.1	Dong Phong Ward	06/3/2021	Completed	
2.2	San Thang Commune	26/5/2021	Completed	
<b>II</b>	<b>Package XL-09</b>			
<b>1</b>	Van Yen District, Yen Bai Province			
1.1	Dai Son Commune	30/3/2021	Completed	
1.2	An Thinh Commune	06/6/2021	Completed	
1.3	Mo Vang	Not yet	Expected to complete by 30/10/2021	Pending issue is related to identification of the original of land-use, the result of issue be updated in the quarter 4/2021

Source: DMS results done by LFDCs by September 2021

#### 4. Preparation and approval of compensation plan

23. Based on regulation of ADB, compensation plans must be prepared based replacement cost price to ensure the entitlement for AHs.

24. For Northern Mountain Provinces Transport Connectivity Project, a qualified appraisal consultant was hired to implement relevant activities and submit PPCs the replacement costs for land and assets on land for appraisal/approval.

25. At this reporting, 02 decisions on replacement price approved by Lai Chau PPC and the price was used for preparing compensation plans of Package XL08.

26. The draft compensation plans are prepared by LFDCs in principle using DMS datasheet agreed upon and signed by AHs, unit costs (full replacement costs) approved by PPCs, and relevant updated entitlements as regulated by PPCs. It is noted that the DMS data, unit costs, and relevant regulations on compensation and allowance (as amended from time to time) are incorporated into the approved uRP/EMDP.

- For package 08, compensation unit price for land, trees and assets associated with the land was updated in 2021 to ensure the compliance with the Project's compensation policies. The compensation rate was updated by independent consultant who are capable of implementing compensation unit price for both land and assets associated with the land. Then, the Consultant's proposed unit price was approved by Lai Chau PPC. The following are legal bases for the LFDC to apply the compensation unit price of Tam Duong district and Lai Chau city : (i) Decision No. 598/QD-UBND dated 26 May 2021 issuing the compensation unit price for assets, trees and animals on the land which is acquired by the State in Tam Duong district

and Lai Chau city and (ii) Decision No. 534/QĐ-UBND dated 17/5/2021 on approval of the land price for calculating the compensation unit price when the State acquires land for implementation of the Northern Mountain Provinces Transport Connectivity Project funded by ADB and the Australian Government.

27. According to project policy and regulations of PPCs, the draft compensation plan, once prepared, is made public at the AH's residential site (community hall and AH's house) for public review and comments to ensure accurate, adequate, and right data. This process is done also to mitigate complaints of not only the AH himself/herself but also between AHs. Once compensation plans are approved, these compensation plans were again publicly posted at the office of ward/communes as the regulations. The affected households are entitled to check the compensation plans and keep the copy of the compensation plans.

28. As of September 30, 2021, 9 compensation and support options have been approved for the XL-08 package. Refer the below table 5.

29. Compensation plans of 574 HHs of Lai Chau city and Tam Duong District (Package XL-08) were completed and have been approved by City/District PC. Detail of approving progress for compensation plans by September 2021 is in the table 5.

**Table 5. Progress of approving for compensation plans by September 2021**

No.	Package name	No. of AHs as final DMS	No. of AHs have been approved for compensation and assistance	Amount of approved compensation and assistance (VND)	Decision on approving the compensation and assistance	Notes
1	Package XL-01	NA	NA			
2	Package XL-02	NA	NA			
3	Package XL-03	NA	NA			
4	Package XL-04	NA	NA			
5	Package XL-05	NA	NA			
6	Package XL-06	NA	NA			
7	Package XL-07	NA	NA			
8	Package XL-08	NA	574	38,216,776,090	<ul style="list-style-type: none"> <li>- Decision No. 1023/QĐ-UBND Lai Châu city dated 07/7/2021.</li> <li>- Decision No. 1382/QĐ-UBND Lai Châu city dated 30/8/2021</li> <li>- Decision No. 1548/ QĐ-UBND Lai Chau city dated 01/9/2021.</li> <li>- Decision No. 1633/ QĐ-UBND Lai Chau city dated 23/9/2021</li> <li>- Decision No. 1803/ QĐ-UBND Lai Chau city dated 29/9/2021</li> <li>- Decision No. 1389/QĐ- UBND Tam Duong District dated 14/7/2021.</li> <li>- Decision No. 2070/ QĐ-UBND Tam Duong District dated 14/9/2021.</li> </ul>	Actual number of households



No.	Package name	No. of AHs as final DMS	No. of AHs have been approved for compensation and assistance	Amount of approved compensation and assistance (VND)	Decision on approving the compensation and assistance	Notes
					- Decision No. 2246/QĐ-UBND Tam Đường District dated 23/9/2021. - Decision No. 2348/ QĐ-UBND Tam Đường District dated 27/9/2021.	
9	Package XL-09	NA	NA			
10	Package XL-10	NA	NA			
11	Package XL-11	NA	NA			

Source: Data provided by CARBs by September 2021; NA= Not available.

## 5. Compensation payment progress and budget allocation

30. **Budget allocation in 2021:** The Prime Minister has issued Decision No. 2185 / QĐ-TTg dated December 21, 2020 on the assignment of the State's budget plan in 2021; The Ministry of Transport has issued Decision No. 2542 / QĐ-BGTVT dated December 31, 2020 on the assignment of investment plan of state budget in 2021 for projects (in which the Northern Mountain Provinces Transport Connectivity Project has been allocated VND 339,250 billion of counterpart fund and VND 356,430 billion of foreign capital). The Ministry of Transport has distributed in detail of the land acquisition capital for each province (**Lai Chau: VND 67,890 billion, Lao Cai: VND 99,140 billion, Yen Bai: VND 120,824 billion**) in accordance with the official letter No. 1598 / BGTVT-KHĐT dated February 26, 2021.

31. By 30/9/2021, compensation payments have been paid for 538 HHs with the total amount **36,197,859,322 VND** (All HHs below package XL-08). Payment is made only one time in accordance with the regulations. However, this payment is conducted while the uRP and uEMDP for this package is not prepared and approved by ADB, therefore, this payment is not compliance with the project policy and ADB SPS 2009. Please see the details of payment in below table.

**Table 6. Progress of compensation payment by September 2021**

No.	Package name	No. of AHs/Orgs as approved CPs	Amount as approved CPs (VND)	No of AHs/Orgs have received compensation	Amount paid (VND)	Notes
1	Package XL-01	NA				
2	Package XL-02	NA				
3	Package XL-03	NA				
4	Package XL-04	NA				
5	Package XL-05	NA				
6	Package XL-06	NA				
7	Package XL-07	NA				

No.	Package name	No. of AHs/Orgs as approved CPs	Amount as approved CPs (VND)	No of AHs/Orgs have received compensation	Amount paid (VND)	Notes
8	Package XL-08	574	38,216,776,090	538	36,197,859,322	
9	Package XL-09	NA				
10	Package XL-10	NA				
11	Package XL-11	NA				

Source: Data provided by LFDCs by September 2021; NA= Not available

## 6. Resettlement and relocation

32. According to DMS data, in the package XL-08 area, 35 relocated HHs were identified, among which 5 HHs in Lai Chau City will be relocated to existing local resettlement site, 30 HHs in Tam Duong (located along 1.5 km) will be relocated to 2 resettlement sites of the project (Ban Hon). The design of one of the project resettlement sites was already approved by the authority. The other resettlement site is in the process of selecting the location.

33. The resettlement households have been participated in community consultation to ask for their demand for resettlement – option. The location of resettlement is public disclosure to these household. For available resettlement site in Lai Chau city, the square of each plots is from 80-100 m2 and infrastructure is available (domestic road, water supply and electricity...). It is estimated that local authorities will hand over resettlement plots for them in December, 2021.

34. In Tam Duong district, resettlement sites are not available, the land acquisition for this resettlement sites is on -going and it is estimated that end of Q1.2022, relocation households will receive resettlement plots.

35. In the coming time, local authorities and PMU2 will work with districts/cities to identify households eligible for resettlement and gather opinions from the households. The price of land use fee is in accordance with the price of the province. The resettlement households agree with the location of resettlement sites and relevant procedure.

## 7. Process of land acquisition and site clearance

36. Compensation payments were paid for 538 HHs with paid amount of VND 36,197,859,322. Those HHs are ready to hand over the land to the project when necessary. After receiving compensation, the households will hand over the land to the local government and the project for road construction. PMU2 will coordinate with the locality to receive, manage and handover the site when there is a contractor.

## 8. Income restoration program

37. To date, SMEC is carrying out surveys, consultations for updating RP and EMDP. Therefore, the activities for the income restoration program (IRP) have not been implemented yet. For Package 8 and 9, Livelihood Development Program activities could be started after complete RP updated (included capacity building training). PMU2 is accelerating the progress of updating RP and EMDP, especially for the priority Packages. Households eligible to participate in the income restoration program are being listed by consultant in charge of updating RP in coordination with locality. Capacity building regarding IRP planning will be established and reported to ADB in the next report.

## **9. Ethnic Minority Development Plan**

38. By the time of this report, 02 EMDPs have been prepared for Package 8 and 9, therefore, no activities are implemented for ethnic minorities. Ethnic minority households are being listed by consultant in charge of updating RP in coordination with locality. This will be updated in the next monitoring report.

## **10. Re-adjust the LURCs of remaining land after land acquisition**

39. As above mentioned, the DMS is being conducted for packages, therefore, no information of re-adjustment the LURCs for remaining land at the time of this report. This issue will be updated in the next monitoring report.

## **11. Grievance Redress Mechanism**

40. The grievance redress mechanism process of project will be applied the grievance redress mechanism in accordance with the Project Resettlement Policy Framework approved by the Prime Minister as recommended by SMEC and confirmed by ADB with noted following:

- During implementation, it is necessary to determine that the GRM and the grievances of affected households (AHs) are received and resolved in a timely manner. Information about the GRM must be included in the quarterly social monitoring reports;
- Ensure that APs do not have to pay costs of accommodation and settling complaints, this will be confirmed in social monitoring reports and verified by external monitoring unit of social safeguard.

41. PMU2 has disseminated grievance redress mechanism process of project to relevant officers of provinces, districts during training. The grievance redress mechanism process of project was included in PID, and already distributed to affected households by SMEC. PMU2 is proactive in coordination and monitoring for redressing the grievances while implementation of RP and EMDP.

42. Staffs responsible of land acquisition in all levels have been trained on GRM (as a part of land acquisition and resettlement) in the training courses implemented by Project (reported in Quarter 4 -2020 internal report).

43. In each package, PMU.2 arranged staff to monitor resettlement activities included GRM. This staff will collaborate with LFDC's staff and Commune's staff (as a team) to manage and implement GRM.

44. In DMS implementation, AHs have some question, request for checking... for DMS result, they informed directly to DMS team of LFDC for solving. All AH's request will be collected by LFDC. LFDC will arrange to check with the participation of AHs and update DMS (if necessary). Only when AHs satisfy with the DMS data, they will sign to DMS form for next steps. Except those above questions, no other complaints were recorded by PMU.2 or Districts' LFDC.

## **12. Conformity of resettlement implementation progress with civil works progress**

45. Currently, the consultant in charge of updating RP and EMDP is carrying out the socio-economic survey and using the compensation plans of the districts to update the RP and EMDP. According to ADB's regulations, after RP is approved, it will conduct compensation payment to households.

46. However, due to the disbursement request, the districts have conducted compensation payment after the compensation plan is approved without waiting for ADB to approve the updated RP. PMU2 will prepare a due diligence review to examine whether or not

the compensation payment complied with requirements on compensation/support entitlements as set forth in the Project's RP and submit to ADB for review/approved.

### **13. Pending issues**

47. In summary, there are some pending issues in land acquisition implementation as below table.

**Table 7. Pending issues as September, 2021**

<b>No</b>	<b>Issues</b>	<b>Nature of issues</b>	<b>Status of issues</b>
1	Detailed Designs are not approved for 9 remaining packages	Not available	DED is in implementing
2	DMS is not conducted for 9 remaining packages	The DEDs of these packages are not approved yet	The DEDs are being conducted by consultants
3	RPs/EMDPs are not prepared and approved for 11 packages yet	The DMS is not completed for packages	The DMS is being finalized for packages XL08 and XL09

### III. CONCLUSIONS AND RECOMMENDATIONS

#### 1. Conclusions

48. The detailed design is delayed, so it is delayed in handing over the site clearance marks to conduct DMS.
49. In general, the land acquisition implementation for the subprojects is being carried out rather slowly compared to the original implementation plan.
50. Compensation plan was only completed for 582 HHs of Package XL-08. In Package XL-09, progress of preparing compensation plan was delayed. 9 other packages were delayed in DMS progress.
51. The project has been conducted survey of the replacement cost to prepare the compensation plan.
52. During the land acquisition implementation, the information disclosure and community consultation have been implemented fully by the Project Management Unit and CARBs according to the Government's regulations and ADB's SPS 2009.
53. Due to the disbursement request, it has been conducted compensation payment to households after the compensation plan is approved, while the updated RP of Package08 has not been approved by ADB. Therefore, the project is not compliance with the ADB SPS 2009 and project policies.

#### 2. Recommendations

54. Some activities that will be handled in the coming time, including:

**Table 8. Recommended activities as September 2021**

No	Issues	Action	Responsibility	Timeframe
1	The detailed design is delayed, so it is delayed in handing over the site clearance marks to conduct the DMS.	PMU2 works with design consultants and appraisal agencies for approval and completion soon	PMU2	Before 30/10/2021
2	Due to the disbursement request, it has been conducted compensation payment to HHs after the compensation plan is approved	Coordinate with localities to review and prepare DDR for the paid parts of package 8 as requested by ADB	PMU2	Before 15/11/2021
3	The updated RP is incomplete and has not been approved by ADB.	Coordinate with consultant updating RP to soon complete the updated RP for package 8 to submit	PMU2	Before 15/11/2021

		to ADB for comments		
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## ANNEXES

### Annex 1. Summary of land acquisition progress by Sep 2021

N o.	Package	Issuance progress of Land acquisition Notification	DMS progress (Starting and ending date)	CP <sup>1</sup> s preparation and public disclosure progress	Appraisal and approval of CPs progress	Compensation payment progress	Obstacles
1	XL-01						-
2	XL-02						-
3	XL-03						
4	XL-04						
5	XL-05						
6	XL-06						
7	XL-07						
8	XL-08	Q1.2021	From March. 2021 to June. 2021  Total of AHs: 582	Completed draft compensation plans for 574/582 AHs with total of VND 38,216,776,090	Approved compensation plans for 574 AHs with total of VND 38,216,776,090	Completed payment compensation for 538/574 AHs with total of VND 36,197,859,322	No obstacle
9	XL-09	Q1.2021	From March. 2021 to October. 2021  Total AHs is updated in	Not yet	Not yet		The delay for completing DMS of Dai Son is related to pending issue of re-identification of the origin of land use)

<sup>1</sup> CPs= Compensation plans

<b>N o.</b>	<b>Package</b>	<b>Issuan ce progre ss of Land acquisi tion Notifica tion</b>	<b>DMS progre ss (Starti ng and endin g date)</b>	<b>CP's preparati on and public disclosur e progress</b>	<b>Appraisal and approval of CPs progress</b>	<b>Compens ation payment progress</b>	<b>Obstacles</b>
			Q4.20 21				
<b>10</b>	XL-10						
<b>11</b>	XL-11						

## **Annex 2. The decisions of replacement cost for package 08**

Decision No. 598/QD-UBND dated 26 May 2021 issuing the compensation unit price for assets, trees and animals on the land which is acquired by the State in Tam Duong district and Lai Chau city under the Northern Mountain Provinces Transport Connectivity Project funded by ADB and the Australian Government;

ỦY BAN NHÂN DÂN  
TỈNH LAI CHÂU

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

Số: 598 /QĐ-UBND

Lai Châu, ngày 26 tháng 5 năm 2021

**QUYẾT ĐỊNH**

Ban hành đơn giá bồi thường về tài sản, cây trồng, vật nuôi trên đất khi Nhà nước thu hồi đất trên địa bàn huyện Tam Đường và thành phố Lai Châu thuộc Dự án kết nối giao thông các tỉnh miền núi phía Bắc, do ngân hàng Phát triển Châu Á (ADB) và Chính phủ Úc tài trợ

**CHỦ TỊCH ỦY BAN NHÂN DÂN TỈNH LAI CHÂU**

Căn cứ Luật Tổ chức chính quyền địa phương ngày 19/6/2015; Luật sửa đổi, bổ sung một số điều của Luật Tổ chức Chính phủ và Luật Tổ chức chính quyền địa phương ngày 22/11/2019;

Căn cứ Luật Đất đai ngày 29/11/2013;

Căn cứ Nghị định số 47/2014/NĐ-CP ngày 15/5/2014 của Chính phủ quy định về bồi thường, hỗ trợ, tái định cư khi Nhà nước thu hồi đất;

Căn cứ Nghị định số 01/2017/NĐ-CP ngày 06/01/2017 của Chính phủ sửa đổi, bổ sung một số nghị định quy định chi tiết thi hành Luật Đất đai;

Căn cứ Nghị định số 06/2020/NĐ-CP ngày 03/01/2020 của Chính phủ sửa đổi, bổ sung Điều 17 của Nghị định số 47/2014/NĐ-CP ngày 15/5/2014 của Chính phủ;

Căn cứ Thông tư số 37/2014/TT-BTNMT ngày 30/6/2014 của Bộ trưởng Bộ Tài nguyên và Môi trường về quy định chi tiết về bồi thường, hỗ trợ, tái định cư khi Nhà nước thu hồi đất;

Căn cứ Quyết định số 949/QĐ-TTg ngày 01/8/2018 của Thủ tướng Chính phủ về việc phê duyệt chủ trương đầu tư dự án Kết nối giao thông các tỉnh miền núi phía Bắc do ADB và Chính phủ Úc tài trợ;

Căn cứ Công văn số 1423/TTg-QHQT ngày 16/10/2018 của Thủ tướng Chính phủ về Khung chính sách dự án "Kết nối giao thông các tỉnh miền núi phía Bắc" do ADB và Chính phủ Úc tài trợ;



*Xét đề nghị của Liên ngành: Tài chính - Xây dựng - Nông nghiệp và Phát triển nông thôn tại Tờ trình liên ngành số 60/TTrLN-TC-XD-NN&PTNT ngày 24 tháng 5 năm 2021.*

### **QUYẾT ĐỊNH:**

**Điều 1.** Ban hành kèm theo Quyết định này đơn giá bồi thường về tài sản, cây trồng, vật nuôi trên đất khi Nhà nước thu hồi đất trên địa bàn huyện Tam Đường và thành phố Lai Châu thuộc Dự án kết nối giao thông các tỉnh miền núi phía Bắc do Ngân hàng Phát triển Châu Á (ADB) và Chính phủ Úc tài trợ:

1. Đơn giá bồi thường về tài sản, cây trồng, vật nuôi trên đất khi Nhà nước thu hồi đất trên địa bàn huyện Tam Đường:

*(Có Biểu đơn giá chi tiết phục lục số 01 kèm theo)*

2. Đơn giá bồi thường về tài sản, cây trồng, vật nuôi trên đất khi Nhà nước thu hồi đất trên địa bàn thành phố Lai Châu:

*(Có Biểu đơn giá chi tiết phụ lục số 02 kèm theo)*

**Điều 2.** Đơn giá quy định tại Điều 1 Quyết định này là căn cứ để xác định giá trị bồi thường về tài sản, cây trồng, vật nuôi trên đất khi Nhà nước thu hồi đất trên địa bàn huyện Tam Đường và thành phố Lai Châu và chỉ áp dụng đối với dự án Kết nối giao thông các tỉnh miền núi phía Bắc do ngân hàng Phát triển Châu Á (ADB) và Chính phủ Úc tài trợ.

**Điều 3.** Quyết định này có hiệu lực thi hành kể từ ngày ký. Chánh Văn phòng UBND tỉnh; Giám đốc các Sở: Tài chính, Xây dựng, Nông nghiệp và Phát triển nông thôn, Tài nguyên và Môi trường; Chủ tịch UBND thành phố Lai Châu; Chủ tịch UBND huyện Tam Đường và Thủ trưởng các đơn vị có liên quan chịu trách nhiệm thi hành Quyết định này./.

**Nơi nhận:**

- Như Điều 3;
- Bộ Giao thông vận tải; (b/c)
- TT. Tỉnh ủy; (b/c)
- TT. HĐND tỉnh; (b/c)
- Lãnh đạo UBND tỉnh: U;
- Ban QLDA 2 - Bộ Giao thông vận tải;
- Kho bạc Nhà nước tỉnh;
- Lưu: VT, Kt2.

**KT. CHỦ TỊCH  
PHÓ CHỦ TỊCH**



**Giảng A Tính**

Decision No. 534/QĐ-UBND dated 17/5/2021 on approval of the land price for calculating the compensation unit price when the State acquires land for implementation of the Northern Mountain Provinces Transport Connectivity Project funded by ADB and the Australian

Government;

**ỦY BAN NHÂN DÂN  
HUYỆN TAM ĐƯỜNG**

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

Số: 534 /QĐ-UBND

Tam Đường, ngày 17 tháng 5 năm 2021

**QUYẾT ĐỊNH**

**Về việc phê duyệt giá đất cụ thể để tính tiền bồi thường khi Nhà nước thu hồi đất thực hiện dự án: Dự án kết nối giao thông các tỉnh miền núi phía Bắc (Tuyến nối Lai Châu với cao tốc Nội Bài – Lào Cai)**

**ỦY BAN NHÂN DÂN HUYỆN TAM ĐƯỜNG**

*Căn cứ Luật tổ chức chính quyền địa phương ngày 19/6/2015; Luật sửa đổi, bổ sung một số điều của Luật Tổ chức Chính phủ và Luật Tổ chức chính quyền địa phương ngày 22/11/2019;*

*Căn cứ Luật Đất đai ngày 29 tháng 11 năm 2013;*

*Căn cứ các Nghị định của Chính phủ: số 44/2014/NĐ-CP ngày 15/5/2014 quy định về giá đất; số 96/2019/NĐ-CP ngày 19/12/2019 quy định về khung giá đất;*

*Căn cứ Thông tư số 36/2014/TT-BTNMT ngày 30/6/2014 của Bộ Tài nguyên môi trường quy định chi tiết phương pháp định giá đất, xây dựng, điều chỉnh bảng giá đất, định giá đất cụ thể và tư vấn xác định giá đất;*

*Căn cứ Quyết định số 97/QĐ-UBND ngày 06/02/2021 của UBND huyện Tam Đường về thành lập Hội đồng thẩm định giá đất huyện Tam Đường;*

*Xét Biên bản họp Hội đồng thẩm định giá đất huyện ngày 10/3/2021 và đề nghị của Giám đốc Trung tâm phát triển quỹ đất,*

**QUYẾT ĐỊNH:**

**Điều 1.** Phê duyệt giá đất cụ thể để tính tiền bồi thường khi Nhà nước thu hồi đất dự án: Dự án kết nối giao thông các tỉnh miền núi phía Bắc (Tuyến nối Lai Châu với cao tốc Nội Bài - Lào Cai)

*(Có biểu giá đất kèm theo)*

**Điều 2.** Giá đất cụ thể được phê duyệt tại Điều 1 Quyết định này là căn cứ để tính tiền bồi thường khi Nhà nước thu hồi đất theo quy định tại điểm đ khoản 4 Điều 114 của Luật Đất đai năm 2013.

**Điều 3.** Quyết định này có hiệu lực kể từ ngày ký. Chánh Văn phòng HĐND-UBND huyện, Trưởng các phòng: Tài chính - Kế hoạch, Tài nguyên và

Môi trường, Chủ tịch UBND các xã: Bản Giang, Bản Hòn, thủ trưởng các cơ quan, đơn vị; các tổ chức, hộ gia đình, cá nhân có liên quan chịu trách nhiệm thi hành Quyết định này./.

**Nơi nhận:**

- Như Điều 3;
- CT, PCT UBND huyện;
- Lưu: VT

**TM. ỦY BAN NHÂN DÂN**

**KT. CHỦ TỊCH**

**PHÓ CHỦ TỊCH**



**Phong Vĩnh Cường**