

# Social Monitoring Report

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Quarterly Internal Social Monitoring Report (October to December 2021)  
January 2022

## 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> January 2022: \$1 = VND 23,030

## **ABBREVIATIONS**

ADB	Asian Development Bank
AH(s)	Affected households
AP(s)	Affected person
BIM	Built-in model
CPC	Commune People's Committee
DARD	Department of Agriculture and Rural Development
DCARC	Compensation, Assistance and Resettlement Committee of District
DCLDF	District (City) Central Land Development Fund
DD	Detailed design
DMS	Detailed measurement survey
DOC	Department of Construction
DOLISA	Department of Labor, Invalids and Social Affairs
DONRE	Department of Natural Resource and Environment
DOF	Department of Finance
DOT	Department of Transportation
DPC	District People's Committee
EA	Executive Agency
EMC	External Monitoring Consultant for Resettlement
EMDPs	Ethnic Minority Development Plan
(C)-EMP	Contractor's Environmental Management Plan
FGD	Focus Group Discussion
FS	Feasibility Study
GAP	Gender Action Plan
GOA	Australian Government
GOV	Vietnamese Government
GRM	Grievance Redress Mechanism
HH(s)	Household

ICB	International Competitive Bidding
IEE	Initial Environment Examination
ILRPs	Income and Livelihood Restoration Program
IR	Involuntary Resettlement
MOT	Ministry of Transportation
NCB	National Competitive Bidding
NMPTCP	Northern Mountain Provinces Transport Connectivity Project
NH	National Highway
NTP	Note to proceed
PMC	Project Management Contractor
PMU.2	Project Management Unit 2 – Ministry of Transport
PPC	Provincial People's Committee
PPTA	Project preparation technical assistance
PR	Provincial Road
PID	Project Implementation Division
RP	Resettlement Plan
SAP	Social Action Plan
TCQM	Construction Quality Control and Management Division
TCVN	Vietnamese national standard
TOR	Terms of Reference
TOT	Training for Trainers

## 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 Viet Nam, 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>	<ul style="list-style-type: none"><li>- 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</li></ul>
<b>Rehabilitation</b>	<ul style="list-style-type: none"><li>- 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, to achieve, at a minimum, full restoration of living standards and quality of life</li></ul>
<b>Relocation</b>	<ul style="list-style-type: none"><li>- This is the physical relocation of an AP from her/his pre-project place of residence and/or business.</li></ul>
<b>Resettlement and Ethnic Minorities Development Plan (REMDP)</b>	<ul style="list-style-type: none"><li>- 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.</li></ul>
<b>Replacement Cost</b>	<ul style="list-style-type: none"><li>- The amount needed to replace an affected asset net of transaction costs such as administrative charges, taxes, registration and titling costs</li></ul>
<b>Replacement Cost Survey</b>	<ul style="list-style-type: none"><li>- This refers to the process involved in determining replacement costs of affected assets based on empirical data</li></ul>
<b>Resettlement</b>	<ul style="list-style-type: none"><li>- 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.</li></ul>
<b>Severely affected household (SAH)</b>	<p>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.</p> <ul style="list-style-type: none"><li>-</li></ul>
<b>Stakeholders</b>	<ul style="list-style-type: none"><li>- 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.</li></ul>
<b>Vulnerable group</b>	<ul style="list-style-type: none"><li>- 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.</li></ul>

### **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	A
	Involuntary Resettlement	A
<b>Reporting period:</b>	October to December 2021	
<b>Key project's performances in reporting period (October to December 2021)</b>	<ul style="list-style-type: none"> <li>- The DMS has been completed for packages of CW8 and CW9 and being conducted for package CW 1, CW3, CW4, CW6, and CW10).</li> <li>- Up to December 2021, DPCs approved 32 compensation plans for Package CW8 and Package CW9 with VND 86,806,335,493. LFDCs paid the amount of VND 49,544,610,174 for these 02 packages and it is estimated to complete the payment the amount of VND 37,261,725,319 in Q1.2022.</li> <li>- In comparison with Q3, 2021, in this Q4, 2021, 22 compensation plans were approved, in which Package CW8 had 02 compensation plans of Tam Duong district, total approved amount was 1,257,850,300 and Package CW9 had 20 compensation plans of Van Yen district, total approved amount was VND 45,274,783,200.</li> <li>- ADB issued No objection letter to uRP, uEMDP of Package CW 8 on December 23, 2021.</li> <li>- The consultant prepared and submitted PMU/ADB the uRP, uEMDP of package CW9 for review and approval.</li> </ul>	
<b>Key project's performances in the next reporting period (January to March 2022)</b>	<ul style="list-style-type: none"> <li>- PMU.2 need to mobilize the consultant who prepares the DDR to submit to ADB in Quarter 1.2022 (because while the uRP for the package CW9 was not approved yet by ADB, 184 AHs received payment with total paid amount of VND 13,014,706,997. This is non -compliance issue to ADB policy).</li> <li>- Approving the technical design in Package CW7 and Package CW11.</li> <li>- Activities need to be implemented for package CW8: (i) Complete the information disclosure of uRP, uEMDP for stakeholders, local authorities and AHs. (ii) Monitor the implementation of corrective action plan (CAP) and (iii) update the list of AHs who are eligible for participating in livelihood restoration program (LRP) and work with stakeholders to develop the livelihood activities that are suitable with AHs and project area.</li> <li>- Activities need to be implemented for package CW9: After ADB issued no objection letter (NOL) to uRP, uEMDP, i) Complete the information disclosure of uRP, uEMDP for stakeholders, local authorities and AHs. (ii) Consultant prepares an DDR and submit to ADB for review and approval (iii) update the list of AHs who are eligible for participating in livelihood restoration</li> </ul>	

	<p>program (LRP) and work with stakeholders to develop the livelihood activities that are suitable with AHs and project area.</p> <ul style="list-style-type: none"><li>- Consultant who is charge of uRP, uEMDP preparation need to prepare and submit PMU.2/ADB the uRPs, uEMDPs of package CW1 and Package CW4.</li><li>- In this Q1, 2022, for Packages CW8 and CW 9 the LFDCs will prepare additional compensation plans for AHs in accordance with the project entitlement as approved uRPs.</li></ul>
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## I. PROJECT INTRODUCTION

### 1.1. 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.

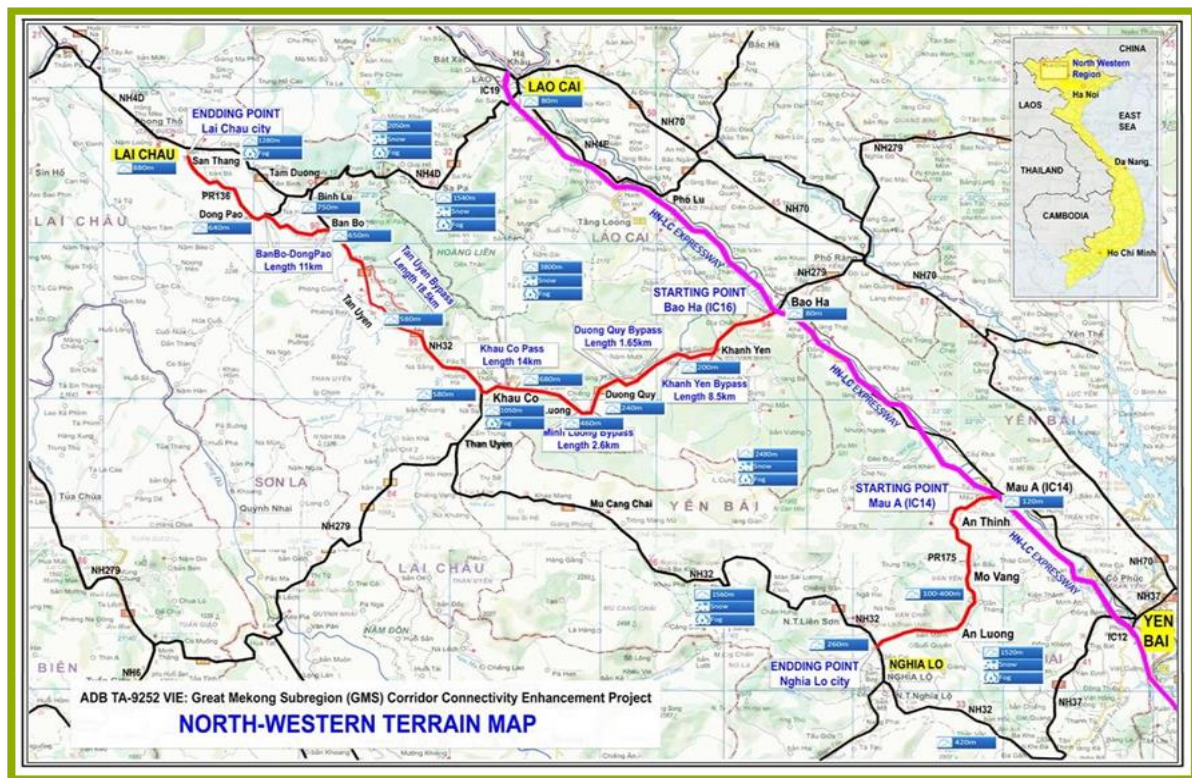


Figure 1: The project Roads Map (two red lines)

4. Project scale:

- The road connecting Lai Chau with Noi Bai - Lao Cai expressway: The road 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). Total length of the route:  $L = 146.6\text{ km}$ .
- The road connecting Nghia Lo with Noi Bai - Lao Cai expressway: The road is designed with the scale of mountainous grade IV road in accordance with TCVN 4054: 2015, design speed  $V_{tk} = 40\text{km/h}$ . Total length of the route:  $L = 52.73\text{ km}$ .

**Table 1: The Project's existing roads and upgrading roads**

No.	Road Section – Bypass	Length (km)	Bridges	Current Road Class	Upgraded Road Class
<b>The route 1: Bao Ha to Lai Chau city</b>					
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
<b>The route 2: Mau A to Nghia Lo town</b>					
4.	PR 175	52	2 existing & 3 new	-	IV

5. The project is divided into 11 work packages. Construction packages information and progress (Updated December 2021) are as follows:

**Table 2: Construction packages information and progress rate**

No.	Package name	From Km to Km	District/ Province	Approval decision	Status of award of civil works contracts	Land acquisition progress	Civil works progress
1	Package CW1	Km0+00 to Km18+500 (including replanting the forest) belongs to the road connecting to Lai Chau	Van Ban District, Lao Cai Province	DecisionNo. 291/QD-BQLDA2 dated Oct. 28, 2021	QII/2022	Handover of site clearance landmarks on 13/9/2021	Expected to start at the end of QII/2022
2	Package CW2	Km18+500 to Km40+000 belong to the road	Van Ban District,	DecisionNo. 318/QD-BQLDA2	QII/2022	Handover of site clearance	Expected to start at

No.	Package name	From Km to Km	District/ Province	Approval decision	Status of award of civil works contracts	Land acquisition progress	Civil works progress
		connecting to Lai Chau	Lao Cai Province	dated Nov. 18, 2021		landmarks on 13/9/2021	the end of QII/2022
3	Package CW3	Km40+000 to Km63+446 belong to the road connecting to Lai Chau	Van Ban District, Lao Cai Province	Expected in 01/2022	QII/2022	Handover of site clearance landmarks on 20/7/2021	Expected to start at the end of QII/2022
4	Package CW4	Km64+272 to Km84+554 belong to the road connecting to Lai Chau	Than Uyen & Tan Uyen Districts, Lai Chau Province	Decision No.288/QD-BQLDA2 dated Oct. 25, 2021	QII/2022	Handover of site clearance landmarks on 15, 16/7/2021	Expected to start at the end of QII/2022
5	Package CW5	Km84+554 to Km107+757 belong to the road connecting to Lai Chau	Tan Uyen District, Lai Chau Province	DecisionNo. 298/QD-BQLDA2 dated Nov. 02, 2021	QII/2022	Handover of site clearance landmarks on 04/8/2021	Expected to start at the end of QII/2022
6	Package CW6	Km107+757 to Km120+600 and Km137+040 to Km137+960 belong to the road connecting to Lai Chau	Tam Duong & Tan Uyen Districts, Lai Chau Province	Decision No.238/QD-BQLDA2 dated Sep. 28, 2021 Bidding documents were released on 05/01/2022	QII/2022	Handover of site clearance landmarks on 18, 19/8/2021	Expected to start at the end of QII/2022
7	Package CW7	Section 1: Km120+600 to Km128+040 belong to the road connecting to Lai Chau Province	Tam Duong District, Lai Chau Province	Expected in the end of 01/2022	QII/2022	Handing over of landmarks Section 1 on 14/10/2021 (Section Km120+600 - Km123+700). It is expected to hand	Expected to start at the end of QII/2022



No.	Package name	From Km to Km	District/ Province	Approval decision	Status of award of civil works contracts	Land acquisition progress	Civil works progress
						over the remaining site clearance landmarks by the end of January 2022	
8	Package CW8	Km128+040 to Km146+540 and Km137+960 to Km146+540 (including replanting the forest) belong to the road connecting to Lai Chau Province	Tam Duong District and Lai Chau City, Lai Chau Province	Decision No. 91/QD-BQLDA2 dated May. 27, 2021 Bidding documents were released on October 01, 2021	Q4/2021	Handover of site clearance landmarks on November 06, 2020	Start at the end of Q4/2021 (ADB issued NOL for the section of 400 m for civil work on December 27, 2021)
9	Package CW9	Km00+000 to Km20+667 (including replanting the forest) belong to the road connecting to Nghia Lo	Van Yen District, Yen Bai Province	Decision No.103/QD-BQLDA2 dated June 18, 2021 Bidding documents were released on October 01, 2021	QI/2022	Handover of site clearance landmarks on October 22, 2020 & August 5, 2021	Expected to start at the end of QI/2022
10	Package CW10	Km20+667 to Km38+252 belong to the road connecting to Nghia Lo	Van Yen and Van Chan Districts, Yen Bai Province	Decision No.263/QD-BQLDA2 dated Oct. 11, 2021 Bidding documents were released on Dec. 25, 2021, expected to open the bid	QII/2022	Handover of site clearance landmarks on August 05, 2021	Expected to start at the end of QII/2022

No.	Package name	From Km to Km	District/ Province	Approval decision	Status of award of civil works contracts	Land acquisition progress	Civil works progress
				on January 28, 2022			
11	Package CW11	Km38+252 to Km54+069 belong to the road connecting to Nghia Lo	Van Chan District, Yen Bai Province	Expected by the end of January, 2022	QII/2022	Handover of site clearance landmarks on June 07, 2021	Expected to start at the end of QII/2022

*Note: Correcting to submit Package CW6, Package CW8 due to the division of the route section in the investment plan*

6. The progress rate of handing over civil works for package may be not reach the proposed schedule as table 2. There are three reasons of this problems
  - Firstly, the slowness of completing technical designs. By the time of this report, the detailed technical designs have been approved for 09/11 packages, except Package CW 7 and Package CW11.
  - Secondly, due to slowness of completing technical designs. This makes slow the complement of DMS. End of December 2021, the DMS of Package CW8 and CW9 was completed and DMS is being conducted for 05 packages (package CW 1, CW3, CW4, CW6 and CW10) and the DMS is not conducted yet for 02 packages (Package CW2 and CW5).
  - Finally, the slowness of preparation of social safeguards reports (uRPs, uEMDPs, DDR). This is one of key reasons leading delay of handing over clearance for civil works. At the report preparation, the consultant who is responsible for updating RPs, EMDPs of 09 remaining packages have not been yet mobilized. It is known that the budget of consulting service on updating RP, EMDP is used from the grant of Australian embassy and project management consultant (PMC) will mobilize the consultant to implement uRPs, uEMDPs. However, the mobilization procedure of PMC is very slow. It is estimated that the Consultant will be mobilized by PMC in Q1, 2022 to prepare uRPs, uEMDPs of remaining packages.
7. To ensure the progress rate of handing over civil works for 11 packages. PMU.2 need to soon solve these problems in Q1, 2022, including (i) complete and approve the detail design of Package CW 7 and Package CW11; (ii) closely coordinate with local authorities to complete DMS and (iii) closely coordinate with PMC to soon mobilize the consultant who is charge of uRPs, uEMDPs preparation.

## **1.2. Objectives of internal monitoring**

8. At the project preparation, the project is identified as category A for involuntary resettlement and category B for indigenous people. However, during the updating for RPs and EMDPs for Package CW8 and CW9, the impact on indigenous people is identified as significant, so the category for indigenous people has been changed from B to A as the

recommendation of ADB. Therefore, the project is identified as category A for both involuntary resettlement and indigenous people. As ADB SPS 2009's requirements, the 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 social safeguards have been implemented in accordance with the policies and procedures of the RPs/uRPs/EMDP/EMDPs/DDR's following ADB SPS 2009 and project policy.

9. 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.

10. This report is prepared by PMU.2 to provide information and report to ADB on the implementation status of social safeguard covering the period from October to December 2021.

### **1.3. Institutional arrangements**

11. 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 PMU.2 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. The consulting services for procurement assistance and construction supervision (CS 1 Consultant) between CS 1 Consultant and PMU.2 has been signed at the end of December 2021 and accordingly the social safeguard consultant will be mobilized at the first week of January 2022. However, to meet the requirements of ADB for quarterly social monitoring reports, CS1 consultant has supported PMU to prepare the report and monitor project implementation in terms of land acquisition and compensation.

12. 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. Third report will be completed and submitted to ADB in January 2022.

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

13. The project consists of 11 construction packages. By the time of this report, the detailed technical designs have been approved for 09/11 packages, except Package CW 7 and Package CW11. Of the total 9 packages with approved technical designs, the DMS has been completed for 02 packages (packages CW8 and CW9), while the DMS is being conducted for 05 packages (package CW 1, CW3, CW4, CW6 and CW10) and the DMS is not conducted yet for 02 packages (Package CW2 and CW5).

14. Besides, to ensure the progress for the project implementation, the DMS has also been conducted for a part of route of Package CW11 although the technical design is not



approved yet. This DMS data will be re-confirmed once the final technical design of this package is approved. Therefore, this DMS data will not be mentioned in this report. Please see below table for more information of impacts by packages:

**Table 3. Summary of impacts by package**

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 CW 1	435	12	124	268	45	45		13	0	Continue to be updated in next SMR.
Package CW 2	Continue to be updated in next report									
Package CW 3	550	33	NA	NA	NA				NA	
Package CW 4	988	NA	NA	NA	NA				NA	
Package CW5	Continue to be updated in next report									
Package CW 6	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Package CW 7	Continue to be updated in next report									
Package CW 8	582	36	3	347	1	32	1	0	0	9
Package CW 9	921	23	121	215	28	7	6	15	1	11
Package CW 10	141	4	28	100						Continue to be updated in next SMR.
Package CW 11	Continue to be updated in next report									

Source: DMS results done by LFDCs by 1.2022; NA=Not Available

Note: Except Package CW 8 and CW9, DMS information of remaining packages is not final and will continue to be updated in next SMR.

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

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

15. RP and EMDP updating progress were 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, based on 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.

16. Regarding to Package CW8, 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. 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 was 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 was updated and presented in the Annex 1 of this report.

17. Regarding to Package CW9, Pursuant to the requirements of the Government's capital plan management, the capital that was allocated to the locality but not used would be possibly paid back to the budget in November 2021, on the one hand, and the people's committees of the communes and local communities suggested to pay compensation to the affected households to stabilize their accommodations before the Lunar New Year, on the other hand. Therefore, the DCARB of Van Yen district paid the compensation to 184 affected households with the amount of **VND 13,014,706,997**. This payment of compensation before the uRP, which was approved by the ADB. The advance payment before approved uRP was not in accordance with the project regulations. For this reason, an DDR needs to be prepared to submit to ADB for review in Quarter 1/2022.

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

18. Information dissemination and community consultation activity are taking place during the project's implementation and preparation 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.

19. 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 CW8, CW9 by the competent authorities; information dissemination through consultative meetings was conducted with communal authorities and representatives of affected HHs in their communes.

20. From January 3-7, 2022, Consultant implemented in-depth interviews (Direct interviews) with 31 representatives of (i) PMU.2 (9 persons); and (ii) the DCLDFs of Lai Chau city (02 persons), Tam Duong district (02 persons), Van Yen district (05 persons), Van Chan district (05 persons and 8 AHs. This collected data from in-depth interview was used for updating information for this report preparation. The interviewing results provided evidents for Consultant to check the compliance/non-compliance of site clearance in the package CW8 and CW9 in comparison with project policy. At the commune level, Consultant implemented in-depth interviews with AHs or local authorities of project communes. Below is a summary of participant of stakeholders.

**Table 4. Summary of group discussion information**

No.	Locations	No.of APs		Discussion topics	Feed back of participant
		Male	Female		
1	PMU 2	6	3	<ul style="list-style-type: none"> <li>- Organizational structure (for Van Chan District), implementation personnel and experience in implementing loan projects.</li> <li>- Implementation progress to date.</li> <li>- Resettlement arrangement</li> <li>- Replacement cost</li> <li>- Using capital of DCLDF</li> <li>- Plan to hand over the site to the construction contractor</li> <li>- Income restoration program</li> <li>- Information dissemination: uRP, uEMDP, DDR;</li> <li>- Implement EMDP</li> <li>- Complaint and complaint settlement.</li> </ul>	<ul style="list-style-type: none"> <li>- PMU.2 agrees with the workplan of consultant and support to contact with local authorities in project area.</li> <li>- Local authorities and people support the project implementation;</li> <li>- LFDCs wants to receive advice and clear guidance to prepare additional compensation plans for AHs as approved uRPs( <i>support for business without registration; support vulnerable households....</i>)</li> </ul>
2	Lai Chau DCLDF	1	1		
3	Tam Duong DCLDF	2	0		
4	Van Yen DCLDF	3	2		
5	Van Chan DCLDF	5	0		
6	Dong Phong ward	1	0		<ul style="list-style-type: none"> <li>- Local authorities and people support the project implementation;</li> <li>- Local authorities want to be provided fully project information and the workplan...;</li> <li>- AHs want to receive fully compensation and support as the project entitlement;</li> <li>- AHs want to facilitate to take part simple work at field to improve their income during construction time</li> </ul>
7	San Thang commune	1	1		
8	Ban Giang commune	2	0		
9	An Thinh commune	1	0		
10	Dai Son commune	1	0		
11	Mo Vang commune	1	0		
	<b>TOTAL</b>	<b>24</b>	<b>7</b>		

21. Due to Covid-19 situation in project area of Package CW8 and CW9, the localities cannot hold large meetings, so discussions on implementing of site clearance of Package CW8 and CW9 must be done directly with each household, or small groups of 3-5 people.

### 2.3. DMS implementation

22. By the time of this report, the detailed technical designs have been approved for 09/11 packages, except Package CW 7 and Package CW11. Of the total 9 packages with approved technical designs, the DMS has been completed for 02 packages (packages CW8 and CW9), while the DMS is being conducted for 05 packages (package CW 1, CW3, CW4, CW6 and CW10) and the DMS is not conducted yet for 02 packages (Package CW2 and CW5).

23. Besides, to ensure the progress for the project implementation, the DMS has also been conducted for a part of route of Package CW11 although the technical design is not approved yet. This DMS data will be re-confirmed once the final technical design of this package is approved.

24. Before carrying out the detailed measurement survey of affected land and properties, the DCARCs or the DCLDFs, through the commune people's committees, sent a notice of land acquisition to each affected household. The DMS schedule was informed to the affected households by the DCLDF staff or village heads. According to the DCLDF, the DMS working group usually includes DCLDF representative, commune people's committee leaders, cadastral officials, village heads, and affected persons. During the period from March to December 2021, meetings in the communes were also organized by the DCLDFs to inform more specifically about the project, consult with the households about the DMS process, and plan the compensation.

25. At the monitoring time, over the entire scope of Package CW8 and Package CW9, the DMS dossier has been completed. The compensation and support plans were prepared and made public in accordance with the regulations

**Table 5. DMS Status of the Subprojects as of Dec 2021**

No.	Subproject/Package	DMS commencement date	DMS completion date	Notes
1	Package CW1	10/01/2021	On going	
2	Package CW2	NA	NA	Have not started DMS.
3	Package CW3	19/8/2021	On going	
4	Package CW4	17/9/2021	On going	
5	Package CW5	NA	NA	Have not started DMS.
6	Package CW6	17/9/2021	On going	
7	Package CW7	NA	NA	Have not started DMS.
8	Package CW8	24/5/2021	15/6/2021	
9	Package CW9	29/03/2021	10/2021	
10	Package CW10	12/03/2021	On going	
11	Package CW11	15/12/2021	01/05/2022	

Source: DMS results done by LFDCs by Dec 2021

26. The DMS on the affected assets was pursuant to the state process as well as stated in the RPs. The implementation progress has improved a lot compared to the SMR Q3.2021, which needs more human resources from the Department of Natural Resources and Environment, the Department of Infrastructure Economics, the Department of Finance, the cadastral officials of the communes/wards/towns to speed up the progress in time.

27. The result of DMS of remaining packages will be updated in SMR Q1, 2022

## 2.4. Preparation and approval of compensation plan

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

29. Replacement costs: The Independent Replacement Cost Consultant surveyed for Package CW8 and Package CW9 to set up the replacement cost (for land, assets, trees and crops) to apply for compensation and assistance for site clearance of the project. The compensation unit prices were approved by the PPCs/DPCs to apply on compensation plans in accordance with the regulations. At this report, Van Yen DPC issued five ( 05) decisions on RCS, including (i) Decision No 2210/QD-UBND dated October 08, 2021 on price unit for crop and structure for compensation, assistance when State required land of The project and (ii) 03 Decisions on specific land price for compensation calculation (No 3654/QD-UBND dated October 04, 2021 for Dai Son commune; No 3702/QD-UBND dated October 08, 2021 for An Thinh commune and No 3703/QD-UBND dated October 08, 2021 for Mo Vang commune)

30. To meet the progress rate of site clearance of remaining packages, mobilization of independent consultants to determine the compensation prices and approval should be done with other packages which have been implementing the DMS

31. At the report time, Compensation unit prices were issued by PPC of Yen Bai and Lai Chau. Compensation plans were almost completed for Package CW8 and Package CW9. However, the application of some supports such as support for business households without licenses (Package CW8 and Package CW9), support for vulnerable households and AHs losing more than 10% of total land holding (Package CW9) requires additional opinions from the Province People's Committee. Therefore, PMU.2 needs to coordinate with the districts to immediately apply for the direction of the Provincial People's Committees on this content.

32. Preparing compensation plans. The compensation plans were based on the instructions of the province and the project. After making, the compensation plans were made public for the households' reviews according to the regulations. The minutes of publicizing compensation plans were stored at the offices of the site clearance agencies. Up to December 2021, total 32 compensation plans was approved in which 12 compensation plans of Package CW8 and 20 compensation plans of Package CW9.

33. In comparison with SMR Q3, 2021, this report phase (from October to December 2021), 22 new compensation plans were approved, in which 2 compensation plans of Package CW8 and 20 compensation plans of Package CW9.

34. In project provinces of Lai Chau and Yen Bai, the mobilization of the Independent Replacement Cost Consultant to survey and set up the compensation and assistance replacement cost for affected land and property followed the provisions of the RPs/uRPs.

**Table 6. Progress of approving for compensation plans by December 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	Amount of compensation paid
1	Package CW8	582	574	41,531,552,293	At this report, 02 compensation plans of Tam Duong district were	36,529,903,177

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	Amount of compensation paid
					approved in October 2021.	
2	Package CW9	921	846	45,274,783,200	At this report, 20 compensation plans of Van Yen district were approved in stage of October- December 2021.	13,014,706,997

Source: Data provided by CARBs by December 2021

## 2.5. Compensation payment progress and budget allocation

35. At the period of this report, the people's committees of the districts/cities approved the compensation plans for Package CW8 and Package CW9 with the total cost of VND 86,806,335,493, which is summarized in Table 7 below.

36. Payment progress. The compensation payment was made for Package CW8 and Package CW9 with the data in the table below. The detailed information and status of each package is as follows:

**Table 7. Progress of compensation payment by December 2021**

Local/Package	Number of approved compensation plans	Approved compensation amount	Amount of compensation paid	Note
<b>Package CW8</b>	<b>12</b>	<b>41,531,552,293</b>	<b>36,529,903,177</b>	Approved and paid out before the uRP is approved, the DDR has been made.
Lai Chau city	5	21,338,374,407	21,185,357,106	
Tam Duong district	7	20,193,177,886	15,344,546,071	
<b>Package CW9</b>	<b>20</b>	<b>45,274,783,200</b>	<b>13,014,706,997</b>	Approval and advance payment before uRP is approved
Van Yen District				
<b>Total</b>	<b>32</b>	<b>86,806,335,493</b>	<b>49,544,610,174</b>	

Source: Data provided by LFDCs by December 2021

37. Regarding to Package CW8, a DDR was released to supplement the uRP as an addendum in December 2021. This document was also subsequently cleared by the ADB. The progress of taking corrective actions is shown in Annex 1 of this report.

38. Regarding to Package CW9: Pursuant to the requirements of the Government's capital plan management, the capital that was allocated to the locality but not used would be possibly



paid back to the budget in November 2021, on the one hand, and the people's committees of the communes and local communities suggested to pay compensation to the affected households to stabilize their accommodations before the Lunar New Year, on the other hand. Therefore, the DCARB of Van Yen district paid the compensation to 184 affected households with the amount of VND 13,014,706,997. This payment of compensation before the approval of uRP was not in accordance with the project regulations. For this reason, a DDR need to be prepared and subsequently cleared by the ADB in Q1.2022 to ensure the commencing civil work of this package CW9.

## **2.6. Resettlement and relocation**

39. According to the DMS results of Package CW8 and Package CW9, the total number of households to be resettled is 59 households, of which Package CW 8 has 36 households and Package CW9 has 23 households. The preparation for the resettlement sites and consultations with the affected people to obtain their expectations for each package is as follows:

### **Package CW8**

- Lai Chau city: A total of 04 households must be relocated (of which, Dong Phong ward has 02 households; San Thang commune has 02 households). By the end of December 2021, all 04 households were visited Resettlement Site 2B, publicly drawn and allocated land in Resettlement Site 2B. It is expected that households will have the land allocation decisions in January 2022. After the land allocation decisions are issued, the documents will be transferred to the MONRE to carry out the procedures for granting land use right certificates to the households.

- Tam Duong district: 32 households must be relocated. After the households were consulted, two resettlement sites with the total area of 2ha in Hon and Dong Pao villages were planned with the basic services and utilities such as roads, electricity, water, 02 classrooms, etc. The estimated infrastructure cost is at about VND 18.3 billion. Each relocated household will be allocated with 300 m2, of which 120 m2 of residential land and 180 m2 of garden land. The average distance from the land acquisition site to this new resettlement site is about 0.5km to 1.2km. The resettlement site is expected to be completed and handed over to the affected people in February 2022.

### **Package CW9**

- Van Yen district: 23 households must be relocated. Their remaining land is enough for the relocation as regulations of province, after DLFDC conduct consultation with relocating HHs, all households opted the self-settlement and received support money according to the regulations of the province. The least support level is 200 million VND/household (for a household of 04 people).

**Table 8. Updated information of relocation households of Package CW8, CW9**

<b>Local/Package</b>	<b>Number of relocation household</b>	<b>Form of relocation based on consultation results with Ahs</b>
<b>Package CW8</b>	<b>36</b>	



Lai Chau city	4	Allocated land in Resettlement Site 2B)
Tam Duong district	32	Infrastructure construction for two resettlement sites for the project and will possibly complete in the first quarter of 2022
<b>Package CW9</b>	<b>23</b>	
Van Yen	23	AHs opted the self-settlement and received support money according to the regulations of the province
<b>Total</b>	<b>59</b>	

## 2.7. Livelihood restoration program

40. In the preparation of uRPs of Package CW8 and CW9, 725 AHs are eligible for participating in LRP. The total budget of LRP of Package CW 8 is 2,249,390,000 VND and the total budget Package CW9 is 2,040,838,000 VND. The table below shows the data of the affected households (AHs) eligible for the Livelihood Restoration Program under the project.

**Table 9: Impacts on the HHs under the Package**

No.	Package	Total number of AHs	Total number of HHs eligible for LRP participation				
			Total	Business AH	Relocation Ahs	SAH	Vulnerable HH
1	Package CW8	582	366	23	36	3	347
2	Package CW9	921	359	12	23	121	267
	<b>Total</b>	<b>1503</b>	<b>725</b>	<b>35</b>	<b>59</b>	<b>124</b>	<b>614</b>

Source: uRPs, 2021

41. In the report phase, Consultant found that there is unclear problem related to the agency in charge of LRP implementation. Thus, local authorities felt confusing in actual implementation of LRP.

- ✓ In uRP of Package CW8: In chapter of Institutional arrangement presented that Department of labor, invalid and social affair (DOLISA) will play a lead role in the design and implementation of the project's LRP together with PMU2. And in uRP of Package CW9 Agricultural and rural Development (DARD) with support of stakeholders will be responsible for design and implement LRP with support of PMU2.
- ✓ And chapter of LRP presented that Primary responsibility for monitoring and review of the LRP implementation rests with the DARD and DOLISA.

42. In the fact, both DOLISA and DARD will only support CARBs to design LRP and provide some suitable activities for eligible AHs. However, they are not main responsible for LRP implementation, because PMU will provide the budget of LRP for CARBs and CARBs are main responsible for disbursement of LRP cost in implementation process. Thus, a updated LRP will be prepared and submit to ADB for review/approval in Q2,2022.

43. Besides, the working results with LFDCs, Consultants realized that there are sales on land in project area. Thus, the information of AHs may be incorrectly. In Q1, 2022, Consultant will coordinate with LFDCs of Package CW8 and Package CW9 to screen and prepare the list of AHs who are eligible for LRP.

44. In addition to updating the list of AHs in LRP, Consultant proposes to update the activities of LRP of Package CW8&CW9 to meet the actual demand of AHs and develop parties' responsibilities for organizing the implementation of LRP.

45. The survey on LRP for AHs will be implemented in Q2.2022 and an updated LRP will be prepared and attached in the SMR Q2.2022. Below are proposed activities of LRP in Q1+2/2022.

- Based on approved compensation plans or DMS, Consultant will work with LFDCs to re- identify the households eligible for LRP participation, the Consultant will get an idea about the program scale.
- Desk study on lesson learnt/ LRP program of implemented projects to develop suitable idea for the LRP of Package CW 8& CW 9.
- Consulting with stakeholders including relevant competent agencies to determine all current support/training program/courses available in locality. The consultant will work out with relevant agencies and service providers to identify potential livelihood program, current support/training program/courses available in project District/town, project ward/commune. The consultant will focus on these relevant agencies and service providers and consulting content on each stakeholder (Local authorities: DPC; Compensation and Site Clearance Board/LFDC; Committee for Ethnic Minority Affairs (CEMA); Department of Labor, Invalids and Social Affairs in project district/town; Sub-department of Labor, Invalids and Social Affairs of project district/town; Vocational training centers; Women's Union; Social Policy Bank...)

46. After identifying preliminarily some activities of LRP, public consultation meetings and household survey will be organized in each commune (number of meetings will be determined after having the list of eligible households). All eligible households to LRP participation will be invited to the meetings (The representative of relevant parties may be invited too, such as Department of Labor, Invalids and Social Affairs, Vocational training centers (Center of continuing education and vocational training in project district; Public vocational training center in project district), Employment service centers, Women's Union, Social Policy Bank, PCs of districts and communes, etc.). The steps in the meetings are:

- The Consultant presents about the proposed activities of LRP based on the summary of comments in the initial survey and the result of consulting relevant departments and sectors;
- Households give their opinions, comments and aspirations and discuss; then, consulting with households eligible for program participation to conduct need assessment.
- Delivering the forms of recording demand of households in detail to households. The contents of the form include the proposed activities and the choice of households

47. The updated activities of LRP will be presented in SMR Quarter 1.2022.

## **2.8. Ethnic Minority Development Plan**

48. In process of uEMDPs preparation of Package CW8, CW9, the consultation with ethnic minority people in the project area was conducted independently and openly. Residents were informed about the project and the policies for the project and requirements.

49. The purposes of the Information disclosure and consultation are to: a) inform the ethnic minorities in the subproject area about the potential impacts of the project (negative impact and positive impact), b) get feedback from ethnic minorities (based on identified impact), and c) propose development activities to ensure that ethnic minorities in the project area can reap social and economic benefits (from the project) appropriating culturally with them. Importantly, it also provides opportunities for them to participate in the decision making on matters that will directly affect them. This is not only consistent with principles of transparency and fairness but ensures better outcomes in the design and implementation of mitigation measures.

50. Based on approved uEMDPs of Package CW08 and CW09, to ensure the rights and accessibility of ethnic minorities to the project's activities as well as the benefits from the project. Some enhancement actions have been developed, including Communication Activities, meaningful consultations and Capacity Building/ Training in project communes. However, at the report phase, activities of uEMDP have not yet implemented. The result of uEMDPs implementation will be updated in Q1.2022.

51. In addition to proposed activities of uEMDPs, EMs are identified as a vulnerable group and they are eligible to take part in LRP. In this Quarter 1.2022, Consultant will closely with CEMA at district/commune as well as local authorities to have directly meetings with these EM households to understand fully their actual demand for LRP and develop a LRP in accordance with characteristics of project area as well as the customary/culture of EM.

52. This will be updated in the next monitoring report.

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

53. 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.

## **2.10. Status of handing over land to project and conformity between land acquisition and construction activities**

54. At this reporting period, 400m of the route in Lai Chau city (public land, no affected households) was handed over to the contractor of Package CW 8 for the construction start-up. The Consultant will update the information in the Q1.2022.

**Table 10. Progress of handing over land**

No	Name of package	Needed land area (m2)	Handed land area over to project (m2)	Notes
1	Package CW8	414,857.5	1,600	ADB issues the NOL to commence construction section from km146+140

No	Name of package	Needed land area (m2)	Handed land area over to project (m2)	Notes
				to Km 146+540 dated December 27, 2021.
2	Others Packages	N/A	0	Will be update in next report

### 2.11. Grievance Redress Mechanism

55. A Subproject Grievance Redress Mechanism (GRM) was established as agreed between ADB and PMU.2 including the complaint and grievance redress procedure and made available to the communities and the affected persons to ensuring that all complaints of the affected persons regarding any aspect of the project land acquisition, compensation and resettlement are resolved timely and satisfactorily and the affected persons can freely raise their grievances and questions,

56. GRM was established as project requirement. Local authorities and affected HHs were informed about GRM of project. Although GRM were informed to local authorities, AHs and no formal complaints are recorded, PMU.2, DCLDFs and affected communes still need to consolidate GRM to be sure whether the GRM is functional prior to the commencement of any land acquisition or resettlement activities. Activities should be consolidating are: (i) Arrange staff to be responsible for GRM (ii) Establish the database for recording and following complaints (iii) DCLDFs should record all questions or requests from AHs in the DMS process for timely resolve.

57. Working with LFDCs and local authorities and AHs, it is known that in process of the DMS and making and publicizing the compensation and support plans of Package CW8 and Package CW9, all opinions and questions were promptly explained by the DCLDF's staff and clarified with the affected people. The majority of the affected people agreed to sign the DMS minutes and the compensation and support plans. Up to report phase, there were 02 complaints recorded by Van Yen DCLDF which is taking steps to resolve, and we will continue to monitor and report this settlement process in the next periodic report.

### 2.12. Pending issues

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

**Table 10. Update the implementation of pending issues as December 2021**

No	Issues	Nature of issues	Status of issues
1	Detailed Designs are not approved for 2 remaining packages	DED is not approved yet	- DED is in implementing

2	DMS is not completed for 9 remaining packages	The DEDs are being conducted by consultants	<ul style="list-style-type: none"> <li>- DMS of 02 package CW 8&amp;CW9 is available</li> <li>- 6 packages have been implementing DMS,</li> <li>- 03 packages have not started DMS</li> </ul>
3	<p>RPs/EMDPs are not prepared and approved for 9 packages yet</p> <p>The consultant who is responsible for preparing uRP, EMDPs of remaining packages is mobilized by project management consultant (PMC). However, the procedure of mobilization is too slow.</p>	PMU 2 should coordinate with project management consultant (PMC) to soon mobilize consultants who are in charge of preparing uRPs and uEMDPs of remaining packages.	<ul style="list-style-type: none"> <li>- ADB issued no objection to the uRP and EMDP of PackageCW8 dated December 23, 2021;</li> <li>- ADB issued no objection to the uRP and EMDP of Package 09 dated January 7, 2022 (for uRP) and January 13, 2022 (for uEMDP)</li> </ul>
4	DDR need to be prepared for Package CW 9	DCARB of Van Yen district paid the compensation to 184 affected households with the amount of VND 13,014,706,997.	<ul style="list-style-type: none"> <li>- PMU need to mobilize the consultant to prepare DDR for this Package CW 9 in Q1, 2022.</li> </ul>
5	Mobilize social safeguard experts of CS 1 consultant	At the first week of Jan, 2022, one social safeguard of CS 1 will be mobilized to implement the assignment as TOR	<ul style="list-style-type: none"> <li>- Based on agreement between CS1 consultant and PMU, PMU will mobilize a social safeguard expert in Q1, 2022 to implement prepare SMR and relevant tasks as TOR.</li> </ul>

### III. CONCLUSIONS AND RECOMMENDATIONS

#### 3.1. Conclusions

59. The Project has been implementing the land acquisition activities since Q2/2020. The provincial people's committees authorized and assigned the people's committees of the districts/cities to carry out the compensation, assistance and resettlement in the local areas under their administration

60. City/DPCs established the district compensation, assistance and resettlement councils (DCARCs) to direct the implementation and assigned the DCLDFs to organize the implementation of compensation, assistance and resettlement in accordance with the provisions the Project's RPs. However, the progress of the design and design approval and the installation of site clearance landmarks in the packages were slow, leading to the delay in handing over the site clearance landmarks to local authorities to continue the next steps.

61. The information disclosure and consultation with the affected households and the stakeholders has strictly followed as provided in the approved uRPs. However, more detailed on the measures to restore livelihoods and income in the future as outlined in the RPs/uRPs should be consulted for the severely affected households.

62. The DMS of the affected quantity of the households was according to the state procedures as described in the RPs. However, the progress is still slow and should be accelerated in the coming time. During the DMS process, many AHs requested re-checking their quantity of affected property in DMS minutes. There requests were received by DCLDFs and the DCLDFs planned to check to explain to them in order that they agree and sign in the DMS minutes.

63. For the replacement cost survey for Package CW8 and Package CW9, an independent appraisal consultant has been mobilized to survey and set up the replacement cost to be applied for the compensation and assistance for site clearance. This should continue to be done soon in other packages.

64. Regarding to package CW9, the payment of compensation prior to the ADB's approval of uRPs is not in compliance with the project regulations. DDR included CAP should be taken immediately, and the same situation should not be allowed to happen again.

65. Till the monitoring, severely and vulnerable AHs have not yet been fully supported as required by the project policies; no more detailed consultations on livelihood and income restoration measures as outlined in the RP has been organized.

66. The Grievance Redress Mechanism was disseminated and made widely to affected people and stakeholders. Therefore, it needs to consolidate to help affected people and stakeholders to access and implement the project's GRM well.

#### 3.2. Recommendations

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

**Table 11. Recommended activities as December 2021**

No	Issues	Action	Responsibility	Timeframe
1	The progress of design and site clearance	PMU.2 directs and coordinates with the Consultant to	PMU.2, DD consultant	Before Q2/2022

No	Issues	Action	Responsibility	Timeframe
	demarcation of the packages CW 7, CW11 is still slow)	accelerate the implementation progress		
2	The replacement cost survey for the project needs to be completed soon with the packages except Package CW8 and Package CW9.	PMU.2 needs require the localities to implement	PMU.2, PPC, departments/ DPCs/ DCLDFs/ DCARCs.	March-July, 2022
3	The progress on updating and approving RPs/EMDPs has been slow.	PMU.2 closely coordinate with PMC to soon mobilize the consultant who is charge of preparing the 09 RPs/EMDPs.	PMU.2/ Consultant	Q1+ 2/2022
4	Livelihood activities and EMDP have not been prepared and implemented.	PMU.2 should work with the Consultant to accelerate the technical design and RP/EMDP update schedule, implementation of livelihood activities and EMDP.	PMU.2/ consultant	Before 3/2022
5	Settle the payment of compensation before the uRP approval	PMU.2 and the local districts need:  Fast execution of CAP for Package No.8  Discuss and propose ADB about solution on Package No.9 related to advance payment	PMU.2/ DCLDFs,	As soon as possible
6	Implementation of the project's GRM	Recommended for the APs and stakeholders to well implement the project's GRM.  PMU.2, DCLDFs and affected communes need to consolidate GRM to be sure whether the GRM is functional prior to the commencement of any land acquisition or resettlement activities. Activities should be: (i) Arrange staff to be responsible for GRM (ii) Establish the database for record and follow complaints (iii) DCLDFs should record all questions or requests from AHs in	PMU.2/ DCLDFs, CPCs/ WPCs	During the project implementation



No	Issues	Action	Responsibility	Timeframe
		the DMS process for timely settlement.		
7	The section will pass through the primary and secondary school and affects about 3m. If the land is acquired, it may affect the structure of the entire works of the school. The structures have just been completed and handed over to use in 2020.	It is recommended that PMU.2 discusses with the Detailed Design Consultant to survey and study the adjustment of the route to the People's Committee of Ban Hon commune.	PMU.2/ Detailed Design Consultant	As soon as possible
8	DDR needs to be prepared for Package 09 because local authorities implemented advance payment before uRP is approved	- DCARB of Van Yen district paid the compensation to 184 affected households with the amount of VND 13,014,706,997.	PMU.2/ DCLDFs, Consultant	Q1, 2022



#### IV. ANNEXES

##### Annex 1. The updated progress of CAP implementation for Package CW8

No.	Issues	Action	Progress	Updated time frame	
1	- Project information disclosure	- Provide all entitlements of the project to AHs through the public consultation meetings or prepare project information booklet (PIB) to AHs with full entitlements as regulations of project	The PIB was updated according to the uRP. The DCLDFs will provide information along with the uRP disclosure after the Provincial People's Committee will have approved the implementation	January 2022	
2	- Provide life stabilization support for households who lose less than 10% of their productive land	- Review the DMS data and coordinate with local authority to assess the impact level of land acquisition to AHs, if the land acquisition impacts significant on the AH's livelihood and life production and confirm by local authority, the additional support should be calculated for AHs as regulations.  - Prepare additional compensation plan in line with uRP for un-approved plans.	DCLDFs are completing support plans	January 2022	
3	- Provide supports for affected business/shop	- Review the DMS data to provide the support for affected business as mentioned in the entitlement matrix of approved RP.	- DCLDFs are completing support plans	January 2022	
4	- At the present, the life stability allowance has not been provided for 03 affected households in Ban Giang commune who lose 10% or more of cultivation area	- Provide additional support in accordance with the Project's regulation V.2 uRP)	- DCLDFs are completing support plans	January 2022	

No.	Issues	Action	Progress	Updated time frame	
5	- Failure to support the vulnerable group as set forth in the approved compensation plan	- Provide additional support under the Project's regulation (V.7 of uRP)	- DCLDFs are completing support plans	January 2022	
6	- Failure to allocate resettlement land plot for 5 displaced households (4 in Lai Chau city, 1 in Ban Giang - Tam Duong commune)	<ul style="list-style-type: none"> <li>- 5 displaced households want to receive resettlement land. Households received compensation amount and want to be allocated resettlement land soon.</li> <li>- PMU.2, LFDC should consider the land handover schedule properly so as to reduce impacts on the households.</li> </ul>	<ul style="list-style-type: none"> <li>- 04 households in Lai Chau city have been granted resettlement land</li> <li>- 01 household in Ban Giang - Tam Duong is being consulted about relocation plans.</li> </ul>	January 2022	

**Annex 2. The minute of introduction, publicly drawn and allocated land in resettlement site 2 B for relocation household of Le Van Lac, Dong Phong ward, Package CW8**

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

**BIÊN BẢN**

**Giới thiệu, bốc thăm vị trí thửa đất, lô đất cấp tái định cư**

Căn cứ Quyết định số 16/2020/QĐ-UBND ngày 04/5/2020 của UBND tỉnh Lai Châu Ban hành Quy định một số nội dung về trình tự thực hiện thu hồi đất, bồi thường, hỗ trợ, tái định cư khi Nhà nước thu hồi đất trên địa bàn tỉnh Lai Châu;

Căn cứ các Quyết định số: 1023/QĐ-UBND ngày 07/7/2021; 1548/QĐ-UBND ngày 01/9/2021; 2251/QĐ-UBND ngày 25/11/2021 của UBND thành phố Lai Châu V/v phê duyệt phương án bồi thường, hỗ trợ, tái định cư dự án: Kết nối giao thông các tỉnh Miền núi phía Bắc do Ngân hàng Phát triển Châu Á và Chính phủ Úc tài trợ (Tuyến nối Lai Châu với Cao tốc Nội Bài – Lào Cai; Khu vực thành phố Lai Châu);

Căn cứ Quyết định số 1600/QĐ-UBND ngày 15/9/2021 của UBND thành phố Lai Châu V/v phê duyệt phương án bố trí tái định cư dự án: Kết nối giao thông các tỉnh Miền núi phía Bắc do Ngân hàng Phát triển Châu Á và Chính phủ Úc tài trợ (Tuyến nối Lai Châu với Cao tốc Nội Bài – Lào Cai; Khu vực thành phố Lai Châu);

Căn cứ Đơn xin giao đất của gia đình của các hộ gia đình;

Căn cứ xác nhận của UBND phường Đông Phong, xã San Thàng về hộ gia đình phải di chuyển chỗ ở, không còn đất ở, nhà ở nào khác trên địa bàn phường Đông Phong, xã San Thàng, thành phố Lai Châu;

Căn cứ sơ đồ chia lô thửa đất ở lô 2B thuộc khu dân cư số 2 mở rộng phường Đông Phong, thành phố Lai Châu;

Hôm nay, vào hồi 7 giờ 00 phút, ngày 14 tháng 1 năm 2021 tại: Thị trấn Đông Phong, xã San Thàng, thành phố Lai Châu chúng tôi gồm có:

- THÀNH PHẦN THAM GIA:**
  - Trung tâm phát triển quỹ đất Thành phố. Ông(bà): Nguyễn Văn Hùng Chức vụ: Chủ tịch
  - UBND phường Đông Phong. Ông(bà): Nguyễn Văn Hùng Chức vụ: Chủ tịch
  - Phòng Tài nguyên và Môi trường Thành phố. Ông(bà): Nguyễn Văn Hùng Chức vụ: Chủ tịch
  - Đại diện hộ gia đình. Ông(bà): Le Van Lac

**II. NỘI DUNG:**

- Trung tâm phát triển quỹ đất Thành phố giới thiệu: Các thửa đất ở lô 2B thuộc khu dân cư số 2 mở rộng phường Đông Phong, xã San Thàng, thành phố Lai Châu

Giải đáp ý kiến của hộ gia đình về quy định của việc giao đất có thu tiền sử dụng đất.

- Kết quả như sau:  
Ông(bà): Le Van Lac Chức vụ: Chủ tịch

- Về bản giao biên bản và thực hiện thủ tục cấp giấy chứng nhận quyền sử dụng đất: Yêu cầu ông(bà): Le Van Lac thực hiện thủ tục cấp giấy chứng nhận quyền Sử dụng đất quy định.

**III. Ý KIẾN**

Ông(bà): Le Van Lac Chức vụ: Chủ tịch

Biên bản bàn giao kết thúc vào hồi 15 giờ 00 phút, cùng ngày. Biên bản được thông qua cho các thành phần tham dự cùng nghe và ký xác nhận kết quả, biên bản được lập thành 04 bản, lưu tại Trung tâm phát triển quỹ đất, phòng Tài nguyên và Môi trường, UBND phường Đông Phong và hộ gia đình, cá nhân.

**Đ/D HỘ GIA ĐÌNH**

Le Van Lac

PHÒNG T. NGUYỄN & M.TRƯỜNG

**UBND PHƯỜNG ĐÔNG PHONG**

**CHỦ TỊCH**

Nguyễn Văn Hùng

TT PHÁT TRIỂN QUỸ ĐẤT

Nguyễn Văn Hùng

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

**ĐƠN XIN GIAO ĐẤT CÓ THU TIỀN SỬ DỤNG ĐẤT**

Kính gửi: Ủy ban nhân dân thành phố Lai Châu

- Người xin giao đất/cho thuê đất/cho phép chuyển mục đích sử dụng đất: Le Van Lac
- Địa chỉ/trụ sở chính: Thị trấn Đông Phong, xã San Thàng, thành phố Lai Châu
- Địa chỉ liên hệ: 0965.597.586
- Địa điểm khu đất: Thị trấn Đông Phong, xã San Thàng, thành phố Lai Châu
- Diện tích: 105 m<sup>2</sup>
- Đề sử dụng vào mục đích: Đất ở
- Thời hạn sử dụng: 50 năm
- Cam kết sử dụng đất đúng mục đích, chấp hành đúng các quy định của pháp luật Đất đai, nộp tiền sử dụng đất/tiền thuê đất (nếu có) đầy đủ đúng hạn:

Cam kết khác (nếu có):

Thành phố Lai Châu ngày 14 tháng 01 năm 2021

Người viết đơn  
(Ký, ghi rõ họ tên)  
Le Van Lac

### Annex 3. Monitoring forms

VIE: Northern Mountain Provinces Transport Connectivity Project (NMPTCP)

Reporting Period: Jan 2022

Monitoring Form 1: Resettlement and Compensation Issues, Action Taken, and Timeframe for Solution

No.	Package	Location	Issue	Action Taken	Timeframe for uRP/EMDP preparation/ Solution
1	Package CW-1	Van Ban District, Lao Cai Province	(i) Mobilization of independent consultants to determine the compensation prices and approval (ii) DMS is available and uRP, EMDP need to be prepared and submit to ADB	(i) PMU2 works closely with PPC to ensure the set up the compensation and assistance replacement cost for affected land and property; (ii) PMU coordinate with PMC to soon mobilize The Consultant who is charge of uRP, EMDP	The first draft of uRP/EMDP will be submitted to ADB by March, 2022
2	Package CW-2	Van Ban District, Lao Cai Province	DED should be approved and soon provide the land mark for LFDC to implement DMS	PMU coordinates with DED consultant to soon completing this DD.	The first draft of uRP/EMDP will be submitted to ADB by Q2, 2022
3	Package CW-3	Van Ban District, Lao Cai Province	(i) Mobilization of independent consultants to determine the compensation prices and approval (ii) DMS is available and uRP, EMDP need to be prepared and submit to ADB	(i) PMU2 works closely with PPC to ensure the set up the compensation and assistance replacement cost for affected land and property; (ii) PMU coordinate with PMC to soon mobilize The Consultant who is charge of uRP, EMDP	The first draft of uRP/EMDP will be submitted to ADB by Q2,2022
4	Package CW-4	Than Uyen & Tan Uyen Districts, Lai Chau Province	DMS is available and uRP, EMDP need to be prepared and submit to ADB	(i) PMU2 works closely with PPC to ensure the set up the compensation and assistance replacement cost for affected land and property; (ii) PMU coordinate with PMC to soon mobilize The Consultant who is charge of uRP, EMDP	The first draft of uRP/EMDP will be submitted to ADB by March, 2022
5	Package CW-5	Tan Uyen District, Lai Chau Province	(i) Mobilization of independent consultants to determine the compensation prices and approval (ii) DMS is available and uRP, EMDP need to be prepared and submit to ADB	(i) PMU2 works closely with PPC to ensure the set up the compensation and assistance replacement cost for affected land and property; (ii) PMU requires SES consultant to implement the survey at filed and coordinate with the consultant in charge of uRP, uEMDP	The first draft of uRP/EMDP will be submitted to ADB at the end of April 2022
6	Package CW-6	Tam Duong & Tan Uyen Districts, Lai Chau Province	DED should be approved and soon provide the land mark for LFDC to implement DMS	PMU coordinates with DED consultant to soon completing this DD.	The first draft of uRP/EMDP will be submitted to ADB at the end of April 2022
7	Package CW-7	Tam Duong District, Lai Chau Province	DED should be approved and soon provide the land mark for LFDC to implement DMS	PMU coordinates with DED consultant to soon completing this DD.	The first draft of uRP/EMDP will be submitted to ADB by 15 May 2022

8	Package CW-8	Tam Duong District and Lai Chau City, Lai Chau Province	(i) Carry out disclosure of approved uRP, EMDP for LFDCs, local authorities and AHS; (ii) Complete CAP as mentioned in DDR and prepare site clearance reports for ADB's no objection to commence construction for remaining sections; (iii) Carry out a survey for assessment of need demand for LRP	(i) PMU, relevant Consultants supports LFDCs to provide PIB, hard copies of uRP, uEMDP for CPCs, AHS (ii) Consultants monitor CAP implementation and present the updated result in SMRs as well as support PMU to prepare the site clearance reports; (iii) Update the result of need demand survey for LRP in next SMR	Q1+2/2022
9	Package CW-9	Van Yen District, Yen Bai Province	(i) Carry out disclosure of approved uRP, EMDP for LFDCs, local authorities and AHS; (ii) Prepare DDR to ensure the compliance of ADB, SPS; (iii) prepare site clearance reports for ADB's no objection to commence construction and (iv) Carry out a survey for assessment of need demand for LRP	(i) PMU, relevant Consultants supports LFDCs to provide PIB, hard copies of uRP, uEMDP for CPCs, AHS (ii) Consultants monitor CAP implementation and present the updated result in SMRs as well as support PMU to prepare the site clearance reports; (iii) Update the result of need demand survey for LRP in next SMR	Q1+2/2022
10	Package CW-10	Van Yen and Van Chan Districts, Yen Bai Province	(i) Mobilization of independent consultants to determine the compensation prices and approval (ii) DMS is available and uRP, EMDP need to be prepared and submit to ADB	(i) PMU2 works closely with PPC to ensure the set up the compensation and assistance replacement cost for affected land and property; (ii) PMU coordinate with PMC to soon mobilize The Consultant who is charge of uRP, EMDP	The first draft of uRP/EMDP will be submitted to ADB by Q2, 2022
11	Package CW-11	Van Chan District, Yen Bai Province	(i) Mobilization of independent consultants to determine the compensation prices and approval (ii) DMS is available and uRP, EMDP need to be prepared and submit to ADB	(i) PMU2 works closely with PPC to ensure the set up the compensation and assistance replacement cost for affected land and property; (ii) PMU coordinate with PMC to soon mobilize The Consultant who is charge of uRP, EMDP	The first draft of uRP/EMDP will be submitted to ADB by Q2, 2022

VIE: Northern Mountain Provinces Transport Connectivity Project (NMPTCP)

Reporting Period: Jan 2022

Monitoring Form 2: Status of Compensation

No.	Package	Date of ADB Approval of uRP	Total Number of AP's	Compensation		
				This Quarter 4.2021		
				Number of AP's Compensated	Percentage of AP's Compensated	Number of AP's to be Compensated
1	Package CW-1					
2	Package CW-2					
3	Package CW-3					
4	Package CW-4					
5	Package CW-5					
6	Package CW-6					
7	Package CW-7					
8	Package CW-8	23-Dec-21	582	574	98%	8
9	Package CW-9	07-Jan-22	921	846	22%	662
10	Package CW-10					
11	Package CW-11					

VIE: Northern Mountain Provinces Transport Connectivity Project (NMPTCP)

Reporting Period: Jan 2022

Monitoring Form 3: Status of Relocation

No.	Package	Number of AP's Needing Relocation	Number of AP's Relocated	Number of AP's Not Relocated	Remarks
1	Package CW- 1				
2	Package CW-2				
3	Package CW-3				
4	Package CW- 4				
5	Package CW-5				
6	Package CW-6				
7	Package CW-7				
8	Package CW-8	37	4	33	36 relocation households, in which (i) at end of December, 2021 Lai Chau city allocated land for 4 AHs in 2B RS, each plot is 105 m2 and (ii) Tam Duong district has 32 relocation households. 02 RS with the total area of 2ha in Hon and Dong Pao villages were planned, each plot is 300 m2
9	Package CW-9	23	23		29 relocation HHs in Van Yen district opted self- resettlement and receive cash assistance for self resettlement ( about VND 200,000,000 for each household with 04 member)
10	Package CW- 10				
11	Package CW-11				



#### Annex 4. The picture of field of Jan, 2022



Package 08- Working with AHs in Dong Phong ward



Package 09- Working with LFDC of Van Yen



Package CW8- Interview poor AH of Lo Thi Ha, Na Bo village, Ban Giang commune



Package CW9- Working with Dai Son commune



Package CW8- Working with Chairman of Ban Hon CPC



Package CW8- Working with LFDC of Tam Duong dis