Ethnic Minority Development Policy Framework
(Final draft for public disclosure)
DEFINITION OF KEY TERMS

Project affected person (PAP) means the same as displaced person within the meaning of World Bank’s policy OP 4.12, and means any person experiencing effects from land acquisition or resettlement regardless of whether they are physically displaced or relocated or not.

Compensation means payment in cash or kind for an asset to be acquired or affected by a project at replacement cost.

Displaced persons means all the people affected by a project through land acquisition, relocation, or loss of incomes and includes any person, household, firms, or public or private institutions who as a result of a project would have their:
(i) Standard of living adversely affected;
(ii) Right, title or interest in all or any part of a house, land (including residential, commercial, agricultural, plantations, forest and grazing land) or any other moveable or fixed assets acquired or possessed, in full or in part, permanently or temporarily adversely affected; or (iii) Business, occupation, place of work, residence, habitat or access to forest or community resources adversely affected, with or without displacement.

Indigenous peoples mean the indigenous people to an area and include ethnic minorities as defined by OP 4.10. The Project should prepare resettlement plans for indigenous people and extreme cultural requirements of the ethnic minorities. The Bank policies state requirements for dealing with the project’s potential negative impacts on the indigenous people.

Land acquisition means the process whereby a person is compelled by a public agency to alienate all or part of the land s/he owns or possesses, to the ownership and possession of that agency, for public purposes, in return for fair compensation.

Non-titled means those who have no recognizable rights or claims to the land that they are occupying.

Vulnerable means any people who might suffer disproportionately or face the risk of being marginalized from the effects of resettlement i.e; (i) female –headed households with dependents; (ii) disabled household heads; (iii) poor households; (iv) landless elderly households with no means of support, (v) households without security of tenure; and (vi) ethnic minorities.
1.0 INTRODUCTION

1.1 The Project

The Third Rural Transport Project (RT3) includes rehabilitation and improvement of rural district, commune roads in 33 provinces in Vietnam, through the use of low-cost engineering techniques and spot improvements. The project will be planned, designed and implemented in a phased fashion.

The project is being implemented by the Ministry of Transport (MoT) through its Project Management Unit No. 6 (PMU6) which is working with counterparts in Provincial Departments of Transport (PDOTs), each of which had established a Provincial Project Management Unit (PPMU) for the project.

The approach used for the framework focuses on ethnic minority communities, however defined. There is potential for benefits from the project overall to accrue to a greater extent to ethnic minority groups where selection on road improvements targets villages and communes with high proportions of ethnic minorities or communes that are remote or isolated. In terms of protecting ethnic minorities’ unique culture, traditions and lifestyle, the project must identify ways and measures in which the benefits from the project can be enhanced and where investment can be made in tandem with other initiatives that cater specifically for the socio-economic development of ethnic minority groups. This is in keeping with the World Bank’s safeguard policy.

1.2 Institutional and Policy framework

The term of ethnic minorities refers to those groups that are different from the national majority group – Kinh living in Vietnam. However, in the context of the project it should be noted that in fact, the Kinh is an ethnic minority in many provinces and there are no Kinh resident at all in some areas.

GOVERNMENT POLICY ON ETHNIC MINORITY DEVELOPMENT

Vietnam has a very broad spectrum of ethnicities. There are officially 53 ethnic groups in Vietnam who constitute the category of ethnic minorities. Ethnic Kinh is a majority with about 85% percent of total population, dominate the political, economic, and social affairs of the Social Republic of Vietnam. Most of the ethnic groups population live in the uplands. Population of ethnic minority groups range from over a million to only a few hundreds. The only ethnic minority groups who live mainly in the down-lands is Hoa (origin from Chinese), Cham and Kh’mer.

The Government requirements show that ethnic minority groups consist of following characteristics:

An intimate understanding and long stay in the territory, land or area of their ancestors closed attachment to the natural resources;
Self-identification and recognized by neighboring members by their distinctive culture;

A language different from the national language

A long traditional social and institutional system; and

A self-provided production system.

The equality and right of every ethnic person living in Vietnam has been clearly stated at the highest level in the constitution of 1992. Its article 5 declares that:

“The Socialist Republic of Vietnam is the unified State of all ethnicities living in on the territory of Vietnam. The State carries out a policy of equality, solidarity and mutual cultural assistance among all nationalities, and forbids all acts of national discrimination and division. Every nationality has the right to use its own language and system of writing, to preserve its national cultural identity, and promote its fine customs, habits, traditions and culture. The State issues a policy of comprehensive development and assistance, and gradually improves the material and spiritual living conditions of the national ethnic minorities”.

The Government also has in place a number of programs aimed at the integration of ethnic minority groups into overall Vietnamese society and in particular their greater participation in mainstream economic life. Most of the Government’s programs for ethnicities’ minority development are the responsibility of Committee for Ethnic Minorities & Mountainous Area (CEMMA). The Government is seeking to address the inequities of both development and infrastructure provision in the remote and mountainous areas with its cornerstone initiative—Program 135—which provides assistance to communes experiencing special difficulties that have a high proportion of ethnic minorities.

THE WORLD BANK POLICY IN INDIGENOUS PEOPLE

In December 2004, the World Bank released its revision of Operational Directive for Indigenous People (OD 4.20) with its conversion to the new Operational Policies/Bank Procedures 4.10 format.

The Bank’s policy on indigenous people (OP4.10) is to ensure that the development process fosters full respect for their dignity, human rights, and culture uniqueness. More specially, the objective at the center of the directive is to ensure that indigenous peoples do not suffer adverse effects during the development process, and that they receive benefits.

The Bank’s policy is that the strategy of addressing the issue pertaining to indigenous peoples must be based on the free and informed participation of the indigenous people themselves which requires identifying local preferences through direct consultation.

Indigenous people are commonly among the poorest segments of a population. They engage in economic activities that range from shifting agriculture to wage labor or even small-scale market-oriented activities. The definition used by World Bank is very similar to that of the Government.
Any project proposed for the World Bank financing that have a significant effect on ethnic minorities are required to follow these steps:

A screening to identify whether ethnic minorities are present in or have collective attachment to the project area;

A social assessment to determine if ethnic minorities will be negatively affected or can not participate in project benefits by virtue of their ethnicity;

A process of free, prior and informed consultation with the affected people, ethnic minority communities in order to fully identify their views and to ascertain whether there is broad community support for the project;

Preparation of an action plan with necessary measures; and

Disclosure of the plan.

To ensure that ethnic minority groups are included in appropriate ways in the development process the directive requires the preparation of an indigenous peoples development plan (IPDP). All ethnic groups in Viet Nam are considered indigenous and have equal rights under the Constitution of The Socialist Republic of Vietnam, and therefore the IPDP process is referred to as the EMDP process.

1.3 Project Policy Framework

Project principles for Ethnic Minority Development

The basic ethnic minority development principles of the project are:

1. Adverse impacts on ethnic minority communities, as distinct and vulnerable groups, should be avoided or minimized by exploring all viable options;

2. If directly affected by a subproject, ethnic minorities (as all PAPs) are entitled to compensation for all lost and affected assets, incomes and businesses at replacement costs and provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, incomes and productive capacity;

3. Lack of legal rights to assets (including traditional hunting or fishing grounds and community resources) lost or adversely affected will not bar PAPs from entitlement to such compensation and rehabilitation measures;

4. In case where relocation or displacement of ethnic minority households is required, efforts shall be made so that the existing social and cultural institutions of the people being resettled, the host community and community they moved from should be maintained to the extent possible;

5. Preparation of EMDPs (as part of subproject preparation) and their implementation is to be carried out with participation and consultation of ethnic minority people;

6. Implementation schedule and budget for ethnic minority people development planning (including participatory mechanisms and surveys) and implementation must be incorporated into each subproject and the overall project; and
7. Compensation for ethnic minorities, female headed-households, families with the
disabled or elderly will be carried out with respect for their cultural values and
specific needs.

Project Policy

The project policy, in-keeping with the World Bank safeguard policy, requires that if the
screening or social assessment (SA) determines that ethnic minority groups in the subproject
area are present, the EMDP addressing the specific ethnic minority groups, their concerns and
needs, and the socio-economic issues that are significant, needs to be prepared.

For example, where subproject traverse areas with ethnic minority groups that have low levels
of literacy, education and skill compared with the Kinh in the subproject area, an assessment
must be undertaken to determine if and how this is likely to disadvantage them (due to disease
or degradation of culture and traditions), or to carry out necessary actions in encouraging their
involvement in the project so they could enjoy project benefits (i.e. from improved marketing
opportunities).

1.4 Institutional Framework

PROJECT MANAGEMENT UNIT 6

MoT through PMU6 at national level is responsible for the over-all planning, implementation,
management and coordination of the project including resettlement, land acquisition and ethnic
minority development activities. PMU6 has assigned a group of staff to oversee RT3
implementation, some of whom are responsible for land acquisition and resettlement planning.

PMU6 assisted by national resettlement specialists, will assist, support and supervise PPMUs in
the preparation, implementation and monitoring of all ethnic minority development plans. PMU6 will establish an internal monitoring and evaluation system through PPMUs and an
external one through an independent supervising organisation (preparation stage for RTP3
ethnic minority development plans undertaken by the consultant in coordination with PPMUs
as the above mention).

PROVINCIAL PROJECT MANAGEMENT UNITS

PPMUs are required to assign at least 2 staff who shall be responsible for the preparation and
implementation of social development activities (including resettlement and ethnic minority
development).

The specific measures identified during consultation will dictate the nature and structure of
organizations to be involved in the implementation of the EMDP. The EMDP should at least
identify the types of agencies that could undertake the measures recommended in the plan, and
hold initial consultations with those agencies to develop the measures at a level that can be
accepted. The EMDP will set out the institutional arrangements required to implement each
plan.
The main responsibility of PPMU ethnic minority specialists is to:

- Undertake the screening of all roads proposed in each AWP and submit to PMU6 the list of roads requiring further SA and EMDP work;
- Prepare the EMDP for each AWP;
- Implement and monitor the EMDP activities;
- Coordinate with the provincial and district authorities as required to ensure implementation of EMDP activities;
- Continue and maintain effective consultation with ethnic minority communities; and
- Submit regular progress reports quarterly to PMU6 on the EMDP and related activities.

OTHER AGENCIES

The EMDP components will be implemented by experienced institutions and organizations in partnership with the Vietnam Women Union and Farmers Association and other government agencies responsible for the EMDP in the subproject area. PPMU will coordinate with CEMMA, Fatherland Front, local organizations and bilateral agencies working on poverty reduction program in the area. This will allow possible integration of project activities with existing projects being implemented by various agencies.

1.5 Process for Ethnic Minority Development Preparation

SCREENING

All communes which are candidates for road improvements will be visited by a team of staff from the PPMU and the DDoT. Prior to the visit, PPMU will send a letter to the commune (with a copy to the DDoT) informing the commune leaders about the visit by the PPMU which would like to discuss their roads.

The letter shows that the commune needs to invite representatives of farmers and women association, village leaders and key staff from important units e.g.; the clinic, school, shops, market in the commune to the meeting. If these are ethnic minorities in the commune, their leaders should be invited to the meeting as well. During the visit the commune leaders and other participants will present their views with regard to their access problem in general, and the roads in particular.

At the visit, PPMU will undertake a screening for ethnic minority population with the help of ethnic minority leaders. The screening form (form 9.1) will check for the following:

- Names of ethnic groups in the commune by village (and their location in respect of the subproject);
- Total number of ethnic minority groups in the commune
- Proportion of ethnic minority groups (as a % of commune population);
- Number and proportion of ethnic minority households in the subproject area; and
• Inventory of issues and needs of ethnic minority groups.
  - If the screening results show that project has impacts on life of ethnic minority groups in the subproject areas, social impact assessment are required in the areas

SOCIAL ASSESSMENT

PPMUs and the representatives of Father Land Front and Women Union, if required, will visit the communes and villages potentially affected by subprojects in the representative provinces. Prior to the visit, PPMU will send a letter to the commune chairman and ethnic minority leaders advising them that the visit is forthcoming and the basic issues need to be identified and discussed. The letter will request that the commune need to invite representatives of villages and mass organization (farmers, youth and women association), village leaders, ethnic minority leaders and key staff from important units in the village (i.e., health clinic, school, shops, market) to the meeting. During the visit, the commune leaders and other participants will present their views with regard to the problems facing the general socio-economic development of the commune (e.g., water resources development and irrigation management), the specific issues and problems facing the different ethnic minority groups that are present in the commune, and their development needs and priorities.

An assessment needs to address the project-specific issues. The assessment will gather relevant information on demographic data, socio-economic and cultural situation, and the potential socio-economic and cultural impacts - positive and negative of subprojects. Refer to from 9.2. Discussion will focus on the potential impacts - positive and negative, and recommendations for project design or existing complementary activities that the project could support and facilitate.

• The social assessment (SA) will be undertaken by PPMU and the ethnic minority leaders, with assistance from other mass organization as required. The SA will gather relevant information on the following: demographic data, socio-economic and cultural situation and socio-economic and cultural impacts - positive and negative and the community’s ideas for mitigating the project negative impacts. The extent, scope and form of the SA will be dependent on the nature and scope of the subproject impacts on the ethnic minority groups;

• Information will be gathered from separated groups meetings: ethnic minority leaders; ethnic minority men and ethnic minority women, especially those who live along the zone of influence of the road to be improved. Discussion will focus on the proposed road improvements, positive and negative impacts and recommendations for project design. The PPMU will be responsible for analyzing the data and preparing the SA and for leading the development of an EMDP with the ethnic minority leaders and other project staff;

• If the SA indicates that (i) the potential impact of the proposed subproject will be significantly adverse on the ethnic minority groups or (ii) the ethnic minority community reject the project, the road will not be selected for improvement; no further action is needed in this case; and
• If the ethnic minority community supports the rehabilitation of the proposed road, a development plan will be prepared for implementation during the sub-project.
• The SA and EMDP will be submitted to the Bank before the rehabilitation of the subproject

2.0 ETHNIC MINORITY DEVELOPMENT PLAN (EMDP)

The development plan will consist of a number of activities and will include mitigation measures of potentially negative impacts, modification of subproject design and development assistance (to enhance the project benefits for ethnic minority communities or to assist them overcoming barriers or constraints to their enjoyment of benefits). The mitigation and development assistance measures need to be financed and a detailed budget included in the EMDP. Where there is land acquisition in ethnic minority communities, the project will ensure that their rights will not be violated and that they are compensated for the taking or use of any part of their land in the manner set out in the Policy Framework (included as Annex 8.2, Chapter 1 of the Operation Manual). Refer Form 9.3.

If the PPMU have concerns that its staff are either too busy with resettlement activities, or are not equipped to undertake the additional consultation and prepare the screening, social assessment and EMDP, the PPMU may request PMU6 to engage an NGO as an alternative arrangement to facilitate the EMDP process and prepare the required plan on its behalf. Interested NGOs will be requested to submit a proposal for undertaking the work of PMU6 and WB.

A contract between PMU6 and the successful NGO will be entered into; the contract will cover a specified road and time period and require EMDP, undertaken as per the process set out in this Annex to be prepared and submitted for approval. A tentative cost has been included in the overall budget for the project for inclusion of NGOs on this basis.

The development plan will consist of a number of items and activities including mitigation measures for all potentially negative impacts identified in the assessment, any requirements for modification of subproject design, measures to assist ethnic minorities to benefit from the subproject and an outline of the supporting or development assistance.

Where land clearance and acquisition is required that will affect minority communities, the project will ensure that their rights will not be violated and that they are appropriately and adequately compensated (as per the requirements of the Resettlement Framework) for the clearance, taking or use of any part of their land, provided that the clearance, taking or use is undertaken in a manner that is culturally acceptable to them. The compensation will follow the process established in the Resettlement Framework.

2.1 Need of EMDP

In order to protect interests of ethnic minorities, it is essential to prepare an Ethnic Minority Development Plan to mitigate negative impacts of this project and to develop positive impacts
for ethnic people to participate in the project. They are vulnerable due to poverty, uncommon language and lack of education, and in some cases, limited ways in communication with the Kinh people.

2.2. Policy

The World Bank’s policy on its Indigenous Peoples OP 4.10 requires that all WB funded projects have to take following issues into consideration:

- Ways to avoid negative impacts which are easy to occur to the Indigenous Peoples (OP 4.10);
- In the unavoidable cases, a need to take ways to mitigate, reduce and compensate losses due to these negative impacts. In all WB funded projects, the socio-economic benefits of the ethnic minorities will be ensured in line with their cultures.

The EMDP will outline the characteristics of ethnic minority households and communities in the subproject area, identify the risks or constraints that need to be addressed, and provide the details (including costs, implementation arrangements and monitoring requirements) of the proposed measures. The EMDP will:

- Identify how the project will affect the ethnic minority people;
- Identify how they are disadvantaged or vulnerable because of their social or cultural identity; and
- Develop a plan for addressing the significant adverse impacts and their vulnerability (the interventions should be described in a way that will show how they meet the requirements of the World Bank policy).

An EMDP should include (as per the World Bank OP 4.10, Annex B – Indigenous Peoples Plan) the following:

1. Executive summary;
2. Introduction project, scope of project;
3. Legal and policy framework;
4. Description of socio-economic characteristics of ethnic minority groups (based on a social assessment) (Form 9.2);
5. An action plan of measures to (i) mitigate adverse effects on ethnic minority groups; and/or (ii) to ensure that ethnic groups communities receive social and economic benefits that are culturally appropriate (Form 9.3);
6. A summary of the consultation activities undertaken with ethnic minority groups (A summary the screening, social assessment and a summary of the free, prior informed consultation with the affected ethnic minority groups/communities);
7. Institutional responsibility for implementation of the plan and specific measures identified (organizational responsibilities and structure);
8. Cost estimates and financial plan; and
9. Monitoring and evaluation of implementation of the plan and its outcomes.
The EMDP need to be a time-bound action plan that includes all of the financial and institutional arrangements required to implement the measures being recommended.

2.3. Public Disclosure

Once the Government and the WB approves the draft documents, they will be disclosed publicly:

(i) The approved Policy Framework to be made available in accessible places and in a form, manner and language understandable to all ethnic minority groups and stakeholders;

(ii) Placement of copies of the EMDP in Vietnamese, and any other ethnic minority language as required, in provincial, district and commune offices; and

(iii) Disclosure of the approved and endorsed EMDPs in places that are publicly available, including in the Viet Nam Development Information Center in Ha Noi.

2.4. Subproject Appraisal

Based on the screening (Form 9.1), PPMU will submit the completed summary list of roads for which further SA and EMDP will be required. A type of action or plans should be prepared for each road and submitted to PMU6 as part of the subproject preparation, together with any other subproject studies and safeguard requirements. PMU6 will forward the EMDPs for each AWP to WB for review.

2.5. Implementation Schedule

The overall project will be implemented over five year period and is scheduled to commence upon loan approval. The EMDP should have an implementation schedule that is coordinated with the sub-project implementation. Logically, social impact assessment and group meetings should be undertaken before subproject designs are prepared. Compensation for land acquisition should be satisfactorily completed at least one month prior to start of civil works. Monitoring should take place at the recommended times during and after civil works.

The process for EMDP preparation will commence after screening and SA of roads in each AWP.

The plan implementation schedule, shown table 2.3, some of these steps will overlap in their timing and some will be repeated throughout the project cycle for each AWP.
### Table 2.3 – Implementation schedule

<table>
<thead>
<tr>
<th>ACTIVITIES</th>
<th>SCHEDULE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resettlement activities (including external monitoring and approval of plan implementation)</td>
<td>Months 1-9</td>
</tr>
<tr>
<td>Award of civil works contracts</td>
<td>Month 10</td>
</tr>
<tr>
<td>EMDP screening and assessment (PPMU or NGO)</td>
<td>Months 3-4</td>
</tr>
<tr>
<td>Consultation and participation for EMDP component (PPMU or NGO)</td>
<td>Month 3</td>
</tr>
<tr>
<td>Preparation of EMDP</td>
<td>Month 4-5</td>
</tr>
<tr>
<td>Submission of EMDP</td>
<td>Month 6</td>
</tr>
<tr>
<td>PMU6 &amp; WB review and approval of EMDP</td>
<td>Month 7</td>
</tr>
<tr>
<td>Communes forward plans (proposal approved in EMDP) to DPC &amp; PPC</td>
<td>Months 8</td>
</tr>
<tr>
<td>DPC &amp; PPC agreement of commune proposals (components of EMDP)</td>
<td>Months 9 – 10</td>
</tr>
<tr>
<td>Disbursement of funds from MOT/PMU6 to PPMU</td>
<td>Month 11</td>
</tr>
<tr>
<td>Contracts between PPMU &amp; Participating communes</td>
<td>Month 12</td>
</tr>
<tr>
<td>Disbursement of funds to participating communes</td>
<td>Month 13</td>
</tr>
<tr>
<td>Implementation of components (training, labor based road construction, agriculture extension &amp; credit programs etc.)</td>
<td>Months 14 – 36</td>
</tr>
<tr>
<td>Monitoring &amp; evaluation</td>
<td>Months 7,11,15.</td>
</tr>
</tbody>
</table>

### 3 MONITORING

The objectives of the monitoring are (i) to ensure that the adverse impacts are identified in the EMDP; (ii) to monitor whether the time lines are being met; (iii) to assess if the mitigation and enhancement measures are sufficient; (iv) to identify problems or potential problems; and (v) to identify methods of responding immediately to mitigate problems.

Preparation and implementation of the EMDPs will be regularly supervised and monitored by the respective PPMUs. The findings will be recorded in quarterly reports to be furnished to PMU6. PMU6 will summarize the reports and submit them to the WB every six months.

Internal monitoring and supervision will:

- Verify that the baseline information of all ethnic minority communities has been carried out; that SA has been carried out in accordance with the provisions of this Policy Framework;
- Oversee that the EMDPs are implemented as designed and approved;
- Verify that funds for implementing EMDPs are provided to the PPMUs in a timely manner and in amounts sufficient for their purposes and that such funds are used by the PPMUs in accordance with the provisions of the EMDP; and
• Record all claims and their solutions and ensure that complaints are dealt with in a timely manner.

An independent monitoring organization (IMO) is to be retained by PMU6 to carry out external monitoring and evaluation of the implementation of the resettlement plans, this agency could be engaged to monitor the EMDPs. The independent agency will be an academic or research institution, NGO or independent consulting firms, all with qualified and experienced staff and terms of reference acceptable to WB. The external monitoring agency will visit a sample of 20% of ethnic minority households covered under each EMDP to:

• Determine whether the procedures for community participation and implementation of the activities in the EMDP has been done in accordance with this Policy Framework and the respective EMDP;

• Assess if the Policy Framework objectives have been met;

• Gather qualitative of the social and economic impact of the project implementation on the ethnic minority communities; and

• Suggest modification in the implementation procedures of the EMDPs, as the case may achieve the principles and objectives of this Policy Framework.

The external monitoring reports will be submitted directly to WB and PMU6.

4. COSTS AND BUDGET

4.1. Budget and EMPD activities

The sources or funding for the various activities will need to be determined during loan negotiation between WB, DFID and the Government (MOT/PMU6). Depending on the structure of the loan, funding for some EMDP activities could be made available as a specified budget item from loan funds. Otherwise the financing of EMDP activities is expected to come from the Government counterpart funds. Following the loan agreement, each EMDP will be required to clearly specify and identify the sources of funding for each of the actions in the plan, along with any funding from alternative sources if required for any aspects of the activities.

Cost estimates provided in the plans must be as detailed as possible and linked with specific activities (costs for each specific intervention, administration costs). A 20% contingency should be included. The EMDP will include detailed costs of compensation and other rehabilitation entitlements (including restoration and enhancement measures and development assistance) for affected ethnic minority households over and above those measures included in the resettlement plan. The EMDP will focus on the costs involved in mitigating adverse cultural effects or removing any constraints to ethnic minority groups enjoying project benefits that have been identified through consultation.

EMDPs were not required for any of the subprojects advanced as for the pilot projects. There has been no indication of what types of activities could be advanced under the project. Therefore, the following has been based on the types of activities and actions included in EMDP components under other projects:
Table 4.1 – Budget for Possible EMDP activities

<table>
<thead>
<tr>
<th>Item</th>
<th>Budget (US$ million)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mitigation activities</td>
<td>0.50</td>
</tr>
<tr>
<td>Support to agriculture extension (including micro-credit)</td>
<td>1.00</td>
</tr>
<tr>
<td>Support to participation and commune capacity building¹</td>
<td>0.50</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2.00</strong></td>
</tr>
</tbody>
</table>

4.2. Budget for involvement of NGOs

As noted above, PPMUs may not have adequate staff or capacity to prepare EMDPs and may request, through PMU6 that an NGO with requisite experience to prepare the EMDP. A lump sum of $250,000 should be provided for engagement of NGOs if required. Consultation and EMDP preparation per plan and evaluation and monitoring (E&M) of proposed roads need to be based on the subproject schedule.

5 INSTITUTIONAL ARRANGEMENTS

a. Implementation arrangements

PMU 6 will use an independent agency to evaluate and monitor the project implementation and performance of the project related provinces.

After conducting the preliminary survey, PPMUs will submit to PMU6 the lists of road candidates which specify the areas where the ethnic minorities live and review the influence of the project on the ethnic minorities. After approval from PMU6, the annual plan will be sent to the World Bank for review and comment. Based on that, PPMUs or NGO (on behalf of PPMU or as agreed by PMU6) will prepare the report on social assessment and plan for each road which have impacts on ethnic minority households.

b. Implementation Plan

All reports including statistic forms, consultation reports, evaluation reports and SAs should be gathered in to the ethnic minority development plans which should be submitted to PMU6 and WB for review and approval at least one month prior to start of the resettlement activities.

Monitoring and supervision of plan performances:

In order to develop an EMDP, consultations with ethnic minority groups and other organizations involved in the project, must be conducted.

¹ To be integrated with the capacity building and participation TA to be implemented as part of the community participation component of the project.
NOTE: The consultations must be meaningful, provide extensive project information, PAPs’ entitlements, and record communities’ concerns, suggestions and opinions. The consultations must include wider ethnic community (NOT ONLY THOSE LIVING ON THE RIGHT-OF-WAY). The consultation process must not be substituted with loud speaker information about the project or distribution of the PIB to the persons affected by resettlement.

Ethnic minority groups and involved agencies including commune leaders and other organizations (such as local staff, NGOs, youth and woman unions, project staff, donors, executive agency and employer) who are responsible for plan building and implementation, should be informed in advance about:

- The consultancy policy framework of “free, prior and informed consultation” and
- The appropriate approach applicable to the project and guidelines to identify disadvantages for ethnic minority groups in the project areas and appropriate solutions to address disadvantages.

PPMUs will coordinate with the respective district agencies to monitor the preparation and implementation of EMDP. The new findings will be recorded in the quarterly report and submitted to PMU6. PMU6 will summarize those reports to send to the WB every year.

PMU6 will retain an independent monitoring organization (IMO) to monitor and evaluate resettlement activities. IMO could be assigned to monitor whether the implementation of EMDP is in line with the project policy.

The WB will carry out the final assessment of EMDP results based on reports made by IMO.