

BINH DUONG PROVINCIAL PEOPLE'S COMMITTEE
Binh Duong Province Wastewater Project Management Unit



Binh Duong Water Environment Improvement Project

UPDATED RESETTLEMENT PLAN (URP)



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RESETTLEMENT PLAN (RP)

Binh Duong, Aug 2023

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3. CURRENCY EQUIVALENT

(Exchange Rate Effective August 25, 2020)

Unit	–	Dong (VND)
US\$ 1	=	VND 23,270

4. ABBREVIATIONS

PAP(s)	Project Affected Persons
CLFDC	City Land Fund Development Center
DARD	Department of Agriculture and Rural Development
DDR	Due Diligence Review
DMS	Detailed Measurement Survey
DOLISA	Department of Labor, Invalids and Social Affairs
DP(s)	Displaced Persons
ESF	Environmental and Social Framework
FS	Feasibility Study
GoV	Government of Vietnam
HHs	Households
IDA	International Development Association
IMC	Independent Monitoring Consultant
IOL	Inventory of Loss
LURC	Land Use Rights Certificate
MOLISA	Ministry of Labor, Invalids and Social Affairs
NGO	Non- Government Organization
ODA	Official Development Assistance
PDO	Project Development Objective
PMU	Project Management Unit
PPC	Provincial People Committee
RP	Resettlement Plan
RCS	Replacement Cost Survey
RoW	Right Of Way
SES	Socio-Economic Survey
TOR	Terms of Reference
WB	World Bank
WPC	Ward Peoples' Committee
US\$	US Dollar
VND	Vietnamese Dong

5. GLOSSARY

- Affected persons (APs) : Individuals, households, organizations are those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihood) as a result of (i) involuntary expropriation of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. In the case of affected households, it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by the project or any of its components.
- Cut-off-date : the date of the Land acquisition announcement issued by the local government to people affected by component/subproject (Article 67.1 of Land Law 2013) before implementation of detailed measurement survey. Affected persons and local communities will be informed of the cut-off date for each project's component, and that anyone moving into and/or asset created in the project areas after that date will not be entitled to compensation and assistance under the Project. The notification of land acquisition for each component will be determined in detail, depending on resettlement implementation plan.
- Census: Census of all affected people will include key socioeconomic information of the project affected persons (PAPs), such as main occupations, sources of income, and levels of income in order to be able to determine vulnerable households as well as to establish baseline data for monitoring livelihood restoration of the PAPs.
- Inventory of Losses (IOL) : a 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 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 displaced households will be determined.
- Severely Affected Households : households (including vulnerable households) who will (i) lose their productive land and/or their income sources that significantly affect their livelihood, income and lives, or (ii) have

to relocate.

- Eligibility** : any person who has used land affected by the project is listed before a cut-off date that (a) have formal legal rights to land or assets;(b) do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or (c) have no recognizable legal right or claim to the land or assets they occupy or use.
- Replacement cost** : a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.
- Involuntary resettlement** : Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, including those that lead to loss of income sources or other means of livelihood), or both. The term “involuntary resettlement” refers to these impacts. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in displacement.
- Entitlements** : The rights to receive compensation and assistance to affected

people depending on affected types and the extent of damage.

- Disadvantaged or vulnerable : Refers to those who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits. Such an individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so. This will take into account considerations relating to age, including the elderly and minors, and including in circumstances where they may be separated from their family, the community or other individuals upon which they depend. Vulnerable people may include: (i) single female headed households with dependents and economic disadvantage; (ii) people with physical or mental disability (loss of working ability); (iii) the poor under MOLISA standard; (iv) the elderly alone; (v) ethnic minority people; and (vi) social policy families (as defined by each province). List of the disadvantaged or vulnerable will be determined throughout SES and public consultation during project preparation.
- Income (livelihood) restoration : A set of activities to be provided to the affected people who lost income sources or means of livelihoods and with their efforts to restore their income and living standard, as equal or better than pre-project level.
- Stakeholder : Refers to individuals or groups who (i) are affected or likely to be affected by the project (project-affected parties); and (ii) may have an interest in the project (other interested parties).

EXECUTIVE SUMMARY

Project Overview

The Government of Vietnam proposed to borrow Loan from the World Bank for the Binh Duong Water Environment Improvement Project which is implemented in Thuan An city, Di an city and Tan Uyen town, Binh Duong province. Project Development Objectives (PDO) are to improve municipal wastewater services and manage rainwater inundation risks in selected areas of the South Binh Duong region. This will be achieved through: (i) increasing wastewater treatment capacity and household connection; (ii) improving urban drainage capacity and integrated urban flood management; and (iii) promoting technical and financial innovations in wastewater and drainage infrastructure and services.

The project will be implemented from 2023 to 2028 with total fund of VND 7,118,399,257,000 (equivalent to US\$ 310m), for 02 components: 1) Expanding municipal services for wastewater and drainage management; and 2) Implementation support, capacity and institutional development.

Objectives of the RP

The main objective of this RP is to establish a set of criteria for compensation, support and resettlement for affected households based on the principles of full replacement cost. The PAPs will be provided with various types of assistance for life stabilization.

Land Acquisition Impacts

The project will acquire land of 94 households with 339 people and 2 organizations (Uyen Hung and Vinh Phu WPCs). Of 94 affected households, 25 households are severely affected due to loss of their agricultural land and significant impact on their livelihood and income. The remaining households are marginally affected and no household has to relocate.

Binh Duong WEIP will acquire about 128,270m² including 120,715m² of agricultural land; 605m² of residential land; and 6,950m² of public land managed by Uyen Hung and Vinh Phu WPCs.

Mitigation Measures

The Province Management Unit – Binh Duong Water Environment JSC (PMU) has worked closely with the project preparation consultant and resettlement specialists to find measures to avoid, minimize the magnitude of land acquisition and to ensure that the scope of resettlement impact is mitigated in all work items. Mitigation measures shall be continuously determined through the feasibility study and design options.

Policy and Entitlements Framework

Land acquisition, compensation, support and resettlement for the project will be implemented in compliance with the World Bank's Environmental and Social Standard 5 - Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS5), and Vietnamese laws and regulations on compensation, support and resettlement when the State recovers land for public purpose. The basic principles applied for preparation of this Resettlement Plan are that all eligible PAPs of the project will be compensated at the market value as established through an independent valuator, plus transaction costs, and assisted with restoration measures to help them improve or at least maintain the living standards before the project.

Livelihood restoration program

Livelihood restoration program is vital to help severely affected households, vulnerable households improve or at least restore their income and living standard as equal to or better than pre-project level. Apart from financial support, vocational training is also provided to PAPs.

Implementation Arrangement

The compensation, support and resettlement of the project will be subject to the management and supervision of the PMU and implemented by the Land Fund Development Centers (LFDCs). In the implementation process, implementation organizations should have close coordination with functional agencies, wards and communities in the project area to ensure the compensation, support and resettlement is done publicly, transparently and on schedule and complies with the approved RP.

Consultation and Participation

The RP is prepared with the close coordination of local authorities, representatives of the local community and affected people. Local authorities at wards, communes and representatives of the affected households were involved in the consultations through various forms and channels, including meetings and public consultations, questionnaire-based surveys for almost all households in the project area. Information collected during the consultation will serve as a basis for preparing resettlement policy of the project, including compensation plan and income restoration program. A consultation mechanism was also established in the RP and the stakeholder engagement plan (SEP) for implementation throughout the project cycle.

Monitoring and Evaluation

RP will be implemented under the regular supervision of the PMU. At the same time, the PMU also recruited an independent monitoring agency (IMC) to periodically monitor the implementation of RP. Upon completing the project, the independent monitoring agency will also evaluate to determine whether the objectives of the resettlement policy have been achieved. In case it is found that these objectives have not been achieved, the PMU will propose the follow-up measures to achieve the objectives.

Grievances and Redress Mechanism

In order to ensure that all PAPs' grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, a well-defined grievance redress mechanism was established in the RP. All PAPs can send any questions, complaints in verbal or written regarding their rights and entitlements of compensation, compensation policy, rates, income restoration, etc. Grievances will be redressed through 3 steps before being elevated to the Court. The PMU will assign a person in charge of monitoring and supervising PAPs' complaints/grievances until being redressed.

Cost estimate

Cost estimate for implementation of RP for the project is about VND 553,523,000,000, (equivalent to US\$ 23,787,000). This budget includes costs of compensation for land, structures, assets affected by the project, assistance and income restoration program, monitoring and evaluation, replacement cost survey, implementation management and contingency. Budget for implementation of site clearance will be allocated from the counterpart fund of Binh Duong province.

1. PROJECT DESCRIPTION

1.1. Project Overview

1. The Government of Vietnam proposed to borrow from the World Bank for the *Binh Duong Water Environment Improvement Project* (hereafter called the Binh Duong WEIP) which is implemented in Thuan An city, Di an city and Tan Uyen town, Binh Duong province. Project Development Objectives (PDO) are to improve municipal wastewater services and manage rainwater inundation risks in selected areas of the South Binh Duong region. This will be achieved through: (i) increasing wastewater treatment capacity and household connection; (ii) improving urban drainage capacity and integrated urban flood management; and (iii) promoting technical and financial innovations in wastewater and drainage infrastructure and services.

2. The project will be implemented during years 2023-2028 with total fund of VND 7,118,399,257,000 (equivalent to US\$ 310million) for 02 components: 1) Wastewater infrastructure development; and 2) Institutional strengthening and implementation support.

1.2. Project components

3. The proposed project is structured in two main Components. A summary of activities to be implemented under each Component is provided below:

Table 1: Summary of the project's scale

No.	Component/work items	Investment scale
I	Component 1: Wastewater infrastructure development	
1.1	Sewage collection and network expansions, including sewage pumping stations for Tan Uyen town, Thuan An, and Di An cities (herein referred to as “Item 1.1”)	These investments will increase the coverage to more than 47,000 households. Total primary and secondary wastewater collection and transmission network is 171,601 m in three areas
1.2.	Constructing a new WWTP for Tan Uyen city; Upgrading the 02 existing WWTPs for Thuan An and Di An cities (herein referred to as “Item 1.2”)	Constructing a new WWTP with 1st stage capacity of 20,000 m ³ / day for Tan Uyen city; Upgrading the 02 existing WWTPs for Thuan An city and Di An city with additional treatment capacity of 20,000 m ³ /day and 20,000 m ³ /day respectively
1.3	Improving the drainage capacity in downstream of Suoi Tre canal downstream of Tan Uyen WWTP (herein referred to as “Item 1.3”)	Improving the drainage capacity downstream of Suoi Tre canal with a length of about 1,300m.
II	Component 2: Institutional strengthening and implementation support	

No.	Component/work items	Investment scale
2.1.	Sub-component 2A: Developing Orientation on wastewater management for Binh Duong province	
2.2.	Sub-component 2B: Support implementation, capacity building	
2.3	Sub-component 2C: Site clearance, land acquisition and compensation	

2. SCOPE OF LAND ACQUISITION AND RESETTLEMENT (LAR)

2.1 Minimize land acquisition

4. Among two components of the project, only component 1 requires land acquisition for construction of civil works. In the preparation state of the project, the Resettlement consultants, the technical consultants and the Binh Duong PMU are together closely in making technical measures, comparing and selecting bases on a principle which minimize the impacts of land acquisition of local residentials in the project area.

5. According to the proposed design in the state of Feasibility Study (FS), the project will be implemented in Tan Uyen, Thuan An and Di An cities, in which there are 9 communes/wards of Tan Uyen city (includes Khanh Binh, Tan Hiep, Tan Phuoc Khanh Hoi, Hoi Nghia, Uyen Hung, Tan Binh Hiep, Thach Phuoc, Phu Chanh, Vinh Tan) and 3 communes of Thuan An city (as Vinh Phu, Binh Nham, Hung Dinh), and 5 communes of Di An city (includes Tan Binh, Binh AN, Binh Thang, Dong Hoa, An Binh). The locations of project siting in the Binh Duong urban areas could be presented in the below figure:

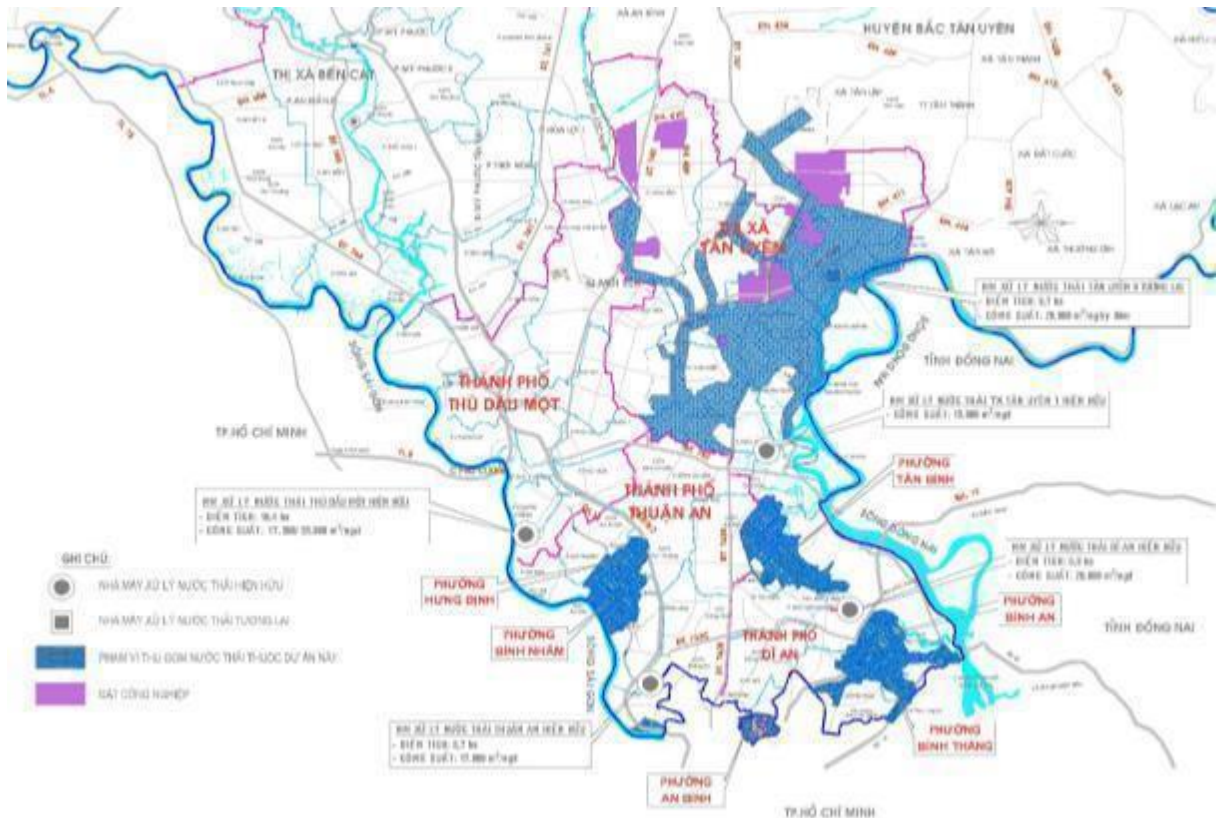


Figure 1: Scope of the project

6. During project preparation, many efforts have been done to minimize resettlement impacts. Various options of alignment and scale of each item have been discussed and

considered. There are some principles that have been thoroughly discussed between resettlement team and technical team:

- Priority has been given to the one having less or minor resettlement impacts, such as going through unused/uncultivated land, agricultural land, public land where population density is low, or along the existing roads.
- At the point across residential areas, technical solutions have been discussed and studied to minimize impacts during construction, including safety construction measures, installation of safety signs where appropriate, and a suitable construction schedule.

7. The resettlement team has consulted with households living along the road, calling for their support during the project implementation. In addition, temporary impact and community disturbance would be minimized thanks to the close collaboration between contractors and local people through the advanced disclosure of construction plans and its associated site and time specific mitigation measures.

2.2 Affected Land

8. According to inventory of loss (IOL), Binh Duong WEIP will acquire about 128,270m² of lands, of which 120,715m² of agricultural land and 605m² of residential land are private land; and 6,950m² of public land (such as transportation, irrigation and none-used) managed by Uyen Hung and Vinh Phu WPCs.

9. Estimated total temporary land use area to construct work items of the Binh Duong WEIP is about 700,070m². The temporary use of land is mainly in the construction phase of sewage collection and network expansions, including sewage pumping stations for Tan Uyen city, Thuan An, and Di An cities. The area that is temporarily affected would mainly be public or unused land such as roads, irrigation land, etc. and would primarily be used for access roads and material gathering. The temporary use of land will be restored to the pre-project conditions before returning the owners.

10. The table below summarizes land acquisition by the Binh Duong WEIP.

Table 2: Summary of land acquisition by the Binh Duong WEIP

No.	Investment Item	Land acquisition (m2)				Temporary impacts (m2)
		Total	Residential land	Agricultural land	Public Land	
1.1	Sewage collection system and sewage pumping stations	4,270	250	3,660	360	699,570
1.2	Tan Uyen WWTP	97,000	55	91,855	5,090	0
	Thuan An WWTP	0	0	0	0	0
	Di An WWTP	0	0	0	0	0
1.3	Dredging Rach Tre canal	27,000	300	25,200	1,500	500
Total		128,270	605	120,715	6,950	700,070

2.3 Affected households

11. According to the IOL, the project will affect 94 households with 339 persons, of which 69 households are losing their agricultural land area which will marginally impact their livelihood and income. The number of severely affected households who will experience acquisition of productive land and significant impact on their livelihood and income is 25 households. During detailed measurement survey (DMS), degree of impact on livelihood and income of PAPs will be reassessed to identify the significant level of impact on livelihood and income of PAPs. No household has to relocate, and no household belongs to an ethnic minority. There are 07 vulnerable households affected by the project, of which 02 households are headed by a single woman with dependents and 01 is certified as poor household and 04 households are classified war invalids and families of martyrs by MOLISA.

12. Among 25 significantly affected households:

- 3 households are vulnerable.
- 3 households will experience land loss of 30% to 70% of their productive landholdings.
- 19 households will lose more than 70% of their total productive landholdings.

13. Besides, the construction of the sewer pipeline will be conducted on the existing road, and almost all roads have high traffic volume, crowded residential areas and business shops on both sides. Thus, excavated road surface, and construction equipment may temporarily affect the business households (about 87 households). They mainly sell domestic necessities and foods such as biscuits, candy, fruits, vegetables... and small coffee stores, clothes or IT shops. However, the impact is considered to be low because: (i) construction method of sewer pipes will be implemented by section and completed in a short time, only 3-7days for each block road section; ii) the effects are localized (according to scope of households); (iii) when the work is put into operation, their economic conditions will be promoted due to infrastructure improvement. The Contractors will be required to comply with the specific requirements described below.

- Coordinate and consult with households who are living along all project streets during preparing construction methods and schedules to minimize as much as possible the disturbances to these households.
- Inform the community about construction time and schedule through informal public consultation or any local people meetings and notice board;
- Provide safe and easy access to the households by putting clean and strong thick wood panels or steel plates over the open ditches to all disturbed households.
- Reinstate access to affected households upon completion of the works items and road surface at the sections need to be excavated by construction activities.

14. The temporary impacts on businesses will be included and definitely mitigated through the Project's ESIA. The IEMC, CSC and PMU shall monitor the Contractor's compliance. Results of consultation with them show that they fully support the project and commit close cooperation with contractors to give good conditions for construction.

2.4 Impacts on Assets Attached to Land

15. *Impacts on Houses and Structural Works:* IOL result shows that there are 7 households partially affected structures including temporary huts (used for animals' shelters or equipment storage), steel net fences, brick fences, drilled wells, plastic irrigation systems which are set up on agricultural land for agricultural production. No household has to demolish houses.

Table 3: Impacts on Houses and Structural Works

	Types	Unit	Quantity			
			Item 1.1	Item 1.2	Item 1.3	Total
	Hut	m ²	0	49	0	49
	Steel net fences	m ²	0	89	0	894
	Brick fences	m ²	0	40	0	40
	Concrete electric pole	pole	0	1	0	1
	Drilled wells	well	0	4	0	4
	Plastic irrigation systems	m	0	14	0	1455
	Pond	m ³	0	30	0	300

(Source: IOL survey, Oct&Nov 2020)

16. *Impacts on Trees and Crops:* There are 11,064 affected trees, including: 2,610 fruit trees (Grapefruit, Orange, Tangerine, Lemon, Durian, Coconut, Banana, etc.); 8,374 timber trees (Acacia auriculiformis, Padouk, Bamboo, etc.); 80 Ornamental trees (Apricot/Fortune) and about 77,592m² crops affected by the project. The table below summarizes trees and crops affected by the project:

Table 4: Impacts on Trees and Crops

No.	Types	Unit	Quantity			
			Item 1.1	Item 1.2	Item 1.3	Total
I	Fruit tree					2,610
1.1	Grapefruit	tree	0	1,340	50	1,390
1.2	Orange, tangerine, lemon	tree	0	550	0	550
1.3	Durian	tree	0	2	0	2
1.4	Others	Tree	0	668	0	668
II	Timber tree					8,374
2.1	Acacia auriculiformis	tree	0	7,771	500	8,271
2.2	Padouk	tree	0	1	0	1
2.3	Others	tree	0	102	0	102
III	Ornamental					80
3.1	Apricot/ fortune	tree	0	80	0	80
IV	Crops					77,592
4.1	Paddy	m ²	4,020	9,020	22,500	35,440

4.2	Others	m ²	0	37,852	4,300	42,152
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(Source: IOL survey, Oct&Nov 2020)

17. In case where the project requires a temporary land use for construction, the contractor will arrange a renting with the land owners in accordance with civil law. Besides, compensation for structures and trees affected by the construction activities shall be paid in accordance with the project's policies.

2.4 Affected public assets and cultural heritages

18. No cultural heritage site is located in the project area.

19. Public infrastructure directly related to people's livelihoods and developmental needs, such as irrigation canals, transportation road, electricity, telecommunication, cable lines may be affected. These impacts will be determined through the Detailed Measurement Survey (DMS) carried out based on the approved detailed engineering design.

2.6 Unforeseen impacts during construction phase

20. During the implementation process, there may be unforeseen impacts such as subsidence incidents, or detection of undiscovered works and graves. These impacts will be identified and compensated in a manner consistent with the compensation and assistance principles established in this RP, particularly the entitlement matrix in the Annex 1.

2.7 Associated facilities

21. The ESF requires the application of the ESSs to Associated Facilities which are not funded as part of the project and, in the judgment of the Bank, are: (a) directly and significantly related to the project; and (b) carried out, or planned to be carried out, contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed, expanded or conducted if the project did not exist¹. Based on the results of the environmental and social impact assessment of the project there are not any associated facilities with the Binh Duong WEIP.

3. SOCIO – ECONOMIC INFORMATION

3.1 Objectives and Methodology of Socio – Economic Survey (SES)

3.1.1 Objectives

22. Socio-economic survey on affected households provides in-sight understanding about background of the project area and current socio-economic conditions of affected households. The survey provides input information to prepare resettlement instruments and develop livelihood restoration measures to maintain the sustainability of the project's entitlements.

23. Particularly, the socio-economic survey (SES) collects information related to: a) Demographic characteristics, b) Occupation, c) Living standards and conditions (income, expenditure, loans, health conditions, environmental sanitation, water supply,...)d) Vulnerability of affected households, e) social network, g) Livelihood recovery, h) Prioritized resettlement plans, and i) Project implementation support.

¹For facilities or activities to be Associated Facilities, they must meet all three criteria.

3.1.2 Survey Methods

24. A combined qualitative and quantitative method was used for SES including indepth-interview, group discussions, rapid appraisal, and sample survey. Besides, documents review and site observation were also used to collect data and information.

❖ Desk Review

25. Related documents have been collected, reviewed, studied and analyzed/evaluated, including Project proposal, land lot maps, copy of maps and socio-economic reports, the World Bank environmental and social framework (ESF) and guidance notes, Vietnam land law 2013 and related decrees, and related decisions of Binh Duong province People's Committee. The ESF, especially ESS5 were studied in comparison with the Land Law 2013 and related decrees to find gaps and propose measures filling the gaps.

❖ Qualitative research

26. Consultation, group discussions and meetings were organized with representatives of various related parties, including implementing agencies, social organizations, local authorities, severely affected households and vulnerable households.

- Public meetings: 24 meetings were conducted in Binh Duong PPC and 17 wards with 166 participants in which female participants account for 46.9%. The participants included wide-ranging representatives from implementing agencies (PMU and LFDC staff), local governmental agencies (City/district PCs, district LFDCs, Ward/Commune PCs, Land cadastral), community (community heads, project direct affected households and beneficiaries), and local mass organizations (Women's Union, Fatherland Front, Veterans Association, Youth Union).
- In-depth interviews: 66 in-depth interviews were conducted for the representatives of some specifically affected households such as vulnerable HHs, relocated HHs, severely affected HHs, and local authorities of project involved agencies.
- Focus group discussion: 21 focus group discussions were conducted with participants including the village leader and beneficiaries, from 3 to 6 participants in each group.

27. Working minutes are attached in Annex 04 of this Report.

❖ Quantitative research

28. Socio-economic survey (SES) was carried out with 100% of severely affected and vulnerable households (25 households) and 35% of marginally affected households (24 households). The census and Inventory of Losses (IOL) with 100% of affected households (94 households) was also conducted to collect data and information. Besides, secondary data of socioeconomic development and statistics were collected from communes/wards and districts. Following section will present the results of the survey.

3.2 Overview of Binh Duong province

Geography

29. Binh Duong province is located in the South East region of Viet Nam and occupies a natural area of 2,694.43 square kilometers, covering 4 districts and 5 cities. The province has a border with Binh Phuoc province to the North, Ho Chi Minh city to the South and the South West, Dong Nai province to the East and Tay Ninh province to the West.

Population and Labor

30. The population of Binh Duong province is 2,426,561 people (April 1st, 2019) with population density of about 900.58 people/km². According to the results of the Population and Housing Census 2019, Binh Duong province is one of the provinces with the fastest growing population in the country due to migrant workers.

31. In Binh Duong province, labor aged 15 and above makes up 1,491,899 people with 768,347 male (51.5%) and 723,552 female (48.5%). Labor division is unevenly distributed between rural and urban areas with 309,928 (20.8%) and 1,181,972 (79.2%), respectively.

Economic Growth Rate

32. Economic growth rate of production (GRDP) in 2019 increased by 9.5% with revenue of VND 43,304 billion and GDP per capita of 146.9 million per year. The economic structure of the province is industry - service - agriculture - product tax minus product subsidies with the corresponding proportion being 66.8% - 22.4% - 2.6% - 8.2%.

Power System

33. Binh Duong province's electricity is provided from the national grid with high voltage transmission lines and substations of 110kV, 220kV and 500kV. Binh Duong province provides enough electricity for industrial zones in the province and households' usage. About 99% of households use electricity in Binh Duong.

Domestic water supply system

34. Up to now, the domestic water supply system in the province has basically been provided according to the approved regional water supply plan, and expanding the scope of clean water supply to the urban areas. The rate of urban residents supplied with clean and hygienic water will reach 99.62% (as of July 2020).

Public Services

35. All communes have health clinics that meet national standards. There are two doctors and two nurses at each clinic. The stations are also equipped with sufficient sick-beds for treatment. The accessibility to the health stations is easy.

36. The communes and wards in the project area have kindergartens and schools, post offices as well as cultural houses; however, there is no playground for children. Daily markets are located within the communes and towns to supply daily necessities to people. Agricultural products and some small-scale items are purchased by the traders.

3.3 Overview of Tan Uyen, Thuan An and Di An Cities

37. As mentioned above, according to the Population and Housing Census in 2019, Thuan An City has the highest population with 596,227 people; Di An City has 474,681 people; and Tan Uyen City has 370,512 people. The average population density of these areas is about 900 people/km².

38. In recent years, Thuan An, Di An and Tan Uyen have been continuously developing and having high economic growth with many industrial zones being invested and filled. As of 2019, the number of industrial zones in the areas are as follows: (i) Thuan An City: 03 industrial zones with an area of 674.76 ha; (ii) Di An City: 06 industrial zones with an area of 725.03 ha; (iii) Tan Uyen city: 03 industrial zones with an area of 832.30 hectares. The investment industries in the industrial zones are quite diverse such as textiles, footwear, wood processing, pharmaceutical chemistry, rubber, metallurgy, mechanical engineering, electronics and food processing. These are labor-intensive fields, so as soon as they come into operation, these industrial parks have attracted a lot of workers from all over the country and internationally,

causing a high rate of mechanical population increase. More than 50% of the population in Thuan An, Di An and Tan Uyen cities are immigrants.

39. The average income per person in 2019 of the project towns is more than VND 8,000,000/month. The poverty rate of the project area is about 1.62%.

3.4 Socio-Economic Conditions of the Affected Households

3.4.1 Features of the Affected Households

40. The total number of surveyed households is 49 made up of 195 members. The percentage of male members is 48.7% while that of the female members is 51.3%. As to the household heads, the male household heads represent 83.7% (41 people) and the female heads account for 16.3% (8 people). All surveyed households belong to the Kinh group from the mainstream society of Vietnam.

41. The average household size in the project area is 3.98people/householder (based on the family register), household size from 3-4 members makes up the highest percentage (63.3%); followed by household with 1-2 members (10.2%), these households mostly are households with elderly or dependent and categorized into vulnerable households. Besides, households with 5 members or more account for 26.5%. On average, the number of members at working age is 2.59 people/householder and the number of dependents is 1.38people/HH.

3.4.2 Age Profile of the Affected Population

Age Structure of the PAP Heads

42. According to survey data, the average age of 49 surveyed household heads is 56.8. By age group, the majority of the household heads are in the 46-60 age group, accounting for 42.9% (21 people); 19 household heads are more than 60, making up 38.8% while the number of PAP heads in the 30-45 age group is 9, equivalent to 18.4%. None of the PAP heads is in the 18-30 age group.

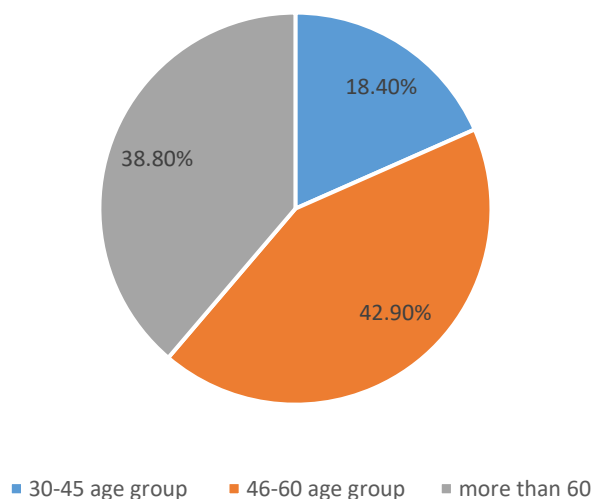


Figure 2- Age Structure of the PAP Heads

Age Structure of the PAPs

43. Of the total 195 surveyed affected people, 43 people are in the 18-30 age group, accounting for 22.1%; 46 people in the 46-60 group (23.6%). Followed is the number of people in the 31-45 age groups with 34 people, equivalent to 17.4%. The number of people above 60

is 32 or 16.4% while the number of people in the 6-17 age groups is 28 (14.4%). Children under 6 account for 6.2% (or 12 people).

44. The data above show that the majority of the population (123 people, 63.1%) are in the working age. The percentage of population groups above 60 and those from 6 to 17 accounts for 30.7%; however, people above 60 years old in this group are still engaged in agricultural activities.

Education level

45. The level of education of the PAPs is considered in two aspects, which are (i) education level of the household heads; and (ii) education level of the PAP members. These indicators will support the design of dissemination and communications activities as well as livelihood restoration programs.

Education of PAP Heads

46. According to the survey, among 49 householder heads, 7.6% (4 persons) graduated from primary school, 54.3% (27 people) graduated from secondary school; followed by high school with 32.0% (15 people). The percentage of householder heads with college/university degrees is 6.1% (3 people).

Education level of the household members

47. 49 surveyed households are made up of 195 people including 95 male members (48.7%) and 100 female members (51.3%).

48. The proportion of AH members with high school education is 36.9% (72 people). The number of members with secondary school education is 33.8% (66 people). The percentage of members who are enrolled in or finished primary school represents 15.4% (30 people). Comparing by gender, there is no significant difference between males and females at all educational levels.

Table 5: Education Level of the PAP heads by Sex and age group

Age group	Level of education										Total		
	Primary school		Secondary school		High school		College/ Uni.		Under school age				
	M	F	M	F	M	F	M	F	M	F	M+F	%	
under 6	0	0	0	0	0	0	0	0	7	5	12	6.2	
6-17 age	6	2	4	5	6	5	0	0	0	0	28	14.4	
18-30 age	1	2	2	2	20	10	2	4	0	0	43	22.1	
31-45 age	1	3	7	6	2	10	2	3	0	0	34	17.4	
46-60 age	2	2	8	14	8	9	1	2	0	0	46	23.6	
above 60	4	7	10	8	1	1	1	0	0	0	32	16.4	
Total	M+	30		66		72		15		12		195	100.0
	F	30		66		72		15		12		195	100.0
	%	15.4		33.8		36.9		7.7		6.2			

(Source: SES, Oct&Nov 2020)

Occupation

49. Like the above-mentioned indicator, the occupational structure in the project area is also assessed in two aspects, which are (i) livelihood occupations of the household heads; and (ii) occupations of the household members.

Occupations of the AH heads

50. The survey results of the occupational profile of the 49PAP heads show that:
- 33 household heads, accounting for 67.3%, are engaged in agriculture, including 25 male heads and 8 female heads.
 - 5 household heads are workers at the industrial parks, accounting for 10.2%. The majority of them are in the 31-45 age group and they are both male head.
 - 6 PAP heads have other occupations including retired government cadres, housewives, etc. These household heads account for 12.2% of the total PAP heads.
 - The remainders include: 1 officer, 1 veterinarian, 1 trader and 2 people working as a driver. They are all male heads.
51. In addition to the above main occupations, some householders also have extra jobs when they have free time, such as in the transportation sector such as driver and driver assistant, selling food and groceries, etc.

Occupations of the AH members

52. A total 123 household members in the 18-60 age group were surveyed with respect to livelihood occupations, comprising 55 male members and 67 female members.
53. Out of a total of 123 people surveyed, the proportion of people working in agriculture accounts for 33.3% (41 people); followed by 17.9% currently working as workers in industrial zones in the province. The proportion of members of working age working as civil servants / public employees accounts for 11.4%, housewives/pensioners 14.6%, service businesses 5.7%. The rest are other professions such as driving, freelance... accounting for 17.1%.
54. Among the PAP on agricultural land, there are 25 severely affected households who lose productive land. The survey results also show that the affected households on agricultural land are willing to participate in vocational training courses and programs to support job change and job creation of the project/locality.

Table 6: Occupations of the PAP by gender and Working Age

Occupation	By sex		Total	
	M	F	M+F	%
Farmer	23	18	41	33.3
Housewife, retirement	7	11	18	14.6
Business services	3	4	7	5.7
Servants	6	8	14	11.4
Worker	12	10	22	17.9
Freelance labor	12	9	21	17.1
Total	63	60	123	100.0

(Source: SES, Oct&Nov 2020)

Income and Expenditures

55. Information collection in terms of income and expenditure of households face difficulties. Income level is a sensitive topic in every Vietnamese family, thus, to some extent, respondents just reveal an approximate income level.
56. According to Decision No. 59/2015/QĐ-TTg dated November 19th 2015 of the GoV on promulgating multidimensional poverty standards applied in the period of 2016 – 2020, people is poor if average income in urban area is less than VND 900.000/person/month. Meanwhile, in October 2016, the People's Committee of Binh Duong province issued the

provincial poverty line at 1.4 million VND/person/month in urban areas. Survey results show that there are 10 poor AH in compliance with the Binh Duong province's poverty levels.

57. The average monthly per household income of 49 surveyed AHs is VND 8,458,000. In which, on average, the contribution to the household income of the male AH heads is VND 2,596,000 per month while the average contribution of the female heads is only VND 1,697,000 per month. The average monthly income level of the household per member is VND 2,125,000.

...

58. In general, the expenditure rate usually accounts for two-third of households' income per month. Calculation of average income of 49 surveyed households showed that average income rate is about VND 8.458.000 household/month and about VND5.600.000 household/month of expenditure, equivalent to about VND 101,497,000 household/year and the average expenditure rate is about VND 67,000,000 household/year. Thus, each household spends about 80% of their income for monthly expenditures. 20% of the remaining is saved after expenditure. The remaining one-third on average is savings after spending.

59. The incomes of the affected households are derived from six main sources, including:(i) agriculture; (ii) trading, business; (iii) salary/wages; (iv) transport service; (v) assistance from family members working in other areas; and (vi) other sources. In which, wages comprise the salaries of the household heads as well as AH members who are workers at the industrial parks or members working in the public sector. This source of income accounts for 68.9% of the total income of the affected households. Ranked second is the income from agriculture, accounting for 19.2% of the total income. Business activities for the source of income accounted for 7.8%.

Table 7: Income sources of the affected households

Income sources	%
Agriculture	19.2
Trading, business	7.8
Salary/wages	68.9
Transport service	2.1
Assistance from family members working in other areas	1.4
Other sources	0.6
Total	100

(Source: SES, Oct&Nov 2020)

60. Other incomes of the PAPs in the area come from allowances provided by the government and money sent by family members working in other areas. Most of the recipients are elder women or families of the martyrs and wounded soldiers.

61. The proportion of income from agricultural activities compared to the total income of the 25 severely PAPs represents 19.8%. It is noted that 15 of 19 PAPs (including 1 poor PAP), who lose 70% or more of their total productive land, will lose from 20% to 30% of the total annual income. An income restoration program will be developed specifically for severely affected households to improve, or at least restore, their living standards, income, and production capacity, to the pre-project level.

Vulnerable Households

62. Of the total PAPs, 07 households belong to the vulnerable group as defined in the RP. By vulnerability categories, there are 02 households headed by single woman with dependents; 01 poor households with poverty certificates; and 04 households with the policy of war invalids and martyrs.

Access to Utilities and Services

63. *Water use:* The survey results show that the main water source used by households in the project area is tap water (accounting for 92.9%); 6.9% of households use water from drilled-wells and 0.2% use digged-well water. Tap water is often used for cooking and drinking. Well water is mainly for bathing and washing.

64. *Sewer and Drainage System:* Survey results show that the sewer system in the project area is weak and asynchronous. Up to 56.5% of surveyed households answered that there is no Sewer and Drainage system in the area; Only 23.5% of households answered that there was a drainage sewer deepened, built of bricks and covered with a lid; 20% of the households answered that they have a trench made of bricks but no lids.

65. *Electrical use:* According to a survey, 100% of surveyed households have access to the national power grid with separate meters.

66. As for cooking purposes, the energy sources used by the PAPs include electricity, gas, biogas, and coal. In which, 73.8% of the households use gas while 23.6% use coal, and 1.0% use energy from firewood. The percentage of households using electricity for cooking is 0.5%.

67. *Toilets:* Survey results show that 35.4% of households in the survey are currently using septic toilets, and 64.1% of households use simple toilets (home one-compartment toilet, two-compartment toilet) only one household does not currently have a toilet, accounting for 0.5 percent.

Land Use and Land Use Right Certificates (LURCs)

68. Through a survey on LURCs, 100% of surveyed households have LURCs. In which 34.7% households have LURC which is named both husband and wife; 49.0% households have LURC named husband and 16.3% households have LURC named wife. However, both husband and wife will receive compensation and sign in related documents. For female-headed households, females will represent the PAP to receive the compensation and assistance amount from the project.

4. POLICY AND INSTITUTIONAL FRAMEWORK

69. This Resettlement Action Plan has been prepared in compliance with the applicable and relevant law of the Government of Vietnam related to land acquisition, compensation, support, and resettlement, and in compliance with the World Bank's Environmental and Social Framework (ESF) in general and Environmental and Social Standard 5 (ESS5) on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement in particular.

4.1. The Legal framework of the Government of Vietnam

70. The laws and decrees with respect to land acquisition, compensation and resettlement in Vietnam are based on the regulations of the city/province at time of preparing RP, including:

- The Constitution of the Socialist Republic of Vietnam adopted in 2013;
- Land Law No.45/2013/QH13 enacted in 2013, effective on July 1, 2014;
- Decree No.01/2017/ND-CP dated June 1, 2017 on amendment and supplement some contents of the decrees guiding the implementation of Land Law;
- Law on Public Investment No.39/2019/QH14dated June 13th, 2019;
- Decree No. 148/2020/ND-CP dated December 18th, 2020 of the Government amending and supplementing a number of decrees detailing the implementation of the Land Law;

- Decree No.43/2014/ND-CP dated May 15, 2014 of the GoV on detailing a number of articles of the Land Law No.45/2013/QH13;
- Decree No.44/2014/ND-CP dated May 15, 2014 of the GoV on land prices;
- Decree No.45/2014/ND-CP dated May 15, 2014 of the GoV on collection of land use levies;
- Decree No.136/2015/ND-CP dated December 31, 2015 of the GoV on detailing a number of articles of Law on Public Investment;
- Decree No.46/2014/ND-CP dated May 15, 2014 of the GoV on collection of land rental and water surface rent;
- Decree No.47/2014/ND-CP dated May 15, 2014 of the GoV on compensation, support and resettlement upon land recovery by the State;
- Decree No.99/2015/ND-CP dated 20/10/2015 of the GoV on detailing a number of articles of Law on housing;
- Decree No.114/2021/ND-CP dated Dec 16, 2021 of the GoV on management and use of official development assistance (ODA) and concessional loans of foreign donors;
- Circular No. 09/2021/TT-BTNMT dated June 30th, 2021 of the Ministry of Natural Resources and Environment amending and supplementing a number of articles of the circulars detailing and guiding the implementation of the Land Law;
- Circular No. 80/2017/TT-BTC dated August 2nd, 2017 of the Minister of Finance guiding the determination of the value of land use rights, land rent and land-attached assets to be refunded when the State acquires land and the management and use of the compensation amount for assets assigned by the State for management and use, and the support amount when the State recovers land but is not compensated for land.
- Circular No. 33/2017/TT-BTNMT dated September 29th, 2017 of the Ministry of Natural Resources and Environment detailing Decree No. 01/2017/ND-CP dated January 6, 2017 of the Government amending and supplementing a number of decrees detailing the implementation of the Land Law and amending and supplementing a number of articles of the circulars guiding the implementation of the Land Law;
- Circular No.30/2014/TT-BTNMT dated 02/06/2014 of MONRE on land allocation, lease, transfer of land use and land acquisition;
- Circulars No.36/2014/TT-BTNMT dated June 30, 2014 of Ministry of Natural Resources and Environment on land pricing method; compilation of and adjustment to land price lists; determination of specific land prices and consultancy on land pricing;
- Circular No.37/2014/TT-BTNMT of the MONRE dated June 30, 2014 on compensation, support and resettlement upon land recovery by the State;
- Circular No.332/2016/TT-BTC dated 26/12/2016 on amendment and supplement of a number of articles in Circular No.76/2014/TT-BTC dated June 16, 2014 issued by the MOF on guidelines for implementing Decree No.45/2014/ND-CP on collection of land use levies.

71. Other relevant laws, decrees and regulations include:

- Construction Law No.50/2014/QH13 dated June 18, 2014 on construction activities, rights and obligations of organization and individual investing in civil works construction and construction activities.
- Decree No.102/2014/ND-CP on sanctioning of administrative violations in the field of land.
- Decree No.46/2015/ND-CP dated 12/05/2015 on Management of Construction Work Quality.
- Decree No.59/2015/ND-CP dated 18/6/2015 of the GoV on Construction Investment Project Management.
- Decree No.126/2014/ND-CP dated 31/12/2014 on Marriage and Family Law implementation, stipulating that all documents registering family assets and land use rights must be in the names of both husband and wife.
- Decree No.11/2010/ND-CP dated 24/2/2010 of the GoV on management and protection of road infrastructure facilities and Decree No.100/2013/ND-CP dated 3/9/2013 on Amendment and Supplement of a number of articles in Decree No.11/2010/ND-CP dated 24/02/2010.
- Decree No.61/2015/ND-CP dated 09/07/2015 of the GoV on Job Creation Policies and the National Employment Fund.

72. Decrees relating to protection and preservation of cultural property include Decree No.98/2010/ND-CP dated 21/09/2010 on Detailed regulations for implementation of some articles of the Law on Cultural Heritage and the Law on editing and supplementing some articles of the Law on Cultural Heritage requiring that sites currently recognized as cultural and historical vestiges, should be kept intact according to current legal regulations.

73. Documents relating to grievances redress mechanisms: Grievance Law No.02/2011/QH13 dated November 11, 2011; Decree No.75/2012/ND-CP dated October 03, 2012 on specific provisions of a number of articles of the Grievance Law.

74. In addition, there are some other regulations applied to Binh Duong WEIP such as:

- Decision No.10/2023/QD-UBND dated April 18th, 2023 of Binh Duong PPC on compensation, support and resettlement upon land recovery by the State in Binh Duong province.
- Decision No.36/2019/QD-UBND dated December 20, 2019 of Binh Duong PPC on land price sheet in Binh Duong province, applicable to the five-year period (2020 - 2024).
- Decision No.38/2019/QD-UBND dated December 20, 2019 of Binh Duong PPC on price sheet of property on recovered land in Binh Duong province.

4.2.The World Bank policy on land acquisition, restrictions on land use and involuntary resettlement (ESS5)

75. Development physical and economic displacement, if unmitigated, may give rise to severe economic, social and environmental risks: production systems may be dismantled; people face impoverishment if their productive resources or other income sources are lost; people may be relocated to environments where their productive skills are less applicable and the competition for resources greater; community institutions and social networks may be weakened; kin groups may be dispersed; and cultural identity, traditional authority, and the potential for mutual help may be diminished or lost. For these reasons, involuntary resettlement

should be avoided. Where involuntary resettlement is unavoidable, it will be minimized and appropriate measures to mitigate adverse impacts on displaced persons (and on host communities receiving displaced persons) will be carefully planned and implemented.

76. This ESS5 applies to permanent or temporary physical and economic displacement resulting from land acquisition or restrictions on land use undertaken or imposed in connection with project implementation. The ESS5 is also applied for associated facilities that are not funded as part of the project and, in the judgment of the Bank, are met all three following criteria: (a) directly and significantly related to the project; (b) carried out, or planned to be carried out, contemporaneously with the project; and (c) necessary for the project to be viable and would not have been constructed, expanded or conducted if the project did not exist.

77. When land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the Borrower will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods, subject to the provisions of paragraph 26 through 36 of the ESS5.

78. The Borrower will engage with affected communities, including host communities, through the process of stakeholder engagement. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose. Disclosure of relevant information and meaningful participation of affected communities and persons will take place during the consideration of alternative project designs, and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process.

79. The Borrower will ensure that a grievance mechanism for the project is in place as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner.

4.3.Gaps between GoV and WB approaches to resettlement policies

80. The GOV's policies and practices both in resettlement and compensation are mostly compatible with the WB's policy on involuntary resettlement. The most compatible domains are as follows:

- The GOV has procedures that allow compensation for losses of land without legal land use rights but possibly satisfy conditions of land legalization.
- Registered permanent residents are entitled to choose what form of compensation they want such as relocation to a better resettlement site, receiving cash, or combination of both resettlement and receiving cash.
- New resettlement sites should have better infrastructure and public services as well as living conditions than the affected area.
- There will be a mechanism to assist PAPs during the transition period and keep people informed so that they can negotiate for compensation and voice their grievances.
- For the PAPs who are not entitled to the compensation, the GOV has support policies in accordance with the WB policy to help them restore their livelihood.

81. Besides the compatible points, there are several gaps between the GOV's regulations and WB's policies in terms of compensation, assistance, resettlement and livelihood rehabilitation for PAPs. The summary of gaps between the two policies and proposed measures applicable for resolving these gaps for compensation and assistance and resettlement for this project, are presented in the table below.

Table 8: Gaps of the GoV’s and WB’s Policies related to compensation, support and resettlement and applications for the project

Subjects	Bank’s ESF/ESS5	Government of Vietnam	Measures applicable for the Project
1.Land property			
1.1. Policy objectives	PAPs should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.	<p>Provision of support to be considered by PPC/CPC to ensure they have a place to live, to stabilize their living and production. (Article 25 of Decree 47/2014/ND-CP).</p> <p>In the case where land is being recovered from people who are resettled without sufficient compensation and support to buy the minimum resettlement plot, the State shall make up the deficit.</p> <p>(Clause 4, Article 86 of Land Law 2013 and Article 27 of Decree 47)</p>	Livelihoods and income sources will be restored in real terms, at least, to the pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
1.2. Support for affected households who have no recognizable legal right or claim to the land they are occupying	<p>a. Agriculture land: PAPs are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance (if necessary), to achieve objectives of resettlement set out in ESS5, if they occupy the project area prior to a cut-off date established by the Borrower and acceptable to the Bank;</p> <p>b. Non-agriculture land: no compensation for land but user will get</p>	Only agricultural land used before July 1 st , 2004 and affected persons directly engaged in agricultural activities is eligible for compensation. Other cases may be considered for assistance in accordance with article 25, Decree 47/2014/ND-CP and decided by PPC/CPC if needed (Clause 2, Article 77 of Land Law, 2013)	100% of PAPs identified in the Census has a LURC, however, in case non-legalizable PAPs are identified during implementation, financial assistance to the relevant PAPs sufficient to meet the objectives of the World Bank’s standard on involuntary resettlement and land acquisition (to re-establish livelihoods to pre-project levels).

	resettlement assistance and other allowances.		
1.3. Methods for determining Compensation rates	Compensation for lost land and non-land assets should be paid at replacement costs.	Compensation for lost assets is calculated at the cost of newly-built structures. An independent land valuator can be used to determine specific land prices for compensation at time of land acquisition decision.	Independent appraisers should be mobilized for identification of market prices for all types of affected land and non-land assets sufficient to restore the affected land and non-land assets, and the standards of living or livelihoods of PAPs.
2. Compensation/Assistances			
2.1. For structure illegally constructed or constructed on the illegalizable land	Compensation at full replacement cost for all affected structures other than land if the affected structures were constructed before the cut-off date.	According to the provisions in Clause 2, Article 92 of the Land Law, land-attached assets which are illegally created or created after the notice of land acquisition issued by a competent state agency shall not be entitled to compensation.	PAPs who have no recognizable legal right or claim to the land or assets they occupy or use before the cut-off date are entitled to receive financial assistance sufficient to restore the loss of assets other than land, and other improvements to the land.
2.2 Assistance for severely affected households (including vulnerable households)	Transitional support will be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living.	Losing over 30% of agricultural land and land user directly cultivating on the affected land. Provide other supports as regulated in Article 25, Decree 47/2014/ND-CP.	In addition to GoV assistances, transitional financial assistance will be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living. This will be based on a household livelihood and income assessment conducted during the DMS. Provide other supports as regulated in Article 25, Decree 47/2014/ND-CP, if needed.

2.3. Consultation, participation and disclosure	Meaningful consultation with and participation of PAPs in planning, implementation, and monitoring of the resettlement.	Focus mostly on consultation during implementation of compensation and LAR (consultation on draft plan of compensation, support and resettlement and plan for resettlement, training, career change and facilitating job searching); information sharing and disclosure.	PAPs should be disclosed full information of the project, including policy of resettlement, and involved in all stages of the implementation of compensation, support, resettlement and site clearance of the project.
3. Grievance redress mechanism (GRM)			
Grievance redress mechanism	<p>The Borrower will ensure that a grievance mechanism for the project is in place, in accordance with ESS10 as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion.</p> <p>In certain cases, where PAPs have rejected compensation that has been offered to them in accordance with the approved plan, or where competing claims to the ownership of lands or assets are subject to lengthy legal proceedings, on an exceptional basis, with prior agreement of the Bank, and where the Borrower demonstrates that all reasonable efforts to resolve such matters have been taken, the Borrower may deposit compensation funds as required by the plan (plus a reasonable additional amount for contingencies) into an interest-bearing escrow or other</p>	<p>PAPs are entitled to send complaints/grievances of any issues related to the compensation, assistance and resettlement to the competent agencies (one stop-shop) to handle the grievances at the first and second stages.</p> <p>At the district level, complaints may be taken to court at any stage as the PAP wishes (Articles 28, 32, 33 of Law on Grievance No. 02/2011/QH13 dated 11 November, 2011.</p> <p>In case PAP disagrees with compensation package or has complaint, compensation amount of PAP will be placed in the local treasury until their issues have been resolved, and proceeding land acquisition activities.</p>	<p>Effective Grievance and Redress mechanism is built on the existing governmental system, with monitoring by an independent monitoring consultant.</p> <p>-</p> <p>-In certain cases, where PAPs have rejected compensation that has been offered to them in accordance with the approved plan, or where competing claims to the ownership of lands or assets are subject to lengthy legal proceedings, on an exceptional basis, with prior agreement of the Bank, and where the Borrower demonstrates that all reasonable efforts to resolve such matters have been taken, the Borrower may deposit compensation funds as required by the plan (plus a reasonable additional amount for contingencies) into an interest-bearing escrow or other deposit account and proceed with the relevant project activities. Compensation placed in escrow will be made available to eligible persons in a timely manner as issues are resolved.</p>

	deposit account and proceed with the relevant project activities. Compensation placed in escrow will be made available to eligible persons in a timely manner as issues are resolved.		
4. Monitoring & Evaluation			
Monitoring and evaluation Mechanisms on compensation & resettlement	Internal & independent monitoring is required and set up in the RP	<p>Citizens are allowed to supervise and report on breaches in land use and management on their own (or through representative organizations), including land recovery, compensation, support and resettlement (Article 199, Land Law 2013).</p> <p>There are no explicit requirements on monitoring of the resettlement works, including both internal and independent (external) monitoring</p>	Both internal and external (independent) monitoring is to be regularly maintained (on a monthly basis for internal and bi-annual basis for independent monitoring) throughout project implementation. An end-of-project report will be completed to confirm whether the objectives of ESS5 have been achieved.

82. As a WB member country, the GOV has committed that, should the international agreements signed or acceded to by GOV with the WB contain provisions different from those in the present resettlement legal framework in Vietnam, the provisions of the international agreements with the WB shall prevail. According to Clause 2 of Article 87 of the Land Law 2013, “for the projects using ODA loans for which the State of Vietnam has committed to a policy framework for compensation, support, resettlement, the framework is applied”.

83. This RP confirms that in committing to this instrument, the GOV and PPC grant the waivers to the relevant articles in various Vietnamese laws that contradict or are not consistent with the objectives set forth in this RP. The measures taken to address the differences and comply with the WB policy are addressed under this RP.

84. The Binh Duong Provincial People’s Committees will endorse the RP before the Board date. Through this endorsement, they commit to apply the RP and to fill the gaps identified in the table above.

4.4. Due Diligence

85. Due Diligence Reviews (DDRs) on resettlement of the existing WWTPs in Thuan An and Di An cities which will be upgraded treatment capacity have been conducted during the ESIA (for details see the Annex 7 and Annex 8 of this RP), in accordance with ESS5 and consistent with the requirements of the national legislation. The Due Diligence Review found no pending issues so that a Corrective Action Plan is not required for these works.

5. COMPENSATION, ASSISTANCE AND RESETTLEMENT POLICIES

5.1. Required Waivers

86. To comply with the ESS5 on land acquisition, restrictions on land use and involuntary resettlement, articles in the laws and regulations of Vietnam that do not guarantee the APs’ right to compensation at replacement costs, or eligibility articles that do not extend the right of being restored and/or assisted to households without valid land papers, or otherwise limit the compensation required by the ESS5, will not apply. The requirements of the ESS5 will fully apply in all cases.

5.2 Principles and Objectives

87. The principles mentioned in ESS5 are used for the preparation of this RP. The following principles and objectives will be applied:

- (a) Land acquisition and asset impacts as well as resettlement of DPs must be minimized as far as possible.
- (b) All PAPs residing, working, doing business or farming in the project areas will be provided with rehabilitation measures, sufficient enough for them to improve or at least maintain their living standards, income earning and production capacity the same as their pre-project conditions. Lack of legal rights to acquired land will not prevent PAPs from their entitlement to access such rehabilitation measures.
- (c) Plans for land acquisition and other assets and provision of rehabilitation measures must be taken under the consultation with PAPs to minimize their disturbance. Entitlements shall be provided to PAPs prior to the expected commencement of works at the respective project areas.

- (d) Existing public services shall be maintained or improved.
- (e) Budget for resettlement shall be available in the project implementation stages.
- (f) The executing organization must ensure that the design, planning, consultation and implementation of the RP is effective and timely.
- (g) Checking, monitoring and evaluating the implementation of RP timely and effectively should be conducted.
- (h) All PAPs who have assets within or reside within the area of project land acquisition before the cut-off date are entitled to compensation/support for their losses as per this RP. Those who have lost their income and/or subsistence will be eligible for livelihood rehabilitation assistance based on the criteria of eligibility defined by the project in consultation with the PAPs. If, by the end of the project, livelihoods have been shown not to be restored to pre-project levels, additional measures should be considered.
- (i) Agricultural land that is lost will be compensated in cash at the full replacement cost. These PAPs will be assisted in their livelihood subsistence and making their own arrangements for relocation.
- (j) PAPs who have to relocate will be resettled as regulated; their houses, lands and other properties affected by the project will be compensated in cash at full replacement cost.
- (k) Compensation for all residential, commercial, or other structures will be offered at the replacement cost, without any depreciation of the structure and without deduction for salvageable materials.
- (l) The PAPs will be provided with a transportation compensation for transporting personal belongings and assets to a new resettlement place, in addition to the compensation at replacement cost of their houses, lands, and other properties.
- (m) Land acquisition for the project will be announced to PAPs by a state competent agency at least 90 days prior to the acquisition for agricultural land and 180 days for non-agricultural land. The announced contents will include a plan of land acquisition, investigation, surveys, and detailed measurements.
- (n) Transfer of the acquired lands to the project will be completed within 30 days of the PAPs receiving full compensation or assistance from the project.
- (o) Public services and resources at the resettlement area will be improved to be better than those in the PAP's previous location.
- (p) Temporary resettlement: Relocation of any households more than once, should be avoided because it leads to PAPs being impacted twice or more and will delay the livelihood restoration process. If this happens, these households should be considered for additional benefits as they have been impacted twice. Temporary resettlement will

only occur if the PMU has verified that temporary resettlement is unavoidable for reasons such as:

- DPs who are planning to resettle in the project resettlement site are requested to hand over their land to the project, but the project resettlement site is not ready to receive them.
- PAPs whose houses are partly affected and require rebuilding and repair, need temporary resettlement in the period during which their houses are being rebuilt or repaired.
- DPs who select the self - relocation option need temporary resettlement while searching for a new residence.

5.3 Identification of Vulnerable Groups

88. Based on the socioeconomic survey in September and October 2020, the vulnerable groups were determined, including the following:

- The poor families identified by DOLISA of the Binh Duong province and registered at commune/ward level;
- Mentally and physically handicapped people or people in poor physical health; infants, children and women without assistance;
- Poor women-headed households or women-headed households with dependents and with no other support;
- The social-policy households as per Binh Duong PPC policy;
- Any additional groups identified by the socio - economic surveys and by meaningful public consultation.

89. There are special groups that may suffer from inappropriate impacts or are exposed to the risks of further impoverishment from resettlement. Hence, the Compensation Board and the Project Management Unit, during the process of devising compensation, assistance and resettlement methods, must co-operate with the People's Committees of ward/communes to survey and update the list of vulnerable groups or HHs in order to provide timely and proper assistance

5.4 Eligibility

90. The eligibility for entitlement to compensation is determined by asset ownership criteria as follows:

- (i) Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country. In the consideration of such cases, it is also useful to document how long PAPs have been using the land or the assets associated with it);
- (ii) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the laws of the country, become recognized through a process identified in the RP;
- (iii) Those who cannot legalize the right to land use in accordance with Vietnamese laws or have no recognizable legal right or claim to the land they are occupying.

91. Persons covered under item (i) and (ii) are provided compensation for the land they lose , and other assistance as regulated in the Resettlement Plan. Persons covered under (iii) are provided resettlement assistance in lieu of compensation for the land they occupy, and other

assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the World Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (i), (ii), or (iii) are provided compensation for loss of owned or used assets other than land at replacement cost.

92. As defined, a cut-off-date is the date that a State competent agency issues the announcement of land acquisition before detailed measurements (Point 1, Article 67 of 2013 Land Law). PAPs and local communities will be informed about the cut-off date and information related to the Project so that they can work out their own production/investment/construction plans, avoiding damages or losses otherwise caused by a lack of information on the Project. The notification of land acquisition will be determined for each component in the project implementation phase.

5.5 New household after the Cut – Off Date

93. Those affected households splitting from the large families after the cut-off-date who meet the following conditions will be eligible for resettlement benefits as stand-alone households and are recognized as PAPs:

- (i) Households with multiple generations or many couples living together on a plot of acquired land who are eligible to separate households according to the local regulations;
- (ii) Endorsement by the District authority with verification of commune People's Committee that the household has split;
- (iii) Newly born children, spouses of persons named in the household registration books, people who have completed military service, and people who have just returned from schools to live with the PAPs from the cut-off date to the date of compensation payment will be entitled to compensation and support outlined in this document.

94. In case the Gov regulations will be changed and there will be some entitlements, which are better than the ones described in this document, these better entitlements will be applied for the affected people (if possible).

5.6 Project's Compensation Policies

5.6.1 Compensation Policies for Affected Agricultural Land²

For land users entitled to the compensation (Legal and Legalizable land users)

- (i) PAPs will receive compensation in cash for loss of affected agriculture land and assets on the land acquisition at 100% replacement cost.
- (ii) If the area of the remaining land after acquisition is not enough conditions to continue cultivation, the project will acquire the entire piece of land and compensation would be implemented in cash for loss of affected agricultural land and assets on land acquisition at 100% replacement cost;
- (iii) In addition to compensation in cash for land acquisition areas as specified above, PAPs will receive allowances and rehabilitation assistance as referred to in the RP of the Project.

For land users with no legal rights or claim on land

²According to Article 10 of the Land Law.

- (i) Affected agricultural land was used before July 01st, 2004 and users are directly engaged in agricultural activities on the affected land will be compensated in cash at replacement cost;
- (ii) PAPs whose affected land was used after 01 July 2004 to before the cut-off date (land acquisition announcement date), and whose livelihoods are primarily dependent on that plot of land will be provided financial assistance in lieu of land compensation sufficient to meet the objectives of the World Bank's standard on involuntary resettlement and land acquisition (to re-establish livelihoods to pre-project levels).
- (iii) PAPs whose affected land was used after the cut-off date will not be provided compensation or assistance.

Users with temporary or leased rights to use communal/public land

- (i) For PAPs currently using land managed by State-owner on a contractual basis for agricultural, forestry, or aquaculture purposes (excluding land under special use forests and protected forests), compensation shall be provided for the remaining value of investments made on the land and for all assets attached to the land at 100% of replacement cost, and these PAPs will also receive additional support for income rehabilitation if they are directly involved in agricultural activities as per Government's regulations.
- (ii) Where PAPs use land on a contractual basis with individuals, organizations, households but are other than specified as point (i) above, they shall receive compensation for the remaining value of investments made on the land and structures/trees/crops created on land at full replacement cost. Compensation for land at replacement cost will be provided for the land owner.

5.6.2 Compensation Policies for Affected Residential Land

95. Users whose residential land is acquired will be compensated as follows:

Loss of residential land without structures:

- (i) *For legal and/or legalizable land users*, compensation for loss of land will be made in cash at 100% replacement cost.
- (ii) *For land users who have no recognizable land use right*, the Borrower will provide arrangements to allow them to obtain adequate housing with security of tenure and financial assistance sufficient to ensure their standard of living is restored or improved.

Loss of residential land with houses/structures built thereon, where the remaining (non-acquired) land is adequate to rebuild house (reorganized by PAP):

- (i) For legal and legalizable land users: Compensation for loss of land will be made in cash at 100% replacement cost; and compensation for affected house/structure as mentioned in item 5.6.4 below.
- (ii) For illegal or un-legitimate land users: no compensation for land but compensation for the remaining investment put on the land; and compensation for affected house/structure as mentioned in item 5.6.4 below. For displaced cases, if a user has no land/house in the project commune/ward they will be allocated a minimum land plot/apartment in the resettlement site and has to pay land use levy, and provided cash support for relocation.

96. In case the PAPs belong to poor or vulnerable groups, additional assistance (in cash) will be provided to ensure that they are able to fully re-organize or relocate to a new site. The amount shall be determined by the Binh Duong PPC.

5.6.3 Compensation policies for public land

97. Public land managed by communes, wards and towns will not be compensated.

98. However, financial assistance will be made for public land managed by communes, wards and towns upon expropriation and level of support shall be decided by the province-level People's committee (the highest possible support level is equal to the compensation level); Such assistance will be paid to the state budget and included in the communes, wards and towns' annual budget estimates and only used for investment in infrastructural constructions and for communes, wards and towns' common purposes. (Article 24 of Decree No.47/2014/ND-CP).

5.6.4 Compensation policies for Affected House/Structures

99. *Affected private house/structure:*

- (i) Compensation (or support) for legally (or illegally) affected houses/structures if created before cut-off date at 100% replacement cost with no deductions of depreciation or salvageable materials.
- (ii) If houses/structures are affected partially and the remaining part is viable for use, compensation at replacement cost will be provided for the affected part plus cost for repairing the remaining part; If houses/structures are entirely affected, compensation at replacement cost for the entire of affected houses/structures.

100. *Tenants of state-owned or state organization-owned houses:* No compensation for house but tenant will be entitled to a financial assistance equivalent to 60% of replacement cost of the affected land and 60% of replacement cost of the affected houses to self – resettle (Item 2, Article 14, Decree 47/2014/ND-CP dated May 15, 2014), and resettlement allowance. The affected structures, crops, trees created by the AP before the cut-off date will be compensated for at full replacement costs.

101. *Tenants who are leasing a private house for living purposes* will be provided with transportation allowance for moving assets and will be assisted in identifying alternative accommodation.

5.6.5 Compensation Policies for Affected Crops, Trees and Livestock

102. For affected crops, trees planted before cut-off date, regardless of the legal status of the land, compensation will be paid to households who cultivate on the affected land at full replacement cost. For trees which have not been harvested yet but can be brought to another location, the transportation cost and the actual damage due to the transportation and re-planting must be compensated.

103. For livestock (including aquatic livestock) created before cut-off date, PAPs will be compensated in cash at replacement cost at the time of land acquisition. In case the aquatic livestock can be brought to another location, the transportation cost and the damage caused by the transportation must be compensated.

5.6.6 Compensation Policies for Affected Public Utilities

104. If some public infrastructures/buildings are damaged by the project, the PMU shall consult with affected communities and specify that these structures are restored or repaired as

soon as possible in order to mitigate negative impacts on communities and ensure that the affected communities do not pay for such repair costs.

105. Public infrastructure directly related to people's livelihoods and developmental needs, such as irrigation canals, water supply, schools, clinics, transportation road, electricity, telecommunication, cable lines (except for the structures with construction permit requiring relocation when needed) will be restored/rebuilt to pre-project or higher quality levels or compensated at replacement cost.

5.6.7 Compensation policies for affected graves/tombs

106. Compensation for the removal of graves/tombs will include the cost of excavation, relocation, reburial and other related costs, which is relevant to customary requirements. The removal option and level of compensation to the affected will be decided in consultation with the affected families/communities based on the relevant provincial regulation.

5.6.8 Compensation policies for other assets

107. Households' other assets are affected such as: Telephone line, water meter, electric meter cable TV, internet access (subscription), wells shall be compensated in cash with an amount equal to value of the new installation.

5.6.9 Compensation policies for temporary impacts during construction

108. In case the project needs temporary use of land for construction, the contractor should rent land from the owners complying with regulations stipulated by the Civil Law.

109. Compensation Policy for damage of private or public structures occurring during construction execution:

- (i) Damaged properties will be restored to its former condition by contractors immediately to ensure safety for affected households.
- (ii) Under their contract specifications, the contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages do occur, the contractor will be required to repair the damage and may also be required to pay compensation to the affected families, groups, communities, or government agencies at the same compensation rates that are applied to all other assets affected by the Project.

5.6.10 Other impacts that may be identified during implementation

110. Any other impacts that may be identified during implementation will be compensated in accordance with the principles of this RP and the ESS5. Any disruption of business will be compensated in accordance with the principles of this RP.

5.7 Allowances and Rehabilitation Assistance in the transition period

111. Besides the direct compensation for affected assets, PAPs will be provided with financial assistance to cover their expenses during the transition period. The assistance levels will be adjusted, considering inflation factor and price increase to be appropriate to the payment time. They include, but are not limited to:

5.7.1 Allowance for Vocational Training and Job Creation

112. APs who directly cultivate on the affected agricultural land (confirmed by their WPCs) will receive support in money which does not exceed 5 times the land price (in land price table of the province) for the acquired land area based on the relevant regulation of the province.

113. Beside the cash allowance above, PAPs within labor age are entitled to participation invocational training, they will be admitted to a vocational center within the city with exemption from tuition fees for the training course (not applicable for those who enroll for vocational training outside the city).

5.7.2 Allowance for life and production stabilization

114. PAPs with impacted agricultural land will be provided with an assistance in cash as 1,000,000 VND / month for each person. Demographics will be identified in the permanent or long-term temporary residence book, specifically:

- (i) PAPs losing 30% (or less than 30% but the land acquisition adversely impacts on their livelihood, income and lives based on an independent livelihoods assessment at the time of DMS) to 70% of their agricultural landholding will be provided with an allowance of 6 months if they do not have to relocate, and 12 months in case of relocation;
- (ii) APs losing more than 70% of their agricultural landholding will be assisted at a period of 12 months if they do not have to relocate, and 24 months in case of relocation.;
- (iii) Regardless of the amount of land lost, households for whom the remaining land is rendered unviable for continued use, will be compensated for the remaining land and assisted with the above support plus any additional support as determined, for a period of 12 months.
- (iv) In addition to GoV requirements, transitional financial assistance will be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living. This will be based on an independent household livelihood and income assessment conducted during the DMS.

115. Assistance for agricultural, garden and pond land adjacent to, but not included in the category of residential land will be made according to the provisions of Binh Duong PPC.

5.7.3 Allowance for Loss of Income and/or Business

116. Allowance for production, business rehabilitation:

- (i) Businesses / households with business registration will be compensated or supported. The maximum compensation/support is 30% of after-tax income of 01 year based on their average annual income of the last three years which have been declared to the tax authorities (According to Clause 4, Article 19 of Decree No. 47/2014 / ND-CP);
- (ii) Households without business licenses and tax obligations will be entitled to compensation equivalent to 50% of support level for similar businesses/households with business registration.

117. Removal Support: Organizations and PAPs that are leased land by the state or are lawfully using land and have to relocate their productive and/or business establishments are entitled to financial support for dismantling, relocating and re-installation of the establishment. Support levels will be determined by actual costs at the time of removal, based on self-declaration of the organizations and verification by the agency in charge of compensation. This will then be submitted to the relevant authorities for approval.

118. Allowance for interrupted employment: Employees who work in affected manufacturing facilities or businesses with labor contracts will receive an allowance equivalent to the minimum salary as per the regulations to affected employees during the transition period which can be for a maximum of 6 months as well as assistance in seeking job opportunity if needed.

5.7.4 Allowance for Loss of Public Land of communes, wards or towns

119. If public land managed by communes, wards or townships is acquired, the support rate will be the same kind of land price in the local land price list. Financial assistance will be paid into the state budget and allocated in annual budget estimates of communes, wards or townships. The highest assistance level can be equal to the compensation level. It should be used to invest in construction of infrastructure projects used for public purposes of communes, wards and townships as stipulated in Article 24 of Decree 47/2014/ND-CP.

5.7.5 Allowances Targeted to Vulnerable Households

120. For Social-policy households: Affected households taking care of Vietnamese heroic mother, war invalids, sick soldiers, person infected with agent orange or martyr whose land is recovered, will be provided with support in cash from VND 10,000,000 to VND 20,000,000 as regulated by Binh Duong Provincial People's Committee (Clause 1 of Article 33 of Decision No.51/2014/QD-UBND)

121. For poor households (certified by local authority) whose land is recovered will be assisted in cash as VND 10,000,000 per household as regulated by Binh Duong Provincial People's Committee (Clause 3 of Article 33 of Decision No.51/2014/QD-UBND)

122. Other vulnerable groups: Female-headed households with dependents, households with disabled persons, elderly with no other support will get the same support given to poor households in accordance with the provincial policy.

5.7.6 Other Allowances/Assistance

123. Bonus for handing over land on schedule: According to the relevant PPC regulation, PAPs whose income sources are severely affected will be entitled to take part in Income Restoration Programs. Rehabilitation measures like agricultural extension services, job training and creation, credit access and/or other measures as appropriate to their needs will be given to the PAPs to ensure their livelihood could be restored to the pre-project level.

124. Apart from the assistance mentioned above, based on the actual situation, the Project may consider other assistance to secure life stabilization, culture, production and livelihoods of PAPs according to article 25, Decree 47/2015/ND-CP.

125. An entitlements matrix established for the project in Annex 1 which has integrated government's policy and Binh Duong province's regulations on compensation, support and resettlement, and the World Bank's policy on land acquisition, restriction on land use and involuntary resettlement (ESS5) will be referred to preparation of compensation plan for PAPs.

6. INCOME RESTORATION PROGRAM (IRP)

126. There are two stages of planning for an income restoration program: (i) a distinction is drawn between activities carried out during project preparation (preliminary assessment/development of IRP framework); and (ii) those carried out during project implementation (the “detailed needs assessment”). This is mainly because the final list of affected persons and affected assets (and thus the final list of affected persons who are eligible for participation in the Project IRP) can only be determined through the Detailed Measurement Survey (DMS) carried out based on the approved detailed engineering design, which is usually developed during project implementation (after project approval).

127. The structure of this chapter includes: (i) Preliminary Needs Assessment during Project Preparation; (ii) Guidelines for preparation of a IRP during project implementation.

6.1 Preliminary Needs Assessment during Project Preparation

128. The consultant has carried out key informant interviews in combination with the IOL and public consultation with households who are severely affected by land acquisition. Out of 94 affected households, 25 severely affected households selected to engage in the project’s income restoration program. At the time of the IOL, PAPs did not have specific options. Therefore, PAP’s demand on income restoration program will be updated in the process of RP implementation.

6.2 Guidelines for preparation of an IRP during project implementation

129. The following are some general guidelines for preparation of a project income restoration program (IRP)

- ✓ The IRP is developed specifically for those severely affected by the loss of productive assets, that affect their livelihood, income and lives.
- ✓ In order to effectively address the needs of beneficiaries and maximize available resources, the IRP should be prepared with the full participation of eligible PAPPAPs, concerned people's committees at all levels, relevant agencies and community organizations (agricultural and rural development; invalid, labor and social affairs; trade and industry; planning and investment, farmer union, and others).
- ✓ The outcomes of the IRP are more sustainable if it is designed in a way that allows participating PAPs to contribute or invest their own resources (including labor) in the program.
- ✓ Particular attention should be given to ensuring the participation of affected women, vulnerable groups in planning and design of the IRP. For example, by carrying out separate interviews with women, vulnerable households, during detailed needs assessment, implementing IRP activities that facilitate the participation of and are responsive to the needs of these groups.
- ✓ IRP should be designed with a clear institutional set-up, clear roles and responsibilities, a realistic time frame for implementation, and clear monitoring and reporting arrangements.
- ✓ During both preparation and implementation, a proper assessment of impacts and risks is essential to be able to come up with accurate cost estimates for the IRP.

- ✓ Regular monitoring and evaluation of the progress of IRP implementation is required to ensure that the objectives are being met and that issues/problems as well solutions to these can be identified and implemented as soon as possible.

130. Process of preparing the Income Restoration Program:

● **Information Required**

The IRP is developed on the basis of a “Detailed Needs Assessment” which involves several data-gathering and participative activities used to determine the following:

- ✓ The list of PAPs eligible for participation in the IRP based on project impacts and their pre-project socioeconomic conditions.
- ✓ Compensation and assistance package that the PAPs would receive for the project impacts.
- ✓ PAPs’ income restoration needs and preferences in terms of types of activities, contributions, etc.
- ✓ Existing livelihood resources (on-going programs as well as the capacity of involved personnel) in the local area that could potentially be tapped for the project IRP.
- ✓ Potential risks to the success of IRP activities, and measures to avoid /mitigate these risks.

● **Carrying out the Detailed Needs Assessment**

Prior to conducting the Detailed Needs Assessment, all stakeholders, including PAPs and concerned government agencies, should be aware of the criteria used to identify who is eligible for participation in the IRP. For Binh Duong WEIP, these are 25 severely affected PAPs by the loss of productive land.

Measures that can be used to gather this information include:

Socio-economic survey (SES): The SES is used to produce baseline data and assess socio- economic conditions and potential risks and impacts on affected persons due to land acquisition and involuntary resettlement. The SES can be carried out in combination with the DMS. However, if it cannot be combined with these activities, SES is carried out on a sample basis. The following information will be required:

- Composition of members of the affected households (age, gender, physical condition, educational level, skills, etc.). This information will serve as indicators for the capacity of PAPs to undertake potential livelihood activities;
- Interest in participating in the IRP;
- Preferred income restoration activities of PAPs;
- Available material resources of the affected households after land acquisition and resettlement (including the space available to conduct potential activities such as backyard livestock production).

Qualitative data gathering activities such as the following can also be used to supplement information from the DMS and SES:

- Key informant interviews
- Focus group discussions (FGD)
- Community and public meetings
- Direct field observations

The detailed needs assessment is a participative process: the needs, preferences and capacities of PAPs are determined by PMU and commune and village officers together with the eligible PAPs.

● **Persons Involved in Preparing the IRP**

As discussed further in the above section, efforts should be made to ensure that the IRP is prepared with the full participation of PAPs eligible for participation in the IRP, and in close coordination with concerned agencies at provincial, district and commune levels.

- **Establishment of IRP** based on need assessment and activities related to livelihood programme in Binh Duong province
- **Institutional Arrangements.** Institutional arrangements for the IRP should be integrated with implementation arrangements for the Resettlement Action Plan.
- **IRP Costs.** The budget for an IRP would consist of items for: (i) Cost for each type and model of IRP activity (e.g. cultivation activities, livestock activities, non-agriculture activities, etc.) (ii) Costs for each type of technical training required to efficiently engage in the IRP activities; (iii) Management and Implementation cost (based on actual costs approved by the PPC); (iv) Contingency.
- **Approval of the IRP.** A separate document on the IRP should also be prepared by Binh Duong PMU and submitted to project provinces and districts for approval. The final IRP document should also be disseminated to PAPs, community and relevant agencies following the disclosure process described in the agreed RP.
- **Implementation of the IRP.** Income restoration program will be implemented for severely affected people immediately after compensation payment.

7. PUBLIC CONSULTATION, AND PARTICIPATION AND INFORMATION DISCLOSURE

7.1 Objectives

131. Information dissemination to PAPs and involved agencies is an important part of project preparation and implementation. Consultation with PAPs and ensuring their active participation will reduce the potential for conflicts and minimize the risk of project delays. This will also enable the Project to design the resettlement and livelihood restoration program as a comprehensive development program to suit the needs and priorities of the PAPs, thereby maximizing the economic and social benefits of investments. The objectives of the public information and consultation program are as follows:

- (a) To ensure that local authorities, as well as representatives of PAPs, will be included in the planning and decision-making processes. The PMU will work closely with PPC, the project WPCs and related line departments and agencies during project implementation. PAPs involvement in implementation will continue thereafter by requesting the project city to invite PAP's representatives to be members of the Compensation and Resettlement Committees and take part in the resettlement activities (property evaluation, compensation, resettlement, and monitoring).
- (b) To fully share information about the proposed project components and activities with the PAPs.
- (c) To obtain information about the needs and priorities of the PAPs, as well as receiving information about their reactions to proposed policies and activities.
- (d) To ensure that PAPs are able to make fully informed decisions that will directly affect their incomes and living standards, and that they will have the opportunity to participate in activities and decision-making about issues that will directly affect them.
- (e) To obtain the cooperation and participation of the PAPs and communities in activities necessary for Resettlement Planning and implementation.
- (f) To ensure transparency in all activities related to land acquisition, resettlement, and rehabilitation.

7.2 Information Disclosure, Public Consultation and Participation

7.2.1 Consultation during Project Preparation

- **Methods:**

132. Information disclosure and public consultation methods include: rapid preparatory assessment and consultation with stakeholders, using on-site techniques and meeting with households, community meeting, group discussion and socio-economic survey.

- **Information disclosure and consultation contents:**

133. Even in the early stage of project preparation, local governments at all levels have been informed about the project, its objectives, components and project operations and were consulted and participated in the discussions about local development needs and priorities in a

constructive way. Local authorities were consulted on the assessment of potential negative impacts of the project, measures to minimize impacts and increase benefits of the project. Local authorities were also consulted with their consensus and commitment to implement the resettlement policy as described in the RP. After the project is approved, provincial and local mass media will widely introduce the project at public places, including objectives, components and operations of the project.

134. In the context of COVID-19 pandemic outbreak in Vietnam during July to Sep 2020, consultation with stakeholders was limited. However, consultation in small groups with affected households and representatives of related agencies on the RP were conducted in September and October, 2020 in project wards of Thuan An, Di An cities and Tan Uyen town, including:

1. **Public meetings:** 24 meetings were conducted in Binh Duong PPC and 17 wards with 166 participants in which female participants account for 46.9%. The participants included wide-ranging representatives from implementing agencies (PMU and LFDC staff), local governmental agencies (City/district PCs, district LFDCs, Ward/Commune PCs, Land cadastral), community (community heads, project direct affected households and beneficiaries), and local mass organizations (Women's Union, Fatherland Front, Veterans Association, Youth Union).

2. **In-depth interviews:** 66 in-depth interviews were conducted for the representatives of some specifically affected households such as vulnerable HHs, relocated HHs, severely affected HHs, and local authorities of project involved agencies.

3. **Focus group discussion:** 21 focus group discussions were conducted with participants including the village leader and beneficiaries, from 3 to 6 participants in each group.

135. The main contents of the consultation meetings/discussions/interviews are indicated in the table below.

Table 9: Public Consultation on land acquisition and resettlement

No.	Public consultation, workshops and meetings	Time of implementation	Participants			Main consultation Contents ³	Summary of feedbacks
			Male	Female	Organizations		
1.	Kick-off meeting at Binh Duong PMU	September 8, 2020	6	4	<ul style="list-style-type: none"> - Representatives of PMU - Representatives of local authorities - E&S consultants 	<ul style="list-style-type: none"> - Introduction of overall information about the project: type/scope, locations, funding source, implementation arrangement/schedule. - E&S documents to be developed. - Activities needed to be implemented to support the development of E&S instruments. - Agreement on consultation and survey plans in wards and communes. 	<ul style="list-style-type: none"> - The project will play important role and contribute to the development of the city. It will bring benefits to local residents, economically, socially, and environmentally; - Compensation, support and resettlement: The market approach should be applied for compensation. Livelihood restoration and life stabilization programs are necessary to ensure all the affected people are assisted to restored their living conditions.
2.	Working with representatives of Tan Uyen LFDC	September 9, 2020	5	6	<ul style="list-style-type: none"> - Representative of PMU - Representatives of the LFDCs - E&S consultants 	<ul style="list-style-type: none"> - Introduce about the project, items of investment proposal; - The WB's ESF and ESS5; 	

³In addition to the consultations on land acquisition and resettlement, the E&S consultant also conducted other consultations on environmental and social impacts and mitigation measures (including labor influx) in September and October 2020. These contents are presented in the ESIA of the project.

No.	Public consultation, workshops and meetings	Time of implementation	Participants			Main consultation Contents ³	Summary of feedbacks
			Male	Female	Organizations		
3.	Working with representatives of Thuan An CLFDC					<ul style="list-style-type: none"> - Consultation on Resettlement Policy: project compensation and support policy; - Grievance redress mechanism (GRM) - Consultation on the participation of stakeholders during the phases of the project. 	<ul style="list-style-type: none"> - The coordination with and support of local authorities/agencies to ensure the smooth and timely site clearance are critical.
4.	Working with representatives of Di An CLFDC						
Tan Uyen Town							
5.	Khanh Binh WPC	September 11, 2020	4	3	<ul style="list-style-type: none"> - E&S consultants. - PMU representatives. - Representatives of the WPCs. - Representatives of local branches, mass organizations: Women's Union, Fatherland Front, Veterans Association, Youth Union, Land Administration Officer. - All hamlets/heads of residential groups in communes/wards. - Representatives of affected households 	<ul style="list-style-type: none"> - Introduce information about the project: size, funding source, implementation time. - Introduce the purpose and requirements of the social environmental safeguard reports at the request of the donor. - The WB's ESF, ESS5; - Consultation on Resettlement Policy: compensation and support policy of the project. - Grievance redress mechanism (GRM) - Consultation on the participation of stakeholders 	<ul style="list-style-type: none"> - People are very supportive of the project; - They agree with the project resettlement policies; - Regarding compensation unit price: people expect to receive the unit price that reflects the replacement price at the time of compensation payment; - The coordination with and support of local authorities/agencies to ensure the smooth and timely site clearance are critical.
6.	Tan Phuoc Khanh WPC	September 11, 2020	3	3			
7.	Hoi Nghia WPC	September 14, 2020	3	2			
8.	Phu Chanh WPC	September 14, 2020	4	2			
9.	Tan Vinh Hiep WPC	September 15, 2020	2	2			
10.	Vinh Tan WPC	September 15, 2020	3	3			

No.	Public consultation, workshops and meetings	Time of implementation	Participants			Main consultation Contents ³	Summary of feedbacks
			Male	Female	Organizations		
11.	Thanh Phuoc WPC	September 16, 2020	4	3	and beneficiaries in the project area.	<ul style="list-style-type: none"> - during the phases of the project. - Consultation on environmental and social impacts during project implementation and mitigation measures. - Socio-economic surveys and investigation of a number of households in the area; - In-depth interview: Leaders and some key officials. 	<ul style="list-style-type: none"> - People expect to be provided full information about the project from time to time or when there are any significant changes. - And the comments above received the consent of all participants.
12.	Tan Hiep WPC	September 16, 2020	4	3			
13.	Uyen Hung WPC	September 25, 2020	10	8			
Di An city							
14.	Tan Binh WPC	September 17, 2020	3	2	<ul style="list-style-type: none"> - E&S consultants. - PMU representatives. - Representative of the WPCs. - Representatives of local branches, mass organizations: Women's Union, Fatherland Front, Veterans Association, Youth Union, Land Administration Officer. 	<ul style="list-style-type: none"> - Introduce information about the project: size, funding source, implementation time. - Introduce the purpose and requirements of the social environmental safeguard reports at the request of the donor. - The WB's ESF, ESS5; - Grievance redress mechanism (GRM) - Consultation on the participation of stakeholders 	<ul style="list-style-type: none"> - People are very supportive of the project; - Proposed wastewater collection pipes are to be implemented on the existing road. - In case of land acquisition temporarily affecting production and business activities of households, the project should have a reasonable support plan.
15.	Binh Thang WPC	September 17, 2020	4	7			
16.	An Binh WPC	September 18, 2020	4	4			

No.	Public consultation, workshops and meetings	Time of implementation	Participants			Main consultation Contents ³	Summary of feedbacks
			Male	Female	Organizations		
17.	Dong Hoa WPC	September 18, 2020	5	3	<ul style="list-style-type: none"> - All hamlets/heads of residential groups in communes/wards. - Representatives of affected households and beneficiaries in the project area. 	<ul style="list-style-type: none"> - during the phases of the project. - Consultation on environmental and social impacts during project implementation - Socio-economic surveys and investigation of a number of households in the area; - In-depth interview: Leaders and some key officials. 	<ul style="list-style-type: none"> - Meaningful participation of local authorities and people should be sustained throughout project planning, design and construction, and operation.
18.	Binh An WPC	September 21, 2020	3	4			
Thuan An city							
19.	Vinh Phu WPC	September 22, 2020	4	2	<ul style="list-style-type: none"> - E&S consultants. - PMU representatives. - Representative of the WPCs. - Representatives of local branches, mass organizations: Women's Union, Fatherland Front, Veterans Association, Youth Union, Land Administration Officer. 	<ul style="list-style-type: none"> - Introduce information about the project: size, funding source, implementation time. - Introduce the purpose and requirements of the social environmental safeguard reports at the request of the donor. - The WB's ESF, ESS5; - Consultation on the participation of stakeholders during the phases of the project. 	<ul style="list-style-type: none"> - People are very supportive of the project; - Safety assurance during construction stage: The construction activities must ensure environmental sanitation and air condition of nearby communities. - People expect to be provided full information about the project from time to time or when there
20.	Hung Dinh WPC	September 23, 2020	4	3			

No.	Public consultation, workshops and meetings	Time of implementation	Participants			Main consultation Contents ³	Summary of feedbacks
			Male	Female	Organizations		
21.	Binh Nham WPC	September 24, 2020	6	4	<ul style="list-style-type: none"> - All hamlets/heads of residential groups in communes/wards. - Representatives of affected households and beneficiaries in the project area. 	<ul style="list-style-type: none"> - Grievance redress mechanism (GRM) - Consultation on environmental and social impacts during project implementation - Socio-economic surveys and investigation of a number of households in the area; - In-depth interview: Leaders and some key officials. 	<p>are any significant changes.</p> <ul style="list-style-type: none"> - And the comments above received the consent of all participants.
22.	Working with the Provincial Women's Union	September 10, 2020	3	7	<ul style="list-style-type: none"> - Representative of PMU - Representatives of the Binh Duong PWU - E&S consultants 	<ul style="list-style-type: none"> - Find out about gender equality and local action plans; - Information about respective Service Providers such as medical and psychological assistance, women's union, emergency accommodation and any other needed services (if any) - The Women's Union's participation in socio-environmental management in general and for this project in particular (if any). 	<p>Binh Duong has implemented the national strategy on gender equality (gender equality) for 10 years (2011-2020). Many models of gender equality, domestic violence prevention. "Trusted Address" model in the community has received a positive response from the society.</p>

No.	Public consultation, workshops and meetings	Time of implementation	Participants			Main consultation Contents ³	Summary of feedbacks
			Male	Female	Organizations		
23.	Working with DOLISA	October 29, 2020	2	2	<ul style="list-style-type: none"> - Representative of PMU - Representatives of DOLISA - E&S consultants 	<ul style="list-style-type: none"> - Labor and employment conditions: relevant regulations of the province - Livelihood restoration program - Mitigation measures 	<p>There are employment service centers in the province;</p> <p>Binh Duong implements and complies with relevant national laws and regulations;</p> <p>Project-affected households can participate in linked vocational training courses and be given priority in job at local facilities if they meet the requirements.</p>

No.	Public consultation, workshops and meetings	Time of implementation	Participants			Main consultation Contents ³	Summary of feedbacks
			Male	Female	Organizations		
24.	Working with Repres. of Binh Duong PPC, DOC, DPI, DONRE, DOF, DOST DARD, DOLISA, DOT, DOIC, Thuan An CPC, Di An CPC, Tan Uyen town PC, and PWU.	Sep-Oct., 2020	7	4	<ul style="list-style-type: none"> - Representative of PMU - Representatives of DOC, DPI, DONRE, DOF, DOST DARD, DOLISA, DOT, DOIC, Thuan An CPC, Di An CPC, Tan Uyen town PC, and PWU. - E&S consultants 	<ul style="list-style-type: none"> - Introduce information about the project: size, funding source, implementation time. - Introduce the purpose and requirements of the social environmental safeguard reports at the request of the donor. - The WB's ESF; - Consultation on the participation of stakeholders during the phases of the project. 	<p>A Provincial Steering Committee for the Binh Duong WEIP needs to be established soon with members including but not limited to:</p> <ul style="list-style-type: none"> - Repres. of Binh Duong PPC - Repres. of DOC - Repres. of DPI - Repres. of DONRE - Repres. of DOF - Repres. of DOST - Repres. of PMU-BIWASE - Repres. of Thuan An, Di An CPC and Tan Uyen TPC - Repres. of WU <p>The Provincial Project Steering Committee will coordinate the provincial agencies to ensure the timely implementation.</p>
TOTAL			88	78	-	-	

7.2.2 Consultation during the Project Implementation

136. The project will continue to engage with, and provide information to, project-affected parties and other interested parties throughout the life-cycle of the project, in a manner appropriate to the nature of their interests and the potential environmental and social risks and impacts of the project.

137. After the project is approved, mass media will disseminate project information including objectives, components, and proposed investments. The PMU also coordinates with local authorities for public consultation and information disclosure. Consultation with PAPs will be conducted continuously in the process of project implementation.

138. During the project implementation, the PMU, with the support from the consultant, shall undertake following tasks:

- (i) Providing detailed information on the project policies and implementation procedures to relevant agencies at all levels throughout meetings and/or training workshops.
- (ii) Organizing information dissemination and consultation to all affected persons during the project implementation.
- (iii) The City's resettlement committees carries out DMS, updates the compensation rates in the updated RP and reconfirms the scale of land acquisition and impacts on properties based on the results, consultation to affected persons, develop and complete the compensation plan for each affected household.
- (iv) The compensation plan finalizes affected assets and compensation entitlements of households, which must be signed by affected persons to demonstrate their concurrence with the evaluated results. Any questions of affected persons on the content of the compensation plan must be recorded at this time.
- (v) A letter/questionnaire about resettlement options will be given to all PAPs entitled to relocation (a) to inform them about resettlement options (a clear explanation of the consequences of choosing each option will be given), (b) to request that PAPs confirm their choice of resettlement option and their preliminary confirmation of resettlement site location, and (c) to propose the PAPs to clarify services that they are using such as education/health/market and distance of access to those services to ensure development of the future infrastructure service.
- (vi) Consulting affected people about their desires for the rehabilitation plan. This will be applied for severely affected and vulnerable people. The City's resettlement committees will notify affected persons the plan and their entitlement to receive technical assistance before requesting them to make clear their desire for rehabilitation support.

139. With the outbreak and spread of COVID-19, people have been advised, or may be mandated by national or local law, to exercise social distancing, and specifically to avoid public gatherings to prevent and reduce the risk of the virus transmission. The GoV has taken various restrictive measures depending on the COVID pandemic control situation, some imposing strict restrictions on public gatherings, meetings and people's movement, and others advising against public group events. These restrictions have affected Bank requirements for public consultation and stakeholder engagement in the project. The Bank's Technical Note was issued to guide the public consultation and stakeholder engagement activities during COVID-19 (See Annex 4 of the project SEP for details). The Note offers suggestions to the client on managing public

consultation and stakeholder engagement, with the recognition that the situation is developing rapidly, and careful regard needs to be given to national requirements and any updated guidance issued by the World Health Organization (WHO). It is important that the alternative ways of managing consultation and stakeholder engagement discussed with the client are in accordance with the local applicable laws and policies, especially those related to media and communication.

140. **Public consultation:** During the preparation of the detailed compensation plan/training and job changing plans, Binh Duong PMU or City's resettlement committees carries will organize community meetings at each affected commune to provide the PAPs with additional information and give them an opportunity to participate in the open discussions on resettlement policy and procedures. Invitations will be conveyed to all affected persons before the meeting is held in such a place. The purpose of this meeting is to clarify the information updated at the meeting time and create opportunities for affected people to discuss the concerned issues and clarify information. In addition to notification letters addressed to affected people, other measures of information dissemination to them and the public in general like posters in prominent places in the headquarters of communes/districts where the affected people are living by means of local radio and newspapers. Both men and women of affected households as well as community members who are interested in the Project are encouraged to participate. In the meeting, there will be explanations about the Project, rights and entitlements of households, and the meeting will be an opportunity to raise related questions. Similar meetings will be organized periodically throughout the project cycle. The consulting organization must establish a record of certified CPC committee representing Vietnam Fatherland Front and communal representatives who have acquired land.

141. The following information will be given to affected households:

- (i) **Project components and project:** This includes the places where they can obtain more detailed information about the Project.
- (ii) **Project impacts:** Impacts on the people living and working in the affected areas of the project, including explanations about the need for land acquisition for each project.
- (iii) **AHs rights and entitlements.** These will be defined for PAPs including the entitlements for those losing businesses, jobs and income. Available options include for land-for-land and cash compensation, entitlement to rehabilitation assistance and income restoration. A cut-off date will be announced to establish eligibility.
- (iv) **Grievance redress mechanism.** PAPs will be informed about the project GRM and guide how to access grievance redress procedures. They will be exempt from any cost related to their complaints.
- (v) **Right to participation and consultation.** The PAPs will be informed about their right to participate in the planning and implementation of the resettlement process and to be consulted in all project activities affected to their lives throughout project implementation.
- (vi) **Resettlement activities.** PAPs will be consulted in compensation plans, compensation payments, livelihood restoration, and monitoring.
- (vii) **Organizational responsibilities.** PAPs will be informed about the implementing agencies, local Government organizations involved in resettlement and their responsibilities as well as their names and positions with phone numbers, and office locations.

- (viii) **Implementation schedule.** PAPs will receive the proposed schedule for the implementation of resettlement activities and informed that physical works will start only after the completion of all resettlement activities and clearance.

142. **Project Leaflet.** A Project Leaflet providing project information will be prepared and handed out to the PAPs in the project preparation and implementation stages to ensure that the people are well aware of the project benefits. The project leaflet will provide key compensation and assistance policies as well as GRM as mentioned in this RP.

7.2.3 Information Disclosure

143. As per Bank's requirement under the ESS10 – Stakeholder Engagement and Information Disclosure, the RP in Vietnamese will be disclosed locally, at the office of PMU, City/Town PCs, Ward/Commune PCs, Binh Duong Provincial Portal and the English version of the RP will be disclosed at the World Bank external websites before and after it is approved.

8. GRIEVANCE AND REDRESS MECHANISM

144. In order to ensure that all PAPs' grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to PAPs to air their grievances, a well-defined grievance redress mechanism needs to be established. All PAPs can send any questions to implementation agencies related to their entitlement. Furthermore, PAPs are not required to pay any fee of the procedures associated with seeking grievance redress including if resolution requires legal action to be undertaken in a court of law. Grievance redress on compensation mechanism of the project will be conducted in compliance with the Law No.02/2011/QH13 on Complaints and Law No.25/2018/QH14 on Denunciation.

145. The Binh Duong WEIP is implemented in urban areas. Therefore, the time for settling complaints is based on Articles 28 and 37 of the Law on Complaints No.02/2011/QH13 applicable to areas with difficult travel conditions, specifically:

- The time limit for settling a first-time complaint does not exceed 30 days after the complaint is accepted. For a complicated case, this time limit may be prolonged but must not exceed 45 days after the complaint is accepted.
- The time limit for settling a second-time complaint does not exceed 45 days after the complaint is accepted. For a complicated case, this time limit may be prolonged but must not exceed 60 days after the complaint is accepted.

146. The Binh Duong WEIP will maintain the Vietnam's grievance redress mechanism and is summarized under the following steps:

- ❖ **The first step - Ward/Commune People's Committee (W/CPC).** An affected household is to take his/her complaint to any member of the People's Committee of the ward/commune, through the village/cluster head or directly to W/CPC, in written or oral form. The said member(s) of the W/CPC or the village head will inform the W/CPC on the complaint. The W/CPC will work directly in person with the said affected household and will decide on the settlement of the complaint within 10 working days after receiving such complaint. The secretariat of the W/CPC is responsible for documenting and recording all the complaints that it is handling. The time limit for settling a first-time complaint does not exceed 30 days after the complaint is accepted. For a

complicated case, this time limit may be prolonged but must not exceed 45 days after the complaint is accepted.

Within 30 days after the expiration of the complaint settlement time limit specified, if a first-time complaint remains unsettled, or after receiving a first-time complaint settlement decision, if the complainant disagrees with this decision, he/ she may escalate complaints to the City/District People's Committee.

- ❖ **The second step – City/District People's Committee (City/DPC).** Upon receipt of complaint from the households, the DPC will have 10 days following the lodging of the complaint to resolve the case. The DPC is responsible for documenting and keeping a file of all complaints that it handles. The time limit for settling a second-time complaint does not exceed 45 days after the complaint is accepted. For a complicated case, this time limit may be prolonged but must not exceed 60 days after the complaint is accepted. Upon the expiration of the complaint settlement time limit specified, if a complaint remains unsettled or a complainant disagrees with a second-time complaint settlement decision, he/she has the right to escalate complaints at Provincial People's Committee or institute at district court in accordance with the Law on Complaint.
- ❖ **The third step – Provincial People's Committee (PPC).** Upon receiving a complaint from the household, the PPC will have 10 working days to resolve the case. The PPC is responsible for filing and storing documents for all complaints to be submitted. The time limit for settling a second-time complaint does not exceed 45 days after the complaint is accepted. For a complicated case, this time limit may be prolonged but must not exceed 60 days after the complaint is accepted. Upon the expiration of the complaint settlement time limit specified, if a complaint remains unsettled or a complainant disagrees with a second-time complaint settlement decision, he/she has the right to institute at province court in accordance with the Law on Complaint.
For all levels, within 07 working days from the date of conclusion of complaint, the decision ruling the settlement of complaints will have to be issued and sent to complainants and concerned parties and shall be publicly posted at the headquarters of the People's Committee of the relevant level.

147. At the beginning of the project implementation, Grievance Redress Committees will be established for the project based on the existing structures consisting of concerned departments, mass organizations, women and representatives of the community. At the communal level the community-based organization will incorporate the existing grievance mechanisms that will be chaired by the leader of the CPC. The grievance mechanism and procedures will resolve complaints, and with the availability of local resources resolve conflicts not only on safeguard issues but also on other issues during project implementation. Based on this structure, the community-based organization would assist during the project preparation, design, implementation, and future developments. The grievance mechanism will be applied to persons or groups that are directly affected by the project, as well as those that may have interests in the project and/or have the ability to influence its outcome either positively or negatively.

148. In order to minimize complaints to the provincial level, the PMU will cooperate with the City Resettlement Committee to participate in and consult on settling complaints. Staff, assigned by the PMU, will formulate and maintain a database of the PAPs' grievances related

to the Project including information such as the nature of the grievances, sources and dates of receipt of grievances, names and addresses of the aggrieved PAPs, actions to be taken and current status.

149. The grievance resolution process for the Project, including the names and contact details of Grievance Focal Points and the Grievance Facilitation Unit (GFU), will be disseminated through information brochures and posted in the offices of the People's Committees at the wards/communes and city and at the PMU. All complaints and grievances will be properly documented and filed by the competent agencies. These grievance documents and reports will be made publicly accessible. All costs associated with the grievance handling process related to settlement of the complainant's complaint are covered by the project.

150. The Environment and Resettlement staff assigned by PMU will formulate and maintain a database of the PAPs' grievances related to the Project including information such as nature of the grievances, sources and dates of receipt of grievances, names and addresses of the aggrieved PAPs, actions to be taken and current status. In case of verbal claims, the reception board will record these inquiries in the grievance form at the first meeting with affected people.

151. On an exceptional basis, with prior agreement of the Bank, and where the Borrower demonstrates that all reasonable efforts to resolve PAPs' complaints have been taken, the local authorities may deposit compensation funds as required by the plan (plus a reasonable additional amount for contingencies) into an interest-bearing escrow or other deposit account and proceed with the relevant project activities. Compensation placed in escrow will be made available to eligible persons in a timely manner as issues are resolved.

9. IMPLEMENTATION ARRANGEMENTS

9.1 Institutional Framework

152. The implementation of resettlement activities requires the involvement of agencies and organizations at national, provincial, district and commune levels. PPC engaged in the Project will take overall responsibility for the implementation of the Resettlement Action Plan (RP). Compensation, Support and Resettlement Committees will be established at provincial/district levels in compliance with provisions of Decree No. 47/2014/CP.

9.2 Organizational Arrangements

9.2.1 Binh Duong PPC

153. The PPC is the highest authority to promulgate regulations, solve issues concerning guidelines and policies, and give instructions for the Project implementation and are the link between the functional organizations in the Project implementation. The PPC could also delegate such endorsement to the District/City PCs or to the PMU.

154. The PPC will take overall responsibility as follows:

- (i) Approve the Resettlement Action Plan;
- (ii) Promulgate regulations to solidify the mechanisms for compensation, assistance and resettlement in accordance with the laws and practices of the province.
- (iii) Inform or authorizing D/CPCs to announce about land acquisition to affected organizations;

- (iv) Approve replacement costs;
- (v) Direct the coordination among the concerned agencies and the provincial departments to implement the compensation, assistance and resettlement in accordance with the approved RP;
- (vi) Provide sufficiently and timely budget for the resettlement activities of the project;
- (vii) Ensure that the objectives of the RP must be achieved after completion of the resettlement implementation.
- (viii) Resolve all grievances/complaints at provincial level.

9.2.2 Binh Duong PMU

155. The Binh Duong PMU is the implementing agency (IA) and shall be responsible for the implementation of the project RP and its main tasks are:

- (i) On behalf of the project owner or the province, implement and monitor the implementation of all resettlement activities within the project by signing contract with LFDCs to perform site clearance and resettlement;
- (ii) To prepare detailed resettlement implementation plan in conformity with civil works schedule;
- (iii) To update RP (uRP) if there is any changes in policy and or scope of impacts and submit the uRP to the PPC and WB for approval before implementation;
- (iv) To guide LFDCs to implement resettlement following the policies and guidelines of the Project's RP;
- (v) To coordinate with provincial departments and other agencies involved in the implementation of RP;
- (vi) To conduct internal monitoring the implementation of the RP;
- (vii) To set up a database of affected persons and compensation for each component as well as for entire Project;
- (viii) To employ the independent monitoring agency for the project;
- (ix) To coordinate with related agencies to implement LRP;
- (x) To take over land acquisition from affected households and transfer to contractors;
- (xi) To manage contract with and support the independent monitoring agency; and
- (xii) To report periodically the resettlement activities to the PPC and WB.

9.2.3 District/City People's Committees(D/CPCs)

156. City/District People's Committees shall be responsible for:

- (i) Giving instructions, organizing propaganda and mobilizing every concerned agency, household, and individual to execute the compensation, assistance and resettlement and site clearance policy pursuant to the decisions of the state competent agencies.
- (ii) Giving instructions to District/City Land Fund Development Centers (D/CLFDCs) on preparing, assessing and approving compensation and resettlement plans based on the PPC's decentralization;
- (iii) Approve replacement cost if authorized by the PPC;
- (iv) Direct concerned departments, divisions, agencies, organizations and the LFDC to implement resettlement of the project in compliance with the approved RP;
- (v) Solving people's disputes, complaints, denunciations and petitions related to compensation, assistance and resettlement within their authority;
- (vi) Making land recovery decisions for site clearance and land acquisition within their competence.

9.2.4 District/City Land Fund Development Centers (D/CLFDCs)

157. D/CLFDC, an agency under the District/city PC, is in charge of the preparation and implementation of all resettlement activities. D/CLFDC will:

- (i) Sign a contract with the PMU for and support PMU in implementing compensation, assistance and resettlement;
- (ii) Blueprint for the implementation of RP and land clearance for the project;
- (iii) Combine with the PMU in conducting community meetings to disclose the project information, RP, GRM;
- (iv) Conduct DMS of all affected assets, establishment and disclosure of detailed compensation measures of each PP;
- (v) Prepare compensation plan for and consult with affected people and submit the compensation plan to the district PC for approval;
- (vi) Cooperate with the PMU to pay compensation for each affected household;
- (vii) Receive complaints and support competent agencies for resolving;
- (viii) Combine with the PMU and related agencies to implement LRP;
- (ix) Coordinating closely with an independent monitoring agency.

9.2.5 Ward/Commune People's Committee (W/CPC)

158. Ward/Commune PCs shall be responsible for:

- (i) Establishing a ward-level working group to engage in and to assist the District/City LFDC and Binh Duong PMU in conducting DMS for the Project, preparing documents on land acquisition;
- (ii) Verifying PAPs' legal titles or certifying their land use to identify eligibility and criteria for compensation;
- (iii) Assisting the PMU, LFDCs and other units and agencies in posting or disseminating information; holding community meetings and consulting with PAPs;
- (iv) Supporting PAPs in restoration of livelihood and living standard;
- (v) Ensuring full implementation of the grievances redress mechanism from PAPs; recording all grievances and filing all documents on grievances at commune/ward level;
- (vi) Coordinating closely with independent monitoring agencies.

9.2.6 Displaced Persons (DPs)

159. The DPs are responsible for:

- (i) Coordinating with survey teams in DMS process;
- (ii) Participating in all public meetings and consultations during project preparation and implementation and give feedback for improving quality of the RP and solutions for implementing the RP smoothly; and
- (iii) Hand over acquired land to the project on time after receiving full entitlements.

9.2.7 Independent Monitoring Consultant (IMC)

160. Independent monitoring Consultant (IMC): It is required to identify and hire an agency/organization or research institute specializing in social sciences, to conduct baseline socio-economic survey, periodical monitoring and evaluation of the implementation of the RP. Binh Duong PMU will sign a contract with the Independent Monitoring Consultant. IMC will report periodically on progress and compliance issues to the WB and make recommendation of remedies.

10. IMPLEMENTATION PLAN

10.1 Main Activities and specific milestones

161. Procedures of resettlement implementation must comply with regulations and procedures stipulated in Decree 47/2014/ND-CP of the Government and regulations in the RP. Specific steps and procedures are as follows:

- (i) Basing on detailed technical design of works, the design consultants and PMUs hand over landmarks of site clearance to CLFDC to determine PAPs and carry out DMS of affected assets.
- (ii) Holding meetings with PAPs to disseminate information and compensation policies, including the project objectives and benefits, positive and negative impacts of the project, mitigation measures, methods used to evaluate prices of

affected assets, amounts for compensation, allowances and restoration, and grievance redress mechanism.

- (iii) The baseline survey undertakes surveys of affected HHs and inventory of their affected assets to collect information on PAPs, identifying quantities of affected assets, entitlements to compensation, and resettlement and restoration allowances for PAPs. Consulting PAPs about mitigation measures for the project impacts and assistance measures for livelihood restoration.
- (iv) Conduct a social economic survey (if necessary).
- (v) Carrying out replacement cost survey;
- (vi) Preparing compensation plans, consulting compensation plans with PAPs and posting compensation plans in public places to obtain PAPs' comments, finalizing compensation plans and submitting to City/district PC for approval.
- (vii) Paying compensation and restoration allowances;
- (viii) Implement livelihood restoration program;
- (ix) Implementing resettlement (if any) before handing over sites for construction
- (x) Internal and external monitoring activities will be implemented during the whole process of compensation and resettlement implementation to ensure that the implementation of compensation and resettlement complies with the RP;
- (xi) Resolve grievances and complaints of PAPs.

162. To implement resettlement activities in line with construction schedules and ensure that no PAPs have to relocate before compensation payment and commencement of construction activities, the PMU needs to develop a project implementation plan, including specific milestones.

163. The main activities, guide and specific milestones of compensation and resettlement implementation shown in the table below.

Table 10: Main activities, guides and specific milestones of resettlement implementation

No.	Main activities	Implementation Guide	Timeline
1.	PMUs hand over landmarks of site clearance to CLFDC	Based on detailed technical design of works, the design consultants and PMUs hand over benchmarks of site clearance to CLFDC to determine PAPs and carry out DMS of affected assets.	After detailed technical design approved
2.	Notice of land acquisition	The PMU coordinates with the Center for Land Fund Development and the Ward / Commune People's Committee to send the land acquisition notice to each affected household.	Before meeting people to disseminate information and a DMS implementation plan.
3.	Meetings with PAPs	<p>The PMU in conjunction with the Center for Land Fund Development and the Ward / Commune People's Committee hold meetings with PAPs to disseminate information and compensation policies, including the project objectives and benefits, positive and negative impacts of the project, mitigation measures, methods used to evaluate prices of affected assets, amounts for compensation, allowances and restoration, and grievance redress mechanism.</p> <p>The meetings must be arranged with enough time for the affected people to participate in the discussion. Participants: both men and women (both husband and wife) so that the male / female ratio is relatively balanced;</p> <p>Choosing the time and place of the meeting to suit the culture and customs of the people.</p>	Before DMS implementation

4.	Detailed Measurement Survey (DMS)	<p>Detailed measurement Survey of affected assets of the household with the participation of the representatives of the affected households.</p> <p>The DMS record must be signed for certification by the head of household and handed over to the household a copy for their DMS minute to compare with the record of the compensation plan.</p> <p>The results of the DMS should be posted in public to obtain PAPs' comments.</p>	According to resettlement implementation progress
5.	Replacement Cost Survey	<p>The PMU hires an independent valuation expert/unit to investigate replacement cost for affected land and non-land assets to submit to competent authorities for approval as a basis for applying compensation.</p> <p>Replacement prices should be consulted with the PAP for consensus.</p>	Performed before or in parallel with DMS
6.	Preparing compensation plans	Compensation plans must ensure that all affected assets and PAPs' entitlements are included in the approved RP entitlement matrix.	After having DMS results and replacement cost. But no later than 3 months from the end of DMS.
7.	Consulting compensation plans	<p>Consult with the affected people about compensation price, entitlements to compensation, compensation form in cash, resettlement options.</p> <p>Disclosure compensation plans at least 20 days before submitting them for approval.</p>	While preparing the compensation plan, before submitting for approval, and after approving the compensation plan.
8.	Appraisal and approval compensation plans.	Directly at the People's Committee of the province or district if authorized.	Within 05 days from the date of receiving compensation plan
9.	Paying compensation and restoration allowances	Compensation and assistance must be paid for PAPs within 30 days since land acquisition decision/compensation plan has been approved. In case the PAPs do not agree to receive compensation because they still have complaint, their compensation amount, (plus a reasonable additional amount for contingency), must be placed in an	Within 30 days from the date the Compensation Plan/land acquisition decision has been approved.

		<p>escrow account in a bank with interest rate and proceed project activities. Compensation amount placed in escrow will be made available to eligible persons in a timely manner as issues are resolved. Lack of legal papers (such as the red book is mortgaging the bank) is not a barrier to receive compensation. Notify PAPs of the date and hand over the site to the project.</p>	
10.	Land acquisition, handing over sites for construction	<p>Taking land of PAPs will be implemented after land acquisition decision was issued and compensation and allowance were paid for PAPs. Taking of land before payment of compensation to PAPs should only be done in special cases and with prior agreement with the WB.</p>	After 30 days from the date of compensation payment
11.	Restore livelihoods for severely affected people	<p>Survey about the needs of vocational training, job creation and other supports of severely affected and vulnerable households. Prepare a livelihood restoration plan to submit to the PPC and World Bank for approval. Implement a livelihood restoration plan.</p>	<p>Survey of needs after identifying severely affected and vulnerable households (at compensation plan preparation phase); Implement the livelihood restoration plan immediately after compensation payment.</p>
12.	Resolving complaints	<p>Receive and settle complaints of PAPs according to the project's GRM. The PMU resettlement staff monitors and coordinates with relevant agencies in the complaint settlement process. Report complaint settlement status in internal and independent monitoring reports.</p>	Immediately upon receiving complaints from the PAP
Monitoring and evaluation			
13.	Internal monitoring	<p>Internal monitoring of the RP implementation is the main responsibility of the PMU with the support of the project consultants, which will be regularly implemented through progress reports made by the PMU in coordination with project CPCs and WPCs to ensure compliance with the provisions mentioned in the RP. The findings will be reported in quarterly reports to submit to the PPC and WB.</p>	<p>From the beginning implementation of compensation activities. Submit quarterly monitoring reports to the World Bank in</p>

			the first week of the following quarter.
14.	External monitoring	<p>Mobilize the independent monitoring agency to monitor the implementation of the resettlement action plan according to the Terms of Reference.</p> <p>Independent monitoring is conducted every 6 months and the post-resettlement assessment when resettlement activities ended 6-12 months.</p> <p>Monitoring report is reviewed by the PMU before submitting to the World Bank for review and concurrence.</p> <p>The PMU and compensation implementing agencies provide relevant information and assist the IMC in implementing their duties.</p>	<p>Mobilize on schedule and every 6 months.</p> <p>The time of mobilization of IMC for monitoring is according to actual progress.</p>

10.2 Implementation Schedule

164. Resettlement implementation schedule for Binh Duong WEIP can only be determined based on the project's detailed design and bidding strategy of the project which is usually developed during project implementation (after project approval).

165. The land clearance work will be done so that it meets the timeline to hand over the land premise to the constructors. The minimum time period for the land clearance is 6 months with main activities shown in the table below.

Table 11: Resettlement Implementation Schedule

<i>Main Activities</i>	<i>Time</i>						
	1 st Month	2 nd Month	3 rd Month	4 th Month	5 th Month	6 th Month	...
For Phase 1 (Tan Uyen WWTP)							
PMUs hand over benchmarks of site clearance to CLFDC	▼ Q3/2023						
Notice of land acquisition	————						
Meetings with PAHs	————						
Detailed Measurement Survey (DMS)		————	————				
Replacement Cost Survey			————	————			
Preparing compensation plans (CPs)			————	————	————		
Consulting compensation plans			—— —	—— —	—— —		
Appraisal and approval CPs					————		
Payment of Compensation, Support						————	
Handing over sites for construction						▼ Q4/2023	
Restore livelihoods for severely affected people				————	————	————	————
Resolving complaints	—— —	—— —	—— —	—— —	—— —	—— —	—— —
Internal monitoring	————	————	————	————	————	————	————
External monitoring		—— —	—— —	—— —	—— —	—— —	—— —

11. MONITORING AND EVALUATION

11.1 Monitoring

166. Monitoring of implementation is a continuous process during project implementation. It provides concerned agencies with updated information on the Project's status. It will determine the Project's actual progress, its likelihood of success, and any difficulties arising, and facilitate adjustments to implementation of the Project implementation as soon as possible. It consists of internal and external monitoring.

11.1.1 Internal Monitoring

167. Internal monitoring of the RP implementation is the main responsibility of the PMU with the support of the project consultants, which will be regularly implemented through progress reports made by the PMU in coordination with project CPCs and WPCs. Key assignments of internal monitoring are as below:

- Coordinate with related agencies in process of RP implementation;
- Collect necessary data, to set up a database of resettlement for RP implementation progress reports for internal monitoring purpose;
- Identify any pending issues/non-compliance issues during RP implementation;
- Work closely with the Independent Monitoring Consultant to oversee the implementation of RP;
- Receive and report complaints of affected people to competent authorities for resolving.

168. PMU will submit internal monitoring reports on the RP implementation as a part of the quarterly progress report or a stand-alone report to the WB. The report should include key contents as follows:

- (i) Number of PAPs according to different impact types, condition of the compensation reimbursement, relocation and income recovery of the PAPs;
- (ii) Finance allocation to the activities and reimbursement of compensation and the reimbursed budget for each activity;
- (iii) Final result on complaints redress and any remaining issue which require the administrative authorities of some levels to solve;
- (iv) Pending, compliance issues during the implementation stage;
- (v) Implementation schedule of the updated actual resettlement.

11.1.2 External Monitoring (Independent Monitoring)

169. An independent agency will be hired by the PMU to monitor the implementation of the resettlement action plan. The independent agency can be a research institution/company, a non-governmental organization or an independent consulting firm etc. The agency must have expertise in the social sciences and considerable experience in independent monitoring of the implementation of resettlement. The implementation of the independent monitoring mission should be based on the terms of reference approved by WB. The independent monitoring agency will begin its work as soon as the project implementation begins or after payment of compensation at the latest.

170. The overall objective of independent monitoring is to provide a periodic independent evaluation of the results of implementing the resettlement objectives, the changes in living standards and employment, income rehabilitation and the social basis of those affected, effectiveness, impacts and sustainability of citizen entitlements, the need for additional measures to minimize the damage (if any), and identifying strategic lessons for making and planning policies in the future.

171. In addition to the evaluation of the information provided in the internal monitoring reports, the Independent Monitoring consultant will also conduct periodical monitoring missions for every 6 months. The monitoring should cover 100% of severely and vulnerable affected households, and at least 30% of the remaining households in each compensation plan. The following issues will be monitored and evaluated by the IMC, including but not limited to:

- (i) Monitoring the implementation of resettlement sites which include the status in compare with the plan, progress and impact on resettled PAPs;
- (ii) Payment of compensation will be as follows: a) full payment to be made to all affected persons sufficiently before land acquisition; (b) adequacy of payment to replace affected assets.
- (iii) Provision of assistance for PAPs who have to rebuild their houses on their remaining land, or build their houses in new places as arranged by the project, or on newly assigned plots.
- (iv) Income and livelihood restoration allowances.
- (v) Community consultation and public dissemination of compensation policy: (a) PAPs should be fully informed and consulted about land acquisition, leasing and relocation activities; (b) public awareness of the compensation policy and entitlements will be assessed among the PAPs; and (c) assessment of awareness of various options available to DPs as provided for in the RPs.
- (vi) Income and livelihood restoration of PPs.
- (vii) Operation of the complaint mechanism and complaint settlement of PAPs.
- (viii) Monitor the implementation of mitigation measures for social risks (if any) posed by labor influx of contractors into the communities surrounding the project area;
- (ix) PAPs' satisfaction level on various aspects of the RP will be monitored and recorded.
- (x) Through the implementation, trends on living standard will be observed and surveyed. Any potential issues in the recovering living standard are reported and suitable measures will be proposed to ensure the project objectives.

172. The Independent Monitoring Agency must submit a periodic report every 6 months, outlining the findings of the monitoring process. This monitoring report will be discussed with PMU before submission to the World Bank. The independent monitoring reports shall reflect the findings in the monitoring process. This monitoring report will be submitted to the PMU and then the PMU will submit to the WB.

173. The report should contain (i) progress of RP implementation; (ii) deviations, if any, from the provisions and principles of the RP; (iii) identification of outstanding issues and recommended solutions so that the executive agencies are informed about the ongoing situation and can resolve problems in a timely manner; and (iv) progress of the follow-up of problems and issues identified in the previous report.

Post-resettlement Evaluation

174. The external monitor will conduct an evaluation of the resettlement implementation 6 to 12 months after the completion of all resettlement activities. Report of the ex-post resettlement evaluation will be included in Project Completion Report (PCR).

175. Resettlement implementation cannot be considered completed until an ex-post evaluation and a project completion audit confirm that all the PAPs have received fully all compensation, assistance and their livelihood and lives have been restored as planned.

12. COST ESTIMATE AND BUDGET

12.1 Funding Source

176. The budget for the implementation of the Resettlement Action Plan will be part of the counterpart fund provided by Binh Duong PPC. Budget for the implementation of compensation, support and resettlement will be included in the total investment cost of the project.

177. Binh Duong PMU will transfer a sufficient and timely budget for land acquisition, compensation, support and resettlement to the City/District LFDC (City/District CRC). These agencies will be responsible for making compensation payment directly to affected households of the Project.

12.1.1 Replacement Cost Survey

178. Main objective of the replacement cost survey is to ensure compensation for all affected assets will be at replacement cost. Replacement cost will be obtained through field survey conducted by independent appraiser as follows:

- Land price is determined at the time of resettlement report preparation;
- Prices of trees, crops are determined at present time;
- Prices of material, workers, houses, structures are specified at present time.

179. During preparation of the RP, rapid replacement cost survey was conducted by the RP consultant in the project area in September 2020 through:

- Directly interviewing households in affected and surrounding areas by questionnaires to collect information on market price of all types of lands and non-land assets in the project area;
- Consulting with representatives of DOF, DOC, DORE, agencies in Binh Duong PPC office and relevant communes/wards on land price, assets, harvest, crops, trees;
- Carrying out consultation with some local construction companies on construction price, material price;
- Accessing local land brokers, websites to figure out information.

180. Results of the rapid replacement cost survey shows that the provincial proposed rates are basically equivalent to market prices, and acceptable to local affected people. Therefore, the provincial rates are proposed to apply for calculating compensation cost for the project. For detailed approaches and replacement cost survey methods are summarized in Annex 5. Replacement cost will be updated at time of resettlement implementation to ensure compensation at current market prices.

12.2 Cost Estimate and Funding Source

181. Cost estimate for implementation of the RP for the project is about VND 553,523,000,000, (equivalent to US\$ 23,787,000). See details in the table below.

Table 12: Cost estimate of compensation for affected items by project

No.	Contents	Interpretation	Amount	
			Exchange rate: US\$ 1 = VND 23,270	
			VND	USD
I	Cost estimate for Item 1.1 ⁴	<i>See Annex 6 for details</i>	26,660,200,000	1,145,690
II	Cost estimate for Item 1.2 ⁵	<i>See Annex 6 for details</i>	363,027,286,000	15,600,657
III	Cost estimate for Item 1.3 ⁶	<i>See Annex 6 for details</i>	98,859,500,000	4,248,367
IV	Sub-total 1	= I+II+III	488,546,986,000	20,994,714
V	Independent monitoring	= 0.5% IV	2,442,734,930	104,974
VI	Management cost	= 2% IV	9,770,939,720	419,894
VII	Implementation RCS	= 0.5% IV	2,442,734,930	104,974
VIII	Sub-total 2	= IV+ V+ VI+ VII	503,203,395,580	21,624,555
IX	Contingency	= 10% VIII	50,320,339,558	2,162,456
X	Grand Total	= VIII + IX	553,523,735,138	23,787,011

⁴Sewage collection and network expansions, including sewage pumping stations for Tan Uyen town, Thuan An, and Di An cities

⁵Constructing a WWTP for Tan Uyen town; Upgrading the existing WWTPs for Thuan An and Di An cities

⁶Improving the drainage capacity in downstream of Suoi Tre canal

ANNEX

Annex 1: Entitlement Matrix

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligibility		
LAND ACQUISITION				
1.1. Agricultural land⁷	1.1.1. Marginal impact The remaining area of the affected plot is still economically viable for use or meets the expected personal yield and not impact livelihood/income.	1.1.1.1 All PAPs with LURC, or legalizable (69 PAPs)	(i) PAPs will receive compensation for loss of land in cash at 100% replacement cost . (ii) If the area of remaining land after acquisition is not enough to continue cultivation, the project will acquire the entire piece of land and compensation would be made for the entire affected plot. Compensation for assets on the land acquisition, please refer to section 1.3, 1.4 of this entitlement matrix. Livelihood restoration assistance will be provided, including: allowance for production stabilization; allowance for vocational training and job creation (please refer to item 2.1.1 of this entitlement matrix). In addition to above, for agricultural, garden and pond land adjacent to, but not included in the category of residential land, PAPs will receive assistance according to the provisions of the PPC.	<ul style="list-style-type: none"> ▪ Affected households to be notified at least 90 days before land recovery by the Project. ▪ The owner of land will hand over the land within 30 days (update according to regulations at the time of project implementation) from the date the District Compensation Board fully pays compensation for land. ▪ If area of land acquisition is different between actual measured and recorded on Land Use Rights Certificate (LURC), land acquisition will be compensated according to actual measured area unless otherwise occupied.
		1.1.1.2. Illegal or un-legitimate users (No case identified during IOL)	(i) Affected land was used before July 01st, 2004 and users are directly involved in agricultural activities will be compensated in cash for the affected land at the replacement cost; If affected land was used after 01 July 2004 to	

⁷Classification of agricultural land is stipulated at Article 10 of Land Law

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligibility		
			<p>before the cut-off date (land acquisition announcement date), and livelihoods of the users are primarily dependent on that plot of land, PAPs will be provided financial assistance sufficient to re-establish livelihoods to pre-project levels to meet the objectives of the World Bank's standard on involuntary resettlement and land acquisition..</p> <p>(ii) PAPs whose affected land was used after the cut-off date will not be provided compensation or assistance.</p>	
		<p>1.1.1.3. Land Users with temporary or leased rights to use land.</p> <p>(No case identified during IOL)</p>	<p>(i) For PAPs currently using land managed by State-owner on a contractual basis (renting/leasing) for agricultural, forestry, or aquaculture purposes (excluding land under special use forests and protected forests), compensation shall be provided for the remaining value of investments made on the land and for all assets attached to the land at 100% of replacement cost, and these PAPs will also receive additional support for income rehabilitation if they are directly involved in agricultural activities as per Government's regulations.</p> <p>Where PAPs receive land on a contractual basis (renting/leasing) with individuals, organizations, households but are other than specified as point (i) above, they shall receive compensation for the remaining value of investments made on the land and structures/trees/crops created on land at full replacement cost. Compensation for land at</p>	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligibility		
			replacement cost will be provided for the land owner.	
	1.1.2. Severe Loss: losing productive land that significantly affects livelihood and income.	1.1.2.1. All PAPs with LURC, or legalizable (25 PAPs)	<ul style="list-style-type: none"> ▪ Compensation and assistances as applicable for sub-item 1.1.1 of this matrix ▪ In addition, they will receive assistance in cash for production and living rehabilitation as specified in item 2.1.2 of this matrix and participated in LRP. 	<ul style="list-style-type: none"> ▪ The forms of assistance should be consulted closely with appropriate and effective measures of agricultural encouragement to assist the poor to restore their income generating capacity and income levels.
		1.1.2.2. Illegal or un-legitimate users (No case identified during IOL)	<ul style="list-style-type: none"> ▪ Compensation and assistances as applicable for sub-item 1.1.1.2 of this matrix 	
		1.1.2.3. Land Users with temporary or leased rights to use land. (No case identified during IOL)	<ul style="list-style-type: none"> ▪ Compensation and assistances as applicable for sub-item 1.1.1.3 of this matrix 	
1.2. Residential land	1.2.1. Loss of residential land without structures Or Loss of residential land with structures built thereon, where the remaining (non-acquired) land is adequate to rebuild the structure (reorganizing PAP)	1.2.1.1. Legal and/or legalizable land users (03PAPs)	<p>(i) Compensation for loss of land will be made in cash at 100% replacement cost</p> <p>(ii) Compensation for assets on the land acquisition, please refer to section 1.3, 1.4 of this entitlement matrix.</p>	<ul style="list-style-type: none"> ▪ Affected persons to be notified at least 180 days before land recovery by the Project. ▪ Land users will hand over the land within 30 days since the District Compensation Board fully pays compensation for land. ▪ If area of land acquisition is different between actual measured and recorded on Land Use Rights Certificate (LURC),

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligibility		
				land acquisition will be compensated according to actual measured area unless otherwise occupied.
		1.2.1.2. Illegal or un-legitimate users (No case identified during IOL)	(i) PAPs will be provided arrangements to allow them to obtain adequate housing with security of tenure. (ii) Support for assets on the land acquisition, please refer to section 1.3, 1.4 of this entitlement matrix.	
1.3. Houses/Structures	1.3.1. Partial Impact Unaffected portion of the house is still viable for use and could be retained from the technical viewpoints, therefore, requiring no relocation.	Affected structures created before the cut-off date regardless of whether or not they have title to the affected land or permit to build the affected structure (07 PAPs)	Compensation/support in cash for legal/illegal affected structures at 100% replacement cost. If the house/structure is partially affected and the remaining structure is viable for continued use, the project will provide repair cost.	Compensation will be paid in cash, without any depreciation of the house/structure and deduction for salvageable materials. The compensation is calculated according to the actual affected area. If a house/structure is constructed after the cut-off date, no compensation and assistance is provided.
1.4. Crops and Trees, Livestock	1.4.1. Loss of damaged crops, trees	Owners of affected crops and trees created before the cut-off date regardless of the legal status of the land (94PAPs)	For affected crops, trees regardless of the legal status of the land, compensation will be paid to households who cultivate on the affected land, at full replacement cost. For plants which have not been harvested yet but can be brought to another location, the transportation cost and the actual damage due to the transportation and re-planting must be compensated.	PAPs to be notified at least 90 days before land acquisition by the Project. The crops which have been cultivated after the cut-off date will not be entitled any allowances.

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligibility		
	1.4.2. Loss of, or damage to livestock (animals, fish, etc.,)	Owners of affected aquatic livestock created before the cut-off date regardless of the legal status of the land (01 PAPs)	Compensation will be paid in cash at the replacement cost at the time of land acquisition. In case the livestock can be brought to another location, the transportation cost and the damage caused by the transportation must be compensated.	PAPs to be notified at least 90 days before land recovery by the Project to arrange harvest or stop breeding.
II. ALLOWANCES AND REHABILITATION ASSISTANCE				
2.1. Support for affected agricultural land	Marginal loss The remaining area of the affected plot is still economically viable for use or meets the expected personal yield.	Land users: i) have LURC or legalizable; and ii) contracted by the State and directly engaged in agricultural production (67PAPs)	<u>Allowance for Vocational Training, Job changing and Job Creation:</u> The maximum support will be equal to 05 times of compensation value of the affected agricultural land for the whole acquired area but not exceeding the local allocation quota. The level of specific support will be decided by the Provincial People's Committee. ▪ <u>Allowance for production rehabilitation:</u> Households, individuals who are compensated by agricultural land will be, supported production rehabilitation, include: Support for plant varieties and animals breeds for agricultural production, services such as agricultural/forestry extension, plant protection, animal health, cultivation techniques, animal husbandry and professional techniques for manufacturing, business and commercial services. Form and level of specific support according to the provisions of Provincial People's Committee.	
	2.1.1. Severe Loss	Land users: i) have LURC or legalizable; and ii) contracted by the State and directly	In addition to compensation, they also receive <u>subsistence allowance</u> (during transition period) in cash equal to VND1,000,000/ month for each person, in particular period as below:	▪ PPC based on the actual situation will determine the level of support.

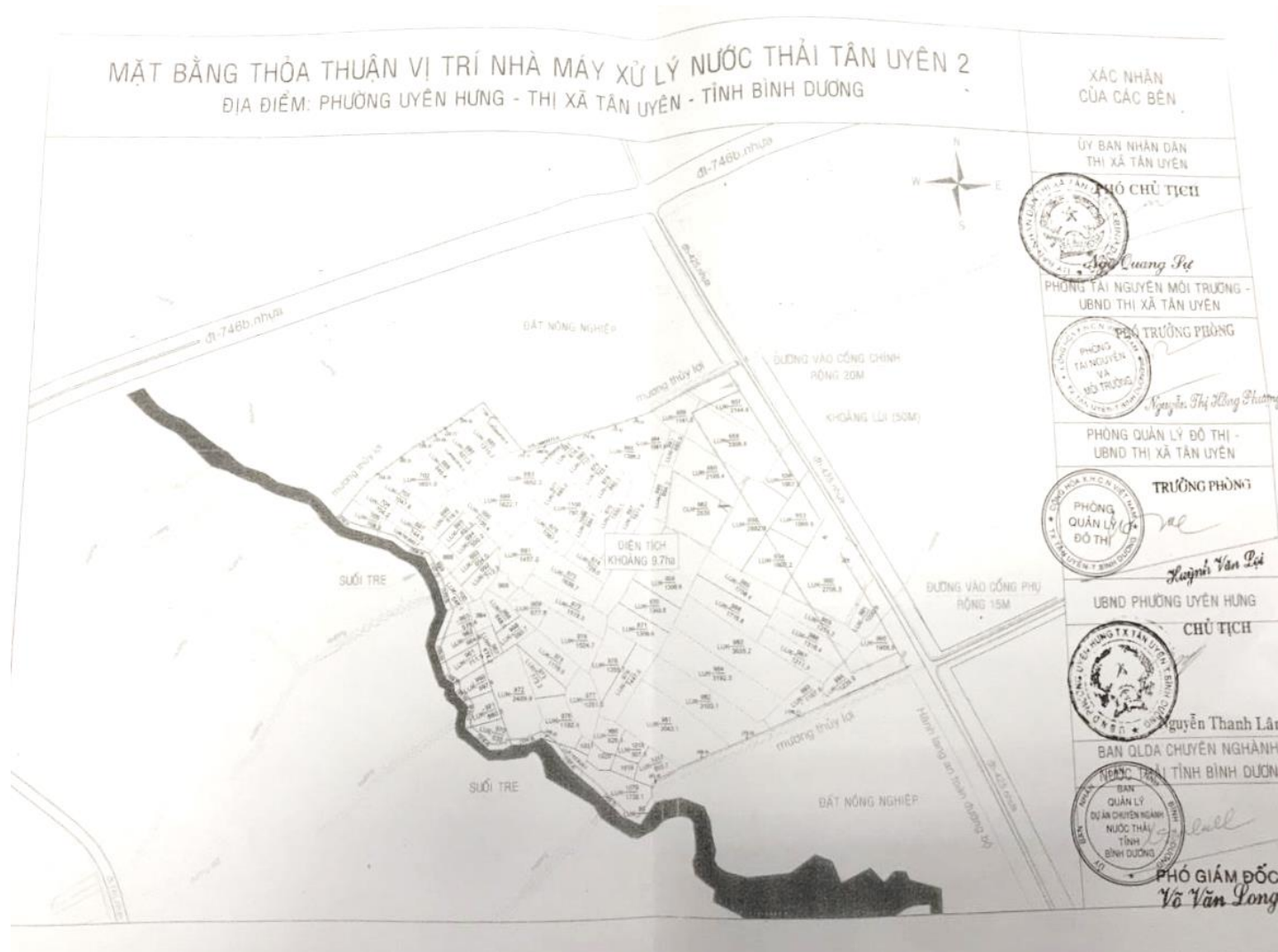
Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligibility		
		<p>engaged in agricultural production</p> <p>(25 PAPs)</p>	<p>(i) PAPs losing 30% (or less than 30% but significant impact on their livelihood and income) to 70% of their agricultural landholding will be provided with compensation of 6 months if they do not have to relocate, and 12 months in case of relocation.</p> <p>(ii) PAPs losing more than 70% of their agricultural landholding will be assisted at the above rate for a period of 12 months if they do not have to relocate, and 24 months in case of relocation.</p> <p>(iii) Households, regardless of the amount of land lost (including less than 30%), where the remaining land is rendered unviable for continued use, will be assisted with the above support plus any additional support as determined, for a period of 12 months.</p> <p>(iv) In addition to GoV requirements, transitional financial assistance will be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living. This will be based on an independent household livelihood and income assessment conducted during the DMS.</p>	
2.2. Allowances Targeted to Vulnerable Households	2.2.1. For Social-policy households	Affected households taking care of Vietnamese heroic mother, war invalids, sick soldiers, person infected with agent orange or martyr	AHs will be provided with support in cash from VND 10,000,000 to VND 20,000,000 as regulated by Binh Duong Provincial People’s Committee (Clause 1 of Article 33 of Decision No.51/2014/QD-UBND)	Specific allowance will be decided by the PPC

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligibility		
		(certified by local authority) (4 PAPs)		
	2.2.2. Poor households	poor households certified by local authority) whose land is recovered (1 PAPs)	PAPs will be assisted in cash as VND 10,000,000 per household as regulated by Binh Duong Provincial People’s Committee (Clause 3 of Article 33 of Decision No.51/2014/QD-UBND)	
	2.2.3. Other vulnerable groups	Female headed households with dependents, household with disabled persons, elderly with no other support (2 PAPs)	PAPs will get the same support given to poor households in accordance with the provincial policy.	
2.3. Loss of Income and/or Business	Loss of Income and/or business because of interrupted production, business	Owners of affected production, business establishments, employees (No case identified during IOL)	<p><u>Allowance for production, business rehabilitation:</u></p> <p>(i) For businesses / households with business registration will be compensated or supported. The maximum compensation/support is equal 30% of after-tax income of 01 year based on their average annual of the last three years which declared the tax authorities;</p> <p>(ii) For households without a business license will be entitled to compensation equivalent to 50% of support level for the registered businesses/households.</p> <p><u>Removal Support:</u> Organizations and PAPs that are allocated or leased land by the state or are lawfully using land and have to relocate their productive and/or business establishments are entitled to</p>	After-tax income is determined based on a financial statement audited or approved by tax authorities; in case it has not been audited or approved by the tax authorities, the determination of after-tax income will be based on after-tax income by the unit declared in financial reports which are submitted to tax authorities.

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligibility		
			<p>financial support for dismantling, relocating and re-installation of the establishment. Support levels will be determined by actual costs at the time of removal, based on self-declaration of the organizations and verification by the agency in charge of compensation. This will then be submitted to the relevant authorities for approval.</p> <p><u>Allowance for interrupted employment:</u> Employees who work in affected production, business establishments with labor contracts will receive an allowance equivalent to the minimum salary as per the regulations to affected employees during the transition period which can be for a maximum of 6 months.</p>	
2.4. For public land	Land acquisition of public land funds of communes, wards or townships	Communes, wards and towns manage acquired land (2 WPCs)	For land acquisition of public land funds of communes, wards or townships: support will be provided. The maximum support is equal to full compensation for land and will be determined by the Provincial People's Committee.	<ul style="list-style-type: none"> Financial assistance will be included in the annual budget estimates of the Commune/ward/town PC. It is used to invest in construction of infrastructure projects, used for public interest purposes of communes, wards and townships as stipulated in Article 24 of Decree 47/2014/ND-CP.
III – TEMPORARY IMPACTS DURING CONSTRUCTION				
3.1. For temporary use of land during construction time	Temporary use of land/assets during construction period	Owners/ users of affected land and/or assets (Determined in construction process)	<ul style="list-style-type: none"> In case a temporary use of land is needed for the construction period, the constructors should rent the land of the owners complying with regulations stipulated by the Civil Law. 	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligibility		
3.2. For impacts arising from the construction	Damages caused by contractors to private or public structures	Owners/ users of affected land and/or structures (Determined in construction process)	<ul style="list-style-type: none"> ▪ Damaged property will be restored to its former condition by contractors immediately with agreement of the owner. ▪ Under their contract terms and conditions, the contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages do occur, the contractor will be required to repair the damage and may also be required to pay compensation to the affected families, groups, communities, or government agencies at the same compensation rates that are applied to all other assets affected by the Project 	<ul style="list-style-type: none"> ▪ In case of impacts on livelihoods of PAPs, the contractors have to agree with the households on payment for disruption of business.
IV – UNFORESEEN IMPACT				
4.1. Unforeseen impacts			<p>Unforeseen impacts will be addressed in accordance with this RP.</p> <p>The entitlements specified in this entitlement matrix can be upgraded but cannot be downgraded</p>	

1. Annex 2: Location of Tan Uyen WWTP



2. Annex 3: Project Information Booklet (PIB)

General

The Government of Vietnam proposed to borrow from the World Bank for the Binh Duong Water Environment Improvement Project. The PDO are to improve municipal wastewater services and manage rainwater inundation risks in selected areas of the South Binh Duong region. This will be achieved through: (i) increasing wastewater treatment capacity and household connection; (ii) improving urban drainage capacity and integrated urban flood management; and (iii) promoting technical and financial innovations in wastewater and drainage infrastructure and services.

Project Components

The project will be implemented through two components

❖ Component 1: Expanding municipal services for wastewater and drainage management

4. Constructing a sewage collection and network and sewage pumping stations for Tan Uyen town, Thuan An, and Di An cities that can increase the coverage for more than 57,000 households; and,

5. Constructing a WWTP with 1st stage capacity of 20,000 m³/day for Tan Uyen town; Upgrade the existing WWTPs for Thuan An and Di An cities with additional treatment capacity of 20,000 m³/day.

6. Constructing a stormwater drainage canal (Rach Tre canal) next to the proposed WWTP in Tan Uyen town with a length of about 1,300m of open canal for stormwater.

❖ Component 2: Implementation support, capacity and institutional development

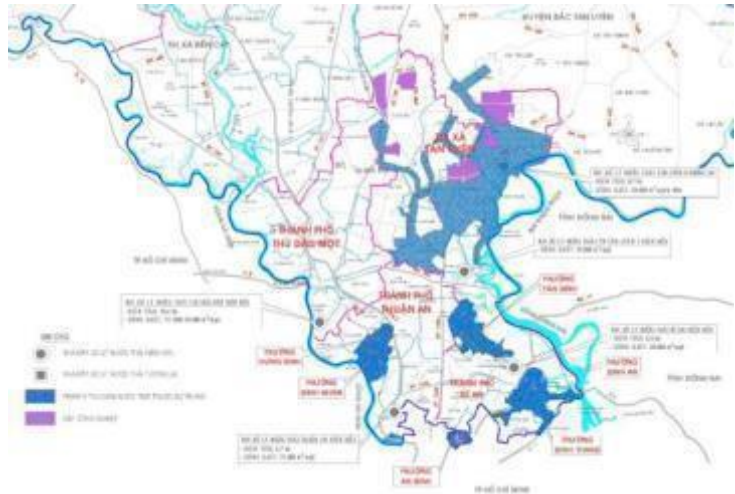


Figure 1: Proposed investments in the Project

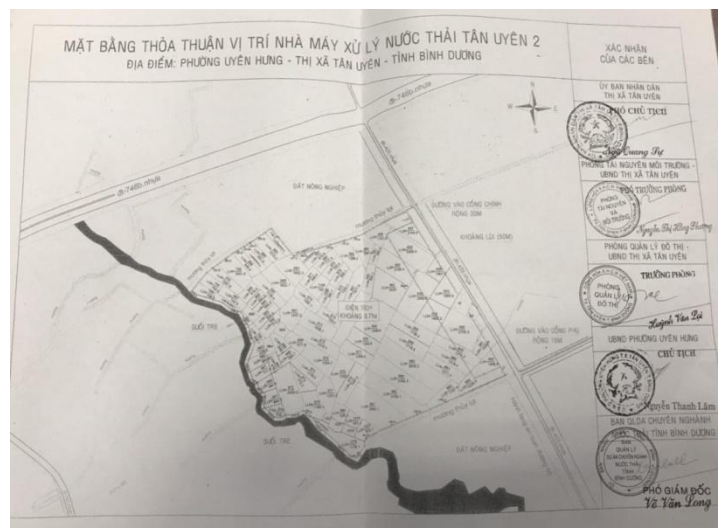


Figure 2: Tan Uyen WWTP Location

Project Impacts

Surveys are carried out to calculate the accurate number of affected households.

Who are the affected households (AHs)?

Entitled AHs are those who are located within the affected area at the date the project is publicly announced. The cut-off-date for eligibility is the date of the notification for land acquisition. Persons who encroach into the area after the cut-off-date will not be entitled to compensation or any other form of resettlement assistance.

What are the resettlement policies and principles of the Project for affected households?

The basic resettlement principles of the Project are:

- a. All PAPs are entitled to be compensated for their lost assets, incomes and businesses at replacement cost, and provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, incomes and productive capacity.
- b. Lack of legal rights to the assets lost will not prevent PAPs from entitlement to compensation.
- c. Compensation for affected assets shall be provided at market rates.
- d. Preparation of resettlement plans and their implementation is to be carried out with participation and consultation of affected people.
- e. Payment of compensation for affected assets and relocation of AHs to new sites will be completed prior to commencement of any construction activities.
- f. Specific assistance will be provided for poor households, female headed-households, families with disabled, and other vulnerable families.

Detailed Measurement Survey(DMS)

The DMS will only be carried out in the presence of the AHs. AHs will be informed prior to the survey.

Project Implementation Schedule

The project will be implemented from 2022 to 2027, divided into two (02) phases:

Phase 1:

Phase 2:

When other consultations will take place?

Consultations with AHs will continue during the detailed design phase and before the DMS. AHs will receive a written invitation to join the public meetings.

If there are disagreements or problems arising during the Project such as compensation or general project-related disputes, do I have the right to complain?

Any AHs may file a complaint or grievance. The Project includes a Grievance Redress Process and AHs may present their complaints to the concerned local administrative officials and RCs, either verbally or in writing.

The complaint can be filed first at the commune level and can be elevated to the highest provincial level if the AHs are not satisfied with the decisions made by the commune or district. AHs will be exempted from all taxes and administrative and legal fees associated with filing and resolving the dispute.

Any questions or concerns about the project, please contact:

Province Management Unit – Binh Duong Water Environment JSC

Address: 11 Ngo Van Tri, Phu Loi ward, Thu Dau Mot city, Binh Duong province

Hotline: + 84 650 384 0055

3. Annex 4: Rapid Assessment Replacement Cost

OBJECTIVE AND SCOPE OF WORK

Objective: Develop a compensation unit price set for land and property on land applied for the project. The compensation unit price shall ensure close to real value and in accordance with market price. This is required in order to comply with the project policy framework of compensation at replacement cost at current market value, and to meet one of the project principles which is to ensure that (a) no one is left worse off with the project than without it, and (b) people affected by the project should be able to maintain, if not improve, their pre-project standard of living.

Scope of work: The report should only conduct a survey of the unit price of land types and property on land (house, structure, tree and crop) which is equivalent to the affected land types and property on land by the priority subprojects.

BASIS FOR CONDUCTING REPLACEMENT COST

Land price is defined on the basis of popular market land price: This is the price that appears with maximum transaction frequency occurs in the transaction in the market, winning the auction on land use, land price is defined from cost, income of the land portion with same use purpose at the location and in the certain period of time.

Tree and crop price is defined on the basis of actual compensation rate of the other project in locality and local people's satisfaction.

House and structure price is defined on the basis of raw material price and labor price, especially interviews directly building workers in the locality.

Compensation unit price for land and property on land issued by Binh Duong PPC through following documents:

- Decision No.36/2019/QD-UBND dated December 20, 2019 of Binh Duong PPC on land price sheet in Binh Duong province, applicable to the five-year period (2020 -2024).
- Decision No.38/2019/QD-UBND dated December 20, 2019 of Binh Duong PPC on price sheet of property on recovered land in Binh Duong province.

IMPLEMENTATION ARRANGEMENT AND METHOD

The rapid assessment on replacement cost is conducted in parallel with inventory of loss, social survey of affected households. Conduct interview with: (i) Person who is affected directly by the project;(ii) Person who is not affected by the Project; (iii)Building worker teams in the locality; iv- Representative of local authorities and mass organizations.

SURVEY RESULT OF REPLACEMENT COST

From the results showed that:

- Residential land: No sale activities, auctions take place in recent time in the project area, therefore the majority of respondents did not identify the specific land price at each location.
- Agriculture land: Agriculture land price varies from 2,250,000 to 2,750,000VND/m².
- Tree and crop: Besides the sale of seeding, in the project did not take place any sale activities of timber trees, fruit trees (which have been harvested), thus most local people agreed in using the unit price of PPC at same time of compensation, some suggests for unit price equal to 1.87 to 2.29 times for current the unit price of PPC.

The result of replacement cost survey is summarized in following table:

Land price

TT	Land type	Unit	Unit price issued by PPC (10 ³ VND)		Replacement cost (10 ³ VND)		Difference ratio (%)	
			Site 1	Site 2	Site 1	Site 2	Site 1	Site 2
1	Residential land							
	Zone 3	VND/ m ²	5,600	3,540	8,000	6,000	1.4	1.7
	Zone 4	VND/ m ²	3,500	2,280	6,000	5,500	1.7	2.4
2	Agriculture land	VND/ m ²	200+200*5		2,500		2.1	

Unit price of house, structure and tree and crop

No.	Property	Unit	Unit price issued by PPC (10 ³ VND)	Replacement cost (10 ³ VND)	Difference ratio (%)
1	Trees and crops				
1.1	Fruit trees				
	Grapefruit	VND/tree	570	580	1.02
	Orange, tangerine, lemon	VND/tree	376	400	1.06
	Durian	VND/tree	1,140	1,200	1.05
	Others	VND/tree	570	570	1.00
1.2	Timber trees				
	Acacia auriculiformis	VND/tree	228	240	1.05
	Padouk	VND/tree	4,560	4,600	1.01
	Others	VND/tree	456	460	1.01
1.3	Ornamental (Apricot/fortune)	VND/tree	114	150	1.32
1.4	Paddy and crops	VND/m ²	10	12	1.20
2	Structures				
	Huts	VND/m ²	1,700	1,700	1.00
	B40 net fences	VND/m ²	210	215	1.02
	Brick fences	VND/m ²	520	525	1.01
	Concrete electric pole	pole	468	480	1.03
	drilled wells	well	5,382	5,500	1.02
	plastic irrigation systems	VND/m	62	65	1.05
	Pond	VND/m ³	88	90	1.02

4. Annex 5: Cost estimate of compensation

Cost estimate of compensation for Item 1.2⁸

No.	Compensation Items	Unit	Quan.	Price	Cost	
					VND	USD
I	Land				242,747,500,000	10,431,779
	Residential land	m2	55	7,000,000	385,000,000	16,545
	Agricultural land	m2	96,945	2,500,000	242,362,500,000	10,415,234
II	Structures				430,446,000	18,498
	Huts	m2	49	1,700,000	83,300,000	3,580
	B40 net fences	m2	894	210,000	187,740,000	8,068
	Brick fences	m2	40	520,000	20,800,000	894
	Concrete electric pole	pole	1	468,000	468,000	20
	drilled wells	well	4	5,382,000	21,528,000	925
	plastic irrigation systems	m	1455	62,000	90,210,000	3,877
	Pond	m3	300	88,000	26,400,000	1,135
III	Trees and Crops				3,654,340,000	157,041
	Fruit trees					0
	Grapefruit	tree	1340	570,000	763,800,000	32,823
	Orange, tangerine, lemon	tree	550	376,000	206,800,000	8,887
	Durian	tree	2	1,140,000	2,280,000	98
	Others	tree	668	570,000	380,760,000	16,363
	Timber trees					0
	Acacia auriculiformis	tree	7771	228,000	1,771,788,000	76,140
	Padouk	tree	1	4,560,000	4,560,000	196
	Others	tree	102	456,000	46,512,000	1,999
	Ornamental trees (Apricot/ fortune)	tree	80	114,000	9,120,000	392
	Crops	m2	46872	10,000	468,720,000	20,143
IV	Assistance				116,195,000,000	4,993,339
	Training support	m2	96,945	1,000,000	96,945,000,000	4,166,094
	Life stabilized support	person			0	0
	PAPs losing 20 - 70% (or 10 - 70% for the vulnerable groups)	person	8	120,000,000	960,000,000	41,255
	PAPs losing > 70%	person	76	240,000,000	18,240,000,000	783,842
	Vulnerable households	HH	5	10,000,000	50,000,000	2,149
V	Sub-Total: I+II+III+IV				363,027,286,000	15,600,657

⁸Constructing the Tan Uyen WWTP

Cost estimate of compensation for Item 1.1⁹

No.	Compensation Items	Unit	Quan.	Price	Cost	
					VND	VND
I	Land				11,800,000,000	507,091
	Residential land	m2	250	7,000,000	1,750,000,000	75,204
	Agricultural land	m2	4,020	2,500,000	10,050,000,000	431,887
II	Structures				0	0
III	Trees and Crops				40,200,000	1,728
	Crops	m2	4,020	10,000	40,200,000	1,728
IV	Assistance				14,820,000,000	636,872
	Training support	m2	4,020	1,000,000	4,020,000,000	172,755
	Life stabilized support	person	90	120,000,000	10,800,000,000	464,117
	Vulnerable households	HH	0	10,000,000	0	0
V	Sub-Total: I+II+III+IV				26,660,200,000	1,145,690

Cost estimate of compensation for Item 1.3¹⁰

No.	Compensation Items	Unit	Quan.	Price	Cost	
					VND	USD
I	Land				68,850,000,000	2,958,745
	Residential land	m2	300	7,000,000	2,100,000,000	90,245
	Agricultural land	m2	26,700	2,500,000	66,750,000,000	2,868,500
II	Structures				0	0
III	Trees and Crops				409,500,000	17,598
	Fruit trees					0
	Grapefruit	tree	50	570,000	28,500,000	1,225
	Timber trees					0
	Acacia auriculiformis	tree	500	228,000	114,000,000	4,899
	Crops	m2	26,700	10,000	267,000,000	11,474
IV	Assistance				29,600,000,000	1,272,024
	Training support	m2	26,700	1,000,000	26,700,000,000	1,147,400
	Life stabilized support	person	24	120,000,000	2,880,000,000	123,765
	Vulnerable households	HH	2	10,000,000	20,000,000	859
V	Sub-Total: I+II+III+IV				98,859,500,000	4,248,367

⁹Sewage collection and network expansions, including sewage pumping stations for Tan Uyen town, Thuan An, and Di An cities

¹⁰Improving the drainage capacity in downstream of Suoi Tre canal

5. Annex 6: DDR for Thuan An wastewater treatment plant

1. Background

Thuan An wastewater treatment plant (herein referred to as “Thuan An WWTP”) was under the Drainage and wastewater treatment system project in Thuan An Town, Binh Duong province (herein referred to as “Thuan An subproject”) borrowed loan from the ODA loan of Japan International Cooperation Agency - JICA. The investor of this project is Binh Duong Water Supply Sewerage and Environment Co., Ltd (BIWASE). Implementation period: 2012-2019.

Construction of Thuan An WWTP with an area of 6.9ha in Vinh Phu ward. Land acquisition was carried out in 2 phases:

- Phase I is 3.61ha was completed by Thuan An PPC in 2011 and 2012 without anticipation of the Binh Duong WEIP;
- Phase II is 3.29ha, including land of Nam Long Investment Joint Stock Company (2.39ha) and of 11 households (0.9ha). Land acquisition took place, was completed by Thuan An PPC in 2014 without anticipation of the Binh Duong WEIP.

Due diligence is conducted in order to:

- Determine if the procedures of land acquisition undertaken is consistent with the regulations at the time of payment; and Propose corrective actions for any shortcomings the way land acquisition was carried out regarding the regulations at that time of the Drainage and wastewater treatment system project in Thuan An Town, Binh Duong province.

2. Review Method

2.1. Background for the due diligence review

The land acquisition and compensation thereof done by the Binh Duong province and Thuan An Town governments has been in accordance with the relevant laws/regulations of the Government of Vietnam, including the Land Law 2003, and relevant key and recent decrees, including Decree 197/2004/ND-CP, Decree 181/2004/ND-CP, Decree 84/2007/ND-CP, and Decree No. 69/2009/ND-CP.

According to the compensation regulations and norms established, for the Thuan An subproject, the definition of land market price to be applied was determined and publicly disclosed by the Binh Duong PPC (including Decision No. 1666/QD-UBND dated 9 July 2013 by Binh Duong Provincial People’s Committee for Phase 2). Key governing principles in the government’s Law and Decrees regarding resettlement are the followings:

- The compensation rates paid to affected people shall be updated annually. Therefore, depending on the land market, prices of affected land and assets associated could fluctuate accordingly.
- The Binh Duong PPC establishes that in paying compensation, assistance and allowances, the entitlements paid to affected households should ensure their livelihood restoration to the pre-project levels (in line with Decree 69/2009/ND-CP).

Both principles regarding involuntary resettlement, and the governing norm at the Binh Duong Province’s level are consistent with the objective of the World Bank’s ESS5 on Involuntary Resettlement - compensation to be paid should be at replacement costs and according to land market prices. Given the above background, the methods used for the review, therefore, are as follows.

2.2. Methods

The due diligence was conducted using the following techniques:

- Desk review of submitted documents. List of documents: Compensation plans (equivalent to RP); Minutes of Agreement on the Proposed Entitlement for affected households; Minutes of Site Hand-Over from affected households; and Support documents (around 50 pages on Project Achieve)
- Field trip (conducted on 14 and 15 September, 2020 following the desk review), and
- Interview with staff from Vinh Phu WPC, Thuan An CLFDC and some affected households the team came across during the transect walk along the subproject road as part of field observation and interview.

The purpose of the desk review was to analyze the documents issued for the involuntary resettlement under the subproject, including governmental Decrees/Circulars, regulations, operational aspects and others such as timeframe, course of the activities, scope, and the nature of the social impact. The field trip aimed for field observation, and collecting information through interviews with relevant key stakeholders to obtain evidence, documentation, and solicit additional complementary information for the assessment and elaborate recommendations.

3. Summary of the results

For the purpose of this due diligence, interviewees referred to representatives from Vinh Phu WPC, Thuan An CLFDC and three affected households during the transect walk. On the basis of what has been mentioned, the due diligence conducted for this subproject confirms: Land acquisition required for this sub-project has been completed and nothing complementary is required. The resettlement/compensation payment for the entire area required for the subproject was confirmed completed by May 2014 (with supporting documents including those indicating the handing over of the land from affected households to the Thuan An city People's Committee handing over the required land for the subproject to the Investor.

- Compliance of resettlement regulations applied under the subproject with (ratified by district People's Committee) with governmental policies, including Decision No. 3077/QD-UBND dated 15 May 2014 by Thuan An city People's Committee, Decision No. 4698/QD-UBND dated 1 August 2013, Decision No. 713/QD-UBND dated 21 January 2014 which are in compliance with the Land Law 2003, Decree No. 69/2009/ND-CP.
- Timely and appropriate disclosure of the compensation regulations (confirmed through the interviews with the management of Thuan An CLFDC).
- Satisfaction of the affected households on compensation payment and resettlement (on an interview basis).
- Grievance Redress Mechanism (through the interviews with the management of Thuan An CLFDC).

4. Recommendations

Readiness of the subproject:

- The land area in the existing Thuan An WWTP is ready for upgrading the WWTP with additional treatment capacity of 20,000 m³/day;
- No Corrective Action Plan is required to achieve the objectives of the ESF.

6. Annex 7: DDR for Di An WWTP

1. Background

Di An wastewater treatment plant (herein referred to as “Di An WWTP”) was under The Drainage and wastewater treatment system project in Di An Town, Binh Duong province (herein referred to as “Di An subproject”) borrowed loan from the World Bank. The investor of the Di An subproject is Binh Duong Water Supply Sewerage and Environment Co., Ltd (BIWASE). Implementation period: 2016-2020.

The construction/installation items that come under the Subproject consist of the followings (organized in 3 components, and located in 05/07 wards of the Di An city (Tan Dong Hiep, Di An, Dong Hoa, An Binh and Binh Thang), as below:

- Component (1) -Building wastewater treatment plant (herein referred to as “Di An WWTP”) with an area of 68.226,3 m2 in Tan Dong Hiep ward. Land acquisition took place (was completed by Di An PPC by 2017 without anticipation of the Binh Duong WEIP)
- Component (2) - Building wastewater collection system with an area of 1506 m2 in Tan Dong Hiep, Di An, Dong Hoa and An Binh wards. Land acquisition took place (was completed by Di An PPC by 2017 without anticipation of the Binh Duong WEIP)
- Component (3) - Building stormwater drainage system: No land acquisition incurred as a result of the Subproject.

Due diligence is conducted in order to:

- Determine if the procedures of land acquisition undertaken is consistent with the agreed resettlement policy of Di An Subproject; and
- Propose corrective actions for any shortcomings the way land acquisition was carried out regarding the agreed resettlement policy of Di An Subproject.

2. Review Methods

The due diligence was conducted using the following techniques:

- Desk review of submitted documents. List of documents: Approved compensation plans and RP of the Di An sub-project; Minutes of Agreement on the Proposed Entitlement for affected households; Minutes of Site Hand-Over from affected households; and Support documents (around 100 pages on Project Achieve)
- Field trip (conducted on 14 and 15 September, 2020 following the desk review), and
- Interview with staff from Tan Dong Hiep WPC, Di An CLFDC and some affected households the team came across during the transect walk along the Di An subproject road as part of field observation and interview.

3. Summary of the Results

For component (3) (mentioned in section 1 of this DDR): there was no land acquisition incurred as a result of the subproject. There were also no resettlement activities taking place at the locations for item (3).

For component (1) and (2) (mentioned in section 1 of the DDR):

There are 57 households affected from four wards of Tan Dong Hiep, Di An, Dong Hoa and An Binh of Di An town. Among these households, 23 households needed to relocate. According to consultation with some ten affected households in the transect walk carried out during the field visit, the affected households were pleased with the compensation package.

That the compensation for the 57 households above was completed from 5/2016 to 12/2017. Compensation payments are carried out in line with contents, process and procedures under Land Law 2013 and WB's requirements as indicated in the supporting documents. According to the interviews with affected households, respondents referred to receiving cash payments without delay to buy new land for their residence and business.

In Di An town, the disclosure of compensation regulations was in accordance with government regulations (particularly Decree 47/2014/ND-CP). Each affected household was invited to meetings, and was consulted with regards to the general compensation plan and detailed compensation plan when disclosed. Households were provided with an inventory of their loss (land/assets/structures) along with the respective compensation/ entitlements, and assistance package for those requiring physical resettlement. Effective Grievance Redress Mechanism was in place to enable affected households to lodge their complaints. Their complaints, as confirmed by government officials during the interview, were mainly due to inaccurate measurements/inventory/wrong application of entitlements. Complaints were solved in a timely manner in accordance with the regulations of the city government and during the review it was confirmed by Di An CLFDC that there are no pending legacies.

It is important to note that the city government determined the compensation payment on the basis of reference to the land appraisal results performed by an independent land appraisal company. There was timely adjustment of compensation prices to assure compliance with the overall guideline which 5 specifies that affected households must not be worsened off as a result of land acquisition. Through the interview during the transect walk by team, it could be confirmed that the households who were affected but not relocated indicated their agreement with the overall compensation package.

4. Recommendations

Readiness of the subproject:

- Compensation has been completed for 57 households and all affected households have settled down in other areas.
- The land area in the existing Di An WWTP is ready for upgrading the WWTP with additional treatment capacity of 20,000 m³/day.
- No Corrective Action Plan is required to achieve the objectives of the ESF.

7. Annex 8: Proposed Terms of Reference for RP Independent Monitoring

SECTION 1. BACKGROUND

- 1.1 As with all World Bank supported projects, the Bank's safeguards policies will apply as will its procurement policies with regard to the engagement of consultants and of contractors and suppliers of works and goods. Separate consultants will be engaged to carry out independent Resettlement monitoring of the project during implementation. The Construction Supervision and Management Consultant will be expected to cooperate with and assist the monitoring consultants in their work.
- 1.2 This TOR is concerned with the external resettlement monitoring of the project. The external monitoring is to be conducted by an Independent Monitoring Agency (IMC), independent from the PMU. It will also serve as a warning system for the PMU of existing problems during the RP implementation as well as a channel for the affected people to make known their needs and their reactions to resettlement and environmental execution

SECTION 2. OBJECTIVES OF THE ASSIGNMENT

- 2.1. The aims and objectives for external monitoring and evaluation on resettlement are to:
- Verify results of internal monitoring;
 - Assess whether resettlement objectives have been met; specifically, whether livelihoods and living standards have been restored or enhanced;
 - Assess resettlement efficiency, effectiveness, impact and sustainability, drawing lessons as a guide to future resettlement policy making and planning; and
 - Ascertain whether the resettlement entitlements were appropriate for meeting the objectives, and whether the objectives were suited to PAP conditions.
- 2.2. Information Requirements
- The IMC will monitor and evaluate achievements and impacts related to implementation of the approved RP. The IMC will develop a database sufficient to evaluate whether the objectives of the Resettlement Plan are being met. This database will be developed to enable comparisons of "before" and "after" resettlement conditions. The database will consist of data acquired through the Census and Detailed Measurement Survey of each affected household, which will form the basis for the Project's record keeping system. The IMC will expand the database as necessary with maps, charts, photographs of affected properties, copies of contracts and land titles, payments, and valuation documents relating to resettlement.
- 2.3. To achieve these objectives, there are two main component activities:
- Periodically monitoring the implementation of project Resettlement and rehabilitation of PAPs' lives during project implementation; and
 - Evaluating socio-economic/living standards situation of PAPs after completion of RP implementation.

SECTION 3. SCHEDULE

- 3.1. A suggested schedule is expected to provide comments from the team indicated in required output. Timing for submission will depend on the progress of construction work, subject to negotiation and agreement with PMU.

SECTION 4. SCOPE OF WORKS

- 4.1. Monitoring Targets and Functions of external monitoring shall include (i) review of pre-project baseline data on PAPs, (ii) identification and selection of an appropriate set of indicators for gathering and analyzing information on resettlement impacts, (iii) use of various formal and informal surveys for impact analysis, (iv) use of participatory methods for monitoring and evaluation; and (v) assessment of resettlement efficiency, effectiveness, impact and sustainability, drawing lessons as a guide to future resettlement policy making and planning.
- 4.2. In detail the Independent Monitoring Consultants will:
- (a) Review the existing baseline data and gather additional socio-economic baseline data (if necessary) on sample families which are entitled to receive compensation for all of their lost assets or for resettlement;
 - (b) Monitor implementation of the compensation, resettlement and rehabilitation policies and public information campaign as designed in the RP;
 - (c) Identify any discrepancy between the RP and actual practice, problems in RP implementation as well as any local level grievances;
 - (d) Propose measures to solve potential problems and complaint (if necessary) or outstanding issues to PMU and the World Bank;
- 4.3. Monitoring and Evaluation Indicators:
- The following indicators will be monitored and evaluated by the IMC:
- (a) Payment of compensation will be as follows: a) full payment to be made to all affected persons sufficiently before land acquisition; (b) adequacy of payment to replace affected assets.
 - (b) Provision of technical assistance for house construction to DPs who are rebuilding their structures on their remaining land, or building their own structures in new places as arranged by the project, or on newly assigned plots.
 - (c) Support for recovering income sources.
 - (d) Public consultation and awareness of compensation policy: (a) DPs should be fully informed and consulted about land acquisition, leasing and relocation activities; (b) the monitoring team should attend at least one public consultation meeting to monitor public consultation procedures, problems and issues that arise during the meetings, and solutions that are proposed; (c) public awareness of the compensation policy and entitlements will be assessed among the DPs; and (d) assessment of awareness of various options available to DPs as provided for in the RPs
 - (e) Affected persons should be monitored regarding restoration of productive activities.
 - (f) DPs' satisfaction on various aspects of the RP will be monitoring and recorded. Operation of the complaint mechanism and speed of complaint settlement will be monitored.

- (g) Linkage of resettlement and resettlement site preparation: The completion of land acquisition and resettlement activities preparation (should be completed at least one month before the start of actual resettlement);
- (h) Restoration of civil infrastructure: All necessary infrastructures (water supply, drainage system, roads, sanitation, etc.) Should be developed at the resettlement sites or at the site of relocation up to a standard at least equal to the standard at the original location;
- (k) Resettlement budget and financing: The Independent Safeguarding Monitoring Resettlement Consultants should monitor the resettlement compensation rates, various allowances and the actual resettlement expenditures versus the resettlement budget. The monitor should cover resettlement financing as well, including timing and sufficiency of financial allocations for resettlement.
- (l) Public survey and information disclosure:
 - To check if affected persons were informed and consulted about resettlement activities, such as resettlement apartments and site and services allocation;
 - The IMC should attend some public consultation meetings to monitor public consultation procedures, problems and issues that arise during the meetings, and proposed recommendations to address any resolved outstanding problems; and
 - To check the availability of RP in the related local institutions.
- (m) Level of satisfaction:
 - The level of satisfaction of affected persons with various aspects of the RP will be monitored and record; and
 - Monitoring the operations of grievance procedures and the timeframe of redress of grievances will be monitored;
- (n) Standards of living: Throughout the implementation process, the trends in living standards of households displaced will be observed and the potential problems in the restoration of living standards will be identified and reported;
- (o) Follow-up Socio-Economic Survey: One year after the end of resettlement activities the Independent Resettlement Monitoring Consultants will conduct a follow-up socio-economic survey to determine the impact of the project on income levels and living standards of the affected peoples;
- (p) Resettlement management: Institutional setup, staffing, and internal monitoring mechanisms.

4.4. Monitoring Methodology:

Sample survey

- (a) A socio-economic survey will be required before, during and after resettlement implementation to provide a clear comparison of success/failure of the resettlement plan implementation.
- (b) Monitoring will be on a sample basis. Scale of the survey sample may cover 100% relocated households and severely affected households, and at least 20% of the remaining households. The sample survey should be conducted twice a year.

- (c) The surveys should include women, elderly persons, and other vulnerable target groups. It should have equal representation of male and female respondents.

Database Storage

- (a) The IMC will maintain a database of resettlement monitoring information. It will contain files on results of independent monitoring, DPs surveyed and will be updated based on information collected in successive rounds of data collection. All databases compiled will be fully accessible by PMU and the World Bank.

Reports

- (a) The independent monitoring agency must report every 6 months which mentions the findings in the monitoring process. This monitoring report will be submitted to the PMU, and then the PMU will submit the WB in the form of appendixes of the progress report.
- (b) The report should contain (i) a report on the progress of RP implementation; (ii) deviations, if any, from the provisions and principles of the RP; (iii) identification of problem issues and recommended solutions so that implementing agencies are informed about the ongoing situation and can resolve problems in a timely manner; and (iv) a report on progress of the follow-up of problems and issues identified in the previous report.

Follow-Up Monitoring Report

- (a) The monitoring reports will be discussed in a meeting between the IMC and PMU. PMUs held meetings immediately after receiving the report. Necessary follow-up action will be taken based on the problems and issues identified in the reports and follow-up discussions.

Ex-post Evaluation

- (a) Ex-post Evaluation is an assessment for the whole RP implementation to assess whether the stated objectives have been achieved. The external monitor will conduct an ex-post evaluation of the resettlement process and impact 6 to 12 months after the completion of all resettlement activities. The evaluation will use the same survey questionnaire and sample that was used during the monitoring activities.