

**ETHNIC MINORITIES DEVELOPMENT PLAN (EMDP)**

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**MUONG HUNG HYDROPOWER CONSTRUCTION PROJECT**

**Song Ma district – Son La province**

**Pa Chien Hydropower Joint Stock Company**

## ABBREVIATIONS

AH	Affected Household
AP	Affected Person
CPC	Commune Peoples' Committee
DMS	Detailed Measurement Survey
DPC	District Peoples Committee
DRC	District Resettlement Committee
EMPF	Ethnic Minority Plan Framework
EMDP	Ethnic Minorities Development Plan
GOV	Government of Vietnam
HH	Household
IOL	Inventory of Losses
LAR	Land Acquisition and Resettlement
LURC	Land Use Rights Certificate
MOF	Ministry of Finance
MOLISA	Ministry of Labor, Invalids and Social Assistance
NGO	Non-Government Organization
PPC	Provincial People Committee
RP	Resettlement Plan
TOR	Term of Reference
USD	United States Dollar
VND	Vietnamese dong
WB	World Bank
OP 4.10	Ethnic minority policy of World Bank

## GLOSSARY

***Affected person / Affected household:*** Means any person, household, firm or private institution who, on account of changes resulting from the Project, or any of its phases or sub-projects, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (including residential, commercial, agricultural, forest, salt mining and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement.

In the case of affected household, it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components.

***Affected community:*** the village is affected by (a) acquiring land by any activity of the project, despite of being moved or not being moved; (b) the community receive moved households, or; (c) surrounding community, and their culture, society will be surely affected negatively by the project.

***Entitlement:*** the entitlements of resettlement, including compensation and assistance.

***Compensation payment:*** compensation by material, cash, or by both of material and cash, with replacement price for all lost assets.

***Assistance and recovery:*** Assist AHHs who lose assets, jobs or livelihoods, with compensation amount for acquired assets to ensure the recovery of livelihood.

***Livelihood:*** ability, assets and activities to maintain living level and living quality, including income in cash and expenditure.

***Plan:*** code of regulation, objectives, procedure and cost which are identified to ensure smooth activities of the project. The quantitative indicators (land, people) in the plan are forecasted objectives. These objectives can be amended if necessary in implementation process of the project.

***Move:*** real resettlement of AHHs away from residential place and/or businesses when the project is deployed.

***Vulnerable groups:*** These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) single-female headed households with dependents, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) children and the elderly households who are landless and with no other means of support

***Ethnic minorities:*** According to WB, the term *Indigenous Peoples* is widely understood, refers to a group of culture and society who are vulnerable, separate and contain the following characteristics at different levels:

- (i) Self-identification and identification by other members of a distinct cultural group;
- (ii) A close attachment to ancestral territories and to the nature resources in these areas;
- (iii) Presence of customary social and political institutions; and
- (iv) An indigenous language, often different from national language.

In Vietnam, the term Indigenous Peoples refers to ethnic minorities.

***Agreement of indigenous peoples:*** refers to the presence of all affected indigenous peoples community on the wide support of community about the activities of the project. The community can have the wide support even when some individuals or a group of individuals disagree the activities of the project.

***Wide support of community:*** ensure to have the agreement of indigenous peoples who are affected by the project activities.

***Practical consultation:*** A process (i) is early started right at beginning of the project and consecutively continued during project progress; (ii) which includes timely disclosure of related project information which is understandable and easy to access by the affected people; (iii) is conducted in an environment of no threatening and force or enforcement; (iv) is integrated and met gender sensitive issues, adjusted as per required by the disadvantaged and vulnerable groups; and (v) creates conditions to include related view points of affected people and other stakeholders into decision making process like project design, mitigation measures, sharing interest and development opportunities, and implementation issues.

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## SUMMARY

### Instruction

1. The general objective of the Renewable Energy Development Project (REDP) is to increase the supply of least-cost electricity to the national grid from renewable energy sources on a commercially sustainable basis in an environmentally and socially sustainable manner.
2. Muong Hung Hydropower Plant is built on Ma river, head work and the plant are mainly located in the areas of Chieng Khoong commune, a small part is in Muong Hung and Chieng Cang communes, Song Ma district, Son La province. This location is 2.2km from 4G national highway, near inter-communal road, 15km from town center toward 4G national highway in the north, 97km from Son La city through 4G national highway.
3. Geographic location of the construction: 20°58'50" North latitude, 103°49'00" East longitude. Location of the plant is 100m after the confluence of Ma river and Nam Soi stream.
4. Installation capacity of Muong Hung hydropower plant is 24 MW, average annual output is 93.56 million kWh. Muong Hung hydropower plant with low water column is riverbed power plant which includes dams, water intake, penstock and plant, discharge canal. Main parameters: catchment area to the selected route: 6,213 km<sup>2</sup>, average annual flow  $Q_0$ : 116.2 m<sup>3</sup>/s; normal water level NWL: 306m; dead water level: 303m; volume of reservoir: 3.30 million m<sup>3</sup>, useful volume: 1.98 million m<sup>3</sup>, dead volume: 1.31 x10<sup>6</sup> m<sup>3</sup>, the largest flow through the plant  $Q_{max}$ : 269.34 m<sup>3</sup>/s, ensure flow  $Q_{db}$ : 2.31 m<sup>3</sup>/s, dam height: 22.8 m; Weir height: 19.3 m; Voltage level: 110 kV.

### Legal Framework for the EMDP

5. Vietnam's Constitutions in 1946, 1959, 1980 and 1992, along with other legal documents (updated until 2016) related to works and the development strategies for the ethnic minority as well as the ethnic development policies of the World Bank (WB) – OP4.10 are the important legal foundations in the preparation of the EMDP for Muong Hung Hydropower Project; the ethnic minority-related policies of the local and government as well as a WB have been applied in combination with the EMDP to ensure that the ethnic minority community living around the Muong Hung Hydropower Project is consulted and provided with a full of information, and participated in the implementing stages of the Project, benefits from the Project, and the negative impacts of the Project on culture, economics and society are highly mitigated.

### Socio-economic characteristics of ethnic minority community in the project area

6. Socio-Economic Survey on the area and affected households was held in December 2016 with 100% of participants (210 households). The main income source of affected households is from agriculture (114/115 households). In recent years, local people have shifted their crop structure from low-income food crops to high-yield longan which can give high economic efficiency, their incomes are relatively high in the province (122 households with average income per capita of 2-5 million VND/month, 74 households have average income per capita of 5-7 million VND/month. The rate of poor households is quite low 21 households (1%).

7. The construction area has quite good infrastructure. The affected villages are located in inter-communal roads, near primary school, secondary school, preschool and medical center. 100% of households can use national electricity grid.

### **Information dissemination and community consultation**

8. Many consultant meetings and group discussions were held in December 2016 until now with the participation of stakeholders, especially local authorities and vulnerable households, to provide households with the full information on the project and activities from initial stage to operation stage of the project, and to get households' feedback and comments proposing measures within the development plan.

9. Consultant meetings are held in communes Chieng Khoong in Song Ma district, which is affected by the construction, with AHHs in communes Chieng Khoong, Chieng Cang, Muong Hung and local authorities.

10. In the next stage of the project, the dissemination and consultant meetings with local authorities and households will be held frequently at each important stage or necessary time of the project.

### **Assessment of impacts of the project**

11. Potential impacts of the project include positive and negative impacts discussed carefully at the consultant meetings and group discussions among the project implementing partners and relevant agencies as well as households affected. Basically, there were not seriously negative impacts of the project on local households' lives and belief culture as well as manners and customs.

### **Mitigation and development measures for the ethnic minority**

12. There are some unavoidable impacts out of expectation, resulting from acquiring some production areas (land for planting rice, upland fields, land for planting perennial trees, pond and forest land); relevant activities during the implementing period. Accordingly mitigation measures or advanced measures have been proposed to improve or help the ethnic minority to recover soon and stabilize the production of households.

### **Institutional arrangement and implementation plan**



13. The implementation of the ethnic minority development plan needs to have a coordination of organizations and agencies from provincial level to local level and the ethnic minority community at local. The Client of Muong Hung Hydropower Project will be a lead organization and coordinated with other organizations to implement. Muong Hung Hydropower JSC has a responsibility to provide funds for implementing all activities/tasks proposed in the EMDP and to report to stakeholders.

### **Complaints and Grievance redress mechanism**

14. Complaints and Grievance redress mechanism in this EMDP have been made based on Vietnam's laws on complaints and denunciations, consulted with local authorities, the ethnic minority community and also involving in particular cultural characteristics and traditional culture mechanisms of the ethnic minority community in the project area.

### **Monitoring and evaluation**

15. Proposed measures and implementing timeframe of the EMDP for Muong Hung Hydropower Project will be monitored closely to (i) ensure the implementing progress of the plan; (ii) undertake rightly the mitigation measures of the plan; (iii) assess effectiveness of the measures and propose supplement measures if necessary; (iv) identify potential or generated problems to the ethnic minority community during the implementing period of the project; and (v) identify quick response measures to mitigate these issues.

Independent and internal monitoring system, monthly and quarterly monitoring reports will be submitted to the Project Management Board and World Bank (WB). Independent monitoring agency will be recruited to implement the independent monitoring, and the independent assessment will be made annually, except for the beginning period of the project with monitoring requirement of twice per year

### **Budget and disbursement plan**

16. Total budget of implementing development measures within the EMDP is **275,000,000 VND**. (approximately **12,083 USD** including the contingency cost of 10%). Implementation costs will be paid by Pa Chien Hydropower JSC who is responsible to fund for implementing all activities of the EMDP required.

## I. INTRODUCTION

### A. Overview of the Renewable Energy Development Project

17. The goal of the Renewable Energy Development Project is to support the development of the electricity-generated renewable energy sources with lowest costs to share with the national electricity network based on the commercial sustainability, and ensuring the social and environmental sustainability. The project has 3 components: (i) Component of investment project implementation; (ii) Component of institutional establishment; and (iii) Component of information channel development.

18. Component of investment project implementation consist of (i) Allow commercial banks to re-borrow funds to provide valid loans for the renewable energy projects with a maximum capacity of 30MW invested by private investors, and (ii) Technical support to enhance the capacity of the participating banks and investors of sub-projects in the preparation, appraisal, financing and the implementation of the renewable energy projects in comply with international practice. This component will be coordinated by the Renewable Energy and Rural Electricity Project Management Board (PMB) of Ministry of Industry and Trade. This component consists of two sub-components as follows:

- ***Provide credits to support investment in renewable energy:*** Provide credits to support investment in renewable energy: Private investors will establish sub-projects in small hydropower sectors, wind power and biomass with a maximum capacity of 30MW in accordance with the criteria of the renewable energy development project including environmental and social safety standards. Investors commit to contribute equity with at least 20% of the total investment capital and will make a maximum loan from the participating banks with 80% of the total investment capital of the subproject.
- The participating banks are selected based on competition and will be responsible to appraisal the valid renewable energy sub-projects under the proposal of investors, and provide loans for the projects meeting fully requirements of the banks. The participating banks will allow the sub-projects to make a loan in accordance with the commercial clauses identified by the market, and be fully responsible to credit risks of the loans.
- Valid loans will be refinanced 80% of loan value for the participating banks or 64% of the total investment value of the sub-projects, meaning that the participating banks will commit to make a loan of at least 16% of the total investment value in each sub-project's budget and investors will contribute equity of 20% total investment capital. After the letters requesting re-borrow were approved, the participating banks will achieve re-loan from the renewable energy development project (World Bank – WB) ratified by Ministry of Finance (MOF). Re-loan from the renewable energy development project will be sponsored from WB's capital through the loan of MOF in accordance with the clauses of WB.
- It is anticipated that about 20-25 subprojects will be sponsored through the re-loan mechanism. When operating, the total design capacity of these projects will be at 210MW and generate the annual electricity capacity of 880GWh.

- **Technical Assistance to implement the investment project:** The technical assistance of Component 1 will support the general management of the renewable energy development project, check validity of the loans and enhance capacity for the participating bank, investors and other stakeholders. The Project Management Board will manage the technical support. The technical support will focus on providing investors with necessary skill guidelines to identify the feasible projects and prepare the loan-making proposals from banks through the appraisal and capital loan negotiation.
- The technical assistance will also focus on training the ways of establishing feasible research, optimize design, construction management, operation, maintenance, financial risk management and consideration of social and environmental safety issues. The banks will be supported to enhance the understanding of investment risks in the renewable energy projects, and to monitor the project to ensure safety, and to establish the credit policies and to appraisal the sub-projects in accordance with these policies. The technical support will also support the Project Management Board in managing the Renewable Energy Development Project

## **B. Introduction of Muong Hung Hydropower Project**

### **1. Legal basis**

- Decision No. 1343 / QD-BCT dated 4/7/2016 by Ministry of Industry and Trade approved the adjustment and supplementation of Ma River hydropower terrace planning.
- Decision No. 2381 / QD-UBND dated 10/10/2016 of Son La People's Committee on investment policy Muong Hung Project by Pa Chien Hydropower JSC.
- Investment Registration Certificate No. 6788341614 dated 13/10/2016 issued by Department of Planning and Investment of Son La province.

### **2. Characteristics of the plant**

19. Muong Hung Hydropower Plant is built on Ma river, head work and the plant are mainly located in the areas of Chieng Khoong commune, a small part is in Muong Hung and Chieng Cang communes, Song Ma district, Son La province. This location is 2.2km from 4G national highway, near inter-communal road, 15km from town center toward 4G national highway in the north, 97km from Son La city through 4G national highway.
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22. Electricity for the construction will be transferred by 110 kV line with 7km in length which connect electricity from the plant to the national grid.
23. Technical water source for the dam area, plant and auxiliary works is planned to use Ma river and Nam Soi stream in the confluence area. Living water is supplied by groundwater.

**Table I-1: Main specifications and parameters of Muong Hung Hydropower plant**

No.	Specification	Unit	Value
(1)	(2)	(3)	(4)
<b>I</b>	<b>Catchment</b>		
1	Catchment area $F_{lv}$	Km <sup>2</sup>	6213
2	Average annual rainfall $X_0$	Mm	1361
3	Average flow in many years $Q_0$	m <sup>3</sup> /s	116.2
<b>II</b>	<b>Work level</b>	<b>Level</b>	<b>III</b>
1	Head work	Level	III
2	Hydropower plant	Level	III
<b>III</b>	<b>Head work</b>		
1	Check flood flow MNLKT (flood P=0,5%)	m	309.40
2	Design flood flow MNLTK (flood P=1,5%)	m	307.00
3	Normal water level (MNDBT)	m	306.00
4	Dead water level (MNC)	m	303.00
5	Total volume	10 <sup>6</sup> m <sup>3</sup>	3.30
6	Useful volume	10 <sup>6</sup> m <sup>3</sup>	1.98
7	Dead volume	10 <sup>6</sup> m <sup>3</sup>	1.31
<b>IV</b>	<b>Flow</b>		
1	P=0,2%	m <sup>3</sup> /s	7,213
2	P=0,5%	m <sup>3</sup> /s	5,535
3	P=1,0%	m <sup>3</sup> /s	4,632
4	P=1,5%	m <sup>3</sup> /s	4,319

5	P=2,0%	m <sup>3</sup> /s	4,005
6	P=5,0%	m <sup>3</sup> /s	2,888
7	P=10,0%	m <sup>3</sup> /s	2,310
8	The largest flow through the plant $Q_{Tmax}$	m <sup>3</sup> /s	269.34
<b>V</b>	<b>Water column</b>		
1	Calculated water column, $H_{tt}$	m	10.36
2	Average water column, $H_{tb}$	m	11.38
3	The highest water column, $H_{max}$	m	13.43
4	The lowest water column, $H_{min}$	m	9.34
<b>VI</b>	<b>Water level at downstream of the plant</b>		
1	Maximum water level at downstream responding to check flood (P=0,5%)	m	307.78
2	Maximum water level at downstream responding to design flood (P=1,5%)	m	305.44
3	Water level at downstream works with $Q_{max}$ 2 turbines	m	294.29
4	Minimum water level at downstream	m	292.50
<b>VII</b>	<b>Capacity</b>		
1	Installation capacity $N_{Im}$	MW	24.00
2	Ensure capacity $N_{db}$	MW	2.8
3	Number of turbine	turbine	02
4	Capacity of each turbine	MW	12.00
<b>VIII</b>	<b>Electricity output</b>		
1	Average annual electricity output $E_o$	10 <sup>6</sup> Kwh	93.56
2	Number of hour using installation capacity $H_{sd}$	hour	3898
<b>IX</b>	<b>Total investment about (after tax)</b>	<b>10<sup>9</sup>dong</b>	<b>735.950</b>
<b>X</b>	<b>Time of construction</b>		
	Time of construction	Year	2
<b>XI</b>	<b>Financial economic indicators</b>		
	<b>Economic indicators</b>		
1	NPV	10 <sup>9</sup> VND	334.650
2	EIRR	%	15.68
3	B/C	-	1.45
	<b>Financial indicators</b>		

1	Discount rate	%	10.35%
2	NPV	10 <sup>9</sup> VND	234.727
3	FIRR	%	16.81
4	B/C	-	1.29
5	Time of payback	year	11

### C. Objectives of the EMDP

19. OP4.10 policy of WB stipulates the requirements that borrowers must meet to undertake the sponsoring measures for the ethnic minority in the projects financed by WB. The documents involved in the targets and application scale, and emphasize the requirements on: (i) process of assessing social impacts and making a plan; (ii) preparing reports on assessment of social impacts and plan-making documents; (iii) publishing information and implementing consultation including the agreement of the ethnic minority vulnerable to the activities of the project selected; (iv) establishing complaint solving, and (v) monitoring, inspection and reporting. The policy requirements will protect rights of the ethnic minority maintained, and conserve cultural characters, activities and living environment of the community and ensure the projects implement necessary measures to protect these rights.

20. The general objectives of the EMDP are to: (i) mitigate and reduce the impacts of the project on livelihood of the ethnic minority in affected regions; (ii) ensure the project implementation procedure and promote the human-right respectability, original cultural characters, the variance of ethnic minorities in the regions affected by the project, and record the demands and aspirations of local people; (iii) find-out the impacts of the project on the ethnic minorities and how to prevent or mitigate potential negative impacts; (iv) ensure implemented benefits to be suitable to cultural aspects; (v) ensure the affected communities to be consulted issues related to potential impacts and mitigation measures, and they may join fully the making-decision procedure, implementation and monitoring, and (vi) make a particular implementing plan with limited time; arrange budget and institution, establish roles and responsibilities of various agencies in implementing, monitoring and inspecting all activities required in EMDP.

21. Therefore, the EMDP aims (i) record the previous consultation process and disseminate information to the minority living in the regions affected by the project and mitigation measures in the resettlement plan (RP) and EMDP in the project implementing period, and expressing the extensive support of the community;(ii) Find out the implementation and consultation framework to undertake EMDP; (iii) Establish the general measures to reduce or solve the impacts of the project in the ethnic minority community sponsored through RP and EMDP; and (iv) Make budget to manage the potential risks and the project impacts that were anticipated in the implementing stage.

## II. LEGAL FRAMEWORK OF THE EMDP

### A. Legal documents and national policies on the ethnic minority community

22. Constitution of the years 1946, 1959, 1980, 1992, 2003 and 2013 regulated that “The State implements policy of equality, solidarity, mutual assistance among ethnic groups, creating conditions for the groups develop in a civilized society, and respect for the interests, culture, traditions, language and customs practices of the groups”.

23. National legal framework was updated in 2016 with a number of documents relating to works of ethnic minorities and legal supporting policies to strengthen the legal awareness of ethnic minorities, particularly in poor districts. The legal documents are specified in Table II.1 as follows.

**Table II-1: Legal documents of the Vietnamese Government for ethnic minorities**

Year of issue	Reference number and content of text
2016	Announcement No. 1423 / VPCP-KTTH dated July 4, 2016 on the addition of subjects and prolonging loan disbursement time under Decision 54/2012 / QĐ-TTg, 29 / QĐ-TTg and 755 / QĐ-TTg of Prime Minister.
2013	Decision No. 29/2013 / QĐ-TTg dated 20 May 2013 of Prime Minister on some policies to support land settlement and job creation for poor ethnic groups living in Mekong delta area in period 2013-2015
2013	Decision No. 755 / QĐ-TTg, dated 20/5/2013 about policies to support residential land and land for daily-life water for poor ethnic households and poor households in extremely disadvantaged communes and villages
2013	Decision No. 2356/QĐ-TTg dated 04/12/2013 of the Prime Minister on issuing the Action Plan implementing the strategy of ethnic minority work until 2020.
2013	Decision No. 449/QĐ-TTg dated 12/03/2013 of the Prime Minister on approving the strategy of ethnic minority work until 2020.
2013	Decision No. 551 / QĐ-TTg dated 04/04/2013 about Program 135 on investment in infrastructure support, production development for communes with special difficulties, border communes, regional safe communes , and extremely disadvantaged hamlets, villages.

<b>Year of issue</b>	<b>Reference number and content of text</b>
2013	<i>Decision No. 1489 / QĐ-TTg dated 8 October 2012: Approving National Target Program for Sustainable Poverty Reduction 2012-2015.</i>
	Decision No. 2214 / QĐ-TTg dated 18/11/2013 approving the Scheme on enhancing international cooperation to support socio-economic development of ethnic minority regions
2012	Decision 1776 / QĐ-TTg dated 21/11/2012 on approving the program on population distribution in areas of natural calamity, extremely disadvantaged areas, border area, island, free migration area, special use forest in period 2013 - 2015 and orientation to 2020
2012	Decision No. 54/2012 / QĐ-TTg dated 04/12/2012 of Prime Minister on loan policies for production development for disadvantaged ethnic minorities (EM) period in 2012-2015.
2012	<i>Decision No. 59/2012 / QĐ-TTg dated 24/12/2012 Decision of Prime Minister on issuance of policies on legal aid for the poor and ethnic minorities in poor communes in the period 2013-2020</i>
2012	Decision No. 1212 / QĐ-TTg dated 05/09/2012: National Target Program on information on mountainous, remote, border and island facilities in period 2012-2015.
2011	Decision No. 1270/2011 / QĐ-TTg, dated 27/07/2011 on approving the project "Conservation and development of Vietnamese ethnic cultures until 2020"
2011	Decree No. 05/2011/ND-CP on the works of ethnic minorities. This decree describes the activities of ethnic minority works to ensure and promote equality, unity and mutual assistance for mutual development and respect and preserves the characters of ethnic minorities living within the territory of Socialist Republic of Vietnam.
2010	<i>Decision No. 75/2010 / QĐ-TTg, dated 29/11/2010: Policies for organizations and units employing ethnic minority people who are legally residing in the Central Highlands provinces.</i>



Year of issue	Reference number and content of text
2010	Decision No. 52/2010/QĐ-TTg of the Government on the legal aid policy to increase awareness and understanding about laws on poor ethnic minorities in the poor districts in the period of 2011-2020.
2008	Decision No. 289 / QĐ-TTg dated 18/03/2008 on issuance of some policies to support ethnic minorities, policy beneficiary households, poor households, near poor households and fishermen
2008	<i>Resolution 30a / 2008 / NQ-CP dated 27/12/2008: Resolution on fast and sustainable poverty reduction for 61 poor districts.</i>
2007	Decision No. 112/2007 / QĐ-TTg dated 20/7/2007 on policies to support services, improve people's living, legally support to raise legal awareness under Program 135 Phase II
2007	Decision No. 33/2007/QĐ-TTg dated on 5/3/2007 of the Prime Minister on policy supporting immigration and implementing resettlement for ethnic minorities in the period of 2007-2010.
2006	Decision No. 82/2006 / QĐ-TTg dated 14/4/2006 on adjustment of scholarship policy for ethnic minority pupils and students in boarding schools and boarding undergraduate schools.

## **B. Policies and programs on ethnic minority community**

24. The application of social and economic policies suitable to each region, each ethnic group, with attention to needs of ethnic minority groups, is required. Below present the detail of policy for Ethnic Minority as follow:

- *Policy on supporting investment in infrastructure include: Decision No. 551/QĐ-TTg, dated 04/04/2013: Program No. 135 on supporting investment in infrastructure, supporting production development in the communes with special difficult conditions, border communes, safety zone commune, villages. Decision No. 755/QĐ-TTg, dated 20/05/2013: Policy on supporting residential land, production land, drinking water for ethnic minority and poor households in extremely poor communes and villages. Decision No. 1489/QĐ-TTg dated 08/10/2012: To approve the national target program for sustainable Poverty Reduction 2012-2015.*
- *Policy on supporting social security: According to Decision No. 29/2013/QĐ-TTg, dated 20/5/2013: Policy on supporting resolving residential land and jobs for poor ethnic minority households with poor living condition in Mekong Delta 2013-2015*

*period. Decision No. 75/2010/QĐ-TTg, dated 29/11/2010: The policy for the organization, units employing ethnic minority residing legally in Central Highlands provinces. Decision No. 2356/QĐ-TTg, dated 12/04/2013 action program to implement Ethnic Minority Strategy until 2020. Decision No. 59/2012/QĐ-TTg, dated 24/12/2012 by Prime Minister about legal support for the poor, ethnic minority household in poor communes period 2013-2020. Decision No. 2214/QĐ-TTg, dated 18/11/2013: Approve the Scheme to enhance international cooperation to support economic and social development in ethnic minority groups.*

- *Policies on supporting livelihood and settlement of cultivation and residence for ethnic minority group: Decision No. 289/QĐ-TTg dated 18/3/2008: The decision on the issuance of the policies to support ethnic minorities, social policies, poverty, nearly-poor households and fishermen. Resolution No. 30a/2008/NQ-CP ngày 27/12/2008: Resolution on the Program support poverty reduction quickly and sustainably for 61 poor districts. Decree No. 54/2012/QĐ-TTg dated 04/12/2012 of Prime Minister about the loan policy for extremely poor ethnic minority households to develop production in the period 2012-2015. Decision No. 304/2005/QĐ-TTg dated 23/11/2005: the pilot of assign forests and forest protection to ethnic minority households and communities in Central Highlands. Decision No. 146/2005/QĐ-TTg: land acquisition policy of agricultural production and forestry farms to assign poor ethnic minority households. Decision No. 1776/QĐ-TTg, dated 21/11/2012: approve population distribution program in the areas with natural disasters, special difficult conditions, border, island and free migration, SUF period 2013 - 2015 vision to 2020. Decision No. 33/2007/QĐ-TTg on policy to support ethnic minority immigrants to implement settlement of cultivation and residence in the period 2007-2020.*
- *Policies on education, culture: Decision 267/2005/QĐ-TTg on policy and vocational training for EM students in the whole country. Decision No. 82/2006/QĐ-TTg, dated 14/4/2006 about adjustment of scholarship policies to ethnic minority pupils and students at ethnic boarding schools and pre-university schools.*
- *Decision No. 1270/2011/QĐ-TTg, dated 27/7/2011 approving the scheme, "Conservation and development of ethnic culture of Vietnam 2020" Decision No. 1212/QĐ-TTg, dated 05/9/2012: the national target program on bring information to mountainous, remote, border and island communes in the period 2012-2015. Decision No. 52/2010/QĐ-TTg, dated 18/08/2010 on legal support policy in order to raise awareness and understanding of the law for the poor, ethnic minorities in poor districts in the period 2011-2020.*

### **C. Policies of World Bank on ethnic minority community**

25. To ensure the development period of all aspects related to human dignity, human rights and cultural characters of the indigenous peoples. More specifically, is to ensure

that the indigenous peoples are not affected negatively in the development process and they receive benefits that are suitable to their culture. The World Bank has developed, updated and issued the enforcement policy "OP 4.10 - Indigenous Peoples", to apply for all projects funded by the World Bank, which have certain influences on indigenous peoples.

26. According to the policy OP 4.10 of World Bank, the proposed projects which is to be financed by the World Bank and have certain influences on ethnic minority must follow-up the steps as follows:

- **Screening** to determine whether there are ethnic minorities living there or have any collective attachments to the project sites or not;
- If ethnic minorities are living in, **Social assessment** will be conducted to determine positive and negative potential impacts of the project and to revise the design of the project to mitigate negative impacts and increase positive benefits;
- **The previous consultation process, households are provided full of information and freely participate** in the affected ethnic minority community to determine opinions of ethnic people about the project and to assert whether the project receive the extensive support from the community or not;
- **Ethnic minorities development plan (EMDP)** will be prepared in consultation with the community, drafting benefits that the community will receive from the project and the ways of how to minimize adverse impacts; and **Publishing extensive information** on the plan.

27. The regulations above aim at making favorable conditions for the ethnic minority groups adapting to opportunities, meaning that is to participate in designing the project activities that have significant impact on them; and to ensure that opportunities for these ethnic groups are included suitable benefits of culture, manners and customs; and to ensure that any negative impacts of the project must be eliminated or if not they must be mitigated and minimized.

28. The term "**Indigenous Peoples**" in the OP 4.10 of World Bank is used in a generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:

- Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- An indigenous language, often different from the official language of the country or region.

29. In the process of preparing the EMDP for Muong Hung Hydropower Project, policies on ethnic minorities issued by the Government, the World Bank, and the local authorities has been applied in combination with the EMDP is to ensure that the ethnic minority community under the Muong Hung Hydropower Construction has been consulted and provided fully information, and joined the construction implementation phases, and achieve benefits from the construction, and the negative impacts on cultural, economic and social issues are minimized.

### **III. SOCIO-ECONOMIC CHARACTERISTICS OF ETHNIC MINORITY COMMUNITY IN THE PROJECT AREA**

#### **A. Overview of ethnic minorities in the project area**

##### **1. General introduction**

30. Muong Hung Hydropower plant is located in Song Ma district, Son La province. Three communes affected directly by Muong Hung HPP in Song Ma district, Son La province are: Chieng Khoong, Muong Hung, Chieng Cang. The losses are mainly in Chieng Khoong communes with 976,737/ 1,058,885 m<sup>2</sup> of land is permanently acquired and 202/210 AHHs in which 2 AHHs must relocate.

31. 6 ethnic groups living in Song Ma district are Thai (64.4%),Mong (16%), Kinh (13%), Xinh Mun (5.2%), Kho Mu (0.94%), Khang (0.46%). Thai people are the largest community in Song Ma district. The distribution of different ethnic group varies by different regions within the district, in three villages in project area, Thai people is the largest community.

32. 71.9% AHHs is ethnic group. In the three villages in project area, AHHs area mainly Thai ethnic people (148 HHs), there are 3 households of Sinh Mun ethnic people and 1 household is Mong ethnic people.

##### **2. Characteristics of ethnic minorities living in project area**

###### **Thai ethnic people**

33. Thai ethnic group is the largest community in Son La province, accounting for 6.2% of Son La's population with 2 branches: White Thai (Tay Khao) and Black Thai (Tay Dam). Thai ethnic group have their origins in mainland of Southeast Asia, Thai ancient ancestors had been present in Vietnam since very early days, they lived in Lai Chau, Son La, Hoa Binh and Nghe An provinces. Thai language belongs to Tay-Thai group. Thai ethnic clothing: men wear long trousers, brocade. Women wear com shirt, skirts, Pieu turban with their own unique traditional jewelery. Thai people live in stilt houses, each with 40-60 roofs adjacent to each other. Thai's villages are usually in the lowlands, near the water, associated with rice fields.

34. Thai people are well-known for their experience in watering, soil filling; ditch digging, etc, wet rice is the main source of food. Thai people also plant rice, vegetables and other crops. Each family raises livestock, poultry, do weaving, fabric weaving, people in some other places make pottery... Regarding the traditional handicraft, Thai's well-known product is brocade fabric with unique patterns, bright colors, and durable reed mattress.

35. Myths, legends, poems, folk songs... are the precious materials in Thai traditional literature. The famous poetry works of Thai people are: "Xong chu xon xao", "Khun Lu, Nang Ua". Thai people have writing so many ancient literatures, laws, folk songs are recorded on paper and leaves. Thai people love singing, especially Khap. Khap is the way of recitation or singing along the poems with dance and musician instruments. Many dances, such as fan dance and sap dance have been performed on domestic and international stages. Hạng khuôn (floor on the yard), ném còn (throwing a sacre ball through the ring) are also two famous cultural identities of Thai people.

### **Sinh Mun ethnic people**

36. In Vietnam, Xinh Mun people are recognized as one of 54 ethnic groups in Vietnam. According to the 2009 Population and Housing Census, Xinh Mun ethnic group in Vietnam has a population of 23,278 and is present in 22 out of 63 provinces and cities. Xinh Mun population is concentrated in Son La province with 21,288 people, accounting for 91.5% of Xinh Mun population in Viet Nam, 1,926 people in Dien Bien province, 10 people in Dong Nai province, 10 people in Nam Dinh province and 10 people in Hanoi.

37. Xinh Mun ethnic group live mainly on farming on upland fields, planting sticky rice and maize. They have 3 kinds of fields: making holes on the ground by a stick and put the seed into the hole, using hoe for cultivation and plows for cultivation. Some places, the people have the field with water. In the past, Xinh Mun people grazed buffaloes, goats, pigs..., now many villages build cages for the cattles. Gathering and hunting gave an important contribution to their lives. The needlework develops quite strongly, knitted products are beautiful and durable, they often exchange knitted products for clothing and iron tools with Thai and Lao people. Xinh Mun people have the habits of chewing betel to dye their teeth with black, drinking tube wine, like spicy.

40. Xinh Mun people live in the stilt house with tortoise shell-shaped roof and with two up and down ladders in two gables.

41. Costumes of Xinh Mun ethnic group have no specific identity, their costumes are influenced by costumes of Black Thai ethnic group, similar to Khang ethnic group.

42. In the past, community organization of Xinh Mun ethnic group is nomadic; now they settle and build the crowded villages. The surnames of Xinh Mun ethnic group are mostly Lo and Vi. Each of them has its own abstinence. The children have the same surnames with their father. In the family, when the father passes away, the eldest son plays the important role.

## **B. Socio-economics survey of ethnic minority groups affected by the project**

### **1. AHHs are ethnic minority groups**

43. Economic - Social survey of the ethnic households conducted with 210/210 affected households in the area of the communes: Chieng Khoong, Muong Hung, Chieng

Cang shows that: 152/210 AHHs (71.9%) is ethnic people. Table III-1 shows the number of affected households and ethnic group in each commune.

**Table III-1: The number of affected households and ethnic group**

Commune	Ethnic group				Total of AHHs
	Thai	Kinh	Sinh Mun	Mong	
Chieng Khoong	141	57	3	1	202
Muong Hung	5	1	-	-	6
Chieng Cang	2	-	-	-	2
<b>Total</b>	<b>148</b>	<b>58</b>	<b>3</b>	<b>1</b>	<b>210</b>

## 2. Family size and number of family member

44. Total number of land acquired by the construction is 152 household with 729 people, averagely each household has 4.8 people. S The number of AHHs headed by women is 5 households, accounting for 43.3 %.

## 3. Main occupation of household head

45. Apart of 152 ethnic AHHs, only 3 household headed by workers and employees, 149 AHHs are headed by farmers with with main income source from agriculture.

Commune	Occupation				Total
	Workers/employees	Pensioner	Business/service	Farmer	
Chieng Khoong	14	5	7	76	202
Muong Hung	1	-	-	5	6
Chieng Cang		-	-	2	22
<b>Total</b>	<b>15</b>	<b>5</b>	<b>7</b>	<b>183</b>	<b>210</b>

## 4. Education level of AHHs

46. Education level of household heads is quite low. As part of 152 ethnic AHHs in three communes, 7 households illiterate (4.6%), 8 household heads finish high school (5.3%), 51 household heads finish secondary school (33.6%), 57 household heads (37.5%) finish elementary school, 29 household heads (19.1%) did not finish secondary school (Table III-2)

**Table III-2 Education level of surveyed HHs in affected communes**

Commune	Illiterate	Unfinished elementary school	Graduate from elementary school	Graduate from Secondary school	Graduate from High school	Total

Chieng Khoong	7	27	54	50	7	<b>145</b>
Muong Hung		1	2	1	1	<b>5</b>
Chieng Cang		1	1			<b>2</b>
<b>Total</b>	<b>7</b>	<b>29</b>	<b>57</b>	<b>51</b>	<b>8</b>	<b>152</b>

## 5. Job and income

47. The main income source of AHHs is from agriculture. The key food crop of the people is rice and maize. Averagely, each household has about 2-3 hectares of upland and field for rice, maize and cassava. Their family is provided mainly by rice. Maize and cassava not only bring food to people and animal, but also be sought. Average income from 1ha of maize is 15 million VND, 1ha of cassava is 45 million VND per year. In recent years, people have converted these crops to longan with high yield. Income from 1ha of longan can be 150-200 million VND/year.

48. Most of the households in the project area are raising goats, pigs, buffalos, horses, poultry, which are used for food, and earn money, the income from livestock production is from 10 to 15 million VND/household/year.

49. In addition to farming, some households participate in seasonal jobs for manual labor such as farming, gardening, construction workers. The daily income of these jobs is about 100,000-200,000 VND, depending on the specific job.

50. Income of AHHs in project area is relatively higher than income of households in north central mountain area because recently people convert the crop from grain crop to longan which can give better effectiveness. Income of affected Kinh, Thai households is higher than the income of affected Sinh Mun households because they have higher qualifications, they calculate and arrange their work much better. The following income per capita of AHHs provides detailed information about income of surveyed households in affected communes and poverty rate in the communes affected by the construction..

**Table III-3: Income per capita of AHHs**

Commune	Income/person/month				Total
	<1 million VND	1-2 million VND	<1 million VND	1-2 million VND	
Chieng Khoong	-	7	121	74	202
Muong Hung	5	-	1	-	6
Chieng Cang	1	1	-	-	2
<b>Total</b>	<b>6</b>	<b>8</b>	<b>122</b>	<b>74</b>	<b>210</b>

51. The expenditures for daily needs of households vary by income. The expenditure often includes food, clothes, power and water bill, tuition, health care and travel. AHHs in Chieng Khoong have many times higher expenditure than AHHs in Muong Hung, Chieng Cang because they have higher income. AHHs in Muong Hung, Chieng Cang are mainly poor households, income per capita is lower than 1000,000VND/month, their expenditure is also low. The detailed expenditure of the households is described in Table III-4.



**Table III-4 Average Expenditure of Surveyed HHs (%)**

No.	Monthly expenditure	Chieng Khoong (VND)	Rate (%)	Muong Hung (VND)	Rate (%)	Chieng Cang	Rate (%)
1	Food (rice, meat,...)	50,000,000	33,33	12,000,000	53.33	20,000,000	88.89
2	Clothes	10,000,000	6,67	1,000,000	4.44	3,000,000	13.33
3	Furniture items(cabinet, table, TV, motorbike...)	30,000,000	20.00			3,000,000	13.33
4	Utilities (power, mobile phone)	5,000,000	3.33	2,000,000	8.89	3,000,000	13.33
5	Travel fee (petrol, motorbike maintenance)	5,000,000	3.33	1,500,000	6.67	3,000,000	13.33
6	Fuel (gas, firewood ...)	3,000,000	2.00				
7	Education (all levels from pre-school to university and vocational education)	10,000,000	6.67	1,000,000	4.44	2,000,000	8.89
8	Health care	10,000,000	6.67	1,000,000	4.44	2,000,000	8.89
9	Wedding or funeral	7,000,000	4.67	2,000,000	8.89	2,000,000	8.89
10	Tet and celebrations	10,000,000	6.67	1,000,000	4.44	3,000,000	13.33
11	Build and repair houses, toilets and other works	10,000,000	6.67	1,000,000		3,000,000	13.33
12	<b>Total expenditure for each household</b>	<b>150,000,000</b>		<b>22,500,000</b>		<b>44,000,000</b>	
13	<b>Expenditure per capita</b>	<b>30,000,000</b>		<b>4,500,000</b>		<b>7,333,333</b>	

### 1. Infrastructure and social service

52. The affected villages are located in the places with traffic advantages. The affected villages are located nearly at inter-commune roads which are 2km from 4G national highway. The roads from the affected villages to the commune centers are concrete.

53. All affected communes have national power grid, 100% AHHs are using electricity as energy for lighting.

54. Regarding fuel sources for daily cooking, 5 HHs use gas as the main fuel for cooking, 147 HHs use firewood as the main energy source.

55. 70 HHs use water from small streams as the main water source for daily activities. The water is brought to the villages by plastic pipe. 51 HHs use well water, 31 HHs use pure water (stream water is filtered).

### 2. Environmental and hygiene conditions

56. In the project area, all communes have no waste collecting and disposal system; waste is usually burn or buried in the garden

57. According to survey results, 142 AHHs have toilets, 10 AHHs have temporary toilets.

### 3. Education system

58. Chieng Khoong commune has 2 kindergartens, 2 primary schools, 1 secondary school, Muong Hung has 1 kindergarten, 2 primary schools and 1 secondary school. Chieng Cang Commune has 1 kindergarten, 3 primary schools, 1 secondary school, in addition there is 1 kindergarten in each village. Primary and secondary schools are located

0.5-1.5 km away from the affected villages. To go to the high school, students have to go to the district center at a distance of 10 km.

**Table III-5: The number of schools in all levels in affected communes**

<b>Xã</b>	<b>Kindergarten</b>	<b>Elementary</b>	<b>Secondary</b>	<b>Total</b>
Chieng Khoong	2	2	1	5
Muong Hung	1	2	1	4
Chieng Cang	1	3	2	6

## **6. Health service**

59. The communes in the project area have health centers located in the commune center. The local people often come to health centers to get simple medical care such as immunization, vitamin supplementation, maternal health care and drug treatment for common illnesses (colds, headache, and stomach). For more important treatment demand, they will come to hospital in the districts or provinces.

## **7. Gender and gender equality**

60. At the communes in project area, gender equality has been more concerned, the proportion of girls in school has been higher, all the girls in the age are going to school, education universalization program at secondary school has been completed, 100% of children, both male and female, graduates from secondary school.

61. Regardless of gender, most of people in the affected commune come to commune health center to treat the common and come to district or province hospital if the illness is more serious. The poor households can get benefits from medical insurance cards program.

62. In working and job, the time of earning of male and female is equal, however, women spend more time than men in housework. In this area, men have the habit of drinking until drunk especially on festivals or fairs, then all the burdens of work and families are on woman's shoulder.

63. Due to advocacy, education, now women in the project communes can equally participate in social work, have the right to participate in deciding the important issues in their home or participate in local organizations.

**Table III-6 Labor allocation in families in terms of gender in AHHs**

	<b>Husband</b>	<b>Wife</b>
<b>Work to be done apart from house works</b>	<b>(%)</b>	<b>(%)</b>
Working on the fields	50	50
Working on upland, plantation	50	50
<b>Housework</b>		
Taking care of children	30	70
Cooking	30	70

Clean house	30	70
<b>Participating in public and social work</b>		
Participating in the public consultation meeting	50	50
Participating in making decision	50	50
Joining with local organizations	50	50

## **IV. INFORMATION DISCLOSURE, CONSULTATION AND PARTICIPATION**

### **A. Information disclosure**

64. According to the World Bank policy on EM, Pa Chien Hydropower Joint Stock Company together with the consulting team and the District Compensation and Resettlement Councils in Song Ma district have jointly worked together to disclose the information on the approved policy framework on EM and resettlement, Resettlement Action Plan and Ethnic Minority Development Plan approved by Ministry of Industry and Trade (MOIT) and the World Bank. Resettlement Action Plan and Ethnic Minority Development Plan will be translated into Vietnamese to make it easier to understand and to facilitate the implementation of ethnic minority development plan and to apply compensation and resettlement policies to the affected people. The list of affected households due to loss of land and assets and compensation must be clearly stated.

65. Community consultation should be held several times to disseminate information and introduction to the project to the affected people, EM communities in the project area. EM community and the affected people are thoroughly informed about the EMDP and RAP, including: (i) the contents in the community meetings on the works, working schedules, site clearance plan and construction plan, (ii) Detailed Measurement Survey (DMS), (iii) list of official and eligible affected people and their rights, (iv) compensation volume and rates, (v) payment of compensation and other support, and (vi) other issues such as income restoration programs for the affected people, grievance mechanism, monitoring and evaluation etc. The related notice and documents must be posted publicly at the offices of the affected communal people committee and/or cultural houses/public places. The project information books (PIB) must be distributed to the affected households and are made available in the communal people committees' offices and the village cultural houses.

### **B. Community consultation and participation**

66. Several consultation meetings with EM communities have been organized in February, 2017 to evaluate the demand of the community about restoration of livelihood and ensure that the feedbacks from the local EM communities are presented in the EMDP

67. The tools used in community consultation include meeting, individual interview and group discussion. People in the affected villages are willing to discuss and share information. Women and youth are invited and encouraged to discuss and contribute ideas, particularly the EM groups in the affected communes are adequately consulted. The EM groups in the project areas are bridged with the project through several representative

organizations such as Women Union, Farmer Union, Communal and Village Youth Unions.

### C. Results of information disclosure and community consultation

68. Consultations on RAP and EMDP between representatives of Pa Chien Hydropower JSC, consultant team and local community are organized on 24<sup>th</sup> December 2016 at Chieng Khoong CPC office with participation of all relevant stakeholders and 25 households (22 males, 3 females). The table below is the contributions and aspirations of the EM people on Muong Hung hydropower plant.

**Table IV-1: Concerns of affected community and commitment of the investor**

No.	Community's concerns	Commitments of the investor
	<p>Hydropower plant prevent water and make land on both sides better, trees grow better so we support the project.</p> <p>We get many disadvantages by acquiring land but we agree for socio-economic development, it is expected that the investor considers to help us stabilize our lives.</p> <p>It is suggested that the investor has fish farming program on river side to improve the life of local people</p>	<p>The investor acknowledges the comment and have developed compensation plans, resettlement reports, ethnic minorities development report to support your livelihoods and soon stabilize your lives.</p>
	<p>Phieng Ca village has not yet been demarcated, it is suggested that the investor should consider this problem.</p> <p>We want to know how high the water level is to stabilize our lives.</p>	<p>Muong Hung HPP is riverbed power plant, high water level is mainly in headwork area, flooding level is lower toward hammock bridge in Cang village where the water level is normal.</p> <p>The investor will recheck the elevation of the flooding area and adjust the project.</p> <p>When the plant generate power, the water will rise from Nam Soi to hammock bridge... There is a safe distance for water level in the reservoir which will be demarcated for local people to see it clearly.</p> <p>During operation, if there is flood, there will be an early warning and the</p>

<b>No.</b>	<b>Community's concerns</b>	<b>Commitments of the investor</b>
		dam will be closed so that river water can flow normally.
	<p>Longan can not adapt to high water level. It can die even it has not been submerged.</p> <p>If water rises and kill the ancient trees, local people will have to celerbrate a workship which costs 20 million VND/times</p>	Investors will re-measure and evaluate in detail. During the implementation, the investor will come to each location to evaluate and discuss with the people.
	It is suggested that the investor create conditions for jobs for local people when the factory operates	Investors would like to acknowledge this and will try to arrange jobs for local people as much as we can.

## V. ASSESSMENT OF PROJECT IMPACTS TO ETHNIC MINORITIES

69. In preparation for the construction of Muong Hung hydropower plant project, many consultative meetings on project implementation with local authorities, relevant agencies and local people have been organized with the purpose of disseminating information and activities related to the project from the preparation, the design, the construction to the operation stage. Thereby, the investor of Muong Hung hydropower project, local authorities and people can identify potential impacts caused by construction activities in the process of implementation, including positive and negative impacts that affect the life and culture of ethnic minorities in the construction area of the project.

### A. Positive impacts

70. Muong Hung hydropower plant project is a scaled work with many ancillary items to be built to meet the operational efficiency, so the construction of Muong Hung hydropower will have positive and meaningful impacts for the productive life and socio-cultural activities of the people in the project area and in the neighboring areas. Specifically, positive impacts are described in detail in Table IV-1 below.

**Table IV-2 Positive impacts of Muong Hung hydropower project**

<b>Positive impacts</b>	<b>Description</b>	<b>Affection scale</b>
1. Create favourable conditions for production activities.	<ul style="list-style-type: none"> <li>- Proactively prevent erosion, flooding...</li> <li>- Reduce drought, increase irrigated area</li> </ul>	- Three communes Chieng Khoong, Muong Hung and Chieng Cang get benefits from the project.
2. Improve living conditions for the project area.	<ul style="list-style-type: none"> <li>- Provide clean water for daily activities of the community.</li> <li>- Provide and supply additional power to the national grid ...</li> </ul>	- The reservoir is 9.1 ha, dung tích 3.30 million m <sup>3</sup> in volume; The capacity is 24MW, provide the national power grid with 93.56 x10 <sup>6</sup> kWh every year
3. Create more jobs for local people.	- Create employment opportunities for unskilled local workers, especially households which are directly affected during the construction stage.	- Create jobs for around 100 workers during the period of building culvert in project area, 10 operators when the plant is in operation.

Positive impacts	Description	Affection scale
	<ul style="list-style-type: none"> <li>- Increase employment opportunities for local residents when the project goes into operation.</li> <li>- Provide services to contractors and investors.</li> <li>- Develop catering services, new employment opportunities for local people.</li> <li>- The lake creates conditions for farming households to fish on the river.</li> </ul>	
5. Contribute positively to the local development movement.	<ul style="list-style-type: none"> <li>- Increase income and contribute to the local budget.</li> <li>- Supplement power source for living and stable production in the area.</li> <li>- The annual electricity bills can contribute to increase income and contribute to local budget.</li> </ul>	- Song Ma district, three communes Chieng Khoong, Muong Hung and Chieng Cang get benefits from the project
5. Other impacts	<ul style="list-style-type: none"> <li>- Attract investment</li> <li>- Enhance communications...</li> <li>- Increase cultural exchange opportunities in the localities.</li> <li>- The development of transportation and power source will attract more investor to invest in the area, many projects can be invested.</li> </ul>	- Song Ma district, three communes Chieng Khoong, Muong Hung and Chieng Cang get benefits from the project



## B. Negative impacts

71. In addition to positive impacts as mentioned above, Muong Hung Hydropower Plant will have negative impacts on local people's lives and production, especially ethnic people in the project area. Therefore, in the consultation meetings and interviews with local authorities as well as local residents, negative impacts are considered and discussed very carefully in order to determine the true and full impacts from the preparation phase to the operational phase

72. In general, Muong Hung hydropower does not have much influence on the culture and production life of ethnic minorities, particularly effects related to customs, religious beliefs and village relationships. IOL shows that only 2 households whose houses and architectural objects are affected and relocated. However, to ensure the living conditions of the households in the project area, smallest impacts must be taken into account and particular consideration during the preparation process through consultation meetings and group discussions with local people. (Please refer the detailed description of negative effects in Table IV-3)

**Table IV-3 Negative impacts of Muong Hung HPP**

Negative impacts	Description	Affecting scale
Impact on income and livelihoods of local people	<ul style="list-style-type: none"> <li>- The project will acquire permanently 1.058.885 m<sup>2</sup> of many land types, affect production/job and livelihood/income of the local people.</li> </ul>	<ul style="list-style-type: none"> <li>- 210 households in three communes Chieng Khoong, Muong Hung and Chieng Cang .</li> </ul>
Temporarily affect production activities of local people	<ul style="list-style-type: none"> <li>- During the construction, it may affect and disrupt the water supply for irrigation, power supply, transport and travel of local citizens and communities.</li> <li>- During the construction, it may affect people's production due to mine blasting, site grading and levelling, soil erosion</li> </ul>	Project area in Chieng Khoong, Muong Hung and Chieng Cang communes

Negative impacts	Description	Affecting scale
	caused by the construction	
Environmental pollution	<ul style="list-style-type: none"> <li>- During the construction, material transport vehicles will create more dust and dirt for the project area.</li> <li>- Mine blasting for ground levelling also causes environmental pollution.</li> </ul>	<ul style="list-style-type: none"> <li>- The road where truck with construction materials pass through.</li> <li>- The project area and the surrounding areas may be affected by mine blasting activities.</li> </ul>
Impact on the local culture and social security of minority communities	<ul style="list-style-type: none"> <li>- During the construction, numerous workers may affect local indigenous cultures via relations and communications with the community.</li> <li>- Work camps of contractors at the construction site are likely affect the security in the local area.</li> <li>- Cultural activities of workers may affect local cultures.</li> </ul>	Project area in Chieng Khoong, Muong Hung and Chieng Cang communes
Impact on living practices and habits of people	<ul style="list-style-type: none"> <li>- Change habits, manners and customs of ethnic people.</li> <li>- Susceptible to introduce bad cultures which are not suitable to the lifestyle of local people.</li> </ul>	- The community of 3 affected communes.
Risks of labour accidents	- During the construction, working accidents may occur if workers do not comply with the safety	- The construction site and the roads where trucks carrying materials pass through.

Negative impacts	Description	Affecting scale
	<p>regulations at the site.</p> <ul style="list-style-type: none"> <li>- Mine blasting ...</li> <li>- The transporting materials for construction may cause accidents during the transportation</li> </ul>	
<p>Risks of women trafficking, HIV/AIDS transmission, social evils</p>	<ul style="list-style-type: none"> <li>- Numerous construction workers may cause social vices, such as gambling, drug trafficking, theft and trafficking of women/children, the risk of transmission of HIV/AIDS and other social ills</li> </ul>	<ul style="list-style-type: none"> <li>- The project area and the surrounding areas.</li> </ul>
<p>Immigrant workers are the danger of theft, gambling and drug trading</p>	<ul style="list-style-type: none"> <li>- During the project implementation, there will be a number of cadres and workers to habitat in the area and therefore it is easy to raise a number of evils such as theft, gambling, drugs.</li> </ul>	<ul style="list-style-type: none"> <li>- The project area and the surrounding areas.</li> </ul>

## VI. THE MITIGATION MEASURES AND DEVELOPMENT FOR ETHNIC MINORITIES

73. The identified potential impacts, including positive and negative impacts of Muong Hung HPP, with local authorities, residents in the project area, are screened and developed by computational methods to have mitigation measures for negative impacts and maintain and improve positive impacts to overcome and give maximum supports for those affected by the project in order that they can early recover their living conditions at least as before the project is implemented.

### A. Mitigation measures

74. To ensure the livelihood security to households, especially ethnic minority households, smallest impacts require to be carefully considered to build respective mitigation measures in accordance with actual conditions and to achieve the consensus of the stakeholders. Table VI-1 below describes in detail the mitigation measures agreed at the consultation meetings and group discussions with locals during the preparation process of Muong Hung HPP.

**Table VI-1 Measures to mitigate negative impacts**

Negative impacts	Mitigation Measures	Implementing agency
Land acquisition that would give impact to livelihoods of local people	Effectively conduct the program Assistance Of Livelihood and Recovery of Income for the AHHs.	Pa Chien Hydropower JSC; Compensation and Assistance Committee of Song Ma district; Departments and Mass organizations of affected communes
Impact to living customs of local people	Closely manage the construction workers of the contractor to implement the specific regulations and not affect on livings of local people. Transportation of materials is only allowed to use routes registered with the local authority and have to perform the regular maintenance to ensure uninterrupted traffic.	Pa Chien Hydropower JSC, the constructors, consultants.

Negative impacts	Mitigation Measures	Implementing agency
	<p>Construction activities close to residential areas must be arranged at reasonable time to avoid affecting on livings of local people.</p> <p>For affected public works, it should be completed the replacement works before relocating or destroying.</p>	
<p>Temporary impact to production activities of local people</p>	<p>Construction time will be heralded to the people and skimming only after people have finished harvesting the crops.</p> <p>The contractor will be mobilized at the highest level in order to shorten the construction time, minimize time to influence the production of community.</p> <p>The quarry for materials and machinery must be planned far from residential areas. The regulations on the storage and preservation of materials are carried out strictly, to avoid incidents and accidents, affecting the lives of people and production.</p> <p>The skimming must be done in accordance with the approved design. Monitoring skimming must be performed grader closely to minimize rock fall to the farm of people.</p> <p>Must be constructed in accordance with the construction measures approved.</p>	<p>Pa Chien Hydropower JSC and the constructors</p>
<p>Environmental pollution</p>	<p>Vehicles carrying materials have been covered carefully to avoid falling materials and making affect to local people, especially HHs living along the operation roads.</p> <p>The transportation vehicles should be not used in residential area at break time to minimize the noise. It should be kept moisture to limit dusts on the roads.</p> <p>The materials, such as petroleum, oil must be stored carefully to avoid explosion, leakage or flooding which affect lives and production of local people.</p>	<p>- Pa Chien Hydropower JSC The constructors, Monitoring Consultants, local authority.</p>

Negative impacts	Mitigation Measures	Implementing agency
	<p>After the project is completed, the waste area, construction area... should be levelled to give the level ground back, then covered with trees on the surface to prevent erosion, washout.</p>	
<p>Impact to daily activities of local people</p>	<p>The management regulations must be strictly implemented. Management activities must be closely coordinated between the contractor and the local police and the concerned units.</p> <p>The workers must be educated awareness of environmental hygiene and conscious respect for the cultural values of local people.</p> <p>Where in the camp of construction workers must be planned separately, not to workers living with the family of the local people in the community</p>	<p>Pa Chien Hydropower JSC, local authority, especially police.</p>
<p>Risks of labor accidents</p>	<p>Area of materials, machineries storage should be located far away residential area and be monitored closely to avoid the risks of accidents</p> <p>Local people and workers should be educated and disseminated about awareness of accidents prevention at work and transportation.</p> <p>The employed workers, especially the unskilled workers must be trained on necessary skills to ensure safety.</p> <p>Workers must be equipped with full protective equipment and labour insurance, accidents in transportation.</p>	<p>Pa Chien Hydropower JSC The constructors</p>
<p>Likely to have women and children trafficking and HIV/AIDS infection</p>	<p>Local people and construction workers on the project site must be propagated to risks and preventive measures against HIV/AIDS, trafficking in women and other social evils.</p>	<p>Pa Chien Hydropower JSC in coordination with commune authority, polices and</p>

Negative impacts	Mitigation Measures	Implementing agency
		Women's Unions.

### B. Maintaining and Promoting Measures

75. According to the findings from survey and communication with relevant agencies and local people in affected area was carried out in December 2016, apart from the above measures, some other measures are proposed to assist and help ethnic people to solve the difficulties. The proposed measures are follow:

**Table VI-2: Development measures for the ethnic minorities**

No.	Proposed development measures	Content of proposal	Implemented by
1	Assistance on job training	Training ordinary jobs when the plant is in operation. Priority is given to the members of households losing agriculture land and vulnerable households.	Pa Chien Hydropower JSC
2	Assist building model of fish farming	Assist fish seeds and initial cost for 8 AHHs who are seriously affected, give training to participating households.	Pa Chien Hydropower JSC
3	Assist on equipment of village cultural center	Assist on buying equipment: loudspeakers, radio... for village culture center to propagate and call people to participate in community activities.	Pa Chien Hydropower JSC

## **VII. INSTITUTIONAL ARRANGEMENT AND IMPLEMENTATION PLAN**

### **A. Institutional Arrangement**

76. Implementing Ethnic Minority Development Plan requires cross-sectoral collaboration from many sectors and branches at all levels from provincial, to district, commune, village and ethnic minority groups. Investor of Muong Hung HPP will be the host agency for implementation and collaborate with other entities during implementation. The institutional arrangements for implementation of the Ethnic Minority Development Plan are specified as follows:

- Pa Chien Hydropower JSC will assume responsibility for providing funding for implementing all activities set out in the Ethnic Minority Development Plan; developing regulations for oversight of workers gathering of construction materials; conducting community consultations; monitoring resettlement compensation; executing and collaborating to implement measures to mitigate negative impacts generated by the facility; and file reports with the relevant authorities.
- District Resettlement Compensation Committee will assume responsibility for providing exact compensations based on market price; providing one-off support for affected households.
- District Women's Union in collaboration with Commune Women's Union and associated Village Women's Unions implement effectively the gender-based propaganda programme on women's roles and propaganda campaigns on prevention and control of HIV/AIDS and women and children trafficking.
- Commune authorities will support Pa Chien Hydropower JSC in management of workers, prevention of social evils; conduct monitor and collaborate in monitoring with various sectors and branches in the district, together with Provincial Ethnic Minority Committee as regards the implementation of EMDP of Pa Chien Hydropower JSC.

77. Investor will coordinate with various sectors and branches in the commune and villages together with District Resettlement Compensation Committee to regularly update the EM community of progress, effectiveness of implementation of the EMDP; conduct monitor and inform monitoring results to commune people's committee and investors; assisting EM people in filing complaints in an effective manner.

78. Leaderships of villages, social mass organizations and EM people will conduct monitoring and evaluation of implementation of EMDP of the investor of Pa Chien Hydropower.

79. Provincial Ethnic Minority Committee will on a regular basis check and comment on implementation outcomes of the EMDP of Pa Chien Hydropower JSC.

### **B. Implementation Plan**

80. EMDP is implemented as a separate program in parallel with activities of implementing Resettlement Plan of the project, Table VII.1 shows the details the



implementation plan of main stages, impact projects, activities in EMDP and management as well as monitoring and evaluation EMDP, some activities were included in the RP (see RP).

**Table VII-1: Implementation Progress of EMDP**

<b>Activities</b>	<b>Progress</b>
Information dissemination and community consultation	12/2016
Preparing the Ethnic Minorities Development Plan	1/2017- 3/2017
Submitting the Ethnic Minorities Development Plan	3/2017
Approving the Ethnic Minorities Development Plan	4/2016
Information dissemination after EMDP to be approved	4/2016
Implementing measures to mitigate negative impacts	4/2017 - 6/2019
Implementing measurements or training for ethnic minority people	4/2017 - 6/2019
Monitoring and evaluation	4/2017 - 6/2019
Implementing the construction	4/2017 - 6/2019

## VIII. COMPLAINTS AND GRIEVANCE REDRESS MECHANISM

81. To make sure the complaints and grievance redress mechanism which will be established is practical and acceptable to the affected households, especially ethnic minority communities, this content has been consulted with local authorities and ethnic minority communities with a glance to the unique cultural characteristic as well as the traditional cultural mechanisms in addressing and resolving complaints and in the specific cases (such as the negative impacts are not minimized or new negative impacts have arisen, EMDP has not been done, etc.) EM people can complain for their rights. Grievance redress mechanism has been discussed as follows:

82. **Stage 1:** If EMDP has not been implemented or the implementation EMDP will raise the negative impacts to the ethnic minority community and no activities for mitigation, or any issue related to ethnic minorities people, the local ethnic minority people can elevate directly by verbally or in written to CPC or verbally or in written to community consultation board member at commune then this board will work with CPC and CPC will resolve the issue within 15 days from the date the complaint is received.

83. **Stage 2:** Within 15 days from the date the complaint is received, If the EM people are in the absence of any response or EM people is not satisfied with the decision, they can complaint to DPC.

84. **Stage 3:** Within 15 days from the date the complaint is received, If the EM people are in the absence of any response or EM people is not satisfied with the decision of DPC, they can complaint to Provincial Ethnic Minority Board..

85. **Stage 4:** Within 15 days from the date the complaint is received, If the EM people are in the absence of any response or EM people is not satisfied with the decision of PPC the EM people, as a last resort may submit his/her case to the district court.

86. The procedure to resolve the grievance of EM people that have been described in the document “ Information of Muong Hung Hydropower Plant”- PIB and delivered to all EM people in the community. For assisting EM people to find the person incharge for this resolve, PIB provide all information of name, address as well as telephone number of these person incharged . EM people dont have to pay any fee for their administrative and legal cost, as well as free cost for submit the complaint at the court.

87. The external monitoring agency will be recruited to monitor and evaluate independently. This agency will be responsible for checking the procedure and the status on resolving the complaints. The external monitoring agency may propose other solutions (if necessary) to resolve the pending complaints.

## **IX. MONITORING AND EVALUATION**

### **A. General requirements for monitoring and evaluation**

88. The internal and external monitoring system will be established to monitor the EMDP implementation.

89. The internal and external monitoring and evaluation system will be established to monitor the implementation of the EMDP. The main purpose of the program is monitored and evaluated to ensure that all of the proposed measures in EMDP are comply with policies and procedures of the EMDP. In particular, the independent monitoring and evaluation will focus on the social impact to AHs and AHs can restore their living standards at least equal to or better than their living standards before the construction.

90. The scope of the monitoring and evaluation program will include activities related to the EMDP, providing feedback to management agencies on carrying out their tasks, identifying issues and resolving as soon as possible to facilitate for adjustments with the implementation timely.

91. Objectives of monitoring and evaluation system are: (i) ensure the implementing progress of EMDP; (ii) undertake rightly the mitigation measures of the plan; (iii) assess effectiveness of the measures and propose supplement measures if necessary; (iv) identify potential or generated problems to the ethnic minority community during the implementing period of the project; and (v) identify quick response measures to mitigate these issues.

#### **1. Internal Monitoring**

92. The investor will be responsible for internal monitoring the EMDP implementation. The monitoring reports will be prepared and submitted to PMB. This reports will be monthly reports, from distributing Project Information Booklet to disbursing compensation costs and completing EM development activities.

93. The monitoring reports will summarize the progress of EMDP implementation, compare with monitoring indicators; and when required, propose changes to ensure the EMDP implementation in accordance with objectives and procedures in EMDP. This report is a part of the external resettlement monitoring report and will be submitted to PMB and WB for reviewing. PMB will submit the quarterly monitoring reports to WB. These reports will summarize the progress of land acquisition and resettlement and EMDP for the project.

#### **2. External monitoring**

94. The external monitoring agency will be recruited to to conduct independent checks, monitoring and evaluation as regards the implementation of EMDP. The independent monitoring and evaluation will be conducted on an annual basis, except for the first stage when it is possible to conduct independent monitoring and evaluation twice a year.

95. The independent monitoring and evaluation will focus on 5 main issues, that is (i) how measures to mitigate negative impacts set forth are implemented; (ii) what negative

impacts on ethnic minority that have been not assessed and hence mitigation measures not identified; (iii) how interventions for community development of ethnic minority groups have been implemented; (iv) information provided is sufficient or not and whether the consultations with EM people have been conducted or how effectively they are implemented; and (v) complaint procedures for ethnic minority as regards EMDP and any other issues faced by them.

### **B. Monitoring indicators**

96. The monitoring indicators in Table IX.1 should be should be periodically monitored during EMDP implementation as well as monitoring indicators mentioned in Resettlement Plan.

**Table IX-1: Monitoring indicators in EMDP**

<b>Monitoring and Evaluation Issues</b>	<b>Basic indicators</b>
1. The progress of EMDP implementation	<ul style="list-style-type: none"> <li>- The plan has been shared with the community.</li> <li>- The plan is in line with the implementation conditions of ethnic minority people and is joined by them.</li> <li>- The plan is relevant to the progress of other activities.</li> <li>- Adequate human resources available to implement the plan.</li> <li>- Sufficient funding for implementing the plan.</li> </ul>
2. Implementing community consultations and local people’s participation	<ul style="list-style-type: none"> <li>- Local EM community, commune authorities and village leaderships and mass organizations are provided sufficient information on EMDP, implementation plan and grievance mechanisms.</li> <li>- Local EM community, commune authorities and village leaderships and mass organizations are involved in relevant activities, especially monitoring the implementation of EMDP.</li> </ul>
3. Implementation of measures to mitigate negative impacts from the facility.	<ul style="list-style-type: none"> <li>- All measures for mitigating negative impacts from the facility are effectively implemented.</li> <li>- There are no additional negative impacts arising from the facility, and if otherwise, there must be a community consultation on mitigation measures and implementation of the same.</li> <li>- Various sectors and branches effectively collaborate in</li> </ul>

<b>Monitoring and Evaluation Issues</b>	<b>Basic indicators</b>
	implementing measures to mitigate negative impacts from the facility.
4. Implementation of specific developmental interventions for local ethnic minority people	<ul style="list-style-type: none"> <li>- All activities that support the EM development as set out in the EMDP are implemented effectively.</li> <li>- Various sectors and branches effectively collaborate in implementing interventions for community development.</li> </ul>
5. Grievance Mechanisms	<ul style="list-style-type: none"> <li>- Ethnic minority community has a clear understanding of the grievance mechanism.</li> <li>- District Resettlement Compensation Committee, commune-level social organizations and commune people's committee have a clear understanding of grievance mechanism and are able to assist EM people to implement such mechanisms.</li> </ul>

## X. BUDGET AND DISBURSEMENT PLAN

97. Total cost of the EMDP is estimated to be **275,000,000 VND** (equivalent to **12,083 USD**). This cost includes development measures and contingency. The budget for EMDP is taken from the loan. The cost for monitoring and evaluation EMDP is included in RP cost.

**Table X-1: Total funds for implementation of EMDP**

N o.	Items	Qua ntity	Unit price (VND)	Amount (VND)	Remarks
1	Assistance on job training	5 HHs	10,000,00 0	50,000,000	Training ordinary jobs when the plant is in operation. Priority is given to the members of households losing agriculture land and vulnerable households.
2	Assist building model of fish farming	8 HHs		100,000,00 0	Assit fish seeds and ininitial cost: 8 HH*10,000,000VND/HH=8 0,000,000VND; technical training: 20,000,000VND
4	Assist on equipment of village cultural center		100,000,0 00	100,000,00 0	Assist on buying equipment: loudspeakers, radio...
	<b>Sum of assistance cost</b>			<b>250,000,00 0</b>	
	<b>Contingency (10%)</b>			<b>25,000,000</b>	
	<b>Total</b>			<b>275,000,00 0</b>	