



HAI DUONG PROVINCIAL PEOPLE'S COMMITTEE

WORLD BANK

# **RESETTLEMENT PLAN**

## **(Final draft)**

**DYNAMIC CITIES INTEGRATED DEVELOPMENT PROJECT**  
**HAI DUONG CITY – HAI DUONG PROVINCE**



Hai Duong, 10/2017

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## ABBREVIATIONS

CARC	Compensation, Assistance and Resettlement Committee
CSCC	Compensation and Site Clearance Committee
DARD	Department of Agriculture and Rural development
EM	Ethnic Minority
HS	High school
IDA	Independent Development Agency
IMA	Independent Monitoring Agency
IOL	Inventory of Losses
LFDC	Land fund development center
LURC	Land Use right Certificate
M/DoLISA	Ministry/Department of Labor, Invalids and Social Affairs
MONRE	Ministry of Natural Resources and Environment
NGO	Non-Governmental organization
PAPs	Project's Affected people
PC	People's committee
PMU	Project Management Unit
RP	Resettlement plan
SO	Socio-economic
SS	Secondary school
USD	US dollar
VND	Viet Nam dong
WB	World Bank

## DEFINITION OF TERMS

**Project Affected Persons (PAP):** Individuals, households, organizations are those who are physically relocated (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 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.

**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.

**Cut-off date:** The Cut-off Date for compensation is the date of the Land Acquisition Announcement made by the local authorities, once the delineation of project boundaries has been finalized and prior to the commencement of the DMS. The RAP is updated based on the DMS. The cut-off date is announced to affected people in a transparent manner and evidence of the announcement is provided in the updated RAP. Prior to this, when the RAP and feasibility study are approved, land is formally reserved for the project based upon the basic project design. The delineation of project boundaries is finalized when the project's detailed technical design is approved.

**Eligibility:** The criteria to be used for the project to determine PAPs who shall be entitled to compensation and support under the resettlement program.

**Compensation (in cash or in kind):** for loss of assets including land and non-land assets and loss of income sources. Compensation for loss of assets will be at replacement costs. Rehabilitation measures to restore and improve incomes will be determined in consultation with the PAPs.

**Host community:** Community residing in or near the area to which affected people are to be relocated.

**Replacement Cost:** the amount which is needed to replace an affected asset without depreciation or deductions for salvageable materials, inclusive of taxes, and/or costs of transactions. It is calculated before displacement as follows:

- a. Productive land (agricultural, fishponds, gardens, forests) based on market prices that reflect recent land sales of comparable land in the district and other nearby areas or, in the absence of such recent sales, based on the land's productive value;



- b. Residential land based on market prices that reflect recent transactions of comparable residential land in the district and other nearby areas or, in the absence of such recent land transactions, based on transactions in other locations with similar qualities;
- c. Houses and other related structures based on current market prices of materials and labor without depreciation or deductions for salvaged building materials plus fees for obtaining the ownership papers;
- d. Trees and domestic animals based on the current market value of the trees/animals at the time of land acquisition;

**Replacement Cost Survey:** the process involved in determining the replacement cost of land, and non-land assets affected based on market surveys.

**Resettlement.** This RP, in accordance with the World Bank’s Operational Policy on Involuntary Resettlement (OP 4.12), covers the involuntary taking of land that results in (i) relocation or loss of shelter, (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location.

**Resettlement Assistance:** Additional support provided to the PAPs who are losing assets (particularly productive assets), incomes, employment or sources of living, to supplement the compensation payment for acquired assets to achieve, at a minimum, the full restoration of living standards and quality of life same as their pre-project condition.

**Livelihood (income):** A set of economic activities, involving self-employment, and or waged employment by using one’s endowments (both human and material) to generate adequate resources for meeting the requirements of the self and household on a sustainable basis.

**Livelihood restoration:** refers to a set of measures/activities provided to the affected people who lost income sources and/or means of livelihoods and with their efforts to restore their income and living standard, as equal to or better than pre-project level.

**Severely affected households.** Household who lose 20% (10% or more for the vulnerable) or more of their productive land holding is considered as severely affected as a result of the project.

**Vulnerable Groups and Individuals at risk:** a person or a group of people who might, due to project land acquisition and resettlement, suffer disproportionately from adverse impacts of the project and/or be less able to access the project benefits and asset compensation, including livelihood restoration, when compared to the rest of the PAPs. Vulnerable people include: (i) single female headed households with dependents and economic disadvantage (single, widow, disabled husband); (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 vulnerable will be determined throughout SES and public consultation during project preparation.



## EXECUTIVE SUMMARY

### Introduction

This Resettlement Plan (RP) is prepared for Hai Duong city in Hai Duong province under the Dynamic Cities Integrated Development Project –which uses credit fund from the World Bank. The subproject has 2 main components: (i) Component 1: Construction of technical infrastructure and urban roads; (ii) Component 2: Technical assistance and implementation support. In these 2 components, component 1 requires land acquisition and site clearance. This plan includes results of the preliminary inventory of loss, socio-economic survey, entitlement of the affected people and assessment on project positive and negative effects. The plan also refers to resettlement options, livelihood restoration program, plan and cost for implementation of the RP.

### Land acquisition and Site Clearance

Following the project preliminary design, proposed work items in the Component 1 include: (a) Lining embankment for T1 canal and construction of Lo Cuong pumping station; (b) Lining embankment for Bach Dang river banks; (c) Improvement of environmental sanitation including: (construction of separate drainage system = 1127.14km; construction of 4 booster pumping stations and the wastewater treatment plant Q=12,000m<sup>3</sup>). Total about 7,691.91 m<sup>2</sup> of land will be acquired, including 668.1 m<sup>2</sup> residential land; 478.81m<sup>2</sup> pond land, 1,545 m<sup>2</sup> canal land under CPC management and 5,000m<sup>2</sup> of landfill; 90 households will be affected of which 80 households will lose land and 18 households will be affected structures. No households will be relocated. No ethnic minority people is found in the project area.

### Mitigation Measures

During the preparation for the project, Consultant worked with relevant authorities and consulted with affected households, surveys and public consultation to find out measures to mitigate negative impacts from the project, increase investment efficiency and minimize land acquisition. Selection of resettlement options has been discussed with affected households to minimize impacts and to recover the affected economy.

### Policy Framework

A Project Resettlement Policy Framework (RPF) was prepared based on the World Bank's Operation Policy (OP.4.12) on involuntary resettlement and the laws and regulations of the GOV on compensation and resettlement when the State recovers land for public purposes. This RP is developed based on the RPF and integrated regulations of Hai Duong PPC on compensation, support and resettlement applied for the province.

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

### Income Restoration Program

There will be no household being severely affected and no household will be relocated. Thus, income restoration program will not be required. However, AHs losing agriculture land will get an allowance for job training/creation according to the PPC's decision.

### **Institutional Arrangement**

Hai Duong city PMU and the town people's council are in charge of implementing the compensation, support and resettlement and be responsible for managing and monitoring the implementation of the Resettlement Plan. During the project implementation, there will be close connection among staffs of relevant agencies including staffs of the Compensation and Resettlement Commission, PMU staffs, ward/commune PC staffs and local people in the project area and resettlement specialists.

### **Implementation Plan**

Resettlement plan is implemented in connection with the construction work of the project. Affected households will get full compensation and allowance before site clearance which is expected to start in Quarter IV 2018.

### **Public Consultation and Participation**

Local government, people and affected households will be consulted via public meetings. Socio-economic survey and inventory of loss was done for affected households. Obtained results during the public consultation have been presented in the resettlement plan and will be updated for the implementation process. Consultation will be continued during the project implementation.

### **Monitoring and Evaluation**

The Project Management Unit (PMU) is responsible for conducting internal monitoring the implementation of the RP. In addition, the PMU will hire an external monitoring agency (EMA) to undertake independent monitoring of the process of RP implementation and to assess living standard of the affected people during and after the completion of the resettlement.

### **Grievance Redress Mechanism**

To ensure all complaints from affected people regarding land acquisition, compensation and resettlement are resolved timely and satisfactorily, a grievance redress mechanism was established in this Resettlement Plan. All affected people can make their complaints and queries in oral or writing on their entitlements, compensation price, support, income restoration... to the implementing agencies without paying any cost relating the resolution of these complaints at all levels. The complaints will go through 3 levels to be resolved before choosing the court as final resolution. The PMU will appoint one staff being in charge of monitoring and following up complaints and grievance of APs until resolved.

### **Resettlement Cost Estimate**

Total estimated cost for implementation of this RP is about **58,441,000,000VND** (\$2,568,844) and provided by Hai Duong PPC from counterpart fund. This includes cost for compensation of land, non-land assets and crops/trees as well as cost for income restoration program, monitoring and evaluation. Resettlement cost will be updated at the time of compensation based on results of replacement cost survey.

## **PART 1: PROJECT DESCRIPTION**

### **1.1. General Information**

1. Proposal of the Dynamic Cities Integrated Development Project (DCIDP) was approved by the Prime Minister in the document No. 2318/VPCP-QHQT dated March 14th, 2017 of the Government Office. The project uses IBRD fund of the World Bank Group and counterpart funds from local /central budget. The proposed project development objective is to increase access to improved urban infrastructure services and enhance integrated urban planning and management capacity in the project cities;
2. The Project is implemented in five cities/towns, including (1) Hai Duong city (Hai Duong province); (2) Ky Anh city (Ha Tinh Province); (3) Tinh Gia town (Thanh Hoa Province); (4) Thai Nguyen city (Thai Nguyen Province), and (5) Yen Bai city (Yen Bai Province).
3. The overall objective of the project is to increase access to improved urban infrastructure services and enhance integrated urban planning and management capacity in the project cities.
4. To achieve the above objectives, the project consists of 2 components: Component 1: Structural solutions – Rehabilitation, construction of urban technical infrastructure system; Component 2: Non-structural solutions - Technical assistance and implementation support.
5. The duration of “the Dynamic Cities Integrated Development Project” is expected to be 5 years, starting in 2018 and completed in 2023.

### **1.2. Hai Duong Subproject**

6. Hai Duong city is located in the Northern Key Economic Zone, with favorable transport location for economic development, particularly for development of industry and service. Hai Duong city has total natural land area of 71.6 km<sup>2</sup>, population of 231,662 people (as of 31<sup>st</sup> December 2016) and has 21 administrative units including 17 wards and 4 communes. The city’s poor household percentage based on the multi-dimensional poverty index is 3.26%.

#### **7. Project’s objectives:**

##### *Overall objectives:*

- To improve access to improved urban technical infrastructure and capacity building for urban planning and management in the project areas.

##### *Specific objectives:*

- To raise the competitiveness of Hai Duong urban center in attracting people to come for living, attracting investors to develop services, trade and tourism;
- Minimize damage caused by flooding by improving and maintaining existing urban drainage capacity and ensuring urban drainage in the future when urbanized under approved plans;
- To promote the economic development of Hai Duong urban area;

- Minimize the risk of traffic accidents through the development of interconnected transport corridors;
- Improved control of urban development through soft solutions in urban management, climate change;
- Step by step realizing the approved plannings and plans.

8. Project's Components: the project consists of two main components, namely:

*Component 1: Improvement of Urban infrastructure*

- a. Develop technical infrastructure
  - Develop technical infrastructure on Nguyen Luong Bang road (L= 5.01km);
  - Develop technical infrastructure on Thanh Binh (L= 3.84km);
- b. Rehabilitate drainage capacity to prevent inundation
  - Dredge and line embankment for T1 canal banks (section from Nguyen Luong Bang to Sat river (L = 1.58km));
  - Construct Lo Cuong pumping station with capacity  $Q = 11\text{m}^3$ ;
  - Rehabilitate drainage system in the North of the railway:
    - o Construct Nghe Lake as the compensating lake, area  $F = 2.4\text{ha}$ ;
    - o Rehabilitate the ditch system  $B \times H = 600 \times 600 - B \times H = 1000 \times 4000$  to conduct water (L = 4.09km);
    - o Rehabilitate drainage system in the North of the railway: Construct open channel system,  $B \times H = 800 \times 80 - B \times H = 2000 \times 2000$  along 7 sewer locations on NH5, L = 3.5km, and construct two booster pumping stations along NH 5 with capacity  $Q_1 = 2.7\text{m}^3/\text{s}$  and  $Q_2 = 1.28\text{m}^3/\text{s}$ .
  - Line the embankment for Bach Dang river banks from Tam Giang to the Dock (L = 1.4km), construct one management road from 2- 4m wide.
- c. Improve environmental sanitation:
  - Construct one separate drainage system with diameter size from D300- D600 with length L = 127.14km;
  - Construct 4 booster pumping stations with capacity  $Q = 238\text{m}^3/\text{day}$  to  $Q = 12,000\text{m}^3/\text{day}$  and the forced pipeline from D150 – D600, L = 1.53km;
  - Construct the wastewater treatment plant capacity  $Q = 12,000\text{m}^3/\text{day}$  by 2025.

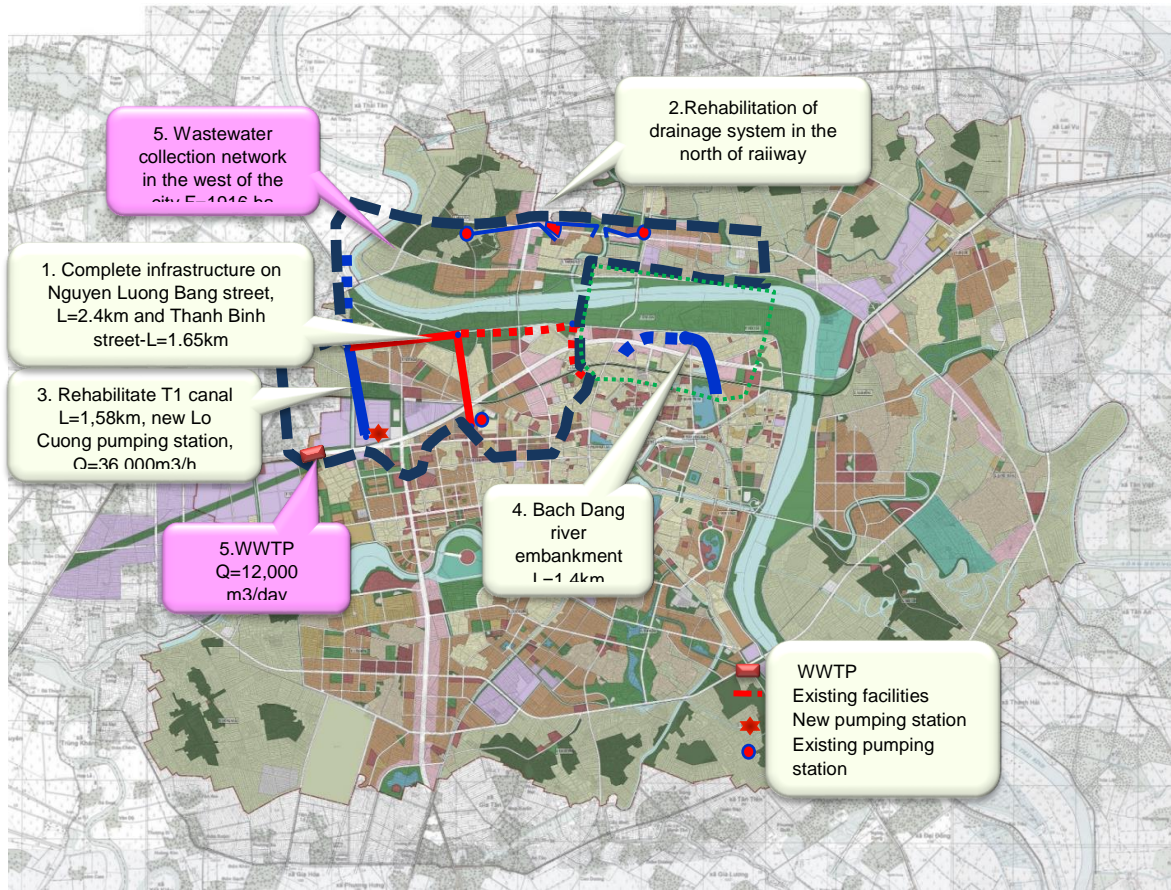
*Component 2: Technical Assistance and Investment Implementation*

9. The main objectives of this component are to (i) support the preparation of general development strategy of Hai Duong city; (ii) support preparation of development strategy for public transport; (iii) support preparation of plan for management of natural disaster and climate change.

10. Project's scope: The project covers 10 urban wards namely Cam Thuong, Binh Han, Nhi Chau, Thanh Binh, Tan Binh, Tu Minh, Viet Hoa, Tran Hung Dao, Tran Phu and Ngoc Chau.

11. Project's owner: Hai Duong City People's Committee

Figure 1: Master plan of the investments





## **PART 2: LAND ACQUISITION AND RESETTLEMENT SCOPE**

12. Component 1 will require land acquisition. Details of this impact on households are determined basing on the inventory of losses as follows:

### **2.1. Number of Affected Households**

13. Results of the Inventory of losses show that 90 households will be affected by the project, of which 35 households will be affected house and structure but no households has to relocate. There are two vulnerable households (one social policy household and one poor household). 15 business households will be affected under the construction of the Bach Dang river embankment item. No ethnic minority household is found in the project area. Classification of affected households is presented in following table:

**Table 1: Summary and Classification of Affected Households**

<b>No.</b>	<b>Work item</b>	<b>Affected HHs</b>	<b>Affected agency/organization</b>	<b>Vulnerable HH</b>	<b>Relocated HH</b>	<b>Severely affected HH</b>	<b>Business HHs</b>
1	T1 canal embankment and Lo Cuong Pumping station	10	1	0	0	0	0
2	Bach Dang river embankment	78	0	2	0	0	15
3	Environmental sanitation improvement	0	1	0	0	0	0
4	Improvement of drainage system in the North of the railway	2	0	0	0	0	0
<b>Total</b>		<b>90</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>15</b>

*(Source: Inventory of Losses)*

### **2.2. Impact on Land**

14. The project will affect 7,691.91 m<sup>2</sup> of land, including 668.1m<sup>2</sup> residential land, 478.81m<sup>2</sup> pond land, 1,545m<sup>2</sup> canal land under CPC's management and 5,000m<sup>2</sup> of landfill under management of Hai Duong City Transport Company.

Table 2: Impact on Land

No	Work item	Residential land (m <sup>2</sup> )	Pond land	Canal land	Landfill	Total (m <sup>2</sup> )
1	T1 canal embankment and Lo Cuong Pumping station	0	455	1,545	0	2,000
2	Bach Dang river embankment	618.17	23.81	0	0	641.98
3	Environmental sanitation improvement	0	0		5.000	5.000
4	Improvement of drainage system in the North of the railway	49.93	0	0	0	49.93
	<b>Total</b>	<b>668.1</b>	<b>478.81</b>	<b>1,545</b>	<b>5,000</b>	<b>7,691.91</b>

*(Source: Inventory of Losses)*

### 2.3 Affected house/structure and other assets

15. The project will affect partly house and structure of 35 households but no households has to relocate, including 3,510m<sup>2</sup> of house, 85m<sup>2</sup> of breeding facilities, 960m<sup>2</sup> of yard and 1,560m<sup>2</sup> of fence will be affected.

Table 3: Impact on structure of each work item

No	Work item	House (m <sup>2</sup> )	Breeding facilities (m <sup>2</sup> )	Yard (m <sup>2</sup> )	Fence (m <sup>2</sup> )
1	T1 canal embankment and Lo Cuong Pumping station	0	85	0	0
2	Bach Dang river embankment	3,510	0	960	1,560
	<b>Total</b>	<b>3,510</b>	<b>85</b>	<b>960</b>	<b>1,560</b>

*(Source: Inventory of Losses)*

### 2.4. Impact on Crop and Vegetation

16. The project will affect trees, crops and vegetation including: (i) 3,510 fruit trees, (ii) 85 timber trees. Main impacts are summarized in Table 4.

Table 4: Impact on crops/vegetation and trees

No	Work item	Fruit tree (tree)	Timber tree (tree)
1	T1 canal embankment and Lo Cuong Pumping station	0	85
2	Bach Dang river embankment	3,510	0
	<b>Total</b>	<b>3,510</b>	<b>85</b>

*(Source: Inventory of Losses)*



## **2.5. Impact on Physical and Cultural Resources**

17. Mitigation measures were applied for selection of works items and activities so there is no relocation of cultural and historical works and relics.

## **2.6. Temporary impact**

18. During the construction and installation of wastewater drainage pipeline, the project will affect 127.14 km asphalt road and concrete road in the residential areas of 7 wards namely Cam Thuong, Binh Han, Nhi Chau, Thanh Binh, Tan Binh, Tu Minh and Viet Hoa. The project will also hinder people's movement and access to shops and works on the route during construction time.

## **2.7. Impact mitigation measures**

19. To ensure involuntary resettlement is avoidable and/or mitigatable where is possible key principles for selecting work items for component 1 were agreed with the World Bank and participating provinces as follows: (i) proposed work items should be constructed on the existing works or on the public land; (ii) land acquisition and relocation must be minimized where is possible by applying alternative design measures; (iii) Where land acquisition is unavoidable, a resettlement plan (RP) is prepared in compliance with OP4.12 of the World Bank on involuntary resettlement to ensure all affected assets and affected households are included in the RP and will be compensated at replacement cost and assisted to at least restore their livelihoods and living standard to pre-project level.

20. Accordingly, in the stage of feasibility study the following criteria were applied to select work items to minimize unexpected resettlement impacts:

- During the project preparation, the PMU have closely cooperated with technical consultant and resettlement consultant to conduct survey and measurement, studying on location and size of each work item to propose the most optimum solution in order to minimize household land acquisition. Technical solutions are proposed to reduce design scope and width of road on the canal bank, therefore, no households will be relocated. Details for each work item are as follows:
  - T1 canal embankment and construction of Lo Cuong pumping station: (i) Lining embankment along canal's existing status; (ii) Construct Lo Cuong pumping station on the canal land.
  - Bach Dang river embankment: lining embankment along the river bank's existing status, encroachment to the river bed can be possible if the river bed is wide, avoiding impact on household's land.
  - Improvement of environmental sanitation: (i) location of the treatment plant is arranged on the landfill area; (ii) to use FCR technology which is a modern technology, help to save land budget; (iii) wastewater collection sewers are installed on sidewalk or under the road bed.
  - Rehabilitation of the drainage system in the north of the railway: maximize design options on the existing ditch area, minimize impacts on land.
- During the preparation of the project and the development of the RAP, many community consultations with stakeholders, including PAPs have been organized by the PMU and the resettlement consultant in the project area. During consultations, a number of issues were

discussed, such as project designs, mitigation measures, compensation and assistance policies of the project, income restoration programs for severely affected HHs to provide suitable solutions. All residents supported the project and expected the project to be implemented soon.

- In order to minimize impacts on HHs living on both sides of the road during the construction phase, the resettlement consultants consulted with the local authorities and the HHs living there, to bring out the mitigation measures appropriate to each local area. These mitigation measures will be applied during each step of construction to minimize negative impact on local people.
- Construction schedule will be publicly informed to local authorities and affected households, so that AHs have plans to cultivate or harvest accordingly.
- The resettlement consultant firm has also organized the meetings with the design consulting units of the project to discuss about location of the local works, public works and the selection of design solutions in order to avoid/minimize negative impacts on local people, etc. At the same time, develop criteria together to minimize impacts during the construction process such as establishment of occupational safety plans (in case construction is close to residential areas), arrangement of suitable materials and tools (signboards, partitions with residential areas, etc.), time, and construction schedule and so on.

### **PART 3: OBJECTIVES OF THE RESETTLEMENT PLAN**

21. The Resettlement Plan is prepared for Hai Duong subproject based on the Project Resettlement Policy Framework (RPF) which was prepared based on the World Bank's Operation Policy (OP 4.12) on involuntary resettlement and the laws and regulations of the Government of Viet Nam on land acquisition, compensation, support and resettlement when the state recovers land. This Resettlement Plan ensures ability of the subproject to (i) avoid involuntary resettlement where is possible; (ii) minimize involuntary resettlement by alternate design solutions and compensation where land acquisition is unavoidable; (iii) improve or at least restore affected people's living condition equal to their pre-project living standard; and (iv) improve living standard for the poor and the vulnerable households.

22. Based on these principles, main objectives of the resettlement plan include:

- Determining accurately and sufficiently impacts, loss of land, houses, structure and other assets for all affected individuals and organizations.
- Establishing criteria, eligibilities, and entitlements for compensation, support and resettlement.
- Arranging sufficient resettlement areas for relocated households.
- Implementing supportive programs to minimize difficulties for affected households during and after land acquisition and relocation, ensuring that living condition of the relocated households at their new residences to be "better or at least equal" to their pre-project living conditions.
- Ensuring provision of sufficient and timely budget for payment of the compensation and assistance for affected persons.
- Ensuring timely handing over land for construction as project's general schedule.

- Promoting involvement of affected persons and community in preparation, implementation and supervision of the resettlement plan.
- Establishing a grievance redress mechanism to ensure all complaints of APs will be resolved timely, satisfactorily, and transparently.
- Establishing a mechanism of consultation, participation and supervision of affected people.

23. This Resettlement Plan is prepared based on the project's basic design. Main outputs of the plan will be included in the Feasibility Study report to ensure Government's budget allocation for the project implementation. This Resettlement Plan will be updated after completing the detailed design, detailed measurement survey and replacement cost survey.

## **PART 4: SOCIO-ECONOMIC PROFILE OF AFFECTED HOUSEHOLDS**

### **4.1. Socio-economic survey's objectives and surveying method**

#### **4.1.1. Objectives:**

24. Generally, the socioeconomic survey on affected households helps understand the overall context of the subproject area and current socioeconomic status of affected households. It also provides inputs for preparation of resettlement instruments and designing livelihood restoration measures more relevant to the context of affected households to ensure the sustainability of the project entitlements.

25. Specifically, the Socioeconomic Survey (SES) aims to collect, from affected households, information on a) their demographic characteristics, b) occupations, c) living standards (income, expenditure, loan/credit, health status, environmental sanitation, water access, participation of PAP in local groups, social bonds), d) vulnerability of affected households, e) project impact on people's assets, including its cumulative impact at household level, f) consultation with PAP on the potential impact (self-assessment) and mitigation measures, g) their ability to restore their livelihoods, h) preference on resettlement options, and i) their support for project implementation.

#### **4.1.2 Survey methods**

26. The socio-economic survey (SES): was conducted to collect socio-economic information of the affected households (including information on demographic characteristics, occupation, income and livelihood, ethnicity, educational level, their accessibility to social and physical infrastructure services and their interests). The survey was carried out in October 2017 on (i) 100% severely affected households (losing 20% (10% for poor and vulnerable group) or more of agricultural land and being relocated) and (ii) 20% of remaining affected households. Total samples for the survey were 90 households (100% project affected households).

27. Besides, Consultant also studied related documents including Statistic Yearbook, Annual Socio-economic reports of the city, province, and wards ...to search basic information on the project area.

28. One inventory of losses (IOL) was conducted on all affected households based on the basic design.

29. Replacement cost survey: The replacement cost survey (RCS) aims to collect market price of land and non-land assets in the project area to establish a required budget source for paying the compensation for other impacts at the market price applying at the time of compensation. Detailed replacement cost survey will be conducted during implementation of resettlement land by experienced specialists to determine unit price for each type of affected asset and submitted to the Provincial People's Committee for approval. The approved replacement cost will apply for compensation.

30. Beside, qualitative methods were also applied. Numbers of focus group discussions and in-depth interviews are showed in the table:

Table 5: Qualitative method

Focus group discussions	5
In-depth interviews	
<i>Business households</i>	5
<i>Head of villages</i>	7
<i>Representative of CPC/CPT</i>	5
<i>Representative of DPC</i>	2
Total	24

## 4.2. Hai Duong City’s Socio-Economic Overview

### 4.2.1. Natural condition

31. Hai Duong city is located in the central area of Hai Duong province. It borders with Nam Sach district to the North, Kim Thanh and Thanh Ha districts to the East, Cam Giang district to the West, Gia Loc district to the South and Thanh Ha and Tuy Ky districts to the Southeast. Hai Duong city is 57km from Ha Noi capital to the East and 45km from Hai Phong city to the West.

32. The city’s natural land area is 7,265,67 ha accounting for 4.35% of the province’s total land area. Hai Duong City’s land use structure is presented in following table:

Table 6: Hai Duong city’s land use structure

No.	Type of land	Area (ha)	%
	<b>Land area</b>	<b>7,265.67</b>	<b>100.0</b>
1	Agricultural land	2,333.5	32.12
2	Non-agricultural land	4,919.32	67.71
3	Un-used land	12.85	0.18

*(Source: Hai Duong City Statistic Yearbook 2016)*

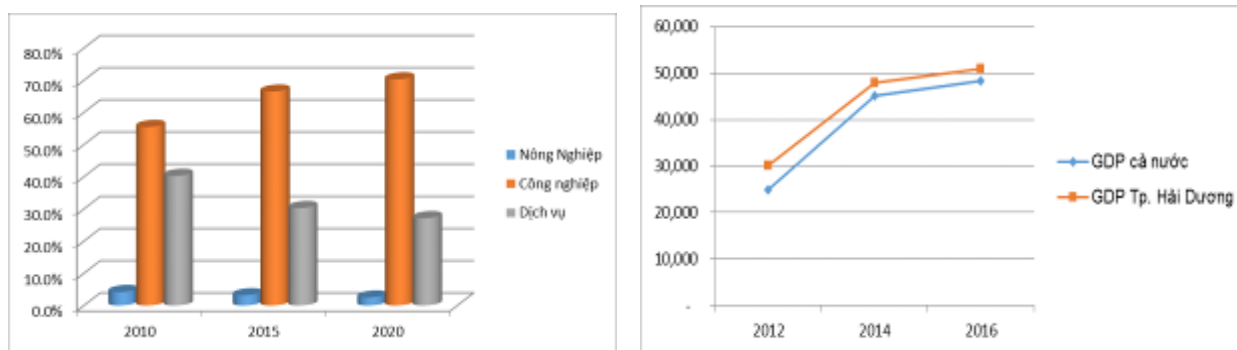
### 4.2.2. Socio-economic condition

#### a. Economic condition

33. Hai Duong city’s average GDP in 2011 – 2015 reached 11.4%, of which Service sector had the highest growth rate of 15.1%/year, Construction – Industry sector had rather stable growth rate at 10.4%/year compared with the previous year, Forestry, Agriculture and Aquaculture remained unchanged, only at 0.03%/year.

34. Hai Duong city’s average GDP per capita in 2016 was 51 million dongs/person/year and was higher than the national average GDP per capita which is 48.4 million dongs/person/year.

Figure 2: Change in Economic structure and average GDP per capita of Hai Duong city



(Source: Hai Duong City Socio-Economic Report)

## b. Social condition

- Population

35. By the year 2016, Hai Duong city's population are 231,662 people, equivalent to about 57,975 households, of which 209,045 are urban residents, accounting for 90.24%, and 22,618 are rural residents, accounting for 9.76%. Female population accounts for 52.69% (122,068 people) while male population accounts for 47.31% (109,595 people)

Table 7: Population distribution in project ward/commune

No	Administrative unit	Area (km <sup>2</sup> )	Existing population (people)	Density (people/km <sup>2</sup> )
<b>Total</b>		<b>71.76</b>	<b>231,662</b>	<b>3,228</b>
1	Cam Thuong ward	2,55	9,125	3,578
2	Phuong Binh ward	2,42	21,619	8,948
3	Ngoc Chau ward	3,16	16,734	5,292
4	Nhi Chau ward	3,18	7,215	2,267
5	Quang Trung ward	0,86	13,163	15,290
6	Nguyen Trai ward	0,58	11,782	20,395
7	Pham Ngu Lao ward	0,73	12,198	16,662
8	Tran Hung Dao ward	0,39	5,661	14,600
9	Tran Phu ward	0,45	6,920	15,511
10	Thanh Binh ward	2,77	19,364	6,999
11	Tan Binh ward	2,71	13,974	5,160
12	Le Thanh Nghi ward	1,02	8,395	8,193
13	Hai Tan ward	3,34	15,284	4,582
14	Tu Minh ward	7,16	14,176	1,980
15	Viet Hoa ward	6,31	8,964	1,420
16	Ai Quoc ward	8,19	14,094	1,715
17	An Chau commune	4,05	3,929	969
18	Thuong Dat commune	2,65	2,789	1,053
19	Nam Dong commune	8,91	8,406	944
20	Thach Khoi ward	5,34	10,425	1,953
21	Tan Hung commune	5,00	7,495	1,498

(Source: Statistical yearbook of Hai Huong city in 2016)

- Poverty

36. Based on the National Poverty line 2016 - 2020, the percentage of poor households in Hai Duong city is 3.26% and percentage of near poor households is 2.08%. The percentage of poor household in urban area is lower than in rural area, at 3.12% and 4.31% respectively. Detailed percentages of the poor and near poor households in wards/communes are presented in Table 8.

Table 8: Percentage of poor and near poor households in Hai Duong city in 2016

No	Ward/commune	Total households	Poor household		Near poor household	
			Number of HHs	Percentage	Number of HHs	Percentage
1	Nguyen Trai ward	2,238	44	1.97	5	0.22
2	Hai Tan ward	4,119	90	2.18	43	1.04
3	Tran Phu ward	1,721	41	2.38	9	0.52
4	Thanh Binh ward	3,967	114	2.87	70	1.76
5	Binh Han ward	5,062	97	1.92	7	0.14
6	Tan Binh ward	3,535	80	2.26	42	1.19
7	Le Thanh Nghi ward	2,067	54	2.61	29	1.40
8	Ngoc Chau ward	4,513	184	4.08	216	4.79
9	Nhi Chau ward	1,739	83	4.77	27	1.55
10	Tu Minh ward	3,086	150	4.86	132	4.28
11	Viet Hoa ward	2,586	110	4.25	67	2.59
12	Pham Ngu Lao ward	2,930	86	2.94	37	1.26
13	Quang Trung ward	3,442	68	1.98	36	1.05
14	Cam Thuong ward	2,300	45	1.96	15	0.65
15	Tran Hung Dao ward	1,285	43	3.35	15	1.17
16	Thach Khoi ward	2,665	124	4.65	21	0.79
17	Ai Quoc	4,276	194	4.54	116	2.71
<b>Urban city</b>		<b>51,531</b>	<b>1,607</b>	<b>3.12</b>	<b>887</b>	<b>1.72</b>
18	Tan Hung commune	2,321	73	3.15	112	4.83
19	Thuong Dat commune	768	54	7.03	50	6.51
20	Nam Dong commune	2,653	125	4.71	141	5.31
21	An Chau commune	1,373	55	4.01	31	2.26
<b>Rural area</b>		<b>7,115</b>	<b>307</b>	<b>4.31</b>	<b>334</b>	<b>4.69</b>
<b>Total</b>		<b>58,646</b>	<b>1,914</b>	<b>3.26</b>	<b>1,221</b>	<b>2.08</b>

*(Source: Hai Duong city People's Committee, 2016)*



### **4.3. Socio-Economic status of affected households**

37. Following analysis is the result of the socio-economic survey on 90 affected households which was conducted by Consultant in October 2017.

#### ***4.3.1. Household size***

38. *Household size*: On average, there are 3.11 members in each affected households, popular rate is 4 people/household. The biggest household has 8 members and the smallest household has one member (in this survey, household member is the number of people living in a family and sharing the same household registration book).

#### ***4.3.2. Education***

39. At present, people in the project area can easily access to education and training service. School network from kindergarten to primary school is available at all wards. As reported, Hai Duong city has completed education universalization at primary level. 100% children at school age attend schools. There is no case of quitting class at primary and secondary school levels. Thus, in this report, only people from 15 years old will be analyzed in term of educational background.

40. Surveyed results show that, popular education level of the surveyed people is highschool (51.9%); then secondary school level (22.8%), vocational college (10.1%) and college/university level (11.4%).

#### ***4.3.3. Occupation and Employment***

41. The occupations of surveyed heads of households are rather stable with three main types: retirement (46.3%), hired job, freejob (25.6%), government employees (12.2%).

42. Most of members of the affected household earn living by doing hired jobs (21.3%) and working as government employees (17.1%). One small percentage of surveyed affected household member are retirement with stable monthly income (2.1%). Number of affected households running businesses/opening shops (mainly at home) accounts for 3.7%. Students and pupils account for a relatively high percentage of 25.2%. This result shows that, on average, number of dependent people in households including people with no income (including housewives), the elderly (no pension)... accounts for a rather high percentage of 30%...

Table 9: Employment of HH's head and member

Employment	Head of household		Member	
	Frequency	Percentage	Frequency	Percentage
Government employee	10	12.2	41	17.1
Retired	41	46.3	6	2.1
Worker	7	6.1	28	10.1
Farmer	2	3.7	10	3.7
Trade/service	1	1.2	11	4.0
Hired job	27	25.6	58	21.3
Un-employment	2	3.3	46	16.5
Pupil, student	0	0.0	70	25.2

#### **4.3.4. Household income and expenditure**

43. *Income*: nearly 60% households have main income source from agricultural production. Average income of affected households in the survey is about 8.9 million dongs/month. However, popular income is about 4.7 million dongs/HH/month and the highest income is 20 million dongs/HH/month while the lowest income is 2.2 million dong/HH/month.

44. *Expenditure*: according to the survey, average monthly household expenditure is about 8.3 million dongs/HH/month but the most popular household expenditure is about 6 million dongs/HH/month, higher than the average household expenditure.

45. *Saving*: with mentioned income and expenditure, average saving of household in the year is around 600,000 dongs/HH/month. However, it is noted that most of households do not have savings and usually face fiscal deficit about 1 million dongs/HH/month on average.

46. *Vulnerable group*: Vulnerable group in the project area includes: (i) Poor household, (ii) single women as head of household with dependent people; (iii) social policy household. Screening results on vulnerable group show that no ethnic minority household was found in the project area. There is 1 poor household (according to Multidimensional Poverty Index) and 1 household with contribution to the revolution.

#### **4.3.5. Sanitation, public health and medical service**

47. *Water source*: At present, 100% of surveyed households use tap water for domestic purposes.

48. *Sanitation*: Most of surveyed households understand the importance of hygienic latrines and conditions for the construction of septic toilets (98.8%). All remaining households have plan to upgrade their toilet to septic toilets.

49. *Energy*: The energy source for lighting system is electric power from the national grid with 100% of households using this source of electricity. The main source of fuel for cooking is gas (96.6 %), coal (2.3%), and electric cooker (1.1%).

50. *Disease:* According to the surveyed result, 57.6% of surveyed households get respiratory diseases, 21.7% of surveyed household get water-borne and environmental-related disease such as malaria and cholera....

51. *People's access to medical service* is rather easy with average distance to ward/commune medical treatment station around 1km and 2km to the city hospital. Private clinics and drugstores also provide increased access to health care for the affected community.

#### **4.3.6. Affected household's asset ownership**

52. *House:* All AHs are living in solid house. No AH lives in temporary houses. Popular types of house are two to three stories houses.

53. *Assets:* Households have assets such as radio (97.8%), motorbikes (80.9%), telephones (98.9%), refrigerators (91%), air conditioners (87.6%), heaters (87.8%), automobiles (2.2%).

#### **4.3.7. Debt and utilization of credit**

54. 14% of surveyed households have at least one debt at bank or their relative. The average debt is 30 million dong. The biggest debt is 30 million dong and the smallest debt is 10 million dong. Household borrowing purposes are: 80% for repairing houses, 60% for children's education, 70% for medical treatment.

#### **4.3.8. Participation in local social network**

55. At present, all the surveyed affected households participate in at least one organization/union like Women's Union, Farmer Association, Veterans Association, Youth Union... These organizations/unions help to effectively connect community. Many supportive activities for the community development are promoted by these organizations. Thus, implementation of the project in general and implementation of income restoration program are recommended to cooperate with these organizations to get the best results.

### **4.4. Legal land use status of affected households**

56. Result of the survey showed that 100% of affected households have land use right certificates. However, There are about 7 households encroaching the land at safety corridor of Bach Dang river bank. These households will not be compensated for these encroached land area.

### **4.5. Gender issues**

57. Gender issues referred in this report include education, land property and asset ownership and project's gender impact.

- Education: Surveyed result show that, women in the project area do not meet any difficulty in approaching education. All children at school age can attend the school disregard their gender, household economic condition and religious belief.
- Land use right certificate: According to the Land Law 2013, both wife and husband hold their name on the land use right certificate. However, surveyed result show that 31.5% of

household's land use right certificates bear the name of only husband and 15.3% of households' land use right certificates bear the name of only wife.

58. *Gender issue of project:*

- The project implementation will meet the needs for local socio-economic development. With the proposed items, men and women are equally benefited in access and use including travel and trade exchanges; environmental sanitation, development of new livelihoods.
- The good transportation system also facilitates the trade and market access of women groups. However, it is possible that men will participate more deeply in the distribution and trading activities due to an increased volume of goods. For the group of women in the agricultural community, the project may facilitate the transition from farming sector to small trading or workers who have monthly income.
- People participating and making decision on the project: In fact, the project policy was formed during the process of developing a common development strategy with vision 2030-2050 in Hai Duong city. At the micro level, however, local communities have the right to participate in discussions and consultation on issues related to their lives such as selection of civil works, project design, compensation policy, livelihood restoration program. Public consultation helps the Consultant obtain information on the area including sensitive places, cultural works that need to mitigate the impacts. As a matter of fact, the number of men attending meetings is always higher than that of women. However, the number of comments from both sexes is quite similar; There were many opinions expressed by women and get high consensus from men.
- Job opportunities for unskilled workers will be available for the construction. During the construction, local households have an opportunity to earn income from the project. To ensure that labour opportunities will benefit the local people and their household economy, both men and women, it should contain special requirements for contractors concerning employment of local male and female labour force in the PMU's documents;
- Aside from the potential benefits, the project may increase some women's vulnerability to potential negative impacts as a result of land acquisition and construction work. The mitigation of these impacts are assessed in the Resettlement Plan.
- The potential temporarily occurring health impacts (noise, dust etc.) on the local population during the construction period are assessed in and will be mitigated in accordance with the Environmental Management Plan.
- The construction of the items will bring external, mainly male labour force to the project area. Experience shows that the spreading risk of HIV/AIDS and other sexually transmitted infections (STIs) may increase. Especially young women and girls are vulnerable for these risks. Mitigation measures for these risks were proposed in the ESIA and item c below.

#### **4.6. Other social impacts**

##### **a. Potential negative impacts:**

59. The Social Impact Assessment (SIA) was conducted through socio-economic survey and inventory of losses (IOL) and community consultation to identify the positive and negative impacts caused by the project and at the same time to propose mitigation measures for minimizing negative impacts and increasing benefits for the people in the project area. The social impact assessments indicates that land acquisition will affect the income, livelihoods and lives of affected people.

60. During construction of the project, the contractor can mobilize a large work force from the outside. This may generate a number of social problems in the project area such as social evils, gambling, drugs, conflicts with local people and the risk of disease transmission especially for women, such as sexually transmitted diseases like HIV, syphilis ...

61. Project development can have negative impacts on local communities in general and on women in particular. However, these impacts are negligible. Moreover, mitigation measures will be considered through the process of design, compensation and resettlement. In addition, during construction, environmental pollution such as dust, noise, construction waste can affect the people. These impacts can be mitigated through mitigation measures proposed in the project EMP.

##### **b. Positive:**

62. The project will bring many positive effects for local people in general and women in particular. The expected effects are:

- Improve infrastructure, improve people's living condition, increase resilience to respond to climate change, attract investor, promote Hai Duong city development to become a central city for the province development and the capital region. In addition, contribute to make Hai Duong city become Grade I city by 2020;
- Improve infrastructure, stabilize city's economic growth rate, increase social welfare and improve people's living standard;
- The project will help to increase job opportunities in the project areas, help the people to increase income, contribute into the poverty elimination in local area;
- The project with work items like river embankment, drainage system, wastewater collection and treatment plant will help to improve environmental condition, reduce water-borne and environmental-related diseases, help people, particularly women to have more time and financial capacity to improve their life;
- The project will help to improve institutional capacity in urban management, administrative reform, traffic, land management and response to climate change. This will lead to positive impacts on development of different sectors in the city including industry, service, trade and tourism.

##### **c. Mitigation measures of social impacts**

63. To improve project efficiency and minimize negative social impacts, following mitigation measures need to be implemented:

- During all project phases, project staff will disseminate project information and carry out extensive public consultation with local people to ensure that the affected people and beneficiaries receive maximum benefit from the project and avoiding social impacts on local people.
- During construction phase, the Contractor shall prioritize the hire of local labor to carry out simple work, to properly implement the site rules and to train workers on labor safety measures, law.
- To avoid environmental impacts, measures should be taken to minimize dust, noise and restore the quality of roads if construction vehicles damage roads.
- Local government and Contractor need to collaborate with local social-political organizations to organize training courses on: (i) gender and equality; (ii) prevention of HIV/AIDS and social evils and (iii) environmental sanitation..

## **PART 5: RESETTLEMENT POLICY FRAMEWORK**

64. The legal framework for dealing with resettlement impacts of the project is based on relevant policies and regulations of the Government of Viet Nam and involuntary resettlement policy (OP4.12) of the World Bank. In the event of a discrepancy between the GoV policy and the Bank's policy, the Bank's policy will apply.

### **5.1. World Bank's Involuntary resettlement policy (OP4.12)..**

#### **a. Objectives of OP4.12**

65. The Operation policy (OP4.12) pays special attention to development objectives in resettlement activities and emphasizes the need to support vulnerable groups to achieve development goals. Hence, this policy objective is aimed at.

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them to pre-project levels.

#### **b. Principles of involuntary resettlement**

- To utilize participatory methods in project design and construction to ensure that the design and construction approach integrates the needs of all population groups, especially vulnerable groups;
- To ensure displaced persons and affected AHs: (i) are informed about the resettlement options and their benefits; (ii) are consulted and can select resettlement options and are provided with information on the technical and financial feasibility of options.

### **5.2. Legal framework on compensation, site clearance and resettlement of Viet Nam**

66. **The Constitution of the Socialist Republic of Viet Nam** (2013) confirms the right of citizens to own and protects citizens' ownership of house. In addition, the Government has enacted a number of laws, decrees and regulations that constitute the legal framework for land acquisition, compensation and resettlement. The principal resettlement documents include the **Land Law No. 45/2013/QH13** dated 29/11/2013 detailing the regulations on land management in Viet Nam; the **Decree No. 47/2014/ NĐ-CP** dated 15/5/2014 on Compensation, Assistance, and Resettlement when the State Recovers Lands; the **Decree No. 44/2014/NĐ-CP** dated 15/5/2014 on land price determination method and Land Prices when the State recovers land and the **Decree No. 43/2014/NĐ-CP** dated 15/5//2014 on Detailed Regulations on Implementation of the Land Law; the Circular No. 37/2014/BTNMT dated 30/6/2014 on Detailed Guidance on



Compensation and Assistance when the State Recovers Land; and Circular No. 36/2014/TT-BTNMT dated 30/6/2014 guiding the implementation of the Decree No. 44/2014/ND-CP.

67. The law, decree and regulation, decisions related to information disclosure include Article 67 of the Land Law, No. 45/2013/QH13, requiring information disclosure to affected households before commencing the acquisition of agricultural land and non-agricultural land.

68. Decisions by Hai Duong Provincial People's Committee on land acquisition and resettlement include:

- Decision No.37/2014/QĐ-UBND dated 22th December 2014 by Hai Duong Provincial People's Committee issuing the regulations on compensation, support and resettlement when the State acquires land in Hai Duong province.
- Decision No.33/2014/QĐ-UBND dated 20th December 2014 by Hai Duong Provincial People's Committee promulgating land price threshold in Hai Duong province.
- Decision No. 18/2015/QĐ-UBND dated 30th October 2015 by Hai Duong Provincial People's Committee promulgating "Replacement cost for crops, trees, aquacultural products and excavation of aquacultural farming pond; Support for land rent; Compensation cost for relocation of grave when the State acquires land in Hai Duong province".
- Decision No.2829/2007/QĐ- UBND dated 6th August 2017 by Hai Duong Provincial People's Committee promulgating the replacement cost for house, structures for site clearance in Hai Duong province.
- Decision No.04/2017/QĐ- UBDN dated 21th March 2017 on the Price Adjustment Coefficient in Hai Duong province in 2017.
- Decision No.06/2014/QĐ-UBND dated 17th February 2014 on the adjustment of replacement cost for structure and house displaced for site clearance in Hai Duong province.

### **5.3. Key gaps between the World Bank's Involuntary Resettlement policy and the GoV's laws and regulations.**

69. With the promulgation of the Land Law 2013 and Decrees mentioned above, the regulations and policies on land acquisition, compensation, support and resettlement issued by the Government of Vietnam have become more consistent with the World Bank's involuntary resettlement policy (OP4.12). However, there are still some gaps between the Government's policy and the WB's policy on resettlement. The table below provides an analysis on the key differences and propose measures for filling the gaps applying to the project.

Table 10: Key gaps between GoV’s policies and the World Bank’s policies on compensation, assistance and resettlement and policies applied for this project.

<b>Issue</b>	<b>WB</b>	<b>GOV</b>	<b>Proposed solution for project</b>
Policy objectives	DPs 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	The law doesn’t specifically mention the policy objectives. However, there is a 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).	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.
Severely affected household	Losing 20% (10% for vulnerable households) of productive land or income generating assets	Losing 30% productive land	Losing 20% (10% for vulnerable households) of productive land or income generating assets
Compensation for illegal land	<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 OP4.12, 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 but user will get resettlement assistance..</p>	<p>a. Agricultural land used before 1/7/2004 is compensated; Used after 1 July 2004 is not compensated but assisted according to decision of the PPC</p> <p>b. Residential land: no compensation for land. If PAP has not residential land or house in the project commune/ward they will be allocated a minimum plot/apartment in resettlement site and have to pay land use levy.</p>	<p>- Agricultural land used before 1/7/2004 will be compensated at 100% replacement cost; used after 1/7/2004 is assisted for livelihood restoration not less than 60% of compensation value at replacement cost.</p> <p>- No compensation for illegal residential land, but provision of resettlement assistance equal to 30% of land compensation value and other supports according to decision of the PPC. For displaced cases, if user has no land/house in the project commune/ward they will be allocated a minimum land plot/apartment in resettlement site with land use levy; if the land</p>

Issue	WB	GOV	Proposed solution for project
			user can not afford to pay for land use levy, they will be debited.
Compensation for structure on illegal land or illegal structures	Compensation at full replacement cost for all affected structures if constructed before the cut-off date.	No compensation	<p>In cases where an affected structure has been constructed in violation of the national land law applicable at time of construction and the household had been notified to cease the construction, the following applies:</p> <p>a) If the local authorities have recorded this notification as evidence, then support at replacement cost in lieu of formal compensation for the structure will be provided.</p> <p>b) If there is no evidence that the household was notified by local authorities at the time of construction that the structure violated the national land law applicable at time of construction, the Bank policy on compensation will apply</p>
Compensation rates for land and non-land assets	Compensation rates for affected land and non-land assets including houses and structures are replacement costs without depreciation and deduction of salvageable materials.	Compensation for land at specific land price (market price) of affected land; Compensation for living house at the cost enough for constructing new house with similar technical standard; Compensation for other structures at current value but not exceed cost for new	Independent appraiser identifies replacement costs for all types of lands and assets affected, which are appraised by provincial level land appraisal committee and approved by Provincial People’s Committees to ensure full replacement costs.

<b>Issue</b>	<b>WB</b>	<b>GOV</b>	<b>Proposed solution for project</b>
		construction of the affected structure.	
Consultation, participation and disclosure	Consultation with and Participation of PAPs in planning, implementation, and monitoring of the project, including implementation of resettlement.	Focus mostly on consultation during implementation of resettlement (consultation on draft plan of compensation, support and resettlement and plan for training, job change and facilitating job creation); information sharing and disclosure.	PAPs should be disclosed full information of the project, including policy of resettlement, involved in all stages of the project, and consulted in activities and policy of the project.
Cut-off date	Normally, the date the census begins	The date of land acquisition announcement made by local authority and disclosed to affected people	The cut-off date of the project is the date of public land acquisition announcement to APs. At this time, the project area has been delineated and DMS could start. All people presented and assets created in the project area after the cut-off date will not be entitled to compensation and assistance.
Monitoring implementation of resettlement	Internal and independent monitoring is required	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	Both internal and external (independent) monitoring is to be regularly maintained (on a monthly basis for internal and biannual basis for independent monitoring). An end-of-project evaluation on the implementation of resettlement is required and report will be

Issue	WB	GOV	Proposed solution for project
		resettlement (Article 199, Land Law 2013). However, there is no explicit requirements on resettlement monitoring, including both internal and independent (external) monitoring.	prepared to confirm whether the objectives of OP 4.12 were achieved.

70. As a WB member country, the GOV has committed that 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 loans from foreign and international organizations for which the State of Vietnam has committed to a policy framework for compensation, support, resettlement, the framework shall apply”.

**5.4. Cut-off date**

71. Cut-off date of compensation and assistance for all works will be the date of public announcement by Hai Duong city PC to APs. At this time, the project area has been delineated and DMS could start. All assets and people who will move to the project area after the mentioned dates will not be entitled to compensation.

## **PART 6: PROJECT POLICIES ON COMPENSATION, ASSISTANCE AND RESETTLEMENT**

### **6.1. Eligibility**

72. The eligibility for entitlement to compensation is determined by asset ownership criteria:
- Those who have formal legal rights or legalizable to land (including customary and traditional rights recognized under the laws of the country. In the consideration, it is also useful to document how long they have been using the land or the assets associated with it);
  - 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 or become recognized through a process identified in the resettlement plan;
  - Those who have no recognizable legal right or claim to the land they are occupying.
73. Persons covered under (i) and (ii) are provided compensation for the land they lose, and other assistance. 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 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.

### **6.2. Resettlement principles of the project**

74. The principles mentioned in the World Bank's OP 4.12 and regulations of Government of Viet Nam are used for the preparation of the project Resettlement Policy Framework, including:
- All Project Affected People (PAP) who have assets within or reside within the area of project before the cut-off date are entitled to compensation or/and assistance for their losses. Those who have lost their income and/or livelihood 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 will be provided.
  - The compensation rates will be determined based on the results of independent appraisal of the land/crops/assets (associated with the land) at time of resettlement implementation in a consultative manner. All fees and taxes on land and/or house transfers will be waived or otherwise included in a compensation package for land and structures/or houses or businesses. The local authorities will ensure that PAP choosing relocation on their own, obtain, without additional costs, the necessary property titles and official certificates commensurate with similar packages provided to those who choose to move to the project resettlement sites.
  - Land will be compensated "land for land" if the local land fund is available, or in cash,

according to PAP's choice. The choice of land for land must be offered to those losing 20% or more of their productive land. If land is not available, the borrower must assure itself to meet the Bank's requirements that this is indeed the case. Those losing 20% or more of their land will have to be assisted to restore their livelihood. The same principles apply for the poor and vulnerable people losing 10% or more of their productive landholding.

- PAPs who prefer “land for land” for residential land will be provided with land plots with the equivalent quality for lost lands or a combination of land (a standard land plot) in a new residential area nearby the original resident, and cash adjustment for difference between value of their lost land and the land plots provided. The resettlement area will be planned properly and implemented in consultation with the PAPs. All basic infrastructures, such as paved roads, sidewalks, drainage, water supply, and electricity and telephone lines, will be provided.
- PAPs who prefer “cash for land” will be compensated in cash at the full replacement cost. These PAPs will be assisted in rehabilitating their livelihoods and making their own arrangements for relocation.
- 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. Structures shall be evaluated individually. Any rates set by category of structure must use the highest value structure in that group (not the lowest) to ensure PAP can build a new structure with similar technical standard and category.
- Households who have to relocate but ineligible for compensation for affected land and have not any land or house within the project commune/ward will be entitled to buying a minimum plot or house in resettlement site and resettlement assistance in cash.
- PAPs will be provided with full assistance (including a transportation allowance) for transportation of personal belongings and assets, in addition to the compensation at replacement cost of their houses, lands and other properties. Full compensation and allowance must be provided to affected households prior to the taking of affected land and assets.
- Additional efforts, such as economic recovery assistance, training and other forms of assistance, should be provided to PAPs losing income sources, especially to vulnerable groups, in order to enhance their future prospects toward livelihood restoration and improvement.
- As RAP is one of the project components, the project will not be considered complete until the RAP has been fully implemented and met OP 4.12 policy objective.

### **6.3. Compensation, assistance and resettlement policies**

#### **6.3.1. Compensation for agricultural land**

*For land users entitled to the compensation (legal and localizable land users)*

- If PAPs area acquired is less than 20% (10% for the vulnerable) of their total productive land and the remaining area is economically viable according to threshold identified in the province resettlement policy, PAPs will be compensated by cash at 100% replacement cost for the acquired area.



- If PAPs have loss of 20% or more (10% or more for the vulnerable) of their total arable land holding, PAPs will be compensated by cash at 100% of the replacement cost and received income rehabilitation support such in item 6.3.8 below.

*For land users hiring public land*

- PAPs currently using agricultural land assigned by State-owner on a contractual basis (excluding land under special use forests and protected forests) of State-enterprise forests shall not be entitled to compensation for land but for the remaining investment value on land and for all assets attached to the land at replacement cost.
- Where PAPs lease land on the basis of leasing contracts with individuals, households or organizations other than those specified as point (i) above they shall only receive compensation for the remaining investment value on land and assets created on land before the cut-off date at full replacement cost. Compensation payments for land will be made for owner of the affected land.

*For land users with no legal rights or claim on land*

- PAPs whose affected land used before 01 July 2004 will be supported in cash with 100% of the land at the replacement cost as regulated in the item 2, article 77 of the Land Law;
- PAPs whose affected land used after 01 July 2004 will be assisted in cash for livelihood restoration with amount of not less than 60% of the land compensation value at the replacement cost and will be entitled to participate in livelihood restoration programs.

**6.3.2. Compensation for residential land**

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

*Residential land without structures*

- For legal and/or legalizable land users, all compensation for loss of land will be made in cash at 100% replacement cost;
- For land users who have no recognizable land use right, no compensation for land but compensation for the remained investment in the land based on current market price and other financial assistances will be provided corresponding to decision of Provincial People's Committee.

*Loss of residential land with structures built thereon, where the remaining (non-acquired) land is adequate to rebuild the structure (reorganizing PAP):*

- For legal and legalizable land users: Compensation for loss of land and structures will be made in cash at 100% replacement cost;
- For illegal and unlegalizable land users: No compensation for affected land but compensation for affected assets at replacement cost and a minimum assistance of 30% of land value at replacement cost.
- In case the remaining land is not large enough to rebuild a house, but there is garden land or agricultural land adjacent with the affected land, PAP allows converting part of garden/agricultural land into residential land with exemption from conversion fee to be able to rebuild house.

*Loss of residential land with structures built thereon, and the remaining land is not adequate to rebuild the structure (relocating PAPs)*

- PAP with legal and/or legalizable rights to the affected land, can choose one of the following options:
  - Affected households can opt: (i) receive cash compensation and resettlement allowance at replacement cost and self-relocate; or (ii) receive plot/apartment in resettlement site and resettlement allowance;
  - In case, PAPs losing residential land and their remaining land is not viable enough for their residence, the state will acquire the remaining land and compensate cash or land plot in the resettlement area; or convert adjacent agriculture land (if land available) to residential land.
  - In case the compensation in cash for affected land is not enough for buying a minimum land plot in the resettlement area, the State will add up for the difference.
- PAP, who do not have legal or legalizable rights to the affected land, are entitled to the following:
  - Get a minimum assistance amount of 30% of land value at replacement cost
  - If the PAP has no other land within project commune to relocate, a minimum land plot or an apartment in resettlement site will be provided and they can either pay in installment for land use fee or for rent of the apartment.
  - In case the relocated PAPs belong to poor or vulnerable groups or households, special assistance (in cash and kind) will be provided to ensure that they are able to fully relocate to a new site. PPCs will consider the rate of assistance for these households.

### **6.3.3. Compensation for house and structure**

#### *Compensation for affected house/structures*

- Owners of affected structures will be compensated as follows:
  - Compensation in cash will be made for all affected houses/structures, at the replacement cost, if legally constructed before the cut-off date<sup>1</sup>. The compensation amount is sufficient to rebuild a new house/structure with similar technical standard without deduction of salvageable materials.
  - If the house/structure is partially demolished and the remained part is unviable,

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<sup>1</sup>In cases where an affected structure has been constructed in violation of the national land law applicable at time of construction and the household had been notified to cease the construction, the following applies:

- a) If the local authorities have recorded this notification as evidence, then support at replacement cost in lieu of formal compensation for the structure will be provided.
- b) If there is no evidence that the household was notified by local authorities at the time of construction that the structure violated the national land law applicable at time of construction, the Bank policy on compensation will apply.

compensation at replacement cost for the entire house/structure. Whereas the house/structure is partially demolished but the remaining part is still usable, compensation at replacement cost for the demolished part plus costs for repairing the remained part in accordance with its technical standards similar to the level-project condition.

- Tenants of state-owned or state organization-owned houses will be entitled to rent or buy a new apartment of an area at least equal to their affected ones; or provided a financial assistance equivalent to 60% of replacement cost of the affected land and 60% of replacement cost of house.
- Tenants who are leasing a private house for living purposes will be provided with transportation allowance for transferring assets, and will be assisted in identifying alternative accommodation.

#### *Compensation for removing graves*

- Compensation for the removal of graves/tombs will include the cost of excavation, relocation, reburial and other related costs which are necessary to satisfy customary requirements. The compensation amount will be decided by Provincial People's Committee.
- For affected ownerless graves, PMU will hire local people for relocation of graves to the commune's graveyard.

#### **6.3.4. Compensation for loss of standing crops, trees and aquatic livestock**

- For annual and perennial standing crops, regardless of the legal status of the land, compensation will be paid to affected households who cultivate on the 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.
- For livestock (including aquatic livestock) which cannot be harvested at time of land acquisition, 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.

#### **6.3.5. Compensation for affected public structures**

- In cases where community infrastructure such as schools, factories, water sources, roads, sewage systems, medical centers, distribution/transmission, communication and fiber cables are damaged and the community wishes to reuse them, the project will ensure that these are restored or repaired as the case may be, at no cost to the community.
- Public infrastructure directly related to people's livelihoods and developmental needs, such as irrigation canals, schools, clinics, transportation road, electricity, telecommunication, cable lines (except for the structures with construction permit requiring relocation when needed) etc. will be restored/rebuilt to pre-project or higher quality levels or compensated at replacement cost.

### **6.3.6. Compensation policy for temporary impacts during construction**

- In case the project need temporary land acquisition during construction duration, compensation for affected standing crops/trees and income lost during period of temporary acquisition must be paid to PAPs.
- Compensation Policy for damages of private or public structures occurring during construction execution.
  - o Damaged property will be restored to its former condition or compensated by contractors, immediately when occurred;
  - o 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.

### **6.3.7. Compensation for transportation of assets**

- Households and individuals who have to relocate shall be entitled to compensation for expenses for relocation of the property as follows:
  - o Transportation within the remaining area of the land for re-building the house: 2,500,000 dongs/household;
  - o Transportation within the ward/commune/township: 3,500,000 dongs/household;
  - o Transportation to other ward/commune/township within the district/city: 4,500,000 dongs/household;
  - o Transportation to other district/city within the province and other provinces: 5,500,000 dongs/household
  - o In special cases, the Compensation and Site Clearance Board needs to propose the plan for approval from relevant authority and the compensation will be made for specific cases.

### **6.3.8. Assistance for income restoration and life subsistence**

76. In addition to direct compensation for damaged assets, AHs are assisted to recover their income and stabilize their lives during the transition period. Assistance include, but are not limited to:

#### *Assistance for life subsistence*

- For households losing agricultural land
  - o PAPs losing 20% (or 10 % for the poor and vulnerable groups) to less than 30% of their agricultural landholding will be provided allowance of 3 months if they do not have to relocate, and 12 months in case of relocation.–
  - o PAPs losing 30 -70% of their agricultural landholding will be provided

allowance of 6 months if they do not have to relocate, and 12 months in case of relocation. In some special cases, in extremely difficult areas, the compensation may be provided for a maximum of 24 months;

- PAPs losing more than 70% of their agricultural landholding will be assisted at the above allowance for a period of 12 months if they do not have to relocate, and 24 months in case of relocation. In some special cases, in extremely difficult areas, the allowance may be provided up to a maximum of 36 months.
- PAPs getting compensation by agricultural land will be provided an assistance for subsistence and production stabilization. Specific assistance for each specific case will be decided by the Provincial People's Committee for each case.
- For organizations, households, individuals as business/production establishments
  - Affected business/production establishments having audited financial statements or verified by Tax Agency will be provided with a maximum assistance equal to 30% of one year's after-tax income (average calculation in 3 consecutive years) but not over 50,000,000 dongs/establishment;
  - Affected business/production establishments having financial statement but not being audited or verified by a Tax Agency will be provided with a maximum assistance equal to 20% of one year's after-tax income (average calculation in 3 consecutive years) but not over 30,000,000 dongs/establishment;
  - Affected business/production establishments which have been newly established or non-profitably operated will be provided with a maximum assistance not over 10,000,000 dongs/establishment;
  - Affected business/production establishments which do not have financial statement will be provided with an assistance amount basing on the Business-Licence tax level, including: Level 1: not over 10,000,000 dongs/household; level 2: not over 6,000,000 dongs/household; level 3: not over 5,000,000 dongs/household; level 4 not over 4,000,000 dongs/household; level 5: not over 3,000,000 dongs/household; level 6: not over 2,000,000 dongs/household.
- Assistance for affected labor
  - Labors who have their employment interrupted by the project in over one month will get assistance equal to an amount of 1.5 times of the minimum salary level applied for the project area at the time of employment interruption.
  - Maximum assistance is not over 6 months for labors who have labor contract over 12 months and not over 3 months for other cases.

*Assistance for vocational training and job creation*

- For households losing agricultural land:
  - Households and individuals directly involved in agricultural production as in Clause 1, Article 20 of Decree 47/2014/ND-CP will get an assistance equal to 2 times of the agricultural land compensation value.

- Households and individuals getting compensation by agricultural land will not be assisted in vocational training, vocational change and job seeking but assisted seed, young trees, fertilizer,...;
- Affected people at working age who have demand to attend vocational training courses will be admitted freely into one training course.
- For households and individuals losing residential land with house in combination with business and having to relocate:
  - Those who have business license and financial statement as regulated will get a maximum assistance amount of 15% of one year's after-tax income (calculation average in 3 previous consecutive years) which has been verified by Tax agency or audited. The maximum assistance should not exceed 10,000,000 dongs/household;
  - Those who do not have financial statement will be assisted base on the Business-License Tax applicable to them.

*Assistance for households and individuals renting non-state house*

- Households and individuals renting non-state houses are displaced when the land is recovered by the State shall be entitled to the assistance for transportation of property and assets at the rate of 2,500,000 VND/HH and 1,000,000VND/individual. They should present Renting contract and register for temporary residence as regulated by law before the land acquisition notice.

*Assistance for acquisition of public land*

- Public land under management of ward/commune/township authority when being acquired will not be compensated but will be entitled to the assistance level equal 100% of the land compensation as regulated in the PPC's Land price list.

*Assistance for house rent*

- PAPs having no other place due to losing residential land or house or being displaced to re-build house on the remaining land area will be assisted with temporary dwelling or house rent during. The assistance period is specified by the Site Clearance and Compensation Board but not over 8 months. Assistance levels for house rent are:
  - At ward: Household having 1-2 members: 1,800,000 dongs/household/month; Household having 3 – 5 members: 2,500,000 dongs/household/month; Household having over 6 members: 3,000,000 dongs/household/month.
  - At commune: Household having 1-2 members: 1,500,000 dongs/household/month; Household having 3 – 5 members: 2,000,000 dongs/household/month; Household having over 6 members: 2,500,000 dongs/household/month.

*Assistance for households having contribution to the revolution and State's policy household*

- People contributing to the pre-1945 Revolution, Army Hero, Vietnam Heroic Mother, Labor Hero, martyr's family member who are getting monthly allowance, war invalids, sick soldiers, social policy people, disabled people... losing over 81% of working

capacity will get an assistance of 6,000,000 dongs/household;

- War invalids, sick soldiers and people entitled with policy as war invalids and sick soldiers losing 61%-80% of working capacity will get an assistance of 5,000,000 dongs/household;
- War invalids, sick soldiers and people entitled with policy as war invalids and sick soldiers losing 41%-60% of working capacity will get an assistance of 4,000,000 dongs/household;
- Family member of martyr or people with contribution to the revolution who are entitled to a monthly assistance; war invalids and disabled soldiers from 21%-40% will get an assistance of 3,000,000 dongs/household.
- Vulnerable group includes: Female-headed households (single, widow or disabled) with dependents and disabilities, the elderly without supporter and poor household. The rate for supporting this group is 2,000,000VND/HH.

*Incentive bonus for handing over the affected land as scheduled:*

- PAPs losing land or being displaced handing over the affected land as scheduled to the project will get an incentive bonus of 3% of the asset and on-land structure value under the policy for compensation and assistance approved by relevant authorities, but not over 10,000,000 dongs/HH.
- PAPs losing 20% (10% for vulnerable group) to less than 30% of the agricultural land will get an assistance in cash equivalent to 10 kg of rice per person per month at the average price at the time of assistance. Assistance period is not over 6 months;
- PAPs losing less than 20% of the agricultural land will get an assistance in cash equivalent to 10 kg of rice per person per month at the average price at the time of assistance. Assistance period is not over 3 months;



Table 11: Entitlement Matrix

No.	Type of loss	Affected level	Type of PAPs	Compensation/assistance policies	Implementation
A	Land				
A.1	Agricultural land	Losing from 20% (10 % for vulnerable households) or more of agricultural land	PAPs are eligible for compensation	PAPs will be compensated in cash at replacement cost for the acquired area; and Allowance for vocational training/job creation Subsistent allowance.	Affected households will be notified at least 90 days before land recovery by the Project.  Compensation and allowance to be paid one time.  PPC decided allowance level
		Losing less than 20% agricultural land (10% for vulnerable households)		PAPs will be compensated in cash at replacement cost for the acquired area; and Allowance for vocational training/job creation	
			Land users are not entitled to compensation as per regulation at Article 75 of Land Law, 2013.	PAPs whose affected land used before 01 July 2004 will be compensated in cash at replacement cost.  PAPs whose affected land used after 01 July 2004 will be assisted in cash for livelihood restoration not less than 60% of the land compensation value at the replacement cost.  The supported/compensated land areas are within the land allocation quotas under Article 129, Land Law 2013.	Affected households to be notified at least 90 days before land recovery by the Project.  Compensation and allowance to be paid one time.
			Land users with temporary or leased rights to affected land	PAPs currently using agricultural land assigned by State-owner on a contractual basis (excluding land under special use forests and protected forests) of State-enterprise forests shall not be entitled to compensation for land but for the remaining investment value on land and for all assets attached to the land at replacement cost.	



No.	Type of loss	Affected level	Type of PAPs	Compensation/assistance policies	Implementation
				Where PAPs lease land on the basis of leasing contracts with individuals, households or organizations other than those specified as point (i) above they shall only receive compensation for the remaining investment value on land and assets created on land before the cut-off date at full replacement cost. Compensation payments for land will be made for owner of the affected land.	
A.2	Residential land	Households are not displaced	Residential land eligible for compensation	<p>- Affected land-users will be compensated for the actually affected area in cash at replacement cost.</p> <p>No compensation for land but provision of allowance, equal to 30% of compensation value for affected land, and other allowances depending on decision of the PPC.</p>	Affected households to be notified at least 180 days before land recovery by the Project.
B	On-land property				
B.1	Housing/structures	For houses/structures being partly affected but the remaining area is viable to be used	Owners of affected house/structures created before the cut-off date	<p>- Compensation and assistance for the affected part will be made in cash at replacement cost without depreciation and no deduction for salvageable materials;</p> <p>- Compensation for expenses for repairing the remaining part.</p>	If affected house combined with shop, then compensation for interruption of business will be made.
		For houses/structures being entirely or partly affected but the remaining area is not viable to be used		<p>Compensation and resettlement assistance will be made in cash at replacement cost without depreciation and no deduction for salvageable materials; and transportation allowance as below:</p> <p>- Compensation for transportation as follows:</p> <p>Transportation within the remaining area of the land for re-building the house: 2,500,000 dong/household;</p>	<p>Compensation for house/structure is enough to build new house/structure with similar technical standard of the affected one.</p> <p><b>In cases where an</b></p>

No.	Type of loss	Affected level	Type of PAPs	Compensation/assistance policies	Implementation
				<p>Transportation within the ward/commune/township: 3,500,000 dongs/household;</p> <p>Transportation to other ward/commune/township within the district/city: 4,500,000 dongs/household;</p> <p>Transportation to other district/city within the province and other provinces: 5,500,000 dongs/household</p> <p>In special cases, the Compensation and Sit Clearance Board needs to propose the plan for approval from relevant authority and the compensation will be made for specific cases.</p>	<p>affected structure has been constructed in violation of the national land law applicable at time of construction and the household had been notified to cease the construction, the following applies:</p> <p>a) If the local authorities have recorded this notification as evidence, then support at replacement cost in lieu of formal compensation for the structure will be provided.</p> <p>b) If there is no evidence that the household was notified by local authorities at the time of construction that the structure violated the national land law applicable at time of construction, the Bank policy on compensation will apply.</p>
B.2	Grave	Grave to be displaced	Grave having owner	<p>Compensation for the removal of graves/tombs will include the cost of excavation, relocation, reburial and other related costs which are necessary to satisfy customary requirements.</p> <p>Compensation for grave displacement is from</p>	Removal of tomb is customelly implemented at the end of lunar

No.	Type of loss	Affected level	Type of PAPs	Compensation/assistance policies	Implementation
				1,600,000VND/tomb to 24,200,000VND/tomb.  For affected ownerless graves, PMU will hire local people for relocation of graves to the commune’s graveyard.	calendar
			Grave with ownerless	Compensation in cash will be allocated to ward/commune PC for covering the cost of removal and reburial at new place in planned cemetery.	
B.3	Crops, trees and domestic animals	Being affected	Regardless legal status of the land	Cash compensation at full replacement cost for the affected crops/trees/ domestic animals planted/raised on the affected land if they cannot be harvested/moved at time of land acquisition;  Where affected crops/trees/animals can be harvested/moved to new places, compensation will be paid for the loss of the trees/animals (if any) plus the transportation cost.	Affected households will be notified 30 days to hand over land from after date compensated  Any vegetation, crops determination after the cut-off date will not be compensated
C	Assistance				
C.1	Assistance for vocational training and employment introduction	Households losing agricultural land, losing residential land cum house with business	All affected household	For households losing agricultural land:  Households and individuals directly involved in agricultural production as in Clause 1, Article 20 of Decree 47/2014/ND-CP will get an assistance equal to 2 times of the agricultural land compensation value.  Households and individuals getting compensation by agricultural land will not be assisted in vocational training, vocational change and job seeking;  Affected people at working age who have demand to attend	

No.	Type of loss	Affected level	Type of PAPs	Compensation/assistance policies	Implementation
				<p>vocational training courses will be admitted freely into one training course.</p> <p>For households and individuals lose residential land cum production land and need to displace:</p> <p>Those who have business license and financial statement as regulated will get a maximum assistance amount of 15% of one year's after-tax income (calculation average in 3 previous consecutive years) which has been verified by Tax agency or audited. The maximum assistance should not exceed 10,000,000 dong/household;</p> <p>Those who do not have financial statement will be assisted base on the Business-License Tax applicable to them.</p>	
C2	Assistance for acquisition of public land	Public land under management of ward/commune/township authority	Affected ward/commune/township	Public land under management of ward/commune/township authority when being acquired will not be compensated but will be entitled to the assistance level equal 100% of the land compensation as regulated in the PPC's Land price list.	<p>Assistance in cash will be transferred to the bank account of the project commune and will be used for investing in infrastructure, public use as regulated in Article 24 of Decree 47/2014/NĐ-CP.</p> <p>The assistance level will be decided by PPC</p>
C3	Assistance for acquisition of public	Ward/commune public land being acquired	Affected ward/commune	- Public land under management of ward/commune PC being acquired will not get compensation but an assistance equal to 100% of the compensation for land as in the land unit price list	

No.	Type of loss	Affected level	Type of PAPs	Compensation/assistance policies	Implementation
	land			regulated by the PPC	
C4	Social assistance	Assistance for households having contribution to the revolution and State's policy household	Affected household	<p>People contributing to the pre-1945 Revolution, Army Hero, Vietnam Heroic Mother, Labor Hero, martyr's family member who are getting monthly allowance, war invalids, sick soldiers, policy people, disabled people...losing over 81% of working capacity will get an assistance of 6,000,000 dongs/household;</p> <p>War invalids, sick soldiers and people entitled with policy as war invalids and sick soldiers losing 61%-80% of working capacity will get an assistance of 5,000,000 dongs/household;</p> <p>War invalids, sick soldiers and people entitled with policy as war invalids and sick soldiers losing 41%-60% of working capacity will get an assistance of 4,000,000 dongs/household;</p> <p>Family member of martyr or people with contribution to the revolution who are entitled to a monthly assistance; war invalids and disabled soldiers from 21%-40% will get an assistance of 3,000,000 dongs/household. Vulnerable group includes: Female-headed households (single, widow or disabled) with dependents and disabilities, the elderly without supporter and poor household. The rate for supporting this group is 2,000,000VND/HH.</p>	
C5	Incentive bonus	Households handing over the affected land as scheduled	All affected households	<p>- PAPs losing land or being displaced handing over the affected land as scheduled to the project will get an incentive bonus of 3% of the asset and on-land structure value under the policy for compensation and assistance approved by relevant authorities, but not over 10,000,000 dongs.</p> <p>PAPs losing 20% (10% for vulnerable group) to less than 30%</p>	

No.	Type of loss	Affected level	Type of PAPs	Compensation/assistance policies	Implementation
				<p>of the agricultural land will get an assistance in cash equivalent to 10 kg of rice per person per month at the average price at the time of assistance. Assistance period is not over 6 months;</p> <p>PAPs losing less than 20% of the agricultural land will get an assistance in cash equivalent to 10 kg of rice per person per month at the average price at the time of assistance. Assistance period is not over 3 months;</p>	
D	TEMPORARY IMPACTS DURING CONSTRUCTION				
D1	Temporary loss of land	Temporary loss of land during construction	Owners/users are temporally affected land	No compensation for land but compensation for non-land assets at replacement cost and income lost during occupying period.	Restore land to pre-project condition before returning to PAP
D2	Impact arising from the construction	Damages caused by contractors to private or public structures	Land owners/users are affected	Damaged property will be restored to its former condition or if impossible restoration, compensated for damaged properties by contractors as soon as possible following policy of the RPF and RAP.	<p>In case of impacts on business of PAPs, the contractors have to agree with the households on payment for disruption of business.</p> <p>Under their contract terms and conditions, the contractors will be required to take extreme care to avoid damaging property during their construction activities.</p>

## **PART 7. INCOME RESTORATION PROGRAM**

77. No households will be relocated or severely affected productive land, so the income restoration program is not required.

## **PART 8: RESETTLEMENT PREPARATION**

78. No resettlement area is required for the project because there is no relocated household.

## **PART 9: COMMUNITY PARTICIPATION AND PUBLIC CONSULTATION**

### **9.1. Objectives of information dissemination and public consultation**

79. Information dissemination and public consultation are important activities of the project with following objectives:

- Ensure that the community is well known about the project information;
- Help the community understand the project's importance in the local socio-economic development, create a high consensus of the community on the project; reduce the possible conflicts and minimize the risk of project delays;
- Prepare plan for resettlement, compensation and assistance to meet the needs of AHs, maximize benefits of the project.

### **9.2. Participation and consultation procedure**

#### ***9.2.1. Public consultation during project preparation***

*Methods of implementation:*

80. Information dissemination and public consultation methods include rapid assessment with involvement and consultation of stakeholders, using site-based techniques and household meetings and site visits, public meetings, focus group discussions, and socio-economic surveys.

*Consultation content:*

The consultation focused on the following main contents: (i) project's proposed components, including objectives and proposed work items; (ii) General information on the policy framework that will be used for compensation, assistance and site clearance; (iii) public consultation on community needs for improving local infrastructure and community awareness on the project objectives

*Consultation results:*

81. Public consultations for project preparation were conducted in October 2017 on all affected wards in the project area. There are total 5 public consultations with participation of 74 affected people, including 50 men and 24 women.

82. Public consultation in the preparation phase helps form and strengthen community consensus with the project. A summary of the public consultations and dissemination of information is presented in the following table:



Table 12: Public consultation meetings on resettlement

Date/Month	Location	Participants	Participant			Information	
			Total	Male	Female	Disclosed information	Feedbacks
8h30 – 10h 11 October 2017	TU Minh WPC	Local authority's representative  PMU's representative  Consultant's representative  Affected household	15	15	0	General information about the project;  Project implementation plan;	Local authority and local people totally support for the project implementation;  The project does not require land acquisition, only some households will be affected small land area, sometrees and crops so the site clearance is not critical issue.  Care should be taken when designing, constructing and operating the Wastewater treatment plant.
8h30 – 10h 12 October, 217	Cam Thuong WPC		12	7	5	Introduction on the project's compensation policy framework, compensation principles and articles;  Project's livelihood restoration program of the project;	The project will affect some agricultural land area (rice field) and garden of some households. At present, there is no more agricultural land budget for compensation;  The affected agricultural land area is not large so the household's livelihood will not be affected.
8h- 10h 13 October, 2017	Tran Hung Dao WPC		15	8	7	Preliminary survey results, preliminary inventory of loesses;  Discussion with affected people	The project will contribute in promoting economic development, increase people's income, improve people;s living condition and environmental sanitation;  Compensation, assistance and resettlement policy should be transparent, fair and reasonable for all affected people;  The project construction contractor should be eligible, ensuring the work's quality and the schedule
10h-11h30 13 October,	Tran Phu WPC		22	13	09		The project will bring many socio-economic benefits and improve living condition for the project area. Local authority and people totally support and wish that the

Date/Month	Location	Participants	Participant			Information	
			Total	Male	Female	Disclosed information	Feedbacks
2017							<p>project will soon be implemented;</p> <p>The project area was already planned in 1997, all households have got land use right certificates. Therefore the land acquisition is relatively convenient;</p> <p>Information dissemination should be implemented and communicated regularly between Project's owner and Local authority</p>
14h– 16h 13 October, 2017	Ngoc Chau WPC		10	7	03		<p>Local authority and people will totally support for the project's implementation;</p> <p>Compensation, assistance and resettlement should be public, transparent under the agreement with affected people to get high consensus;</p> <p>Project's owner will cooperate with local authority to disseminate information to local people.</p>

### **9.2.2. Public consultation during project implementation stage**

83. As requested by the World Bank, the resettlement plan in Vietnamese language will be disclosed publicly at the PMU office, the town people's committee and the relevant wards/communes before and after being approved by the competent authority. The English version will be sent to the World Bank for disclosure on the Bank's website prior to project appraisal.

#### **a. Consultation and Information dissemination**

84. During the project implementation, the PMU, with the support of the Consultant, will undertake the following tasks:

- Provide information for the town's Compensation, Assistance and Resettlement Committee (CARC) and local government at all levels through workshops, and training, including detailed information on project policies and implementation procedures.
- Coordinate with the town's CARC/Land Fund Development Center (LFDC) to organize information dissemination and consultations for all affected persons during the project's implementation.
- Coordinate with the CARC/LFDC to update compensation unit costs and reaffirm the scale of land acquisition and impact on assets based on the detailed measurement survey (DMS) and conduct consultations with the affected persons.
- After completion of compensation plan preparation for affected households, the PMU/CARC/LFDC will publicize of the plan through meeting with affected persons and send a copy of the plan to them for comment. The compensation plans will be also posted at the ward people's committees.
- Send dispatches or questionnaires concerning resettlement plans to all displaced persons to (a) inform them of the resettlement plans (clearly explain the characteristics of each plan), (b) request affected persons to confirm their choice for resettlement.

#### **b Consultation content**

85. During the detailed design stage, the community meetings will be held to provide additional information to the affected persons and provide opportunities for them to participate in the more detailed, open discussions about the detailed design, policies and procedures for resettlement. This information will be publicized through the mass media (such as newspapers, radios, posters, ward people's committees in the project area). The affected persons must be provided with the following information:

- Project items: This includes information on the proposed works to be constructed and their benefits to people.
- Project impacts: Impacts on people who live and work in the project affected area, including implementation of land acquisition demand for each specific work items of the project.

- The rights and compensation entitlements of the affected persons: Explain clearly with the affected persons the rights and compensation entitlements for different types of impacts.
- The grievance redress mechanism: The affected persons will be informed of the compensation, support and resettlement policy and livelihood restoration programs. The affected persons will be informed if they have any concerns/questions related to the project compensation, resettlement and livelihood restoration, the CARC/LFDC and the competent authorities shall consider settling their concerns/questions. The affected persons will have access to the grievance redress procedures.
- The rights to participation and consultations: The affected persons will be notified of the rights to participate in the resettlement planning and implementation. The affected persons are represented at the CARC and their representatives will be present when the CARC organize meetings to ensure their participation in the project sectors.
- Resettlement activities: All households affected by the project will be explained on the compensation calculations and compensation payment, monitoring procedures, and resettlement site.
- Responsibilities for organization: The affected persons will be informed about the the executing agency and implementation agencies and levels of authorities relating to the resettlement and the responsibilities of each party.
- Implementation progress: Affected households will be informed about the progress of the resettlement activities. It should specify that the affected persons will move only when they received full payment of compensation and allowances for their lost properties.

### **9.2.3. Public dissemination**

86. As per the Bank's requirement (OP 4.12, paragraph 29), the draft RP were disclosed in Vietnamese at the website and office of the PMU, District PC, Ward PCs and in English at the World Bank website. After approval by the GoV and clearance by the WB, the final RP will also be disclosed as per the draft RP. For any changes to the RP it will be updated and cleared in the same way and re-disclosed.

## **PART 10: GRIEVANCE REDRESS**

### **10.1. Grievance redress responsibility**

87. 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 about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition and grievance redress. PAPs are not required to pay any fee during any of the procedures associated with seeking grievance redress, even when their cases are elevated to the Courts of Law. This cost is included in the budget for implementation of RAPs.

### **10.2. Grievance redress mechanism**

88. The following steps can be taken by the complainants. However, the complainants maintain the right to resort to the courts at any time.

#### ***First Stage - Commune/Ward/Township People's Committee (C/W/T PC).***

89. PAP may submit their complaint – either in written or verbal, to the One Door Unit of the Ward People's Committee. A member of the One Stop Shop (OSS) will receive the complaints and will notify the C/WPC leaders of the complaint. The Chairman of the C/WPC will meet the complainant in person and will solve it within 15 days following the receipt of the complaint.

#### ***Second Stage – District/Town People's Committee (DPC):***

90. After 15 days since the submission of the complaints, if the aggrieved person does not have any response from the OSS of the C/WPC, or if the aggrieved person is not satisfied with the decision taken on his/her complaint, the complainant may take the case, either in written or verbal, to the OSS of District People's Committee. The District People's Committee will have 30 days since the date of receipt of the complaint to resolve the case. The District People's Committee will record all the complaints submitted and will inform the District Compensation and Resettlement Board of the District PC's resolution/assessment results. Aggrieved person may elevate the case to the Courts of Law if they wish.

#### ***Third Stage - Province People's Committee (PPC):***

91. After 30 days, if the aggrieved PAP does not hear from the District PC, or if the PAP is not satisfied with the decision taken on his/her complaint, the PAP may escalate the case, either in writing or verbal, Provincial People's Committee, or lodge an administrative case with the District People's Court for resolution. The PPC will have 45 days to resolve the complaint to the satisfaction of all the concerned. The PPC secretariat is also responsible for registering all complaints that are submitted. Complainant may elevate the case to the Courts of Law if they wish.

***Final Stage - Courts of Law:***

92. After 45 days following the submission of the complaint at PPC, if complainant does not hear from the PPC, or if complainant is not satisfied with the decision taken on his/her complaint, complainant may take the case to a Court of Law for adjudication. Decision by the court will be the final decision.

93. Decision on solving the complaints must be sent to the aggrieved PAPs and concerned parties, and must be posted at the office of the People's Committee where the complaint is solved. After 3 days, the decision/result on resolution must be made available at ward/commune level and after 7 days at the district level.

## **PART 11: INSTITUTIONAL ARRANGEMENT**

94. The implementation of resettlement activities requires the involvement of agencies and organizations at the national, provincial, district and commune level. Each provincial people's committee will take general responsible for the implementation of the general policy framework and specific resettlement plan of the sub-project of that province.

95. Compensation, Assistance and Resettlement Committees shall be established at district/province level according to the provisions of Decree No. 47/2014/CP. The provisions and policies of the RPF and the RAPs will form the legal basis for the implementation of compensation and resettlement activities for “Dynamic Cities Integrated Development Project-Hai Duong city, Hai Duong province”.

### **11.1. Assesment the capacity of stakeholdes in implementation RP**

96. From the conducted consultations and obtained results, it is shown that the agencies in charge of implementing site clearance and resettlement plan in Hai Duong province in general and Hai Duong city in particular, as well as the Project Management Unit all have high experience in site clearance and resettlement preparation and implementation.

- Hai Duong Provincial People’s Committee has been employers in many development projects including projects financed by KfW (German Reinfastructure Bank) and OFID including: Hai Duong city drainage and sewerage treatment project; Hai Duong Urban transport development project...
- Hai Duong People’s Committee and the District’s Committee for Compensation, Support and Resettlement have experienced the execution of site clearance and payment of compensation in many years. They have also had experience in the promulgation of information and consultation for obtaining people’s agreement during the project implementation;

97. However, Hai Duong City has not experience in implementation of resettlement for the World Bank or ADB financed projects. Trong cơ cấu tổ chức của PMU sẽ có ít nhất 1 cán bộ có chuyên môn về môi trường và xã hội. Therefore, training in RAP implementation needs to be delivered to the EA and IAs of Hai Duong province and City before implementing the project.

### **11.2. Responsibility of Project Stakeholders**

98. *Hai Duong Provincial People’s Committee* (PPC) of each involved province is responsible for compensation, site clearance and resettlement. PPC will take overall responsibility as follows:

- Concur with the RPF
- Appraise and approve the Resettlement Action Plan
- Inform or authorize DPCs to announce about land acquisition when the sub-project location is selected;
- Approve the land acquisition and allocation in the Project;
- Approve replacement cost identified by external appraisal consultant;



- Direct the coordination among the project city/town, concerned agencies and the provincial departments to implement the compensation, assistance and resettlement in accordance with the approved RPF and RAPs;
- Provide sufficiently and timely budget for the implementation of resettlement activities;
- Ensure that the implementation of resettlement activities of the sub-project complies with the Policy Framework and the approved RAPs. Ensure that the objectives of the RAP must be achieved after completion of all resettlement activities.
- Resolve grievance and complaint of PAP.

99. *The Project Management Unit (PMU)* is responsible for the implementation of resettlement plan of the project. Their responsibilities are:

- On behalf of the Project Owner or the city, prepare, implement and internally monitor all resettlement activities within the project, under the management of PPC or the city PC.;
- To prepare and/or update RAPs in accordance with the approved Resettlement Policy Framework and submit them to the Provincial/city PCs and WB for approval before deploying the updated RAPs.
- To coordinate with the relevant parties in implementing the approved RAP.
- To recruit an independent monitoring agency for the project.
- To support local competent agencies for resolving complaint/grievance of PAPs

100. *Hai Duong City People's Committees* are responsible for:

- Notification land acquisition to PAP if authorized by PPC;
- Directing DRC and commune People's Committees in disseminating information and compensation and resettlement policies, conducting surveying, geodesy and DMS and implementing the RAP;
- Approving compensation plans prepared by DRCs if authorized by PPC;
- Issuing decisions on land acquisition of individuals and households;
- Settling complaints and grievances of the PAPs within jurisdiction.
- Cooperating closely with the external monitoring agencies

101. *The District/City Compensation, Assistance and Resettlement Council* (herein after referred to as DRC) shall be responsible for implementing compensation and site clearance for construction of the works in the city/district, including:

- Arrange to implement the approved land acquisition, census, survey, measurement and inventory plans.
- Develop, complete and submit the compensation, assistance and resettlement plans for approval and arrange to implement the approved plans.
- Coordinate with the Commune People's Committees in publicly posting the compensation plan as stipulated. Guide and respond to inquiries related to compensation, assistance and resettlement issues from land users.

- Make compensation payment in accordance with the approved compensation plan.
- Synthesize the site clearance works and report the competent authorities on monthly and quarterly basis.

102. *Ward/Commune/Township Level :*

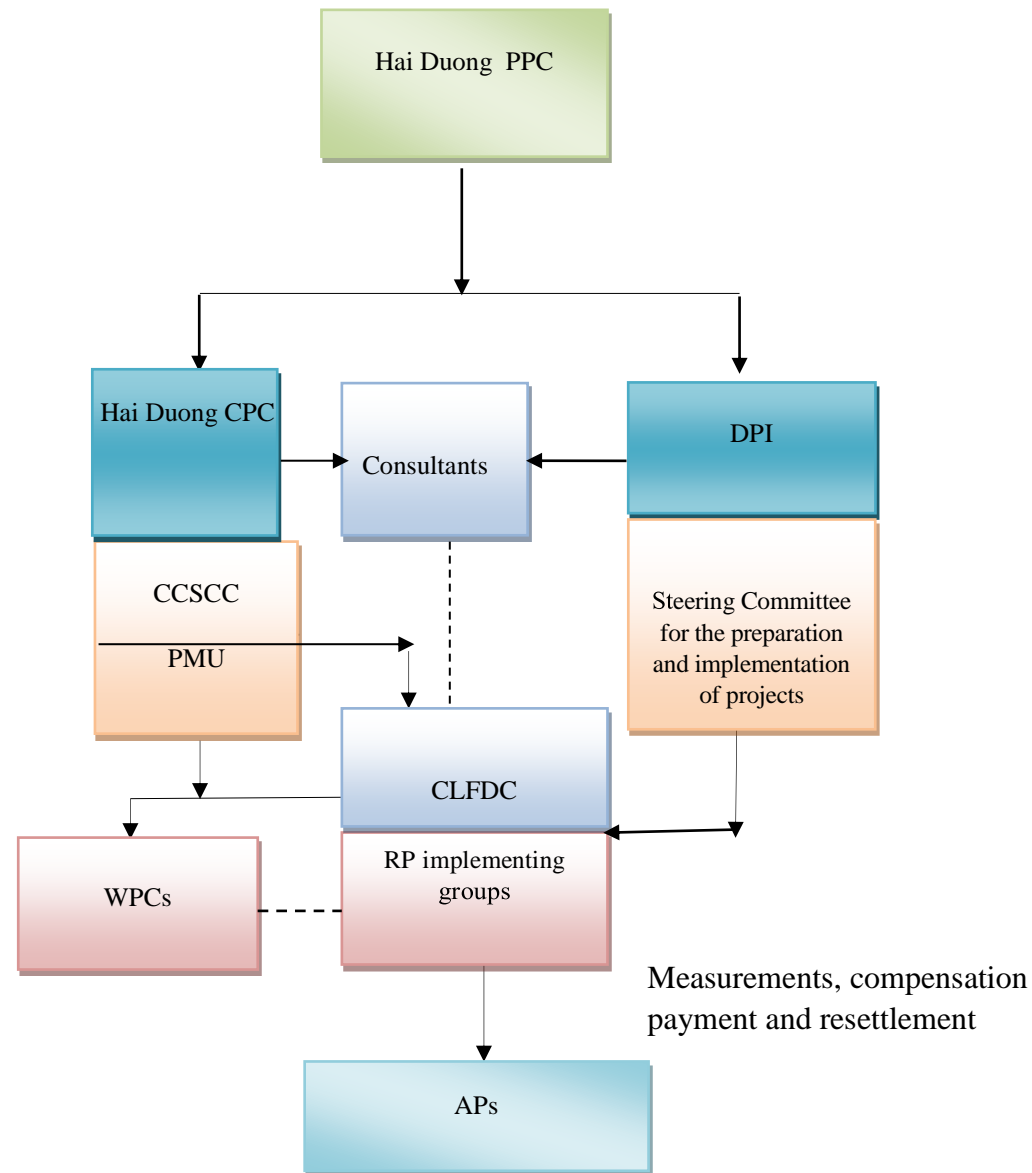
Ward/Commune/Township People’s Committees will be responsible for the following:

- Providing documents related to the origin of land use by affected households; confirming the eligibility of affected persons and affected assets;
- Assisting competent authorities to resolve land disputes and complaints of affected people.
- Assisting DPC, DCRC in organizing meetings, public consultations, socioeconomic survey during RAP preparation and implementation;
- Establishing working groups at the Sub-ward level to support DPC and DCRC in conducting Detailed Measurement Survey, Replacement Costs Survey, Socioeconomic Survey, and provision of required information to support the preparation and implementation of RAP;
- Cooperating with DRC in arranging compensation payment, resettlement and livelihood restoration implementation;
- Identifying replacement land for the affected households who are eligible and propose livelihoods restoration programs appropriate to the conditions of the people and the locality;
- Resolving complaints at the ward/commune level - as prescribed by the existing law;

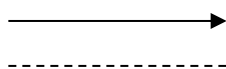
103. *Project Affected Persons (PAPs)* are responsible for:

- Coordinating with survey teams in measuring their affected lands and non-land assets and sign in DMS record;
- Participating in all phases of the RAP preparation, implementation and monitoring and give feedback for preparing, implementing and monitoring the RAP in compliance with OP4.12; and
- Hand over affected land to the project in a timely manner after receiving full entitlements.

Figure 3: Structure of organization implementing RP



Note:



**PART 12: IMPLEMENTATION PLAN**

104. The key activities of the compensation and resettlement is carried out by following steps and detailed in the expected schedule in Table 13:

- i. Based on detailed technical design of works, the design consultants and PMUs hand over benchmarks of site clearance to DCRC to determine AHs and carry out DMS of affected assets.

- ii. Holding meetings with AHs to disseminate project information and principles of compensation and resettlement, including the project objectives and benefits, potential positive and negative impacts of the project, mitigation measures, and methods used to evaluate prices of affected assets restoration measures, and grievance redress mechanism.
- iii. Conduct detailed measurement survey (DMS) of affected HHs and their affected assets to collect information on PAPs, identifying quantities of affected assets. Consulting PAPs about mitigation measures for the project impacts and assistance measures for livelihood restoration.
- iv. Carrying out replacement cost survey.
  - v. Preparing compensation plans, announcing compensation plans in public to obtain PAPs' comments, finalizing compensation plans and submitting to DPCs for approval.
  - vi. Paying compensation and allowances.
- vii. Implementing resettlement (if any) and site clearance after delivery of full compensation to PAPs.
- viii. 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 RPF.
- ix. Implement GRM to resolve complaints of PAPs (if any).

Table 13: Implementation schedule

No	Main action	By when
<b>1</b>	<b><i>Resettlement Plan</i></b>	
1.1	Project preparation	3-12/2017
1.2	Preparation of Resettlement Plan (during project preparation)	9-12/2017
1.3	Submit to the World Bank for approval	12/2017
<b>2</b>	<b><i>Resettlement Plan implementation</i></b>	
2.1	Prepare cadastral document and setting up benchmark for land acquisition	Q3/2018
2.2	Public consultation and information disclosure	Q3/2018
2.3	Inventory of loss and detailed measurement survey, replacement cost	Q3-4/2018
2.4	Payment for compensation and site clearance	Q4/2018
2.5	Construction commencement	Q1/2019-2023
2.6	Monitoring	Q3/2018-2023

## **PART 13: BUDGET ESTIMATION**

### **13.1. Replacement cost survey**

105. During the preparation of the Resettlement Plan, a rapid assessment on replacement cost was conducted based on market price for types of land and non-land assets including transactional fees like tax, levy, registration fee... The replacement cost survey was based on:

- Decision No.33/2014/QĐUBND by Hai Duong Provincial People’s Committee dated 20<sup>th</sup> December 2014 promulgating land price in Hai Duong province;
- Decision No.04/2017/QĐ-UBND by Hai Duong Provincial People’s Committee dated 21th March 2017 promulgating the price adjustment coefficient in Hai Duong province in 2017;
- Consultation with leadership and local community
- Reference with unit price of some other projects in the province
- Real estate transaction floor
- Consultation with construction contractor on local construction material price and cost

106. Results of the rapid replacement cost survey were applied for estimating the cost of RP implementation. During the implementation process, the PMU will recruit an independent appraiser for appraising the replacement cost for the project.

Table 14: Results of replacement cost survey for land Residential land (Unit: 1000 VND/m<sup>2</sup>)

<b>Work item</b>	<b>Ward</b>	<b>Promulgated price by PC</b>	<b>Proposed replacement cost</b>
Bach Dang river embankment	Tran Hung Dao	4,800- 12,000	25,000
	Trần Phú	4,800- 12,000	25,000
	Ngoc Chau	4,000- 4,8000	15,000

Table 15: Replacement cost for house and structure (Unit: 1000 VND/m<sup>2</sup>)

<b>No</b>	<b>Description</b>	<b>Unit</b>	<b>Price regulated by Hai Duong PPC</b>	<b>Proposed replacement cost</b>
1	House	VND/m <sup>2</sup>	2,353	7,011
2	Breeding facilities	VND/m	926	2,759
3	Fence	VND/m	465	1,385

Table 16: Replacement cost for crop and vegetation

<b>No</b>	<b>Description</b>	<b>Unit</b>	<b>Price regulated by Hai Duong PPC</b>	<b>Proposed replacement cost</b>
1	Fruit tree	tree/m <sup>2</sup>	650,000	650,000
2	Timber tree	tree/m <sup>2</sup>	200,000	200,000

### 13.2. Budget estimation

107. Tentative budget for the resettlement is made based on mentioned price, including compensation for land and non-land assets, assistance and contingency, with total amount of 58,441,000,000 VND, equivalent to 2,568,844 USD.

108. Budget for Resettlement is taken from Hai Duong PPC counterpart fund and will allocated promptly and sufficiently against the resettlement schedule.

Table 17: Tentative budget for the RP implementation

Description	Quantity	Amount
<b>I. Land</b>		<b>19,822,792,900</b>
1. Residential land	668.1	19,329,700,000
2. Aquacultural land	478.81	43,092,900
3. Landfill	5000	450,000,000
<b>II. Structure</b>		<b>28,730,954,858</b>
1. House	3,510	24,611,909,400
2. Fence	1,560	2,161,692,000
3. Yard	960	4,800
4. Breeding facilities	85	234,515,000
5. Compensation for underground electricity (5%)		1,230,595,470
6. Compensation for tap water (2%)		492,238,188
<b>III. Tree</b>		<b>1,184,000,000</b>
1. Fruit tree	1,200	780,000,000
2. Timber tree	2,020	404,000,000
<b>Sub-total I</b>		<b>49,737,747,758</b>
<b>IV Assistance</b>		<b>2,000,120,000</b>
1. Assistance for life subsistence	90	861,120,000
2. Assistance for business establishment	15	150,000,000
3. Assistance for vulnerable households	2	6,000,000
4. Incentive bonus	90	900,000,000
5. Transportation in the ward	18	63,000,000
6. Training cost IA/EAs	5	250,000,000
<b>Sub-total II</b>		<b>51,967,867,758</b>
<b>V. Other cost</b>		
1. Implementation (2%)		1,039,357,355
2. Independent monitoring (1%)		519,678,678
3. Contingency (10%)		5,196,786,776
<b>VII. Total</b>		<b>58,723,690,567</b>
<b>Rounded</b>		<b>58,724,000,000</b>
<b>Exchanged to USD</b>	22,750	<b>2,581,261</b>



## **PART 14: MONITORING AND EVALUATION**

### **14.1. Objectives of Monitoring**

109. To ensure activities and commitments described in the approved RAP is implemented fully and timely, monitoring and evaluation of the RAP implementation should be maintained by the Project Owner. While monitoring of the RAP implementation aims to collect, on a regular basis, information reflecting the RAP implementation results (See Appendix for suggestive monitoring indicators) the evaluation of RAP implementation aims to analyze the information collected throughout monitoring process, to evaluateat outcome level, to extent to which the RAP is executed in accordance with the agreed schedule and methods, and that the RAP implementation meets the objective of the World Bank’s Operational Policy 4.12 on Involuntary Resettlement. In case where gaps (between resettlement action plan and actual implementation) are identified during the implementation process, corrective measures will be proposed for timely action by PMU. Social risks posed by labor influx of contractors into the communities surrounding the project area also need monitoring regularly.

110. Specific objectives are as follows:

- (i) To ensure that the standard of living of PAPs are restored or improved;
- (ii) To monitor whether the overall project and resettlement objectives are being met in accordance with the Resettlement Plan, and if not to suggest corrective measures;
- (iii) To assess if compensation and rehabilitation measures are sufficient and comply with the WB’s OP4.12;
- (iv) Monitor and provide advice on the prevention of potential risks posed by labor influx into the communities surrounding the project area (i.e. the people living or working in the communes immediately adjacent to the project site) during construction;
- (v) Monitor and provide advice on the adequate protection of construction workers’ safety at the construction site and the implementation of good work-place safety practices during construction;
- (vi) Monitor and provide advice on the adequate implementation of the project’s Grievance Redress Mechanism (GRM); and to identify problems or potential problems and recommend remedies for problems.

### **14.2. Internal Monitoring**

111. PMU is responsible to conduct internal monitoring on resettlement implementation. PMU will assign a specialized PMU staff to conduct internal monitoring with key assignments as below:

- Coordinate with related agencies in process of RAP implementation;
- Collect necessary data – as required by this RPF, to set up a database of resettlement for RAP implementation progress reports for internal monitoring purpose;
- Monitor the resettlement sites, its status, progress and impact on PAPs;
- Identify any pending issues/non-compliance issues during RAP implementation;

- Work closely with the External monitoring Consultant to oversee the implementation of RAP;
- Receive and report complaint of affected people to competent authorities for resolving.

112. Depending on the nature and complexity of the RAP, and RAP implementation stages, the internal monitoring can be maintained weekly, monthly, and/or quarterly. A quarterly report should be prepared in the form of appendix of the progress report, as a minimum, to ensure a) RAP implementation complies with OP4.12, b) any issues that may arise so as to take timely and appropriate action. Monitoring indicators are proposed in Annex.

113. The implementation agencies will collect information every month from the different resettlement committees. A database tracking the resettlement implementation of the Project will be maintained and updated monthly.

114. The implementation agencies will submit internal monitoring reports on the RP implementation as a part of the quarterly report they are supposed to submit the WB. The reports should contain the following information.

- Number of affected persons according to types of effect and project component and the status of compensation, relocation and income recovery for each item.
- The distributed costs for the activities or for compensation payment and disbursed cost for each activity.
- List of outstanding complaints;
- Final results on solving complaints and any outstanding issues that demand management agencies at all levels to solve.
- Arisen issues in the implementation process and resolutions for them.
- Updated actual schedule of resettlement activities.

### **14.3. External monitoring**

115. **Objectives:** The general objectives of external monitoring are periodically external monitoring and assessing the implementation of the resettlement objectives, changes of living standard and jobs, income and livelihood restoration of PAPs, effectiveness, impacts and sustainability of PAPs' entitlements, and the necessity of mitigation measures of losses (if any) in an attempt to bring about strategic lessons for making policy and planning in the future;

116. **Responsible Agencies:** In accordance with the World Bank requirements for consultant employment, PMU will recruit an external organization for conducting the external monitoring and evaluation of RAPs implementation. This organization is called the Independent monitoring agency (IMA) which has expertise in social science and experience in external monitoring of RAP. The IMA should start their work as soon as at the beginning of project implementation.

117. **Monitoring and Evaluation:** The following issues will be monitored and evaluated by the IMA, including but not limited to:

- 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.
- Provision of assistance for PAPs who have to rebuild their houses on their remaining land, or building their houses in new places as arranged by the project, or on newly assigned plots.
- 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 RAPs.
- Income and livelihood restoration of PAPs.
- Construction of resettlement sites, its status, progress and impact on PAPs
- Operation of the complaint mechanism and complaint settlement of PAPs.
- PAPs' satisfaction level on various aspects of the RAP will be monitoring and recorded.
- Through the implementation, trends on living standard will be observed and surveyed.
- The prevention of potential risks posed by labor influx into the communities surrounding the project area (i.e. the people living or working in the communes immediately adjacent to the project site) during construction;
- The adequate protection of construction workers' safety at the construction site and the implementation of good work-place safety practices during construction;
- Advice on the adequate implementation of the project's Grievance Redress Mechanism (GRM); and to identify problems or potential problems and recommend remedies for problems..
- Any potential issues in the recovering living standard are reported and suitable measures will be proposed to ensure the project objectives;

118. **Methodology for External monitoring:** Method of monitoring should be a combined quantitative and qualitative method with desk review, public meeting, focus group discussion, in-depth interview, site visit and sample survey. Scale of the survey sample may cover 100% displaced households and severely affected households, and at least 20% of the remaining households for each monitoring mission. The surveys should include women, elderly persons, and other vulnerable target groups. It should have equal representation of male and female respondents.

119. **Monitoring Reports**

- The independent monitoring agency shall submit semi-annual reports which 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.
- The report should contain (i) progress of RAP implementation; (ii) deviations, if any, from the provisions and principles of the RAP; (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.

120. Post resettlement Evaluation

- 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 post resettlement evaluation will be included in Project Completion Report (PCR).
- Resettlement implementation cannot be considered completed until a post evaluation and a project completion audit confirm that all the affected HHs have received fully all compensation, assistance and life restoration processes as planned.

The IMA is requested to establish and maintain a resettlement database of the subproject for monitoring and reporting. The database shall be updated every month according to progress of resettlement implementation.

ANNEXES

Annex 1: Minutes of public consultation meetings

1. Tu Minh ward People's Committee

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

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BIÊN BẢN THAM VẤN CỘNG ĐỒNG

Về chính sách an toàn Tái định cư

Dự án: Phát triển tổng hợp các đô thị động lực – Thành phố Hải Dương, tỉnh Hải Dương  
(vay vốn WB)

1. Thời gian tổ chức: 8h30 Ngày 11 tháng 10 năm 2017
2. Địa điểm tổ chức: Ủy ban nhân dân phường Tu Minh
3. Thành phần tham dự:
  - a. Đơn vị chủ đầu tư
    - Ông (bà): Lương Hồng Tâm Chức vụ: CB BALDA
    - Ông (bà): Chức vụ:
  - b. UBND phường
    - Ông (bà): Phạm Văn Khai Chức vụ: Phó CT UBND phường
    - Ông (bà): Trần Hải Quân Chức vụ: Phó CT UBND phường
    - Ông (bà): Nguyễn Văn Tuyên Chức vụ: Địa chính
    - Ông (bà): Lê Văn Na Chức vụ: Chủ tịch Xã
  - c. Đại diện tư vấn
    - Ông (bà): Trần Thị Ngọc Chức vụ: CB TV An toàn xã hội
    - Ông (bà): Vũ Đình Dương Chức vụ: CB TV Kỹ thuật
  - d. Địa diện tổ dân phố/thôn/xóm: Đại diện cộng đồng và đại diện các hộ gia đình bị ảnh hưởng trực tiếp tại tổ dân phố/thôn/xóm/xã. Số lượng người tham gia: 15 người, trong đó: Nam: 11 Nữ: 4 (danh sách đính kèm biên bản này)
4. Mục đích cuộc họp
  - (i) Cung cấp các thông tin về Dự án như: mục tiêu, địa điểm, tiêu chuẩn kỹ thuật, chủ đầu tư, đơn vị cho vay vốn, triển khai dự án...
  - (ii) Phổ biến thông tin và tham vấn về phạm vi ảnh hưởng, những tác động tích cực và tiêu cực, các biện pháp giảm thiểu ảnh hưởng và các tác động tiêu cực của dự án;
  - (iii) Phổ biến tham vấn về Khung chính sách tái định cư của dự án;
  - (iv) Tham vấn và phổ biến thông tin về chính sách bồi thường, quyền được lợi được hưởng của những người bị ảnh hưởng bởi dự án;



- (v) Phổ biến và tham vấn về những hình thức hỗ trợ, nhu cầu hỗ trợ của người bị ảnh hưởng và khả năng tiến hành các biện pháp phục hồi;
- (vi) Phổ biến quy trình khiếu nại và giải quyết khiếu nại về bồi thường GPMB và TĐC cho các hộ bị ảnh hưởng;
- (vii) Sự sẵn sàng tham gia của lãnh đạo địa phương và người dân đối với dự án

**5. Nội dung thảo luận**

Ông Trần Tiến Quân: Phó UBND phường Vũ Minh ở...  
 Di cư đã mang lại nhiều lợi ích và kinh tế phát triển...  
 xã hội và môi trường cho người dân và chính quyền địa phương...  
 chính quyền địa phương sẽ tạo mọi điều kiện thuận lợi để...  
 anh có thể thuận lợi thuận lợi.

\* Ông Nguyễn Văn Nguyên: Lan bà địa chủ...  
 Trên địa bàn phường Vũ Minh có các hạng mục dự án:  
 1) Đào kết và bê tông đường...  
 2) Xây dựng trạm bơm hồ Cứng...  
 3) Xây dựng hệ thống thoát nước thải và xây dựng trạm xử lý...  
 nước thải tập trung...  
 kế hoạch... Đào kết và bê tông đi về có bán đường...  
 có thể hỗ trợ đất tuy nhiên có ảnh hưởng đến cây cối của...  
 một số hộ qua đình trong cây trên bình và có 2 chương qua...  
 sự của hộ qua đình...  
 Trạm bơm hồ Cứng được xây dựng trên đất công cộng (bán...  
 ruộng) và 1 phần đất do hộ thuộc sự quản lý của UBND...  
 phường...  
 Hệ thống xử lý thu gom nước thải qua các khu dân...  
 cư thì không có thu hộ đất...  
 Hạng mục xây dựng trạm xử lý nước thải tập trung cho...  
 là đất đai quy hoạch là vậy cũng không có thu hộ đất của...  
 dân...  
 kế hoạch bán công tác thu hộ đất là không có lợi ích...  
 tuy nhiên nếu xây dựng trạm xử lý nước thải cần chú ý...  
 ảnh hưởng đến người dân xung quanh và gần là trường...  
 đại học Thành Công...  
 Công nghệ xử lý cần là công nghệ hiện đại, tiên tiến tránh...  
 gây ô nhiễm.

Ông. Trần Văn Đông: Giám đốc Tư Minh  
Chúng tôi hoàn toàn ủng hộ dự án và mong dự án  
sớm được thực hiện.

**1. Kết luận**

Toàn thể hội nghị đồng nhất nhất ủng hộ dự án. Mong  
dự án sớm được thực hiện.

Cuộc họp kết thúc vào lúc..... Cùng ngày

Đại diện chính quyền địa phương

Đại diện Tư vấn

Đại diện Ban QLDA



KT. CHỦ TỊCH  
PHÓ CHỦ TỊCH  
TRẦN TIÊN QUÂN

LF  
Trần Thị Ngọc



## 2. Cam Thuong ward People's Committee

### CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

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### BIÊN BẢN THAM VẤN CỘNG ĐỒNG

Về chính sách an toàn Tái định cư

Dự án: Phát triển tổng hợp các đô thị động lực – Thành phố Hải Dương, tỉnh Hải Dương  
(vay vốn WB)

1. Thời gian tổ chức: 8h 30 Ngày 12 tháng 10 năm 2017
2. Địa điểm tổ chức: Ủy ban nhân dân phường Cẩm Thượng.....
3. Thành phần tham dự:
  - a. Đơn vị chủ đầu tư
    - Ông (bà): Lương Bằng Tân..... Chức vụ: CB BAN DA.....
    - Ông (bà):..... Chức vụ.....
  - b. UBND phường
    - Ông (bà): Đinh Văn Thuận..... Chức vụ: CT UBND phường.....
    - Ông (bà): Đinh Long Đức..... Chức vụ: Trưởng khu 1.....
    - Ông (bà): Đinh Quang Thành..... Chức vụ: Khu 2..... phường Cẩm Thượng.....
    - Ông (bà): Đinh Quang Tuấn..... Chức vụ.....
  - c. Đại diện tư vấn
    - Ông (bà): Trần Thị Ngọc..... Chức vụ: CB Tư vấn An toàn xã hội.....
    - Ông (bà): Vũ Đình Quang..... Chức vụ: CB An toàn kỹ thuật.....
  - d. Đại diện tổ dân phố/thôn/xóm: Đại diện cộng đồng và đại diện các hộ gia đình bị ảnh hưởng trực tiếp tại tổ dân phố/thôn/xóm/xã. Số lượng người tham gia: 12.... người, trong đó: Nam.. 7.... Nữ.. 5.... (danh sách đính kèm biên bản này)
4. Mục đích cuộc họp
  - (i) Cung cấp các thông tin về Dự án như: mục tiêu, địa điểm, tiêu chuẩn kỹ thuật, chủ đầu tư, đơn vị cho vay vốn, triển khai dự án...
  - (ii) Phổ biến thông tin và tham vấn về phạm vi ảnh hưởng, những tác động tích cực và tiêu cực, các biện pháp giảm thiểu ảnh hưởng và các tác động tiêu cực của dự án;
  - (iii) Phổ biến tham vấn về Khung chính sách tái định cư của dự án;
  - (iv) Tham vấn và phổ biến thông tin về chính sách bồi thường, quyền được lợi được hưởng của những người bị ảnh hưởng bởi dự án;

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

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BIÊN BẢN THAM VẤN CỘNG ĐỒNG

Về chính sách an toàn Tái định cư

Dự án: Phát triển tổng hợp các đô thị động lực – Thành phố Hải Dương, tỉnh Hải Dương  
(vay vốn WB)

1. Thời gian tổ chức: 8h 30 Ngày 12 tháng 10 năm 2017
2. Địa điểm tổ chức: Ủy ban nhân dân phường Cẩm Thượng
3. Thành phần tham dự:
  - a. Đơn vị chủ đầu tư
    - Ông (bà): Lương Bằng Tân Chức vụ: CB BAN DA
    - Ông (bà): Chức vụ:
  - b. UBND phường
    - Ông (bà): Đinh Văn Tuyển Chức vụ: CT UBND phường
    - Ông (bà): Đinh Long Đức Chức vụ: Trưởng khu 1
    - Ông (bà): Đinh Quang Thành Chức vụ: Khu 2 phường Cẩm Thượng
    - Ông (bà): Đinh Quang Tuấn Chức vụ:
  - c. Đại diện tư vấn
    - Ông (bà): Trần Thị Ngọc Chức vụ: CB Tư vấn M. Tư vấn xã hội
    - Ông (bà): Vũ Đình Quang Chức vụ: CB Tư vấn kỹ thuật
  - d. Đại diện tổ dân phố/thôn/xóm: Đại diện cộng đồng và đại diện các hộ gia đình bị ảnh hưởng trực tiếp tại tổ dân phố/thôn/xóm/xã. Số lượng người tham gia 12... người, trong đó: Nam 7... Nữ 5... (danh sách đính kèm biên bản này)
4. Mục đích cuộc họp
  - (i) Cung cấp các thông tin về Dự án như: mục tiêu, địa điểm, tiêu chuẩn kỹ thuật, chủ đầu tư, đơn vị cho vay vốn, triển khai dự án...
  - (ii) Phổ biến thông tin và tham vấn về phạm vi ảnh hưởng, những tác động tích cực và tiêu cực, các biện pháp giảm thiểu ảnh hưởng và các tác động tiêu cực của dự án;
  - (iii) Phổ biến tham vấn về Khung chính sách tái định cư của dự án;
  - (iv) Tham vấn và phổ biến thông tin về chính sách bồi thường, quyền được lợi được hưởng của những người bị ảnh hưởng bởi dự án;

Ông Đinh Văn Tuyển: Trưởng thu 1 phường Cẩm Phướng  
 Tôi rất cảm ơn UBND thành phố đã quan tâm đầu tư  
 cho phường  
 Trong công tác thu hồi đất cần nhất là công bằng, và  
 mình học hỏi các hộ với nhau  
 UBND thành phố cũ cần bố trí hợp với chính quyền  
 địa phương làm tốt công tác tuyên truyền để người dân  
 hiểu về dự án

1. Kết luận

Tôi tin tưởng rằng nhất định các hạng mục đầu tư của dự án  
 địa phương sẽ tạo mọi điều kiện thuận lợi để dự án có thể  
 triển khai một cách thuận lợi

Cuộc họp kết thúc vào lúc.....Cùng ngày

Đại diện chính quyền địa phương

Đại diện Tư vấn

Đại diện Ban QLDA

  
 CHỦ TỊCH  
 ĐINH VĂN TUYẾN

  
 Trần Phi Ngọc

3. Tran Hung Dao ward People's Committee

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

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BIÊN BẢN THAM VẤN CỘNG ĐỒNG

Về chính sách an toàn Tái định cư

Dự án: Phát triển tổng hợp các đô thị động lực – Thành phố Hải Dương, tỉnh Hải Dương  
(vay vốn WB)

1. Thời gian tổ chức: 8/30 Ngày 1/3 tháng 10 năm 2017
2. Địa điểm tổ chức: Phường Tân Hưng Đạo
3. Thành phần tham dự:
  - a. Đơn vị chủ đầu tư
    - Ông (bà): Bà. Bùi. Bích. Ngọc Chức vụ: Đại. diện. UBND. TP.
    - Ông (bà): Lương. Bằng. Tuấn Chức vụ: .....
  - b. UBND phường
    - Ông (bà): Nguyễn. Văn. Bình Chức vụ: CT. UBND. Phường
    - Ông (bà): Nguyễn. Văn. Hiệp Chức vụ: Phó. bí. thư. Đảng
    - Ông (bà): Lương. Bằng. Tuấn Chức vụ: CTMB
    - Ông (bà): Phan. Văn. Quang Chức vụ: CB. Chi. ủy. - XD
  - c. Đại diện tư vấn
    - Ông (bà): Trần. Thị. Ngọc Chức vụ: Phó. Phó
    - Ông (bà): Vũ. Hải. Quang Chức vụ: lan. bộ. lý. thuyết
  - d. Địa điểm tổ dân phố/thôn/xóm: Đại diện cộng đồng và đại diện các hộ gia đình bị ảnh hưởng trực tiếp tại tổ dân phố/thôn/xóm/xã. Số lượng người tham gia 15 người, trong đó: Nam 8 Nữ 7 (danh sách đính kèm biên bản này)
4. Mục đích cuộc họp
  - (i) Cung cấp các thông tin về Dự án như: mục tiêu, địa điểm, tiêu chuẩn kỹ thuật, chủ đầu tư, đơn vị cho vay vốn, triển khai dự án...
  - (ii) Phổ biến thông tin và tham vấn về phạm vi ảnh hưởng, những tác động tích cực và tiêu cực, các biện pháp giảm thiểu ảnh hưởng và các tác động tiêu cực của dự án;
  - (iii) Phổ biến tham vấn về Khung chính sách tái định cư của dự án;
  - (iv) Tham vấn và phổ biến thông tin về chính sách bồi thường, quyền được lợi được hưởng của những người bị ảnh hưởng bởi dự án;



- (v) Phổ biến và tham vấn về những hình thức hỗ trợ, nhu cầu hỗ trợ của người bị ảnh hưởng và khả năng tiến hành các biện pháp phục hồi;
- (vi) Phổ biến quy trình khiếu nại và giải quyết khiếu nại về bồi thường GPMB và TĐC cho các hộ bị ảnh hưởng;
- (vii) Sự sẵn sàng tham gia của lãnh đạo địa phương và người dân đối với dự án

**5. Nội dung thảo luận**

Ông Nguyễn Văn Bốn: Chủ tịch UBND phường Trần Hưng Đạo  
 Chính quyền địa phương sẽ tạo mọi điều kiện để cư dân được  
 thuận lợi nhất cách thuận lợi nhất  
 Dù cư mang lại nhiều lợi ích cho chính quyền cũng như người  
 dân địa phương góp phần thúc đẩy phát triển kinh tế tăng thu  
 nhập cải thiện môi trường sống, thu hút và sinh sản tương

Bà Nguyễn Thị Hương: Chủ tịch phường Trần Hưng Đạo  
 Người dân địa phương rất là vui mừng đã được tăng cao nước  
 qua bán và đầu tư xây dựng, tránh khỏi ảnh hưởng qua nước  
 biển của công của người dân địa phương  
 Các chính sách đầu tư, tài chính và các công khai minh bạch  
 theo đúng chính sách của Đảng và Nhà nước. Thì người dân  
 rất đồng lòng ủng hộ rất

Ông Lương Văn Bốn: Chủ tịch phường Trần Hưng Đạo  
 Dù cư mang lại nhiều lợi ích thiết thực cho người dân  
 và chung ta nên tránh thu và đầu tư của Ngân hàng cho  
 địa phương  
 Các chính sách đầu tư, tài chính và các công khai minh bạch  
 trong quá trình thực hiện thì cần làm cho được chính sách  
 công bằng và tốt cả mọi người

Phạm Văn Dương: Chủ tịch xã  
 Khi cư dân đã ổn định cảm giác quy hoạch (vấn) là  
 xây nên nhà cửa đầu tư là thuận lợi, không có khó khăn  
 gì về công việc thì tốt  
 Người dân địa phương cũng rất mong muốn được hưởng lợi


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**1. Kết luận**

Dự án... đưa lại... môi trường... kinh tế... địa phương...  
cũng như... phát... triển... của...  
Đặc... chính... quyền... ủng hộ... dự án... triển khai...  
sẽ... tạo... điều kiện... giúp... từ... song... quá...  
bi... và... đời sống... địa phương...

Cuộc họp kết thúc vào lúc..... Cùng ngày

**Đại diện cộng đồng**

  
Nguyễn Đình Mỹ  
Đại diện Tư vấn

  
Trần Thị Ngọc

**Đại diện chính quyền địa phương**

  
  
Đại diện Ban QLDA

#### 4. Tran Phu ward People's Committee

**CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM**  
**Độc lập – Tự do – Hạnh phúc**  
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**BIÊN BẢN THAM VẤN CỘNG ĐỒNG**  
**Về chính sách an toàn Tái định cư**

Dự án: Phát triển tổng hợp các đô thị động lực – Thành phố Hải Dương, tỉnh Hải Dương  
(vay vốn WB)

1. Thời gian tổ chức: 10/ Ngày 13 tháng 10 năm 2017

2. Địa điểm tổ chức: UBND Phường Trần Phú

3. Thành phần tham dự:

a. Đơn vị chủ đầu tư

- Ông (bà): Bùi Đức Hiệp Chức vụ: Phó Chủ tịch UBND TP
- Ông (bà): Chức vụ:

b. UBND phường

- Ông (bà): Trần Anh Tuấn Chức vụ: ST UBND Phường
- Ông (bà): Lương Thị Kiều Châu Chức vụ: ST Phó Chủ tịch
- Ông (bà): Nguyễn Đình Cường Chức vụ: Tổng Kế toán Chi cục
- Ông (bà): Nguyễn Xuân Sĩ Chức vụ: Trưởng Ban An toàn Cư dân

c. Đại diện tư vấn

- Ông (bà): Trần Thị Ngọc Chức vụ: Chủ An toàn Cư dân
- Ông (bà): Vũ Đình Quang Chức vụ: Chủ Kỹ Thuật

d. Đại diện tổ dân phố/thôn/xóm: Đại diện cộng đồng và đại diện các hộ gia đình bị ảnh hưởng trực tiếp tại tổ dân phố/thôn/xóm/xã. Số lượng người tham gia: 21 người, trong đó: Nam 13 Nữ 08 (danh sách đính kèm biên bản này)

4. Mục đích cuộc họp

- (i) Cung cấp các thông tin về Dự án như: mục tiêu, địa điểm, tiêu chuẩn kỹ thuật, chủ đầu tư, đơn vị cho vay vốn, triển khai dự án...
- (ii) Phổ biến thông tin và tham vấn về phạm vi ảnh hưởng, những tác động tích cực và tiêu cực, các biện pháp giảm thiểu ảnh hưởng và các tác động tiêu cực của dự án;
- (iii) Phổ biến tham vấn về Khung chính sách tái định cư của dự án;
- (iv) Tham vấn và phổ biến thông tin về chính sách bồi thường, quyền được lợi được hưởng của những người bị ảnh hưởng bởi dự án;

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- (v) Phổ biến và tham vấn về những hình thức hỗ trợ, nhu cầu hỗ trợ của người bị ảnh hưởng và khả năng tiến hành các biện pháp phục hồi;
- (vi) Phổ biến quy trình khiếu nại và giải quyết khiếu nại về bồi thường GPMB và TĐC cho các hộ bị ảnh hưởng;
- (vii) Sự sẵn sàng tham gia của lãnh đạo địa phương và người dân đối với dự án

**5. Nội dung thảo luận**

Ông Trần Anh Tú: Chính quyền và người dân địa phương rất là vui mừng được UBND thành phố ngoài hàng ngàn năm đầu tư dự án cho phường. Dự án mang lại nhiều lợi ích cả kinh tế xã hội và môi trường. Chính quyền và người dân rất mong chờ và vui mừng dự án sớm được thực hiện.

Ông Nguyễn Đình Chung: Khu dân cư sẽ ở phường Trần Phú. Người dân địa phương rất là vui mừng với dự án được triển khai tại phường.

Dự án sẽ giúp cho người dân yên tâm sinh sống, làm việc và sát là và làm cảnh quan môi trường trong sạch hơn.

Hiện nay, người dân đang chờ đợi và chờ đợi địa bàn để người dân có thể yên tâm sinh sống tại phường. Dự án sẽ giúp người dân yên tâm sinh sống và làm việc.

Hiện nay, thị trường bất động sản đang rất sôi động. Năm 1997, thị trường bất động sản đang rất sôi động. Năm 1997, thị trường bất động sản đang rất sôi động.

Ông Nguyễn Xuân Sĩ: Phường được dân cư ở ở.

Ông Nguyễn Đình Trung: Khu dân cư sẽ ở ở địa bàn.

Tất cả các bên cần công khai công bố cho người dân được biết chi tiết hơn.

Ông Trần Anh Tú: Phường được dân cư ở ở địa bàn.

Ông Nguyễn Đình Trung: Khu dân cư sẽ ở ở địa bàn.

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**1. Kết luận**

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Cuộc họp kết thúc vào lúc.....A. Cùng ngày

Đại diện cộng đồng

*(Signature)*  
Nguyễn Xuân Sĩ

Đại diện Tư vấn

*(Signature)*  
Trần Thị Ngọc



Đại diện chính quyền địa phương

CHỦ TỊCH  
TRẦN ANH TÚ

Đại diện Ban QLDA

## 5. Ngoc Chau ward People's Committee

**CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM**  
**Độc lập – Tự do – Hạnh phúc**  
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**BIÊN BẢN THAM VẤN CỘNG ĐỒNG**  
**Về chính sách an toàn Tái định cư**

Dự án: Phát triển tổng hợp các đô thị động lực – Thành phố Hải Dương, tỉnh Hải Dương  
(vay vốn WB)

1. Thời gian tổ chức: 19h Ngày 13 tháng 10 năm 2017

2. Địa điểm tổ chức: UBND Phường Ngọc Châu

3. Thành phần tham dự:

a. Đơn vị chủ đầu tư

- Ông (bà): Bui Đức Hiệp Chức vụ Ban điều hành UBND TP
- Ông (bà): Chức vụ

b. UBND phường

- Ông (bà): Nguyễn Văn Tuấn Chức vụ CT UBND Phường
- Ông (bà): Trần Mạnh Cường Chức vụ Phó Chủ tịch Phường
- Ông (bà): Nguyễn Văn Hữu Chức vụ Đảng KDC Thị
- Ông (bà): Chức vụ

c. Đại diện tư vấn

- Ông (bà): Trần Thị Ngọc Chức vụ Công ty tư vấn xã hội
- Ông (bà): Vũ Đình Quyền Chức vụ lao động xã hội

d. Đại diện tổ dân phố/thôn/xóm: Đại diện cộng đồng và đại diện các hộ gia đình bị ảnh hưởng trực tiếp tại tổ dân phố/thôn/xóm/xã. Số lượng người tham gia 19 người, trong đó: Nam 7 Nữ 13 (danh sách đính kèm biên bản này)

4. Mục đích cuộc họp

- (i) Cung cấp các thông tin về Dự án như: mục tiêu, địa điểm, tiêu chuẩn kỹ thuật, chủ đầu tư, đơn vị cho vay vốn, triển khai dự án...
- (ii) Phổ biến thông tin và tham vấn về phạm vi ảnh hưởng, những tác động tích cực và tiêu cực, các biện pháp giảm thiểu ảnh hưởng và các tác động tiêu cực của dự án;
- (iii) Phổ biến tham vấn về Khung chính sách tái định cư của dự án;
- (iv) Tham vấn và phổ biến thông tin về chính sách bồi thường, quyền được lợi được hưởng của những người bị ảnh hưởng bởi dự án;

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- (v) Phổ biến và tham vấn về những hình thức hỗ trợ, nhu cầu hỗ trợ của người bị ảnh hưởng và khả năng tiến hành các biện pháp phục hồi;
- (vi) Phổ biến quy trình khiếu nại và giải quyết khiếu nại về bồi thường GPMB và TĐC cho các hộ bị ảnh hưởng;
- (vii) Sự sẵn sàng tham gia của lãnh đạo địa phương và người dân đối với dự án

**5. Nội dung thảo luận**

1. Ông Nguyễn Văn Hùng: là UBND phường Ngọc Khanh.....  
Đã cho tôi một buổi họp để nói về những vấn đề sau đây: Chia qua  
địa phương khu dân cư sẽ do của phường.....  
Tôi xin nêu như chủ đề của tôi như là sống ở xa thì khó  
sốt sắng về phường về chi phí người dân về chính quyền địa  
phương tôi xin nêu về những chi phí của tôi như là tiền thuê  
nhà.....  
2. Trần Mạnh Cường: làm hồ sơ địa chính: thời gian, tài sản của  
hộ tôi đã được cấp giấy chứng nhận quyền sử dụng đất và  
xây nhà của tôi như là vậy, vì của tôi là đất đai của nhà  
phường tôi xin nêu làm các hướng dẫn của người dân  
các chính sách bồi thường của mình, các chi phí, và phí tập  
thể chính quyền địa phương trong công tác tuyên truyền phía dân  
thông tin.....  
3. Ông Nguyễn Văn Hùng: Trưởng khu dân cư số 10 phường Ngọc Khanh  
Người dân tôi biết, được báo về mức bồi thường của tôi  
ai.....  
Tôi xin nêu các chi phí của tôi và mình biết được giá trị  
thực tế và hiện nay giá trị của tôi là bao nhiêu của UBND tôi  
thấy hơn một chút giá trị tôi thấy được. Nếu áp dụng giá trị  
của tôi như là một chút thì.....


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**1. Kết luận**

Đại diện chính quyền địa phương nhất trí ủng hộ  
chính sách di dân định cư không tái lập nhà ở  
cho thị trường trong vùng.

Cuộc họp kết thúc vào lúc..... Cùng ngày

Đại diện cộng đồng

  
Nguyễn Văn Ut  
Đại diện Tư vấn

  
Trần Thị Ngọc

Đại diện chính quyền địa phương

  
  
CHỦ TỊCH  
NGUYỄN VĂN HIỆU  
Đại diện Ban QLDA



Annex 2: List of affected households

Code	Full name	Gender	Hamlet/residential group	Ward/commune
I	Work item: Bach Dang river embankment			
HM2: 01	Hoàng Minh Đạo	Male	Zone 7	Tran Hung Dao
HM2: 02	Nguyễn Mạnh Hùng	Male	Zone 7	Tran Hung Dao
HM2: 03	Phạm Bá Trung	Male	Zone 7	Tran Hung Dao
HM2: 04	Trần Đình Long	Male	Zone 7	Tran Hung Dao
HM2: 05	Nguyễn Văn Sinh	Male	Zone 6	Tran Hung Dao
HM2: 06	Lê Thị Dương	Female	Zone 6	Tran Hung Dao
HM2: 07	Vũ Văn Khải	Male	Zone 6	Tran Hung Dao
HM2: 08	Phạm Văn Huấn	Male	Zone 6	Tran Hung Dao
HM2: 09	Nguyễn Tiên Cường	Male	Zone 6	Tran Hung Dao
HM2: 10	Vũ Thị Dung	Female	Zone 6	Tran Hung Dao
HM2: 11	Nguyễn Thị Bích	Female	Zone 6	Tran Hung Dao
HM2: 12	Nguyễn Công Thao	Male	Zone 5	Tran Hung Dao
HM2: 13	Đào Thị Bảo	Female	Zone 5	Tran Hung Dao
HM2: 14	Bà Phòng	Female	Zone 5	Tran Hung Dao
HM2: 15	Mr Hoan	Male	Zone 5	Tran Hung Dao
HM2: 16	Mr Hoàn	Male	Zone 5	Tran Hung Dao
HM2: 17	Trần Văn Tuyên	Female	Zone 5	Tran Hung Dao
HM2: 18	Nguyễn Kim Xuân	Female	Zone 5	Tran Hung Dao
HM2: 19	Nguyễn Thị Thược	Female	Zone 5	Tran Hung Dao
HM2: 20	Trần Lương Thịnh	Male	Zone 5	Tran Hung Dao
HM2: 21	Nguyễn Thị Bốn	Female	Zone 5	Tran Hung Dao
HM2: 22	Nguyễn Văn Tác	Male	Zone 5	Tran Hung Dao
HM2: 23	Nguyễn Thị Thịnh	Female	Zone 5	Tran Hung Dao
HM2: 24	Vũ Xuân Khải	Male	Zone 5	Tran Hung Dao
HM2: 25	Nguyễn Thị Thược	Female	Zone 5	Tran Hung Dao
HM2: 26	Phạm Thế Huynh	Male	Zone 5	Tran Hung Dao
HM2: 27	Mr Long	Female	Zone 5	Tran Hung Dao
HM2: 28	Vũ Đình Châm	Male	Zone 5	Tran Hung Dao
HM2: 29	Mr Thuận	Male	Zone 5	Tran Hung Dao
HM2: 30	Trần Thị Thảo	Female	Zone 5	Tran Hung Dao
HM2: 31	Nguyễn Thị Liên	Female	Zone 5	Tran Hung Dao
HM2: 32	Lý Thị Vận	Female	Zone 5	Tran Hung Dao
HM2: 33	Nguyễn Văn Dũng	Male	Zone 5	Tran Hung Dao
HM2: 34	Nguyễn Thuận Phụng	Male	Zone 10	Tran Phu
HM2: 35	Nguyễn Tấn Hùng	Male	Zone 10	Tran Phu
HM2: 36	Dương Viết Tước	Male	Zone 10	Tran Phu
HM2: 37	Nguyễn Tĩnh Ca	Male	Zone 10	Tran Phu
HM2: 38	Nguyễn Quốc Tú	Male	Zone 10	Tran Phu
HM2: 39	Đoàn Đình Phú	Male	Zone 10	Tran Phu
HM2: 40	Phùng Văn Dung	Male	Zone 10	Tran Phu
HM2: 41	Phùng Văn Dương	Male	Zone 10	Tran Phu
HM2: 42	Vũ Đức Tiến	Male	Zone 10	Tran Phu

*Dynamic Cities Integrated Development Project – Hai Duong city, Hai Duong province*

HM2: 43	Lê Tiên Minh	Male	Zone 10	Tran Phu
HM2: 44	Tổng Thị Dấu	Male	Zone 10	Tran Phu
HM2: 45	Bùi Ngọc Lan	Female	Zone 10	Tran Phu
HM2: 46	Bùi Văn Hưng	Female	Zone 10	Tran Phu
HM2: 47	Bùi Văn Quân	Male	Zone 10	Tran Phu
HM2: 48	Nguyễn Thanh Đoàn	Male	Zone 10	Tran Phu
HM2: 49	Bùi Ngọc Sơn	Male	Zone 10	Tran Phu
HM2: 50	Vũ Như Chung	Male	Zone 10	Tran Phu
HM2: 51	Nguyễn Thị Gái	Male	Zone 11	Tran Phu
HM2: 52	Nguyễn Minh Kiên	Female	Zone 11	Tran Phu
HM2: 53	Nguyễn Quang Phái	Male	Zone 11	Tran Phu
HM2: 54	Phan Văn Hùng	Male	Zone 11	Tran Phu
HM2: 55	Nghiêm Thị Lanh	Male	Zone 11	Tran Phu
HM2: 56	Nguyễn Thế Ân	Female	Zone 11	Tran Phu
HM2: 57	Phạm Văn Trọng	Male	Zone 11	Tran Phu
HM2: 58	Nguyễn Văn Hữu	Male	Zone 11	Tran Phu
HM2: 59	Dương Văn Đại	Male	Zone 11	Tran Phu
HM2: 60	Vũ Dũng Tiến	Male	Zone 11	Tran Phu
HM2: 61	Vũ Văn Kỳ	Male	Zone 11	Tran Phu
HM2: 62	Nguyễn Danh Tâm	Male	Zone 11	Tran Phu
HM2: 63	Lê Hữu Luật	Male	Zone 11	Tran Phu
HM2: 64	Phạm Đăng Quang	Male	Zone 11	Tran Phu
HM2: 65	Nguyễn Hồng Thái	Male	Zone 11	Tran Phu
HM2: 66	Vương Mạnh Hiệp	Male	Zone 11	Tran Phu
HM2: 67	Trà Đức Hào	Male	Zone 11	Tran Phu
HM2: 68	Lê Văn Thắng	Male	Zone 11	Tran Phu
HM2: 69	Phạm Quang Cường	Male	Zone 11	Tran Phu
HM2: 70	Nguyễn Văn Mọi	Male	Zone 11	Tran Phu
HM2: 71	Nguyễn Văn Bình	Male	Zone 11	Tran Phu
HM2: 72	Nguyễn Văn Nhân	Male	Zone 11	Tran Phu
HM2: 73	Nguyễn Ngọc Chuyên	Male	Zone 11	Tran Phu
HM2: 74	Ngô Quang Tình	Male	Zone 11	Tran Phu
HM2: 75	Phạm Nhật Đức	Male		Ngoc Chau
HM2: 76	Nguyễn Mạnh Trường	Male		Ngoc Chau
HM2: 77	Bùi Huy Thắng	Male		Ngoc Chau
HM2: 78				Ngoc Chau
II	Improving drainage system in the North of the railway			



**Annex 3: Proposed term of reference for independent monitoring consultant**

**I. Introduction**

1. The Project is implemented in five cities/towns, including (1) Hai Duong city (Hai Duong province); (2) Ky Anh city (Ha Tinh Province); (3) Tinh Gia town (Thanh Hoa Province); (4) Thai Nguyen city (Thai Nguyen Province), and (5) Yen Bai city (Yen Bai Province).

2. The overall objective of the project is to increase access to improved urban infrastructure services and enhance integrated urban planning and management capacity in the project cities.

3. The Project comprises of 2 components with the following contents:

- ***Component 1: Structural component – Rehabilitation and construction of urban technical infrastructure.***
- ***Component 2: Non-structural component***

4. The duration of “the Dynamic Cities Integrated Development Project” is expected to be 5 years, starting in 2018 and completed in 2023.

**II. Objectives of external monitoring**

5. Overall objective of external monitoring is periodically external monitoring and evaluating the achievement of resettlement objectives, changes in living standards and jobs, income and livelihood restoration of affected persons, effectiveness, impacts and sustainability of APs’ entitlements, necessity for mitigation measures of losses (if any) and strategic lessons for policy making and planning in the future.

**III. Scope of work**

**1) Assignments of consulting agency**

- Determine whether the procedures for AHs participation and delivery of compensation and other rehabilitation entitlements has been done in accordance with approved RPF and RAP, and

- Assess if the RPF and RAP objective of enhancement or at least restoration of living standards and income levels of DPs have been met.

- Gather qualitative indications of the social and economic impact of Project implementation on the AHs.

- Suggest modification in the implementation procedures, as the case may be to achieve the principles and objectives of this RPF and RAP.

**2) Monitoring issues**

- Payment of compensation, against the following criteria;
- Coordination of resettlement activities with construction schedule
- Provision of technical assistance for house construction for AHs
- The extent to which AHs are able to restore livelihoods and living standards
- Public consultation and awareness of resettlement policies
- The level of satisfaction of AHs with the provisions and implementation of the RAP
- Trends in living standards

- Monitor and provide advice on the prevention of potential risks posed by labor influx into the communities surrounding the project area (i.e. the people living or working in the communes immediately adjacent to the project site) during construction;
- Monitor and provide advice on the adequate protection of construction workers' safety at the construction site and the implementation of good work-place safety practices during construction;
- Monitor and provide advice on the adequate implementation of the project's Grievance Redress Mechanism (GRM); and to identify problems or potential problems and recommend remedies for problems..

### **3) *Monitoring indicators***

- Monitoring compensation payments for AHs
- Surveying women's participation in resettlement compensation consultation process:
- Restoring the civil infrastructure
- Providing resettlement sites
- Level of satisfaction
- Information dissemination and public consultation
- Income restoration
- Socio-economic survey
- Impact and gender strategy.
- Implementation of GRM
- Monitoring the contractor's labor influx

### **IV. *Monitoring method***

6. The methods of independent monitoring of RAP should be implemented by combination of the quantitative and qualitative methods, community meetings, focused group discussion, in-depth interview and sample survey. Sample size for each monitoring round may be 100% of relocated households and severely affected households and at least 20% of the remaining affected households.

7. The surveys should cover women, the elderly and other vulnerable groups on the basis of gender equality.

### **V. *Completion progress and reporting***

8. Independent monitoring consultant must submit the report every 6 month and reflect all findings during the monitoring. The monitoring reports will be submitted to the PMU, then the PMU will submit to the WB. The independent monitoring reports include as follows:

- Inception report
- Periodical report
- Final report

**VI. Compositions of Consultant Team and Requirements for Qualifications and Experiences**

*a) Requirements for qualification and experience of key personnel for each Subproject*

No.	Personnel	Minimum qualification and experience
1	Team Leader (Resettlement expert )  (National expert)	Team Leader has bachelor’s degree in the fields related to social sciences (economics, sociology, land management ...), has experience working more than 15 years since graduation, experimental leader of consultants for 03 independent monitoring consultancy packages on compensation, assistance and resettlement for projects funded by international donors such as WB and ADB.
2	Social expert  (National expert)	Social expert has bachelor’s degree in the fields of social sciences (economics, sociology, land management, etc).

*b) Requirements for capacity and experiences of consulting firm*

- Have working experience in social field in ODA projects for at least 03 years.
- Have experience in working with government and international organizations.
- Have experience and knowledge about issues that might occur during the implementation of compensation and site clearance work.

**VII. Monitoring schedule**

9. The monitoring is expected to be implemented within **6 intermittent months**, started from Quarter 2 of 2019 and finished at the end of Quarter 2 of 2022.

**VIII. Client’s responsibilities**

- Closely coordinate with the Independent Monitoring
- Consultant during the Contract performance period.
- Provide the Independent Monitoring Consultant with documents related to compensation and site clearance of the project.
- Manage Consulting Service Contract
- Arrange verification, acceptance and submission of outputs fully and timely.

Annex 4: Tor Rp Hai Duong

**1. SECTION 1 - BACKGROUND**

The Government approved proposal of the project "Dynamic Cities Integrated Development" on March 14, 2017 in Document No.2318/VPCP-QHQT. The project uses IBRD's fund and WB's fund and counterpart fund from the local budget/supporting capital from the Central.

The overall objective of the project is to support dynamic cities in economic development through integrated urban solutions.

Dynamic cities integrated development project covers multiple sectors and diversified investment works, including: road transport, flooding control system, wastewater drainage canals, technical infrastructure and social-welfare works, infrastructure in resettlement areas, etc. Construction option and technology will be proposed depending on specific works, technical characteristics, construction conditions and requirements. Design implementation and construction must comply with existing regulations of Vietnam. The dynamic cities integrated development project is carried out in 03 centrally-run cities: Hai Duong (Hai Duong province), Yen Bai (Yen Bai province), Thai Nguyen (Thai Nguyen province) and 02 provincially-run cities: Tinh Gia (Thanh Hoa province), Ky Anh (Ha Tinh province). Each subproject has 02 components.

Specific objectives of Urban Hai Duong Sub-Project – Hai Duong Province are to (i): To raise the competitiveness of Hai Duong urban center in attracting people to come for living, attracting investors to develop services, trade and tourism (ii): Minimize damage caused by flooding by improving and maintaining existing urban drainage capacity and ensuring urban drainage in the future when urbanized under approved plans; (iii) :To promote the economic development of Hai Duong urban area; (iv): Minimize the risk of traffic accidents through the development of interconnected transport corridors; (v) Improved control of urban development through soft solutions in urban management, climate change; (vii): Step by step realizing the approved plannings and plans.

02 components of Urban Hai Duong Sub-Project are followed:

*Component 1: Improvement of Urban infrastructure*

- Develop technical infrastructure
  - Develop technical infrastructure on Nguyen Luong Bang road (L= 5.01km);
  - Develop technical infrastructure on Thanh Binh (L= 3.84km);
  - Rehabilitate drainage capacity to prevent inundation
  - Dredge and line embankment for T1 canal banks (section from Nguyen Luong Bang to Sat river (L = 1.58km);
  - Construct Lo Cuong pumping station with capacity  $Q = 11\text{m}^3$ ;
- Rehabilitate drainage system in the North of the railway:
  - Construct Nghe Lake as the compensating lake, area  $F = 2.4\text{ha}$ ;
  - Rehabilitate the ditch system  $B \times H = 600 \times 600 - B \times H = 1000 \times 4000$  to conduct water (L = 4.09km);
  - Rehabilitate drainage system in the North of the railway: Construct open channel system,  $B \times H = 800 \times 80 - B \times H = 2000 \times 2000$  along 7 sewer locations on NH5, L = 3.5km, and construct two booster pumping stations along NH 5 with capacity  $Q_1 = 2.7\text{m}^3/\text{s}$  and  $Q_2 = 1.28\text{m}^3/\text{s}$ .

- Line the embankment for Bach Dang river banks from Tam Giang to the Dock (L =1.4km), construct one management road from 2- 4m wide.
- o Improve environmental sanitation:
  - Construct one separate drainage system with diameter size from D300- D600 with length L =127.14km;
  - Construct 4 booster pumping stations with capacity Q= 238m<sup>3</sup>/day to Q= 12,000m<sup>3</sup>/day and the forced pipeline from D150 – D600, L =1.53km;
  - Construct the wastewater treatment plant capacity Q=12,000m<sup>3</sup>/day by 2025.

### *Component 2: Technical Assistance and Investment Implementation*

The main objectives of this component are to (i) support the preparation of general development strategy of Hai Duong city; (ii) support preparation of development strategy for public transport; (iii) support preparation of plan for management of natural disaster and climate change.

For each Subproject of each city/district, a Consultant who is selected for preparing reports on safeguards for assisting the appraisal of the WB so as to achieve objectives as the funding roadmap of the project. The Consultant will not be the independent Consultant of FS preparation.

The objective of consulting service in this package is to Resettlement Plan (RP) for items of Urban **Hai Duong** Sub-Project under the Dynamic Cities Integrated Development Project. These reports must integrate adequate contents in compliance with existing regulations of the Government of Vietnam and the World Bank.

For such purposes, the TOR is prepared for selecting Consultant for preparation Resettlement Plan (RP) with following detailed tasks shown below.

## **SECTION 2 – RESETTLEMENT ACTION PLAN**

### **2.1 Objective of the assignment**

The objective for the RP is to set out the policies, principles, institutional arrangements, schedules and indicative budgets that will take care of anticipated resettlements of the project. These arrangements are also meant to ensure that there is a systematic process for the different stages of the implementation of a framework that assures participation of affected persons, involvement of relevant institutions and stakeholders, adherence to both World Bank and Vietnamese procedures and requirements, and outline compensation and assistance for affected persons.

### **2.2 Scope of the assignment**

The consultant is to develop the RP taking into consideration the outlined objective and principles. The main goal of the RP is to identify the Project Affected Persons, strategies for compensation/ restoration of livelihoods and to compensate losses adequately according the correspondent legislations and safeguard policies, and to apply the project activities with the least disturbance to the communities hosting the project. The preparation of this RP shall follow the requirements of the World Bank’s OP 4.12 on Involuntary Resettlement and Vietnamese legal and institutional requirements related to land acquisition which have been integrated in the RPF. In order to achieve this goal the following tasks have to be done by the consultant:

- Screening the presence of ethnic minority people in the project areas and examine whether they meet criteria as defined by the Bank in OP4.10 otherwise they could be treated as Kinh people. In case they meet criteria of OP4.10, the consultant

need to assess positive and negative impacts on them and recommend mitigation measures and relevant actions and include them in the RP.

- Conducting socioeconomic/inventory/census survey for the PAPs to identify and quantify different categories of project affected people (PAPs) who would require some form of assistance, compensation, rehabilitation or relocation.
- Describing the existing Vietnamese legal and policy framework for land acquisition; reviewing the laws, regulations that apply to reclaiming informally settled public land and involuntary eviction and resettlement.
- Reviewing the World Bank policies related to involuntary resettlement in order to ensure that the RP is developed in full compliance with these policies.
- Identifying the gaps between the national legislations and the World Bank policies related to involuntary resettlement and proposing practical procedures to bridge these gaps.
- Identifying the key social impacts that will associate with the involuntary resettlement process and the main categories to encounter these impacts.
- Preparing an entitlements matrix listing all likely effects as per relevant typologies to be developed on assets and resources.
- Preparing standards for compensation and restoration of the social and economic base of the PAPs to replace all types of loss, as appropriate.
- Developing clear executive time plan for the RP implementation linking the various steps to the various project components and execution plan, including institutional responsibilities, and monitoring parameters.
- Documenting the various consultation activities to be conducted as part of the RP and ensuring that information has been shared transparently through an active and informative consultation process.
- Developing communication and consultation plan to be adopted by the project implementation entities along the various stages of the project cycle.
- Identifying the institutional responsibility for implementation and procedures for the grievance redress, arrangements for monitoring and implementation of the monitoring system.
- Consulting the agencies responsible for land acquisition in the project city and the other institutes participating in the arrangement of resettlement activities in province. Their roles and responsibilities will be assessed.

### **2.3 Preparation of Resettlement action plan**

Tentative outline of the RP is provided in annex 4. Base on the outline of RP, primary and secondary data collected, the consultant will prepare RP for each project province to submit to the Bank for review and PPC for concurrence. The draft RP will be consulted with the affected people and the final RP will be disclosed to affected people and Infoshop of the Bank.

### **2.4 Methodology for preparation of resettlement policy framework and resettlement action plan**

The Consultant should be employing a participatory bottom-up transparent approach in the preparation of the resettlement policy framework and Resettlement Action Plan. Various qualitative and quantitative data collection tools will be used to engage various categories of Project Affected People (PAPs). The main tools that will be deployed include but are not limited to:

#### *2.4.1. Secondary data collection method:*

*Literature review:* including laws, legislations that govern expropriation and land acquisition (both national and WB guidelines and safeguard policies) trying to highlight the gaps and how to fill the gaps with practical measures; review annual socio-economic reports and socio-economic development strategy of the project city/province.

Conducting census, inventory of losses (IOL) and socio-economic survey for the RP. The main objective of the census survey for the RP is to help in establishing a comprehensive quantitative descriptive baseline for the PAPs. It also helps in providing in-depth understanding for the current socioeconomic situation related to project PAPs including their livelihoods and living conditions and the appropriate compensation tools.

The census questionnaire (socio-economic survey) will be designed to investigate a number of issues in order to assist in establishing a full profile about the PAPs. It will also help in establishing baseline conditions to help in measuring the impacts of resettlement of PAPs during later stage of the project.

#### *2.4.2. Survey tools:*

Different surveying tools could be employed to collect the needed data. A combination of both qualitative and quantitative data collection methods will be employed. The qualitative methods will aim to collect in-depth understanding and are generally more interactive and participatory techniques that will help in paving the way to the introduction of the structured inventory survey. The exact targeted number of focus group discussions (FGDs) and sample size will be determined before starting the survey.

The Consultant should employ a gender sensitive approach with special attention to be paid to the affected women in general and the female headed households in particular. The inventory survey should be covering a case by case of the PAPs with the aim of setting quantitative baseline conditions that allows for planning the various resettlement aspects including the allocations needed for compensation.

#### *2.4.3. Data analysis:*

The data collected through various surveying methods explained above will be carefully recorded on questionnaire, interviews transcripts and other data sheets. Various software for the analysis of both qualitative and quantitative data will be used, most importantly SPSS. Processed data will be included in baseline data of the project.

The Consultant will also ensure thorough review for the qualitative raw information in order to extract useful opinions/experiences/quotations/lessons learnt and add to the analysis of the RP wherever applicable.

#### *2.4.4. Field Observation*

The Consultant will also rely on field observations to enrich the findings on the current situation. Local surveyors (enumerators), local NGOs and natural/community leaders will be mobilized to assist in this task and field observation checklists will be designed in order for the team to fill during the field observations.

#### *2.4.5. Consultation*



*Consultation for the draft RPF:* This will aim to engage local key stakeholders, including affected people and involve them in the revision of the draft findings of the RPF. This step is very important and a key disclosure requirement for the World Bank. The requirements for arranging a public consultation including but not limited to:

- (i) Identification and invitation of various groups of stakeholders and ensure balanced representation (according to affiliation, gender, interests, etc) for all the groups including those who will be encountering various types of negative impacts.
- (ii) Selecting a venue which is neutral and convenient, provide transportation (if required) in order to encourage marginalized groups to participate.
- (iii) Preparation and delivering a presentation for the findings of the RPF.
- (iv) Recording and addressing the comments and concerns that the participants will raise during the consultation and ensure proper documentation for the event in the RPF.
- (v) It is crucial to adopt a gender sensitive approach with special attention to be paid to the affected women in general and the female headed households in particular.
- (vi) The consultant should consider local culture sensitive planning. In this regard, attention will be paid to develop alternative and plans in a culturally sensitive manner that is acceptable to the local population.

*Consultation for the draft RP:* The consultant should employ a consultative and participatory approach that allows the stakeholders, especially affected people for feedback and facilitate the process of endorsement of the studies. A consultation meeting for presenting the RPs findings will be planned. This will aim to engage local key stakeholders and involve them in the revision of the draft findings of the RP. This step is very important and a key disclosure requirement for the World Bank. The requirements for arranging a public consultation include but are not limited to:

- Identification and invitation of various groups of stakeholders and ensure balanced representation (according to affiliation, gender, interests, etc.) for all the groups including those who will be encountering various types of negative impacts.
- Selecting a venue which is neutral and convenient, provide transportation (if required) in order to encourage marginalized groups to participate.
- Preparation and delivering a presentation for the findings of the RP
- Recording and addressing the comments and concerns that the participants will raise during the consultation and ensure proper documentation for the event in the RP.

## **SECTION 3: REPORTS AND TIME SCHEDULE**

### **3.1 Reports and Documents**

All reports and documents shall be submitted at the times shown in the table below. However, in general, the timing of submission of the reports and documentation will depend on the progress of the consultant for preparation of Feasibility Studies and Basic Designs.

Reports shall be submitted initially as “Draft” for comment by the Client to PPC and the World Bank for comment. Following receipt of all comments, the Consultant shall make requested



amendments to the documents and resubmit as “Final” for approval if they meet requirements of the PPC and the Bank.

In addition to the above outputs, the Consultant shall submit Monthly Progress Reports detailing the status of the Consultant’s work and comparing actual progress against the agreed work schedule, to the client and the World Bank.

### **3.2 Time Schedule**

The assignment is expected to commence in the beginning of October of 2017 and to be completed within 6 calendar months, (expectedly to be completed by April of 2018). The precise dates of the required outputs may be subject to change and shall be agreed with the client, depending on the progress of the work of the consultant preparing the Feasibility Studies and Basic Designs.