

BAC LIEU PROVINCE PEOPLE'S COMMITTEE
BAC LIEU CITY PEOPLE'S COMMITTEE

**ETHNIC MINORITY DEVELOPMENT PLAN
FINAL VERSION**

VIETNAM SCALING-UP URBAN UPGRADING PROJECT

Public Disclosure Authorized

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FEBRUARY 2017

BAC LIEU CITY SUB-PROJECT- BAC LIEU PROVINCE

**ETHNIC MINORITY DEVELOPMENT PLAN
DRAFT FINAL**

VIETNAM SCALING-UP URBAN UPGRADING PROJECT

BAC LIEU CITY – FEBRUARY 2017

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ABBREVIATIONS

BCS	Broad Community Support
CEMA	Committee for Ethnic Minority Affairs
EMDP	Ethnic Minority Development Plan
EMPF	Ethnic Minority Policy Framework
EMs	Ethnic Minorities
FPIC	Free, prior and informed consultation
GOV	Government of Viet Nam
HHs	Households
IMA	Independent Monitoring Agency
IMC	Independent monitoring consultant
INTEC	International Engineering Consultant
IOL	Inventory of Loss
LIA	Low-income area
LURC	Land Use Right Certificate
MOLISA	Ministry of Labour Invalids and Social Affairs
OP 4.10	The World Bank’s policy on indigenous people
PAHs	Project Affected households
PAPs	Project Affected persons
PC	People’s committee of the city
PMU	Project Management Unit
RP	Resettlement plan
SA	Social assessment
SUUP	Scaling-up Urban Upgrading project
USD	US dollar
WB	World Bank

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GLOSSARY

- Project impact** Means positive and negative impacts on EMs caused by all project components. Adverse impacts are often consequences immediately related to the taking of a parcel of land or to restrictions in the use of the legally designated parks or protected areas. People directly affected by land acquisition may lose their home, farmland, property, business, or other means of livelihood. In other words, they lose their ownership, occupancy, or use rights, because of land acquisition or restriction of access. Adverse impacts also refer to impacts on (i) customary rights of use and access to land and natural resources; (ii) negative effects on the socioeconomic and cultural integrity; (iii) effects on health, education, livelihood, access to the project benefits, and social security status; and (iv) other impacts that may alter or undermine indigenous knowledge and customary institutions.
- Displaced (affected) people** Refers to individuals or organizations that are directly affected socially and economically by Bank-assisted investment projects caused by the involuntary taking of land and other assets 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. The involuntary land acquisition includes the exercise of possession when the proprietor has allowed and benefited from others' occupation of the area. In addition, affected person is one for whom involuntary restriction of access to legally designated parks and protected areas that result in adverse impacts on livelihoods also.
- Indigenous People** Equivalent to ethnic minority people in Viet Nam, refers to a distinct and vulnerable group with social and cultural characteristics in varying degrees as follows: (i) self-identification as members of a distinct indigenous cultural group and recognition of this identify by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, socio-economic ,or political institutions that are separate from those of the dominant society and culture; and (iv) an indigenous language, often different from the official language of the country or region.
- Vulnerable groups** People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related

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development benefits, include: (i) women headed household (single, widow, disabled husband) with dependents, (ii) disabled (loss of working ability), the elderly alone, (iii) poor and near poor household, (iv) the landless, (v) ethnic minority groups and (vi) the social policy households.

- Culturally appropriate** Means having regard to all aspects of the cultures, and being sensitive to their dynamics.
- Free, prior and informed consultation** Indigenous Peoples’ communities refer to a culturally appropriate and collective decision-making process subsequent to meaningful and good faith consultation and informed participation regarding the preparation and implementation of the project. It does not constitute a veto right for individuals or groups.
- Collective attachment** Means that for generations there has been a physical presence in and economic ties to lands and territories traditionally owned, or customarily used or occupied, by the group concerned, including areas that hold special significance for it, such as sacred sites. “Collective attachment” also refers to the attachment of transhumant/nomadic groups to the territory they use on a seasonal or cyclical basis.
- Customary rights to lands and resources** Refers to patterns of long-standing community land and resource usage in accordance with Ethnic Minority Peoples’ customary laws, values, customs, and traditions, including seasonal or cyclical use, rather than formal legal title to land and resources issued by the State.

EXECUTIVE SUMMARY

1. Introduction: Bac Lieu city is preparing the Feasibility Study for the Vietnam Scaling-up Urban Upgrading (SUUP) – Bac Lieu sub-project using WB loans. The project is expected to be implemented over 5 years and has 4 components: Component 1 – Tertiary Infrastructure Upgrading in Low Income Areas; Component 2 – Priority Primary and Secondary Infrastructures; Component 3 – Resettlement sites; Component 4 – Implementation support and capacity building. General objectives are to improve accessibility to basic infrastructures in low-income areas, to enhance network connection of basic infrastructure and to increase urban capacity for integrated urban planning with resilience to climate change.

2. Results of screening: Screening results in the project area have confirmed the presence of Ethnic Minorities (EM) in most of the areas covered by the project's investments in Bac Lieu City based on the definition included in the WB's OP 4.12 Policy and in the provisions of the Government of Vietnam Nam. In the project area, EM people (mostly Khmer and Chinese people) live scattered throughout the area, only Tra Kha, and Tra Khua clusters in Ward 8 include Khmer communities. Due to their higher vulnerability and their concentration in some project investments (LIAs), this EMDP will target only Khmer HH. Chinese are present in the project area and among affected HH. However, based on Social Assessment (SA) findings, they have equal or higher living standards with the Kinh.

3. Assessing project impacts on ethnic minority people: According to the SA which has been conducted in June 2016 in the project area, 4,229 Khmer people are present in the Project Area. In general, the Khmers are mainly located in the Low-Income Areas (LIAs) where they form communities which will greatly benefit from the improvement of infrastructures in the LIAs. A qualitative analysis of the project impacts on the Khmer ethnic group is presented in Chapter 4 of this report. It shows that activities of the project will not affect the tangible culture, historical monuments, and the biodiversity conservation area specific to Khmer people. A total of 118 Khmer HH will be affected by the Project through land acquisition. Among the 118 Affected Khmers, 5 HHs are affected by agricultural land and 115 HHs through loss of residential land; 2 HH are affected by both agricultural land and residential land; 43 Khmer PAHs will have their house affected, of which, 5 Khmer PAHs will need to be relocated.

4. Purpose of the Ethnic Minority Development Plan (EMDP): This EMDP aims to: (a) minimize, mitigate, and compensate for potential adverse impacts to the Khmer community, (b) ensure that the Khmer receive socio-economic benefits that are appropriate to and inclusive of both genders and which apply across generations. The EMDP is implemented based on the findings of the SA and consultations with the affected Khmer

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groups in the project area which were conducted in September 2016 by the social experts of International Engineering Consultant Joint stock company (INTEC).

5. Legal framework and policies: A Project Ethnic Minority Policy Framework (EMPF) was prepared based on the World Bank’s Operation Policy on indigenous people (OP.4.10) and on the relevant legislation of the GOV regarding Ethnic Minorities. This EMDP is based on the EMPF.

6. Community Consultation: The community consultation for the EMDP was announced in advance and was conducted by social experts. Consultation included: group discussions and in-depth interviews with the heads of the Khmer community and with affected Khmer households and other representatives of stakeholders in Bac Lieu city. The consultations were conducted in Tra Kha and Tra Khua villages in Ward 8, ward 7 (LIA 1) and ward 5 (LIA 5). Since almost all Khmer people in the project area can speak and write Vietnamese language, the consultation was carried out in Vietnamese with translation support from a Khmer-speaking member of staff in order to help people clearly understand the content of the consultation and to ensure an effective exchange of information.

7. Implementation arrangement: Bac Lieu City PMU (PMU) will share overall responsibility for the implementation of the EMDP in collaboration with other stakeholders (i.e. Committee for Ethnic Minority Affairs (CEMA) and the City Compensation and Land Clearance Committee). The EM community has been notified and has agreed on both the internal monitoring of the project and on the evaluation mechanism to be used by an independent monitoring agency recruited by the PMU for independent monitoring and evaluation (see chapter 9).

8. Grievance mechanism: A grievance mechanism has been set up for the project and all EMs have been notified of this mechanism. All complaints or grievances from the EMs related to involuntary resettlement or any other aspect of the project will be assessed and resolved promptly and satisfactorily without any fee or payment as stipulated in the grievance mechanism.

9. Budget and Finance: The total estimated budget for the implementation of the EMDP for Bac Lieu city subproject is 2.173.506.482VND (or 97.791 USD) which includes expenses for seminars, training courses, capacity building for the Khmers, and vocational training allowances (see chapter 10).

1. INTRODUCTION

1.1. Project proposal

In recent years, Vietnam has made efforts to develop the country's market economy, which promotes the increase of urban population and urbanization. Vietnam is experiencing large scale, high quality and rapid urban development; urban appearances have undergone positive changes through modernization, by forming new urban spaces, and by progressively meeting the working and living environment needs for urban citizens. Urbanization is seen as the driving force for development, economic restructuring, labor structure in each locality, each region and country. However, the process of urbanization in Vietnam is taking place spontaneously, on a large scale and in an unplanned manner. This leads to many problems including: Asynchronous and overloaded technical infrastructure and social infrastructure systems; Poor planning of transportation and low quality of transport infrastructure in urban areas, leading to increasingly serious traffic congestion; degraded and outdated drainage system in many urban areas resulting in frequent local flooding; Discharge of untreated waste and wastewater leading to environmental pollution.

To overcome the shortcomings mentioned above, Vietnam in general and the Mekong Delta region in particular, have set very clear objectives: to gradually establish and develop an urban system with synchronous, modern and sustainable infrastructure systems that are resilient to climate change; to enhance connections between urban areas ensuring comprehensive development of the technical infrastructure, social infrastructure and landscape; to utilize resources economically and efficiently, creating better living conditions for urban citizens; and to gradually erase the gaps between urban and rural areas. With the support of the World Bank, the Government of Vietnam will have implemented two urban upgrading projects between 2004 and 2017: 1) Vietnam Urban Upgrading Project (VUUP1), implemented in the four cities of Nam Dinh, Hai Phong, Ho Chi Minh city, Can Tho; and 2) Mekong Delta region Urban Upgrading Project (MDR-UUP) implemented in the six cities of Can Tho, Cao Lanh, My Tho, Tra Vinh, Rach Gia and Ca Mau. The projects have brought significant benefits and improved living conditions and capacity in urban and project management for the target cities. The Government considers the cities in the Mekong Delta Region (MDR) to be special priorities due to the increasing level of high vulnerability from natural water-related risks, requiring synchronous management to ensure the resilience of the MDR cities.

The proposed *Scaling-up Urban Upgrading project* supports the development of infrastructures for 7 cities including Vinh Long, Ben Tre, Long An, Vi Thanh, Soc Trang, Long Xuyen and Bac Lieu. The project was approved by the Prime Minister under Decision No. 1888/TTg – QHQT dated October 27, 2016. The implementation of the project will ensure a combination of both economic development and social security, which is entirely consistent with the policies of the World Bank and the development orientation of Bac Lieu city. The Project is also in compliance with the long-term objectives of Bac Lieu Province which include (i) Bac Lieu city becoming an urban center, an economic center and a growth engine, while meeting the objectives for socio-economic development of Bac Lieu Province and the Mekong

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delta; (ii) promoting economic growth by investing in the development of strategic infrastructures, implementing improvements and technical support in order to create an attractive investment environment.

1.2. Project objectives

- *Short - Term Project objectives*

The project's objectives are to improve access to infrastructure in low-income areas, improve connectivity of priority city-level infrastructure and enhance the capacity of local governments to carry out coordinated urban planning in participating cities.

- *Long -Term Project objectives*

Urban upgrading in the low-income residential areas will be implemented through a multi-sectoral investment package.

An urban development program will be broadly implemented through investment in primary and secondary infrastructure in order to enhance the connectivity of network infrastructure.

The project will promote construction of green infrastructure and adaption to climate change, improving access to public spaces and improving the capacity of the city on urban planning, land management and climate resilience.

1.3. Bac Lieu City Sub-Project

Bac Lieu City is the administrative, political, economic, social, scientific-technical, service and security - defense center of Bac Lieu Province and is a transport connection node for communication and trade with other provinces in the Mekong Delta.

Over the past years, Bac Lieu city has been constantly evolving in many fields: economic, political, cultural and social. Infrastructure systems and social infrastructures have been gradually improved. However, for the city to fulfill its important role and function within Bac Lieu province and the Mekong Delta region, the city needs to address and overcome shortcomings and weaknesses in terms of transport systems, water drainage, environmental sanitation, water supply and urban management capacity.

The Viet Nam Scaling-up Urban Upgrading Project – Bac Lieu subproject includes the following 4 components:

- **Component 1: Tertiary Infrastructure Upgrading in LIAs**

This component will invest in upgrading infrastructures for 5 LIAs (LIA 1 – Ward 7, LIA 2 – Ward 1, LIA 3 – Ward 2, LIA 5 – Ward 5, LIA 6 – Ward 8) with a total area of 70.33 ha. The total population of these LIAs is 7,000 people. The main items under the component for upgrading tertiary infrastructure in LIAs are proposed as the following:

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- Upgrading, renovating, expanding existing unsurfaced lanes/alleys and old concrete lanes/alleys to asphalt/concrete surfaces;
- Constructing water supply pipeline and the households' connection points for water supply;
- Constructing drainage systems and the households' connections points for the drainage;
- Constructing new electrical systems and public lighting systems along the lanes/alleys in the LIA's;
- Arranging dustbins in the lanes/alleys of the LIA's.

The investments in upgrading tertiary infrastructures in LIAs (5 LIAs) will contribute to the development of Bac Lieu city, improving the environmental conditions and the quality of life for residents in the project area.

- **Component 2: Priority Primary and Secondary Infrastructures:**

The investments for primary and secondary infrastructures will help to maximize the effectiveness of investments in tertiary infrastructures in LIAs. In addition, the investments in component 2 will also bring further socio-economic benefits for the city. Proposed investments are identified below:

Table 1: Investments under Component 2

No.	Item	Unit	Length
1	Improving Cau Xang canal to Tra Kha, Tra Khua,	km	4,8
2	Constructing De Lo Ren dyke	km	6,0
3	Upgrading district road No.6	km	1,0
4	Constructing internal roads in the west of Nguyen Dinh Chieu street, the extended Hai Ba Trung Street	km	0,7
5	Constructing Lo Bo Tay road	km	6,1

(Source: Feasibility Study)

- **Component 3: Resettlement Area (RA):**

An 3.04ha Resettlement Site (RS) will be built in Ward 1 with a complete technical and social infrastructure system including: leveling, constructing roads, planting trees, building water supply and drainage systems, constructing electrical lighting systems and installing an electricity supply. The RS will also include the construction of social utilities (shops and commercial services) to meet the essential needs of the resettled people.

• **Component 4: Implementation support and capacity building:**

Activities under this component include support for (i) capacity building for project implementation and management (capacity on social safeguards, finance, procurement, monitoring and assessment, including auditing and learning experiences from domestic/foreign partners); (ii) capacity strengthening on urban planning that integrates climate change resilience, (iii) increasing capacity to plan for a climate change resilient city.

1.4. Objectives of the EMDP

According to the WB's Indigenous people policy (OP 4.10), due to the presence of EM in the Project area, the preparation of an EMDP is required to: ensure full respect for the dignity, human rights and cultural uniqueness of EMs; ensure that EMs do not suffer adverse impacts during the development process; and ensure that EMs receive culturally compatible social and economic benefits. Specifically, the EMDP will:

- Identify measures for mitigating negative impacts on the EM community, and maximize the benefits of the project by selecting the most suitable design alternative.
- Prepare and analyze the EMs legal and policy framework, budget plan and efficient implementation of activities to carry out target activities for affected population.
- Provide results from consultations and give advance notice and identify a participatory framework for project implementation
- Ensure that local EMs are involved in the process of project design and implementation so that EM peoples receive appropriate, cultural and comprehensive social and economic benefits for both genders and across the generations.
- Define the monitoring indicators and the monitoring and evaluation process.

2. NATIONAL LEGAL AND POLICY FRAMEWORK

2.1 National Legal and Policy Framework for Ethnic Minorities

The Constitution of the Socialist Republic of Vietnam (2013) recognizes the equality between ethnic groups in Vietnam. Article 5 of the Constitution in 2013 provides:

1. The Socialist Republic of Vietnam is the unified state of all nationalities living in the country of Vietnam.
2. The nationalities equal, unite, respect and help each other to develop; prohibits any discrimination, ethnic division.
3. The national language is Vietnamese. The nation has the right to use voice, text, preserve the national identity, promote traditions, customs and culture.
4. The State implements a comprehensive development policy and creates reasonable conditions for the ethnic minorities to mobilize resources, along with the development of the country.

The Socio – Economic Development Plan and Socio – Economic Development Strategy of Vietnam specifically calls for attention to ethnic minorities. Major programs targeting ethnic minority people include Program 135 (infrastructure in poor and remote areas) and Program 134 (eradication of poor quality houses). A policy on education and health care for ethnic minorities is in place. The legal framework was updated in 2014.

The Government of Vietnam has developed a series of policies to develop, enhance the socio – economic conditions of ethnic minorities in the mountainous and remote regions. After the program 134 and the program 135 (phase 1 and phase 2), the government launched program 135 phase 3 with an opportunity to enhance socio – economic development in poor communes and villages located in mountainous areas or where inhabited by ethnic minorities. In addition to the overall development program for ethnic minorities, the Government assigned the Committee for Ethnic Minorities Affairs to guide provinces to implement projects to provide Development Assistance for ethnic groups with less than 1,000 people, i.e. Si La, Pu Peo, Ro Mam, Brau, O Du. The Government also conducted a Rapid and Sustainable Pro – poor Program in 61 poor districts, where many ethnic minorities live.

Several Decrees, circulars and decisions have been issued regarding EMs. Decree No. 05/2011/ND-CP (January 14th, 2011), provides the guidance for activities related to EMs which include support for the maintenance of language, culture and customs of EMs. According to this Decree, proposed projects affecting land, environment, or the life of EM communities, should disclose information and consultations should be carried out with representatives of the local authorities to ensure that all investments result in improved living conditions, and are carried out in a culturally appropriate manner (article 9).

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The Prime Minister promulgated the Decree No. 84/2012/ND-CP dated 12 October, 2012 on the functions, tasks, powers and organizational structure of CEMA. The Decree stipulated that the CEMA, a government agency, performs the function of state management of ethnic affairs in the country; state management of public services falls under the jurisdiction of CEMA as stipulated by law. Decree 05/2011/NDCP dated 14 January, 2011 on the work of EMs and Decree 84/2012/ND-CP were issued as a legal basis for CEMA to continue: implementing guidelines and policies of the State on ethnic minorities in the period of industrialization and modernization; promoting the power to unite the whole nation with the goals of enriching people, and strengthening the country, social justice, democracy and civilization, in order to ensure and promote equality, solidarity, respect and to help each other to develop and preserve the cultural identity of the peoples in the great family of ethnic groups of Vietnam.

The following regulations issued by the Government on the basis of democracy and the participation of local people are directly related to this EMPF. Ordinance No. 34/2007/PL-UBTVQH11, dated 20 April, 2007 (which replaced Decree 79/2003/ND-CP dated 07 July, 2003) on the implementation of democracy in communes, wards and towns provides the basis for community involvement in the preparation of development plans and supervision of community in Vietnam. Decision No. 80/2005/QĐ-TTg by the Prime Minister, dated 18 April, 2005 regulates the monitoring of community investments.

In 1995, The Committee of Ethnic Minority Affairs developed a framework for External Assistance through the Development of Ethnic Minorities. This framework resulted in a strategy for the development of ethnic minority people within the Government's goal of stability, sustainability growth and reduction of poverty. The key points of this framework are: a) to fight against poverty; b) to encourage active participation of the populations of ethnic minorities; d) to develop natural and human resources in sustainable manner; and e) to ensure mutual respect between, and increase the responsibility of the parties involved. The Decree No. 60/2008/NĐ-CP of the Prime Minister dated 9 May 2008 regulates the functions, tasks, powers and organizational structure of CEMA. The CEMA performs its functions of state management of nationwide ethnic minority affairs, public services within its authorities, and provincial departments. In provinces with a significant ethnic minority population, a Department of Ethnic Minority Affairs exists under the Provincial People's Committee. The functions of CEMA include the development of regulations on the implementation of development programs for EM, the monitoring of programs as well as acting as coordinator among different ministries of Vietnam and cooperating with international organizations within its authority as regulated by law.

The legal framework was updated in 2014, all legal documents related to EM are shown in Table 2.

Table 2: Legal documents relating to ethnic minority

Time	Documents
2016	Decision No. 2086/TTR-UBDT dated 31/10/2016 on Approval of the Special policy to support socio-economic development in ethnic minority and mountainous areas in the period of 2017 - 2020
2016	Decision 2085/QD-TTg dated 31/06/2016 on Approval the Special policy to support socio-economic development in ethnic minority and mountainous areas in the period of 2017 – 2020
2016	Decision No. 12/2016/QD-TTg dated 11/03/2016 (On the continued implementation of Decision No 30/2012/QD-TTg dated 18/07/2012 on the criteria for determining particularly difficult villages, communes in ethnic minority and mountainous area in 2012-2015) and Decision No 1049/QD-TTg dated 26/06/2014 (Promulgating list of administrative units in disadvantaged areas)
2015	Decision No. 1557/QD-TTg dated 10/09/2015 of the Prime Minister on the approval of a number of indicators for the Millennium Development Goals for ethnic minority associated with sustainable development goals after 2015.
2014	Decision No. 456/QD-CEM dated 07/11/2014 on the issuance of the implementation plan to raise the effectiveness and efficiency of the State management of ethnic minority affairs.
2014	Directive No.28/CT-TTg dated 10/08/2014 on improving the effectiveness and efficiency of the State management of ethnic minority affairs.
2013	Joint Circular No. 05/2013-TTLT –UBDT-NNPTNT-KHDT-TC-XD dated 18/11/2013 guiding the supported program 135 on investment in infrastructure, economic development for extremely difficult communes, borderline communes, social security area, and extremely difficult village and hamlets...
2013	Decision No. 2214/QD-TTg dated 14/11/2013 of the Prime Minister, approving the scheme for Enhancing international cooperation to support the socio-economic development of Ethnic Minorities.
2013	Decision No. 56/2013/QD-TTg dated 07/10/2013 on the amendment and supplement of some provisions of Decision No 18/2011/QD-TTg dated 18/03/2011 of the Prime Minister on the policy for prestigious people in ethnic minorities.
2013	Decision No. 29/2013/QD-TTg of the Prime Minister, dated 09/06/2008 on a number of policies to support resettlement land, cultivated land and jobs for ethnic minorities and difficult households in the Mekong delta region.
2013	Decision No. 551/QD-TTg dated 04/04/2013 of the Prime Minister, approving the program supported 135 investment in infrastructure, support for production supported program 135 on investment in infrastructure, production development for extremely difficult communes, borderline communes, social security area, and extremely difficult village and hamlets.
2012	Circular No.02/2013/TT-UBDT dated 04/12/2012 guiding the implementation of some articles of Decision No. 54/2012/QD-TTg dated 04/12/2012 of the Prime Minister promulgating the loan policy for economic development for ethnic minority households with special difficulties

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2012	Decision No. 42/2012/QD-TTg dated 08/10/2012 of the Prime Minister Regarding Support for organizations and units utilizing employees that are ethnic minority people in mountainous and special difficult areas
2012	Joint Circular No. 01/2012 / TTLT-BTP-CEM date on January 17, 1012 of the Ministry of Justice and the Committee for Ethnic Minorities on guidelines and legal assistance for ethnic minorities.
2010	Decision 2123/QD-TTg dated 22/11/2010 of the Prime Minister approving the scheme on educational development for ethnic minorities.
2010	Decree No.82/2010/ND-CP dated 15/07/2010 regulating for teaching and learning the spoken and written language of the ethnic minorities in general education and continuing education centers.
2009	Decision No. 61/QD-UBND on 12/03/2009 on the recognition of the communes and districts in mountainous areas and highlands due to the adjustment of administrative boundaries.
2008	Resolution No.30a/2008/NQ-CP of government, dated 27 December 2008 on the support program for rapid and sustainable poverty reduction for 61 poorest districts
2008	Decision No. 1366/QD-TTg dated 25/09/2008 of the Prime Minister on the amendment and supplement to Decision No. 289 / QD-TTg of March 18, 2008 on the issuance of a number of policies in support of EM, social policy households, poor and nearly poor households and fishermen.
2008	Resolution No. 30a / 2008 / NQ-CP dated 20/5/2013 of the government on supporting program for rapid and sustainable poverty reduction for 61 poorest districts.

Challenges and gaps in the legal systems

In terms of the national legal framework, equality and rights of Ethnic Minorities (EM) are stipulated clearly in the Viet Nam Law. The new Constitution of Viet Nam (2013) acknowledges equality among ethnic groups and includes general principles such as: i) All the ethnicities are equal, unified and respect and assist one another for mutual development; all acts of national discrimination and division are strictly forbidden; ii) The national language is Vietnamese. Every ethnic group has the right to use its own language and system of writing, to preserve its national identity, to promote its fine customs, habits, traditions and culture.; and iii) The State implements a policy of comprehensive development, and provides conditions for the ethnic minorities to promote their physical and spiritual abilities and to develop together with the nation.

Several Decrees, circulars and decisions have been issued regarding EMs. Decree No. 05/2011/ND-CP on ethnic minorities' works (Article 9) indicates that investors of planning and construction projects that affect the land, environment, ecology and life of ethnic minority groups shall publicize these projects, collect opinions of inhabitants in affected areas, organize resettlement and create conditions for relocated people to enjoy a better life in new areas.

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Some gaps remain, they are discussed below:

- No provision is made in the legal framework for a separate indigenous peoples' plan (IPP) or for a separate social impact assessment to be prepared. However, for projects with impacts on socioeconomic status and cultural traditions, a framework policy has to be prepared (Land Law No: 45 /2013/QH13. Article 87 and Decree No. 47/2014/ND-CP Art. 17.1). Under the Project, SAs and EMDPs will be prepared.
- The legal framework doesn't clearly recognize customary rights on land. However, under the land law, land used stably before 1st July 2014, is entitled to compensation. Land Law (At. 131) also, specifies that the use of agricultural land by communities is regulated as follows: a) Communities are allocated land or recognized land use rights by the State to preserve national dignity associated with the traditions and customs of the peoples. Under the Project, customary rights on land, if any, will be recognized.
- The existing legislation doesn't require the consent of ethnic minorities for commercial exploitation of their culture and knowledge, their physical relocation from their traditional land, or the commercial development of natural resources on their traditional land. They are treated like other citizens with the same rights. There is no specific mechanism to assess community support for the project. Under this Project, the broad community support for the Project will be sought.

❖ Policies of Bac Lieu province and programs for ethnic minority people

Bac Lieu province has an Ethnic Minority Committee to implement the policies and programs of the Government and Bac Lieu province that relate to ethnic minority groups within the province.

On 13/07/2016, the People's Committee of Bac Lieu Province issued a plan to achieve the Millennium Development Goals and the post 2015 Sustainable Development Goals for ethnic minorities in Bac Lieu Province with an implementation period from 2016 to 2020 and orientation toward 2025. The plan identifies the criteria to be used to focus, integrate and prioritize the allocation of resources in the effort to achieve the goals set out in the plan and contribute to comprehensive socio-economic development and rapid and sustainable poverty reduction, thereby reducing the gap between ethnic minorities and the rest of the population as well as the gap between certain areas in the province with particularly difficult socio-economic conditions.

To achieved the goals in the plan, the Provincial People's Committee has proposed 6 solutions for implementation:

- Departments, branches and local authorities proactively include the plan in the annual, 5-year Socio-economic development plans; cooperate with each other and mobilize all resources to implement the plan to meet the planned goals.

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- Mobilize and concentrate all investments and supporting resources to implement and complete the Millennium goals and to provide a base for achieving some sustainable development objectives for ethnic minorities after 2025.
- Complete the policy monitoring mechanism from the province to the grassroots level, promote decentralization for grassroots governments, encourage the participation of people during the preparation and implementation of the policies for poverty reduction, social welfare and socio-economic development of ethnic minority areas.
- Promote communication and the provision of information in compliance with EM culture and language to improve people’s awareness and behavior on gender equality, environment, sanitation, healthcare, prevention of HIV/AIDS and infectious diseases, as well as the development of culture and education and sustainable poverty reduction.
- Mobilize funds and technical assistance from different economic sectors both inside and outside the province and from various sources to achieve the planned goals.
- Establish a mechanism for monitoring, evaluation and effective and efficient supervision, clearly define the responsibilities of stakeholders during the implementation process.

The Provincial Committee of Ethnic Minorities is appointed to be the standing committee supporting the Province to implement, manage, monitor, direct, check and cooperate with the related authorities to implement the plan.

2.2 World Bank’s Operational Policy on Indigenous Peoples (OP 4.10)

The OP 4.10 aims to avoid potentially adverse effects on indigenous people and promote activities that bring Project benefits for indigenous people while taking into account their cultural demands and needs. The Bank requires indigenous peoples, (referred here as Ethnic Minorities), to be fully informed and able to freely participate in projects. The project must be widely supported by the affected EMs. The project is designed to ensure that the EMs are not affected by the adverse impacts of the development process, with mitigation measure to be defined if required, and that the EM peoples receive socio-economic benefits that are culturally appropriate to them. The Policy specifies that EMs can be identified in particular geographical areas by the presence, in varying degrees, of the following characteristics:

- (a) Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- (b) Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- (c) Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and

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- (d) Speak an indigenous language, often different from the official language of the country or region.

As a prerequisite for approval of an investment project, OP 4.10 requires the borrower to conduct free, prior and informed consultations with potentially affected EM peoples and to establish a pattern of broad community support for the project and its objectives. The primary objectives of OP 4.10 are:

- To ensure that such groups are afforded meaningful opportunities to participate in planning project activities that affect them;
- To ensure that opportunities to provide such groups with culturally appropriate benefits are considered; and
- To ensure that any project impacts that adversely affect them are avoided or otherwise minimized and mitigated.

According to OP 4.10, and based on the EMPF, this EMDP includes a preliminary screening of ethnic minorities, a social assessment, identification of mitigation measures to minimize impacts and of measures to maximize benefits, measures for resolving complaints/claims and measures to take into account gender-sensitive issues, and monitoring provisions. Ethnic minorities will have long-term benefits through investment in the components of the project especially for Component 1. However, they can also be negatively affected by land acquisition and/or resettlement and other negative social impacts. Specific policies and action plans to minimize the potential impact of land acquisition and resettlement will be addressed through the preparation of resettlement action plan for each subproject.

Concerning consultation and participation of ethnic minority peoples, where the sub-projects affect ethnic minorities, the free, prior and informed consultation will ensure that:

- a) Ethnic minorities and ethnic minority communities will be consulted at each stage of preparation and implementation of the subproject;
- b) Methods of consultation appropriate to the culture and society of EMs are applied when carrying out consultation for EMs. During the consultation process, special attention will be paid to the concerns and wishes of women, youth, children and their accessibility to development activities;
- c) The ethnic minority people and communities affected by the project will be provided with information (including information about the potential negative impact of the project in line with their culture at each stage of preparation and implementation of the subproject);
- d) Free, prior and informed consultation will be carried out for EMs to achieve broad support of the community for the implementation of the project.
- e) In situations where the EM groups (equivalent to indigenous peoples) in Bac Lieu City are likely to receive direct benefits from the Project (most of the affected EM are located in LIAs where drainage, sanitation and access will be improved), but are negatively

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affected by land acquisition and/or relocation or other negative social impacts related to the sub-projects, a specific policy and action plan to mitigate the potential impacts due to land acquisition and relocation will be developed through the preparation of the Resettlement Plan (RP) for Bac Lieu City.

3. FEATURES OF ETHNIC MINORITIES IN THE PROJECT AREA

Information on Ethnic Minorities groups is based on the Social Assessment (SA) conducted in the project area in 6/2016. A. The SA is a study with the aim of discovering how the planned activities of the sub-project in Bac Lieu City will affect the livelihoods and living conditions of ethnic minorities living in the sub-project areas. The purpose of the SA is to ensure that if there are any negative impacts that may occur as a result of the sub-project, then the appropriate measures are taken immediately (before the implementation of subproject) to avoid, mitigate and minimize the negative impacts, or if they are unavoidable, to provide proper compensation to those affected.

The SA also aims to survey, based on a specific understanding of the cultural and socio-economic characteristics of the ethnic minority communities, the feasible development activities that the project can proceed with (in relation to the purpose/objective of the project) in order to ensure that EM people in the sub-project area receive socio-economic benefits that are most appropriate for them. The methodology used for surveying and evaluating include both qualitative and quantitative methods, as follows:

Collecting secondary documents: Collect and study available documents related to the project, including annual reports and statistical document of the province and city. Draw on experience from results of previous studies on the Ethnic minorities in the City.

Questionnaires: Surveys were conducted using questionnaires by selecting a random sample of 187 EM households (100 Khmer households and 87 Chinese households¹). The results of the SES conducted among 1,118 HH during RP preparation was also used.

In-depth interview and group discussions: In each ward in the project area, a group discussion meeting was organized with stakeholders in order to supplement and clarify socio-economic information and to understand the demands of EM people in the project area. Participants included: the representatives of the City People’s Committee (2 people), a representative of the CEMA (1 person), representatives of the community (5 people) and representatives of the consultant (2 people).

Important findings related to the socio-economic characteristics of Khmer people are presented in this Chapter of the report.

3.1. Ethnic minority community in Bac Lieu city and the project area

There are 3 ethnic minority groups in Bac Lieu city: Khmer, Chinese and Cham. On 31/12/2015, the total number of ethnic minority households in the city was 7,113 households (or 32,662 people), accounting for 21% of the population in the city. 16,975 Khmer people (10.9%) live in communities that are mainly located in LIAs. Chinese people represent 10% of the

¹Chinese HH were surveyed to confirm their higher socioeconomic standards and as a mean of comparison with Khmers.

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population. Cham people account for a minor percentage of the population and are living in a scattered manner with other groups, all over the city.

Surveyed results showed that, Chinese people live scattered in the project area and most of them do not live in the LIAs. Their living conditions and their level of income is equal or even better than Kinh people (see section 3.2). Chinese people are therefore not included in the EMDP. The EMDP will target only Khmer people due to their relatively large number in the Project area (especially in the LIAs) and their vulnerability. Their economic status is considerably lower than other groups; and they typically have a lower education level.

Table 3: Ethnic minority in Bac Lieu city

Area	Number of EM people			Total population of the area	Percentage of EMs per total population (%)
	Khmer	Chinese	Cham		
Ward 1	414	1,980	25	21,811	11.1
Ward 2	373	1,123	-	14,522	10.3
Ward 3	295	3,200	-	17,197	20.3
Ward 5	90	2,844	-	19,180	15.3
Ward 7	400	778	10	17,574	6.8
Ward 8	1,437	503	10	15,835	12.3
Nha Mat ward	727	565	-	10,739	12.0
Hiep Thanh commune	493	1,485	-	9,379	21.1
Vinh Trach commune	3,120	853	-	15,451	25.7
Vinh Trach Dong commune	9,626	2,300	11	13,831	86.3
City	16,975	15,631	56	155,519	21.0

(Source: Statistical data in 2015, Bac Lieu city)

The project covers: ward 1, ward 2, ward 3, ward 5, ward 7, ward 8, Nha Mat ward and Hiep Thanh commune (Table 4 below).

Table 4: Project's scope of work and impacts on the EMDP

Area	Investments	Number of EM APHs			Total
		Khmer	Chinese	Cham	
Ward 1	LIA 2; District road No. 6	2	31	2	35
Ward 2	LIA 3; Lo Bo Tay road	7	4	0	11
Ward 3	Hai Ba Trung road	0	4	0	4
Ward 5	LIA 5; De Lo Ren road	0	6	0	6
Ward 7	LIA 1	9	2	1	11
Ward 8	LIA 6 ; Cau Xang canal Nguyen Dinh Chieu road	93	12	1	106
Nha Mat ward	Lo Bo Tay road	6	4	0	10
Hiep Thanh commune	De Lo Ren road	1	6	0	7
Project area		118	69	4	191

3.2. Socio-economic characteristics of Khmer people in the project area

The screening results for ethnic minorities showed that most of the Khmer people in the project area are living in a scattered or integrated manner with Kinh people; concentrations of Khmer people that formed a community is only found in Tra Kha and Tra Khua clusters of ward 8

(where Khmers account for 46.5% of the population). Therefore, specific actions are needed in these clusters.

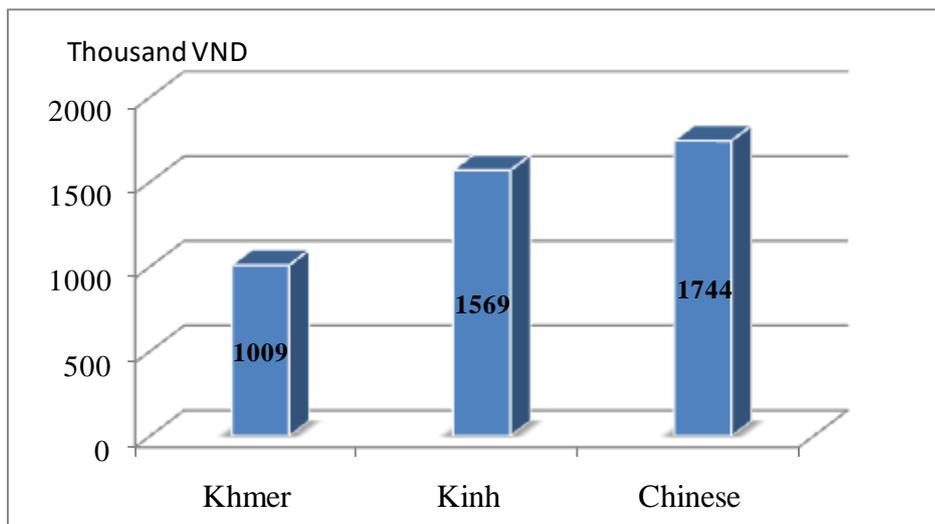
Surveys among Khmer HHs helped to identify their socio-economic conditions and their cultural and social characteristics as described in the following sections.

3.2.1 Occupation and Income

Most of the Khmer people in the project area are hired workers (83.0%) which typically does not allow them to generate stable incomes. Khmer people working in other fields (agriculture, trading, public servant etc.) account for a very small percentage of the total. Khmer people usually experience more difficult economic conditions than Kinh and Chinese people in the area; poor households among Khmers account for 32% while this number is 4.75% for the total population in the City. (Source: Statistical data in 2015, Bac Lieu city).

The average household income per month of Khmer households in the project area is 5,035,000 VND/HH, with an average household size of 4.99 persons. The income per capita is therefore around 1,009,000 VND/person, which falls between the poor and nearly poor standard for urban areas for the period of 2015-2020 based on Ministry of Labour, Invalids and Social Affairs (MOLISA) standards. This income is much lower than the income per capita for Kinh and Chinese people in the same area (1,569,000 VND/person/month for Kinh and 1,744,000 VND/person/month for Chinese people according to the socio-economic survey carried out in the project area in 06/2016). See Figure 1 below for a comparison of per capita incomes.

Figure 1: Comparison of per capita income per month of Khmer, Kinh and Chinese



(Source: Socio-economic survey, 2016)

3.2.2. Vulnerable Households among the Khmer community

The screening vulnerable households among the Khmer community showed that: there are 32 poor households (accounting for 32.0% of the total surveyed households); 02 female-headed households with dependents (accounting for 2.0%); and 3 social policy households (accounting for 3.0%).

3.2.3 Access to Services

➤ Water supply - drainage

The survey results showed that 73.0% of Khmer households have access to clean water supply services (many households use combined water sources including tap water, well water and rainwater for different purposes), as compared to 89% of the Kinh people and 95.2% of the Chinese people in the same area (Table 5 below). Some Khmer households are too poor to afford to pay for water supply services.

Table 5: Source of water among the different groups

Ethnicity		Tap water		Bored well		Rain water		Canal/ river/pond	
		Yes	No	Yes	No	Yes	No	Yes	No
Kinh	Number of HHs	958	118	249	827	99	977	7	1069
	Percentage (%)	89,0	11,0	23,1	76,9	9,2	90,8	0,7	99,3
Khmer	Number of HHs	73	27	30	70	19	81	4	96
	Percentage (%)	73,0	27,0	30,0	70,0	19,0	81,0	4,0	96,0
Chinese	Number of HHs	83	4	1	86	0	87	0	87
	Percentage (%)	95,4	4,6	1,1	98,9	0,0	100,0	0,0	100,0

(Source: The results of socio-economic survey of Bac Lieu city, 2016)

Waste water from Khmer households is mainly directly discharged into canals (accounting for 59%); only 33% of households are connected to the common waste water system; in addition, some households directly discharge waste water to their garden areas, to vacant land or for percolation into the soil.

➤ Electricity for daily life and lighting purposes

About 95% of Khmer households have been directly connected to the national electricity network, the remaining households share connections with other households.

➤ Waste and environmental sanitation

Domestic wastes and solid wastes in area where Khmer people live are not collected completely; there are still more than 30% of households who do not have access to a garbage collection service. The reason either appears to be linked to the poor condition of infrastructure in the area, to their economic conditions or to the living habits of people (i.e. people cannot afford to pay for waste collection services or people retain their practices of dumping garbage

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into channels/canals or due to the narrow alleys, garbage trucks cannot access to the area to collect waste).

The percentage of Khmer households using toilets is around 84% (for Kinh in the same area it is 95.7%). Other Khmer households share their toilets with neighboring households or use toilets on the channel, discharging excrement directly into drains causing hygiene problems.

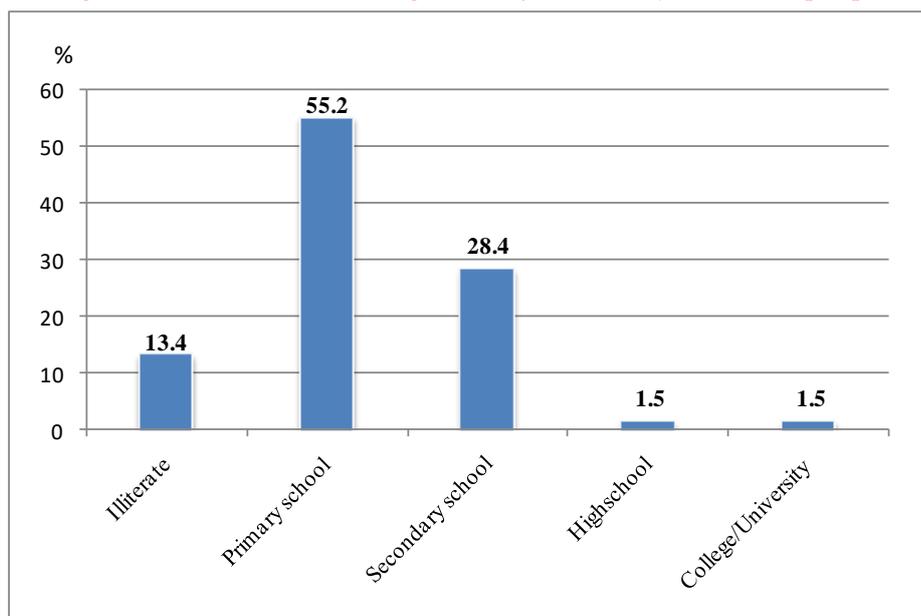
The main environmental problem affecting the Khmer people’s area is the water pollution of the channel/canal due to the discharge of domestic waste. Other environmental problems are linked to stagnant water, due to poor drainage systems and frequent inundation generating flies and mosquitoes.

➤ Healthcare - Education

Results of the SA for healthcare and education showed that: 95% Khmer people in the project area have healthcare insurance, reflecting people’s high regard for their own health and family protection. The proportion of people contracting diseases two months prior to the survey was 45% (while the results for Kinh people in the same area was 39.8%); the most common diseases are headache, flu and diarrhea.

The educational level of most of the Khmer people surveyed is primary level, accounting for 51% while the number of Khmers who reached secondary level account for 30.5%. Those who reached high school and achieved college/university degrees account for a very small percentage (only 2.0%). 16.5% of surveyed Khmer people are illiterate or never went to school. However, in-depth interviews with local authorities showed that, thanks to propaganda and supportive policy (free education) for ethnic minority people, most of the school-age children in the Khmer community are enrolled in school (accounting for 96.0%) (Figure 2 below).

Figure 2: Educational background of the surveyed Khmer people

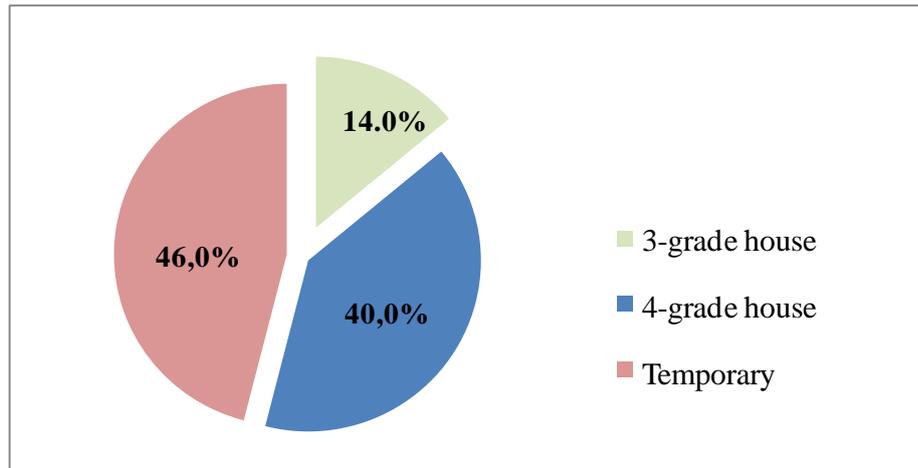


(Source: Socio-economic survey of Bac Lieu city, 2016)

➤ **Housing conditions**

Survey results showed that, Khmer people in the project area have poor housing conditions. They are mainly living in temporary houses (46%); 40% households live in grade 4 houses and only 14% of Khmer households living in grade 3 houses. The residential land area for each household is on average 153.55 m²/household, the house area is on average 73.43 m²/household (Figure 3 below).

Figure 3: House conditions of Khmer people community



(Source: Socio-economic survey of Bac Lieu city, 2016)

Grade 3 houses: Houses with brick and wood poles, steel foundation reinforced with wood, brick walls, iron sheets and fibro roof with ceiling.

Grade 4 houses: Houses with no steel foundation, wood beams and poles, brick walls, iron sheets and fibro roof with ceiling.

Temporary houses: Houses with normal wood frame, leaf roofs, walls and brick floor.

➤ **Land Tenure**

Regarding the legal status of the land/house: 62% of Khmer households have the land use right certificate (LURC); 22% households have legal documents but have not yet completed the procedures for obtaining the LURC yet; 16% having no legal documents (most of them are encroachers along canals).

➤ **Gender issues**

Gender issues in families:

- Family decision making such as purchasing precious, expensive furniture, marriages and donations are usually made through the mutual consent of both husband and wife.
- Family property ownership is shared by both spouses and common assets obtained during marriage are owned by both of them. In addition to common ownership, both husband and wife have the right to private ownership of property/assets that they had before the marriage or from private donations. In divorce cases, personal property under private ownership is undivided, common property is divided equally for both.

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- Divorce is not discriminatory, if the marriage cannot continue, Khmer people may divorce easily without encountering many difficulties.
- Bride and groom are treated equally in the family and the brothers and sisters of the wife and husband are fairly treated. The inheritance of parental property is divided equally among the children and elderly often live with the youngest child no matter if it is a boy or girl. When parents pass away, the final part of the property belongs to the person who took care of parents before their parents died.
- The concept of the family of Khmer people is not really patrilineal or matrilineal. When identifying lineage, they do not favour the paternal or maternal side. Thus, Khmer people never have any concept of discrimination between paternal and maternal sides of the family. However, because of living and acculturation with Kinh people in the city, the tendency of patriarchal culture has become clearer such as naming new born babies with the father's name.
- These cultural traits have now more or less changed due to interference when living with other ethnicities of Kinh and Chinese people. But the change has not been so significant that the cultural traits of other groups have been adopted such as clear patriarchy (in the case of the Kinh or Chinese); nor matrilineality (as in the case of the Cham).

Gender issue in participating in social activities:

- All Khmer people regardless of gender have an equal right to participate in public administration at all levels, if they meet the criteria. However, in practice most of the Khmer officials are men because the proportion of Khmer women involved in local administration is low.

3.3. Cultural and customary characteristics of Khmer people

Although Khmer people have lived together with other ethnic groups such as the Kinh and the Chinese for a long time, sharing a culture and a history of protecting and building the Vietnamese Fatherland, Khmer people still retain their own culture and tradition with their own writing and language.

➤ Language

Khmer is the main language used between families and community members. Khmer people have preserved their language mainly by word of mouth. In daily life, Khmer people are able to use Vietnamese language fluently as their main language for social activities. Their integration has led to the widespread use of the Vietnamese language in the project area, without the need for a translator during public meetings or for document translation. Writing is taught in Khmer pagodas and is learned by the new generations of Khmer.

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➤ Custom

Major Khmer festivals in project area include, "Chon Cho Nam Tho May" (New Year Festival), Buddha's Birthday, "Don Ta" (Hungry Ghost Festival), and "York Om Bok OOC (Moon worshipping). During the festivities and great anniversaries, Khmer elders usually wear their traditional clothing. Men wear white robes, black pants and scarves. Women wear Pot Hol cloth, a type of short and large pants.

➤ Culture, art

The Khmer people have many traditional customs and a unique culture. The great temple typically has a team of players playing musical instruments such as drums and trumpets...and a team of “Ngo” boats for racing in annual festivals. Important annual festivals for Khmer people are Chnam Thmay Chol (New Year festival), Wesak, Don ceremony (Hungry Ghost festival), York bom Booc (Moon worshipping festival).

➤ Religion, belief

Up to present, the Khmer community in the South of Viet Nam have three forms of religion: folk religion, Brahmanism and Theravada Buddhism. All Khmer people are devoted to Buddha. Each village/cluster has a temple. In the daily lives of Khmer people, the Khmer temple is very important and it is the center of social and cultural activities. People always bring their deceased parents to the temple area for worship. However, this tradition is no longer strictly maintained in the Khmer communities in Bac Lieu city. When parents/relatives pass away, families, express their devotion in different ways. For example, some people will choose to retain the tradition of expressing their bereavement sat the temple while others worship at home or scatter the ash on water. Survey results also show that there is no Khmer tomb/grave that will be affected or relocated by the project.

Every month, Khmer people should visit the temple at least 4 times. The temple in each community has very specific meaning to the Khmer because for them, it is not only related to their religion but it is also a connection with their ancestors. However, in practice, although Khmer people will come to the temple when they are able, they typically do not visit the temple 4 times every month. The frequency of visits also depends on age. Usually the elderly people go to the temple more frequently than younger people. For young people who have to bear an economic burden or have to support their families, visiting the temple is not a regular activity as it was in the past.

Currently, among 22 Khmer temples in Bac Lieu province, Xiem Can temple in Hiep Thanh commune, Bac Lieu city is the most famous, representing typical cultural characteristics and beliefs of Khmer people.

4. PROJECT’S IMPACTS

4.1. Positive impacts

Implementation of components of the subproject will bring benefits to the local population in general and to the Khmer people in particular, by improving the living conditions of the people through in particular the improvement of transport connections, environmental sanitation and water supply. This is particularly the case in LIAs where Khmer people are concentrated. The positive impacts of the project components on Khmer people are presented in Table 6 below:

Table 6: Positive impacts of the project on Khmer people

No.	Positive effects	Description of impacts	Beneficiaries	Action to enhance positive affects
1	Improvement of living conditions in LIAs	- Infrastructure upgrading in LIAs will improve living conditions for Khmer people. Specifically: (1) wastewater will be treated, (2) Flooding will be significantly improved, the environment and people’s health will therefore be enhanced, (3) alleys will be widened and equipped with lighting systems.	- For all people (including 4,229 Khmer people in the LIAs)	- Design and implementation of the subproject with participation of the Khmer community, in which their consultation and proposals are integrated into the implementation plan. - Strictly managing and monitoring the construction to ensure the quality of the investment process.
2	Employment opportunity, income increase for people.	- During the construction process a number of unskilled laborer s will be needed, creating employment opportunities for Khmer people in the project area.	- For all Khmer laborers in project area -	- During construction process, contractors are required to prioritize employment opportunities for native Khmer.
3	Improve safety and protection of Khmer’s assets in LIAs	- Public lighting system to be built will create a safer environment. - Alleys and lanes are expanded, transport conditions are improved (so that ambulances and fire trucks can access residential areas)	- For all people (including 4,229 Khmer people in the LIAs)	- Capacity building on road safety to be provided. - Raising Khmer people’s awareness of the negative impacts of encroaching public land and streets

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No.	Positive effects	Description of impacts	Beneficiaries	Action to enhance positive affects
				through development of awareness programs.
4	Raising the value of houses and land	- By improving infrastructure and access in the area, the value of land and houses will increase correspondingly.	- People living in the project area, particularly people living along street/lane front houses.	- Regularize HH without LURC after the civil works.
5	Raising awareness about the role of Khmer people in designing and supervising works in their community.	- Recommendations and proposals through community consultation made by Khmer people during the preparation and implementation of the project shall ensure the sustainability of the project and raise ownership of the community on the proposed investments.	- 4,229 Khmer people in the project area.	- Consultation in the design phase of the subproject helps Khmer people to raise their awareness of, participation and role in urban upgrading, this should be continued during project implementation.

4.2. Negative/ Adverse impacts

Besides the positive impact brought by the subproject, the construction of proposed investments can cause negative effects on the people in the project area, including ethnic minorities. Adverse impacts refer to potential impacts on (i) customary rights of use and access to land and natural resources; (ii) negative effects on the socioeconomic and cultural integrity; (iii) effects on health, education, livelihood, access to the project benefits, and social security status; and (iv) other impacts that may alter or undermine indigenous knowledge and customary institutions. Specific negative impacts from the implementation of the project on people in the project area include: impacts on people’s income and living conditions due to land acquisition and resettlement; temporary impacts on small businesses during the construction period; risks linked to traffic problems during the construction period; risks of social health/problems (i.e. HIV/AIDS, drug use, infectious diseases, environmental pollution, violence) due to presence of outside workers during construction; increased risks of inundation along some upgraded lanes in LIAs higher than houses bordering them.

Negative impacts of the project and mitigation measures are described in table 7:

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Table 7: Negative impact of the project on Khmer people

No	Negative impact	Impact description	Affected HH	Mitigation measures
1	Land acquisition	- Land acquisition may affect the income and livelihoods of the household doing business.	- 118 Khmer households are affected through loss of land, buildings and other assets (see details in Table 8 below).	- Measures to minimize land acquisition: social assessment survey, consultation with Khmer people. Supply information about project components and include opinion of Khmer people in the project design; - Developing income restoration programs (vocational training, business and production support).
2	Impacts from relocation of Khmer people	- Resettlement in new area may cause difficulties at the beginning for traders, especially those selling near to or at their present house.	- 05 Khmer displaced households	- Change the design to reduce the resettlement, for example upgrading the current canal and drainage system, construction works on public land. - Resettlement must satisfy the cultural requirements and needs for Khmer people to be relocated in a similar resettlement area in order to reduce impacts on their culture.
3	Temporary impacts to small-scale business households	- During the construction period, business will be temporarily disrupted (i.e. problem of access, noise etc.)	- Business of 12 households shall be temporarily affected.	- Measures related to construction are taken to shorten the period during which the business activities of these households are affected. Income losses related to the project implementation will be compensated. - Access to shops should be ensured in all time.
4	Risks linked to transportation during the	- Construction process generate potential risks related to the transportation of people, especially	- People frequently traveling on the streets,	- To speed up construction, reduce construction time and minimize the influence on people's travel.

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No	Negative impact	Impact description	Affected HH	Mitigation measures
	construction period	students going to school.	lanes/alley s which will be expanded/ upgraded	<ul style="list-style-type: none"> - To stop construction during the festival/holiday. To place warning signboards and temporary barriers near holes to warn people. - To prepare capacity to respond if an incident occurs.
5	Negative impacts from the outside population.	<ul style="list-style-type: none"> - During construction, many workers will come and stay in the LIAs; social problems (such as HIV/AIDS, drug use, infectious diseases, violence...) can occur and affect local security. 	<ul style="list-style-type: none"> - Khmer young people 	<ul style="list-style-type: none"> - Raise awareness of contractors, workers and Khmer people of social problems and protection measures. Monitor environmental protection during construction. - Awareness program for people about HIV/AIDS and infectious diseases (especially for teenagers and young people) via communication channels in the area (broadcasting, flyers, notices at the headquarters of the hamlet/village...). - Monitoring, and careful management to ensure regional security
6	Temporary environmental pollution	<ul style="list-style-type: none"> - Construction process will cause environmental impacts (including air pollution due to dust from construction materials and transportation; water pollution resulting from workers domestic waste and construction waste; noise pollution etc.) 	<ul style="list-style-type: none"> - Environment in the project area 	<ul style="list-style-type: none"> - Accelerating and shorten construction time to minimize the impact. - Implement measures to reduce the environmental impact to the surrounding people (spraying water to control dust, waste management etc.).
7	Upgraded lanes are higher than houses	<ul style="list-style-type: none"> - After upgrading lanes, the upgraded lane's surface will be 20-60cm higher than the 	<ul style="list-style-type: none"> - Households living in lanes. 	<ul style="list-style-type: none"> - Provide technical support for Khmer households to upgrade their households.

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No	Negative impact	Impact description	Affected HH	Mitigation measures
	bordering them.	ground of households along the sides of the lane. In rainy season, flooding will occur.		

Impacts due to Land Acquisition

The IOL survey shows that: among the 118 Khmer PAHs, there are 5 HHs affected through loss of agricultural land; 115 HHs losing residential land (2 HH are affected through both their agricultural and residential land); 29 Khmer PAHs will have their house affected, of which, 5 PAHs will need to relocate due to the total loss of land and house. All of the PAH have legal documents proving their land’s legal status.

The survey also show that the businesses of 7 households will be temporarily affected (mostly in component 2 of the project). The 7 businesses are all small-scale business (e.g. selling ice-tea and groceries). These households did not register their business with the local authority.

Table 8 below presents the impacts of land acquisition on Khmer people.

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Table 8: Impacts of Land Acquisition on Khmer Households

No	Items	Total Khmer PAHs	Khmer PAHs affected by loss of agricultural land		Khmer PAHs affected by loss of residential land	Khmer PAHs affected by loss of house		
			Under 10%	More than 10%		No of PAHs	Partially affected	Totally affected
I	Component1: Tertiary Infrastructure upgrading							
1	LIA 1 – ward 7	9	0	0	9	2	2	0
2	LIA 2 – ward 1	2	0	0	2	1	1	0
3	LIA 3 – ward 2	7	0	0	7	1	1	0
5	Lia 6 - ward 8	68	0	0	68	12	12	0
II	Component 2: Primary and secondary infrastructure upgrading							
4	Cau Xang canal to Tra Kha, Tra Khua.	24	2	0	23	10	5	5
5	De Lo Ren road – ward 5, Hiep Thanh commune	1	1	0	0	0	0	0
7	Nguyen Dinh Chieu road	1	0	0	1	1	1	0
8	Lo Bo Tay road	6	2	0	5	2	2	0
Total		118 ²	5	0	115	29	24	5

²Some HH are affected by both residential and agriculture land.

5. ETHNIC MINORITY COMMUNITY CONSULTATION PROCESS

5.1. Objective of the community consultation

Consultations with ethnic minority groups and other stakeholders have been conducted on the basis of determining the potential impacts of the project in order to:

- (i) Avoid/mitigate the impacts caused by the project;
- (ii) Address the opportunities that the project can bring to ensure that EMs currently living in the project area can receive social and economic benefits in line with their culture;
- (iii) Avoid social conflicts that may arise; and
- (iv) Obtain broad community support for the proposed sub – project.

5.2. Methods of community consultation

This EMDP is prepared based on the principle of free, prior and informed consultation (FPIC), providing sufficient information during project preparation in a fully transparent manner for Khmer HH to participate as required by the OP 4.10 policy of the World Bank.

The methods used to collect feedback from minority groups includes: quick assessment with the participation and consultation of stakeholders, using site surveying techniques and meeting with affected HHs, community meetings, group meetings, and in-depth interviews with officers in charge of ethnic minority development and heads of temples/pagodas.

To effectively carry out the community consultation process, information on the project was prepared and disseminated to the community in many different forms (brochures, flyers, notices/posters on bulletin boards at the headquarters of clusters and wards) ensuring that Khmer households in the project area would be provided with sufficient information about the project. Khmer language is mostly used in communication among the community but Khmer people can still read and speak Vietnamese language and so the documents have been prepared in Vietnamese language in order that they can be easily comprehended by the people.

Community consultation meetings provided Khmer people with information on the project (proposed investments, construction schedule) and the benefits brought by the project. The meetings disclosed the project impacts, particularly impacts from the land acquisition and at the same time collected the ideas and demands of Khmer people in order to form the basis for proposing solutions for maximizing benefits for this community.

5.3. EM community consultation process during project preparation

The consultation process during the preparation of this EMDP for the EM followed the general principles given in the EMPF, as indicated below:

- Ensure that the information is notified in advance and fully to the community;
- The EM community is consulted on all of the activities of the project during the implementation phase of the project;

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- The consultations and public meetings are documented and included in the EMDP.

For the preparation of this EMDP, the consultant team organized community consultation with the Khmer PAHs in September 2016 in Tra Kha village – ward 8. In the other project areas, few Khmer households are present and they live in a scattered manner. These households were invited to participate in the consultation meeting at the People’s Committee of ward 8 on 23/09/2016. The details of the timing, location and participants of the EM community consultations is shown below in Table 9.

Table 9: Time for EM community consultation

No.	Time	Location	Participants	Number of participants	Gender	
					M	F
1	19/9/2016	People’s Committee of ward 8	<ul style="list-style-type: none"> - Consultant; - Investor’s representative; - Representative of People’s committee of ward 8; - Representative of unions, associations - Representative of Khmer community. 	15	7	8
2	21/9/2016	House of Mr. Tran Van Em, alley 14, Tra Kha village, ward 8	<ul style="list-style-type: none"> - Consultant; Investor’s representative; - Representative of People’s committee of ward 8; - Head of Tra Kha, Tra Khua village; - EM households. 	35	20	15
3	22/9/2016	House of Mrs. Cuong, alley 14, Tra Kha village, ward 8	<ul style="list-style-type: none"> - Consultant; Investor’s representative; - Representative of People’s committee of ward 8; - Head of Tra Kha, Tra Khua village; - EM households. 	40	23	17
4	23/09/2016	People’s Committee of ward 8	<ul style="list-style-type: none"> - Consultant; Investor’s representative; - Representative of People’s committee of ward 8; - EM households in LIA 1, 2, 3, 5 and along roads as Nguyen Dinh Chieu, De Lo Ren, Lo Bo Tay. 	35	19	16

5.4. Results of EM community consultation

The ethnic minority households in the project area confirmed that they have been informed about the project. Even if not all Khmer people in the project area attended the community consultation, they were represented by head/vice head of their village/hamlet, local officer and local people in sufficient numbers. These community representatives convey the concerns and demands of all the Khmer community. All Khmer people (present or represented in these meeting) agree and support the project because they understand that the project will improve their living conditions and their livelihoods and they understand that the negative impacts on their community are minor. A Community Upgrading Plan (CUP) based on extensive community consultations, including the Khmer community, and social surveys to identify priority investments in LIAs was also conducted. Therefore, broad community support was obtained from the Khmer community in the project area.

Ethnic minority communities have been supported by the government to access public services, but they remain poor because of lack of productive land, lack of capital to do business, low levels of educational attainment and families that have many dependents. As a consequence, children have not attended school at the right age and the dropout rate has increased.

On the basis of being well-informed about the project, the ethnic minority households have made specific comments/proposals on three aspects: (i) The comments related to the project implementation; (ii) The proposals related to compensation policies, support and resettlement and (iii). The proposals related to community development. The main findings from the community consultation are summarized below:

- It is recommended that the project should be implemented soon and that the construction process should be rapid in order to minimize the impact on the daily lives of the people;
- It is recommended to select qualified contractors to ensure the quality of the work;
- It is suggested that contractors should recruit local Khmer laborers;
- All households participating in the consultations want to have access to preferential loans for investment in activities generating economic benefits for their families;
- After upgrading the alleys/lanes, the floor level of people's houses will be lower than the road pavement, which may increase flooding in their houses. It is recommended that the project provides assistance for people to raise the level of their house's floor.

Detailed information on public consultation, including minutes of meetings are presented in Annex 2.

5.5. Community consultation during the EMDP implementation

During EMDP implementation, the same consultation approach (already used during EMDP preparation) will be adopted. Consultation will be conducted on the basis of free, prior, and informed consultation, and in a participatory manner, to determine whether EM communities have any additional feedback, and to check whether there are any additional subproject impacts that arise but which were not anticipated during the EMDP preparation. Where necessary, the way in which the EMDP is implemented, would be developed further/updated in terms of the delivery methodology in order to ensure that the activities are carried out in a manner that are appropriate to the target EM people.

The EM communities should be involved in both the implementation, monitoring & evaluation in order to maximize the intended impact of the EMDP. The PMU will take the lead on implementation of the EMDP with Bac Lieu City and Ward 8 PC.

In the event where an adverse impact is identified before subproject implementation, particularly when the detailed engineering designs are available during implementation of the Project, the consultation methods, as mentioned above, should be used to collect feedback from the affected EM peoples related to the impact. Alternative technical engineering designs should be explored to avoid the adverse impact. In cases where such an impact could not be avoided, such impact should be minimized, mitigated, or compensated for.

In case where adverse impacts are identified (when the technical design/construction methods are clear), affected EMs will be consulted and informed of their entitlements. The EMDP will be updated accordingly and will be disclosed prior to EMDP/RP implementation.

To ensure continuous broad community support, community consultation meetings on ethnic minority will be implemented every 6 months during the EMDP implementation. Participants in the meeting will include representatives of local leaders, committee of ethnic minority, head/vice head of village/hamlet, officers in charge of ethnic minority issues and representatives of ethnic minority people. Implementation will be similar to community consultation meetings organized during the preparation of this EMDP.

5.6. Disclosure of EMDP

As per the Bank's requirement, the draft EMPF and the draft EMDP were disclosed in Vietnamese at the local level at the office of the PMU, City PC, Ward PCs on **10** January 2017 and in English at the World Bank Info Shop in Washington D.C on 12 January 2017. After approval by the GoV and clearance by the WB, the final EMPF and the final EMDP will also be disclosed as per the draft EMPF/EMDP.

6. PROPOSED DEVELOPMENT ACTIVITIES

6.1. Demand Analysis

It is necessary to identify the demands of the community so that the proposed development activities can meet Khmer HH needs.

The results of the public consultation among Khmer people in the project area regarding their needs in terms of activities to support their livelihoods or their community show that:

- Results of public consultation and consultation with other stakeholders show that there is a demand for vocational training courses both in agricultural and non-agricultural sectors (seedling production, bonsai and flower planting, bread making/baking, hairdressing, knitting, masonry, civil electric engineering, repairing telephone, repairing motorbike etc.);
- Results of public consultation and consultation with other stakeholders show that there is a demand for loan for production or small business or renting/buying agricultural land;
- Khmer households near upgraded alleys/lanes worried that the upgraded lanes/alleys with a higher elevation could cause inundation of their houses during periods of rain as the ground level of their houses will be lower. They asked the PMU/Employer to propose a suitable design solution for raising the houses' floors in relation to the road surface elevation;
- Affected households would also like the project to have an appropriate and fair compensation policy.

The SA findings also show that there is a challenge in maximizing the project benefits due to the lack of capacity of the staff responsible for EM development. According to the leaders of provincial and City Ethnic Minority Committees, the capacity of staff at ward level to mobilize the participation of Khmer people is weak; for example, staffs lack presentation skills, as well as skills relating to listening and providing feedback and conflict management skills. Moreover, to maximize the benefits of the Project among Khmer people, the local authorities need to have a clearer understanding of the content of both the RP and EMDP to assist Khmer HH. In addition, the staff at ward level should be key persons who can provide relevant information to Khmer people in multiple sectors such as education, health, access to loans etc. These limitations could be a barrier to maximizing the project benefits for PAPs. Therefore, there is a need to conduct capacity building for staff working with EMs in order that they can meet the requirements of the role. This aims to ensure that the project benefits are fully delivered to the affected Khmer community.

6.2. Proposal for the program

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As mentioned above, the EMDP aims to provide increased socio-economic benefits for Khmers in the project area, Due to their vulnerability and their difficulties for adaptation, maximizing the benefits is a challenge. The following development activities are proposed based on consultations with the EM group and the findings of the SA, as described above.

6.2.1. Program for livelihood support

- Activity 1: Guideline, vocational training, developing business models

The lack of job skills has been identified as a cause of poverty for Khmer households (most of the Khmer people are hired workers which does not allow them to generate stable incomes). Vocational training was requested during the public consultation. The training courses in agriculture and non-agriculture skills (repairing appliances/machinery, sewing, embroidery, knitting etc..) will be organized by the Centre for Vocational Training of Bac Lieu city. The PMU will cooperate with the vocational training center to support ethnic minorities by providing them with vocational training courses; organizing visits to view successful business models which may be suitable for Khmer households in order to encourage them to do business, as well as to capture experiences in order to forecast difficulties that they might encounter when doing business. Training courses will be designed to (i) comply with the culture of ethnic minority communities (ii) encourage EM women’s participation with a target that at least 50% of the training participants will be women.

To avoid overlap, the vocational training program for ethnic minorities under the EMDP will be integrated into the income restoration program for affected household which is already included in the RP. In the RP for Bac Lieu City, the vocational program will be proposed to all Khmer. The costs for this activity will be under the RP budget. In addition to the 100% of Khmer affected households who are eligible under the program in the RP, the remaining Khmer households will also be eligible to vocational training if they wish, subject to, a fee contribution of 50% of the cost of the courses by the Khmer households’ these HH will receive full daily allowance (for meal/transport). However, the training will only be effective when it is adapted to the ability of each person of beneficiary. So, the training courses supported by the project should not target over 100 Khmer people (50 men and 50 women) not affected by land acquisition, and the participants should be selected based on some criteria like: (i) educational background, (ii) interview for career orientation and clear investment plans. The people being selected should have appropriate educational background, clear plans to ensure that the project’s assistance can be efficient and feasible.

During implementation, a detailed needs assessment will be conducted among the Khmer community to identify which Khmer person is suitable for the training courses the type of training to be delivered based on their current education background and skills.

- Activity 2: Support to Khmer to access loans

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Khmers expressed their need to be able to access loans. Due to low education and vulnerability, measures to facilitate access to a loan program need to be proposed. Information on the accessible loan program will be provided via annual workshops (from 2018 to 2021). As a bridge between the community (the borrower) and the bank (lender), the staff of the PMU, the Committee of Ethnic Minorities and other relevant departments will seek, collect and deliver information on loan programs from existing banks to the community (e.g. Bank of Agriculture and Rural Development and Social Policy Bank are developing relevant programs in Bac Lieu City). The participants in these workshops will include: representatives of local government including mass organization such as the Women' Union, representatives of the Bank offering loans; and the entire Khmer population in the project area. The workshops should ensure the provision and dissemination of full information to the community, including on the loan program, lending conditions, interest rates, loan period; the procedures for concessional loans; grievance procedures and other relevant procedures. Individual assistance will be provided to fill the necessary documents and to support HH on how the loan will be used.

The implementation costs of these workshops are to be included in the budget for implementation of this EMDP.

6.2.2. Activity 3: Education for raising community awareness

Lack of appropriate and sustainable environmental behaviours among the community and especially Khmer people (i.e. discharging waste in canal, encroachment on canals etc.) may hamper the benefits of the Project. Also, the community needs to be supported to understand its role to protect and maintain investments through an awareness program that should be developed. The awareness program should have the following content:

- The training and education for raising community awareness to disseminate general information on the project to 100% of Ethnic minority people in the project area, as well as to propagate information on environmental sanitation and gender equality with following specific content;
- Analyzing the benefits (improvement of job opportunities and living conditions) and rights/duties of people when the project is implemented; making them aware of their roles and responsibilities in making the comments, suggestions as well as their management and supervision responsibilities;
- Propagating and disseminating knowledge on environmental sanitation as well as the relationship between sanitation and public health and economic development. Accordingly, community awareness of Khmer ethnicity will be raised for the protection of the environment (no littering, no discharging directly into canals, using hygienic latrines etc.);
- Providing information and knowledge to Khmer people on climate change and adaptation to climate change as it concerns them directly and may affect their lives;

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- As per mitigation measures included in the ESIA for Bac Lieu City, public awareness improvement on safe transport and prevention of social evils for the local citizens will be implemented; young Khmer and Khmer women will be especially targeted. Outside workers will also be trained on issues related to social security, social evils, diseases and epidemics, prostitution and drug use, environment, safety and health, HIV/AIDS and infectious diseases.
- Disseminating knowledge on gender and gender equality, encouraging women to participate in the activities of the project.

This activity will be conducted during the preparation phase of the project through 04 public meetings in the area (or more if needed). The work will be implemented with the help of local officials/government (head of the residential area, Women's Union, Farmers Union etc.) because they are close to the people and are trusted by the people. In addition, the content for education and communication should be provided to people in the form of brochures/flyers presented in a simple and easy to understand format in order to ensure (i) clear, understandable and specific dissemination of information to Khmer communities; (ii) security and order during the meeting (each meeting should be limited to less than 100 participants).

The costs for implementing these activities include: costs for hiring the venue, furniture, drinking water for the community, costs for training staff and interpreters; the cost for printing leaflets/flyers. All these costs are included in the budget for the EMPD. (The details are presented in Chapter 10).

6.2.3. Activity 4: Capacity building for staff working in ethnic minority sector

As indicated above, the low capacity of staff involved in EM development activities is seen as an obstacle to the development of the Khmer community. Capacity building will target staff working on ethnic minority development at provincial, city and grassroots levels as well as one staff in the PMU. Capacity building will be provided via two-day training workshops for the official staff and collaborators at local community. A total of 8 training workshops will be provided; The workshops will cover the following content (i) mobilization and participation of Khmer people in community development activities; (ii) accessing loan from Banks; (iii) conflict management; (iv) related legal issues in RP and EMDP to ensure the benefits for the EMs. Based on the demand analysis the number of trainees is estimated to be 30 people. The training will be given by a competent agency/NGO to be hired by the PMU.

6.2.4. Activity 5: Support to raise the height of the house's floor in order to protect the HH from flooding

This activity aims to provide support to Khmer households in LIA 6 because this area is where Khmer people are concentrated with the highest risk of being inundated due to the lower elevation of house floors relative to the level of the road after upgrading.

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The technical solution in this case includes floor levelling and compacting, performed by a contractor hired by the PMU. The contractor will work with the community and will conduct site surveys and select areas for upgrading. The community will be consulted for their acceptance of the proposed work. A detailed estimation of the work volume for upgrading is presented in Annex 1.

In addition, the selection of contractors from the Khmer community should be prioritised in order to create employment opportunities for them.

6.2.5. Activity 6: Effectively enhancing communication activities

The PMU will coordinate with the Department of Culture and Communication and local information channels to set up communication programs in the Khmer language in order to disseminate information about the project's potential opportunities to the Khmer people (including job opportunities during the construction). A summary of the RP and EMDP will also be published and disseminated in Khmer language through these communication activities. The information channels will also be arranged to introduce Khmer culture and handicraft products of Khmer people to the whole community.

7. EMDP IMPLEMENTATION ARRANGEMENT

7.1. Implementation arrangements

The collaboration of several stakeholders including investors, local authorities, social and political organizations, unions and the EMs is required to ensure that the EMPD is fully and effectively implemented. Responsibility for implementation of the EMDP is as follows:

- 1) The People's Committee of Bac Lieu city: is the project owner, taking overall responsibility for the entire project. People's Committee of Bac Lieu city is responsible for coordinating relevant departments/organizations to implement the EMDP. The Department of Ethnic Minority affairs of Bac Lieu city is the main agency responsible for EM.
- 2) Project Management Unit of Bac Lieu city (PMU):
 - The PMU of Bac Lieu city has been assigned by the PC of Bac Lieu city to represent the investor under the Decision No 2309/UBND- TH dated 1/11/2016 to coordinate the implementation of the project.
 - The PMU is responsible for implementing the overall EMDP prepared for the Project as well as ensuring that the project's relevant authorities understand the purpose of the EMDP. The PMU is also responsible for ensuring the implementation of the EMDP including monitoring and assessing the results of the EMDP.
 - The PMU is responsible for assigning appropriate staffs and allocating sufficient budget to implement the EMDP.

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- The PMU’s officer in charge of the implementation of the EMDP will cooperate closely with the Committee for Ethnic Minorities of Bac Lieu province to inspect and supervise the implementation of this EMDP.
- 3) CEMA of Bac Lieu Province
- The CEMA assumes the prime responsibility for EM in Bac Lieu Province and coordinates with concerned department in: planning, elaborating and implementing the EMs’ policy. The PMU will submit the EMDP to CEMA of the province for review and comments. CEMA will also provide general guidance for the implementation of the EMDP.
- 4) Representatives of the community
- At ward/commune level, representatives of communes/wards, mass organizations and representatives of EM groups are key people in implementing the EMDP. They will directly assist local people to overcome the difficulties in the project implementation process; supporting the consultant in organizing meetings to disseminate information on the project; providing information on mitigation and development activities of the EMDP; supporting the PMU and local authorities to prepare the list of participants in the development of this EMDP.

7.2. Plan for implementing the EMDP

Table 10: Plan for implementing the proposed EMDP

No	Item	Preparation				Implementation				
		2016				2017	2018	2019	2020	2021
		Q1	Q2	Q3	Q4					
I	Preparation for the subproject		●————●							
1.1.	Preparing FS, RP, EMDP		●————●							
1.2.	Approving FS, RP, EMDP			●——●						
1.3	Signing loan agreement					●				
II	Plan for implementing the EMDP					●————●				
2.1.	Training workshop for staff and collaborators					●——●				
2.2.	Workshops on introduction of method to access loan for APHs						●————●			
2.3.	Training and enhancing capacity for Khmer people.						●——●			
2.4	Implementing mitigation measures for negative impacts (compensation, resettlement, livelihood restoration....)					●————●				
2.5	Monitoring, checking and evaluating					●————●				

8. GRIEVANCE REDRESS MECHANISM

A complaint settlement mechanism will be applied to people or groups of people directly or indirectly affected by the project. All the complaints and claims should be accurately recorded in a written document. A printed publication of this written document must be kept at the community and commune/ward level.

If the affected EM persons are not satisfied with the process of compensation/mitigation or any other issue, the EM person or a representative of the EM person can submit their complaints to the PPC of the city or to the PMU. For those people in the vulnerable group with limited capacity (illiteracy, cognitive limitations, disabilities ...), the judicial officers of the ward commune will guide representatives of those people to write letters and provide guidance on complaint procedures). Complaints need to be resolved in a satisfactory manner in line with the wishes of the affected EM person. EM people are exempted from any costs related to their complaints. The PMU and the independent monitoring consultant are responsible for overseeing the progress of settlement of complaints by ethnic minorities. All complaints should be recorded in the project file of the PMU, and will be frequently checked by the independent monitoring consult.

The complaint mechanism is established on the basis of Viet Nam law. The procedure for settling claims/complaints is presented below:

- **First stage The Commune People's Committee.** Currently, an Unit of Complaint Settlement for current issues related to the Urban Upgrading Project is established to answer all questions of households. If having any questions, households can come to the reception division of Communal People's Committee to be answered and guided with necessary procedures. The CPC will meet personally with the aggrieved affected household and will have 5 days following the lodging of the complaint to resolve it. An aggrieved affected household may bring his/her complaints before the receiving department of the Commune People's Committee to be received and guided for necessary procedures. The CPC will meet personally with the aggrieved affected household and will have 5 days following the lodging of the complaint to resolve it. The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles. The Ward/Commune People's Committee has to solve that complaint within 30 days from the receipt of the complaint. The Ward/Commune People's Committee Office is responsible for keeping records of all complaints that the Ward/Commune People's Committee processes.
- **Second stage the City People's Committee:** If after 30 days, the affected households do not receive feedback from Ward/Commune People's Committee or if the affected households are not satisfied with the resolution, they can present the

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case in written or oral form to the receiving division of the City People's Committee. The City People's Committee has 30 days to solve the case from the date of receiving the complaint. The City People's Committee is responsible for keeping the records of all complaints and will inform the City Resettlement Committee and affected people on any decision taken. APs can complain to the provincial level if they are not satisfied.

- **Third stage the Province People's Committee:** If after 30 days, the affected households do not receive feedback from City People's Committee or if the affected households are not satisfied with the resolution, they can present the case in written or oral form to any staff at the receiving division of the Provincial People's Committee. The Provincial People's Committee has 45 days to solve the case from the date of receiving the complaint. Provincial People's Committee is responsible for keeping the records of all complaints. APs can make claim to the court if they want.
- **Fourth stage the Court:** If after more than 45 days, the APs have not received feedback or resolution from the PPC, or are not satisfied with the decision, they can submit the case to the Court for consideration and judgment. The court's decision will be the final decision.

The complaint settlement decision will be sent to the claimer and related authorities and will be publicly posted at the headquarters of the People's Committee where the complaint is solved. The decision will be posted at the Ward/Commune level, three days after being solved and at the City/Province level, seven days after being solved.

To ensure that the complaint mechanism described above is put into practice and approved by the affected EMs, the mechanism should be consulted on with local authorities and local communities, taking into account specific elements of traditional culture, including cultural systems that affect the generation and resolution of complaint.

9. MONITORING AND EVALUATION

Responsibility for overall monitoring and implementation of the EMDPs rests with the PMU. Implementation of the EMDP will be subjected to external independent monitoring by a qualified consultant.

The external independent monitoring consultant will be hired by the PMU. This service could be integrated into the contract for independent monitoring of the implementation of the RP for Bac Lieu City.

9.1. Internal Monitoring

The PMU is responsible for the internal monitoring. The objectives of the internal monitoring are:

- Ensure all negative impacts are mitigated, minimized or compensated in compliance with the EMDP.
- Ensure mitigation measures are implemented in a way which is appropriate to cultural and customs and traditions of EMs.
- Identify whether the free, prior and informed consultations for EMs are conducted in a culturally appropriate manner for EMs or not.
- Determine if complaint procedures are followed the EMPF and propose solutions if there are pending issues.
- Conformity between displacement and site clearance and construction commencement to mitigate negative impacts on EMs; ensure that affected people have been provided with compensation, allowance, and relocation satisfactorily before construction commencement.

All results from internal monitoring shall be reported to the PPC and the WB. Internal monitoring of the EMDP should be combined with internal monitoring of RP implementation. The findings of the RP and EMDP monitoring should be integrated into the report submitted to the PPC and WB for review. Internal indicators for monitoring, checking and evaluation are presented in Table 11 below:

Table 11: Indicators for internal monitoring

No.	Item	Basic indicators
1	Plan for implementing the EMDP	<ul style="list-style-type: none"> - The support of the EMDP by the community; - The adequacy of the EMDP in relation to the conditions of the EM people; - The cooperation between the project management unit, CEMA, contractors and the local authorities at local levels as well as ethnic minorities;

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No.	Item	Basic indicators
		<ul style="list-style-type: none"> - The coordination between the EMDP and the progress of the other activities; - The rationality, consistency, compliance between the EMDP and implementation schedule of other activities; - The plan on human resources for implementation - The availability of funds for implementation of the EMDP.
2	Monitoring the implementation of community consultation and participation of people	<ul style="list-style-type: none"> - Basic Information on the project and on the EMDP, details on the EMDP implementation and information on the grievance mechanism are provided to local ethnic minority community, governments, leaders and organizations at local level; - The participation of local ethnic minority community, government, leaders and organizations at local level in the activities related to the project; - Monitoring the implementation of the EMDP for local ethnic minority community, government, leaders and organizations at local level.
3	The implementation of mitigation measures for negative impacts caused by the project.	<ul style="list-style-type: none"> - All mitigation measures to reduce negative impacts of the project are implemented effectively; - Avoid generating any other negative impacts; - In case of arising any unexpected negative impacts, community consultation is carried out to find out mitigation measures and implement mitigation measures; - Departments cooperate effectively in implementing mitigation measures.
4	Implementation of support measures for EM development	<ul style="list-style-type: none"> - Supporting activities for the EM community proposed in the EMDP are carried out effectively; - Departments cooperate effectively in implementing the community development activities.
5	Grievance redress mechanism	<ul style="list-style-type: none"> - Ethnic minority community understand the grievance redress mechanism; - The PMU and related departments and organizations well understand the grievance redress mechanism; - The PMU and related departments and organization well understand and are ready to support the EM people to resolve the complaints (if any).

9.2. Independent monitoring

The Independent Monitoring Agency (IMA) will be hired by PMU to carry out monitoring of the implementation of social safeguards of the sub-projects, including the RP and EMDPs. The monitoring report will be submitted to the Bank for review and comments. Independent monitoring should be conducted twice a year during the project implementation to ensure the

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timely identification of issues that might require immediate action from the PMU.

The monitoring findings will be submitted to the PPC and the WB for review. The monitoring indicators of independent monitoring consultants are presented in Table 12 below:

Table 12: Indicators for independent monitoring

No	Monitoring and evaluation	Basic indicator
1	Schedule for implementation of the EMDP	<ul style="list-style-type: none"> - The EMDP implementation schedule is shared to the community; - The EMDP meets the needs of ethnic minorities; - Sufficient human resources to implement the plan.
2	Monitoring and carrying out community consultation and monitoring the participation of local people	<ul style="list-style-type: none"> - EM community, commune/ward authority, heads of hamlet/village and mass organizations in the area are provided adequate information on the EMDP and the grievance redress mechanism.
3	Implementation of mitigation measures for potential negative impacts	<ul style="list-style-type: none"> - All mitigation measures for negative impacts by the project are implemented effectively
4	Implementation of specific development activities for local ethnic minority community	<ul style="list-style-type: none"> - All actions for supporting training process are implemented effectively
5	Grievance redress mechanism	<ul style="list-style-type: none"> - Ethnic minority community well understand the grievance redress mechanism - The community can access to the relevant documents (reports, regulations, results of the complaint resolution...).

9.3 Monitoring of EMDP proposed support activities

Monitoring indicators for the proposed EMDP activities, are presented in Table 13 below. Where possible, these indicators will be disaggregated by gender. The PMU and IMA will monitor these indicators.

10. BUDGET AND FINANCE

Table 14 presents the budget to implement the EMDP. This budget will come from the counterpart fund of Bac Lieu Province.

The budget proposed under this EMDP is preliminary and will be updated on the basis of the detailed design of the EMDP measures during project implementation.

Table 13. Monitoring Indicators for EMDP Activities

No	Activity	Description	Indicator	Verification
1	Guideline, vocational training, developing business models	<ul style="list-style-type: none"> - Introduce and deliver/provide vocational training courses for PAPs, then provide information on job placements 	<ul style="list-style-type: none"> - Numbers of trainings, workshops/ meetings, - Numbers of participants. - Skills of participating HHs - Number and/or quantity of outputs sold by the HHs 	<ul style="list-style-type: none"> - Review by Division of Labor Invalids & Social affairs and Minutes of meetings. - Interview with the HHs. - Reports by the IMA
2	Support to Khmers to access loan.	<ul style="list-style-type: none"> - Provide information about the kind of loan, interest rate, active duration of loan, how to complete the borrowing dossiers, direct contact with bank or assistant, support on how to use the loan etc.. 	<ul style="list-style-type: none"> - Number and name of Bank participating in workshop - Number of HHs participating in workshop and who have received information; - Number of HHs preparing their borrowing dossiers 	<ul style="list-style-type: none"> - List of HHs Reports by the IMA who receive loans.
3	Education for raising community awareness	<ul style="list-style-type: none"> - Provide HHs with a good understanding of the project objectives and implementation process. - Education for raising community awareness about environmental sanitation; gender and gender equality... - Improve involvement of the Khmer community in the 	<ul style="list-style-type: none"> - Numbers of workshops - Numbers of Khmer participants in project consultation meetings - 	<ul style="list-style-type: none"> - List of participants at public meetings - Report from the IMA; - Interviews with participants; - Report from mass organizations;

Ethnic Minority Development Plan

		<p>implementation and monitoring of the project.</p> <ul style="list-style-type: none"> - Participatory planning and project management skills of mass organizations are improved 		
4	Capacity building for staff working in ethnic minority sector	<ul style="list-style-type: none"> - Improve working skills for staff and collaborator in the ethnic minority sector 	<ul style="list-style-type: none"> - Numbers of workshops - Numbers of trainees by gender - 	<ul style="list-style-type: none"> - List of participants - Training report
5	Support to raise the height of the house’s floor in order to protect the HH from flooding	<ul style="list-style-type: none"> - Technical support and allowance for HH to raise their house level to avoid flooding 	<ul style="list-style-type: none"> - Number of HH who received allowance and technical support; - Design prepared by the technical team 	<ul style="list-style-type: none"> - Number of HH who raised their house; - Number of house flooded;
6	Effectively enhancing communication activities	<ul style="list-style-type: none"> - Set up communication programs in Khmer language to disseminate information about the project's potential opportunities for the Khmer people. - Organize television program presenting and introducing culture and handicraft products of Khmer people 	<ul style="list-style-type: none"> - Number of communication programs - 	<ul style="list-style-type: none"> - Review by Department of Culture and Communication - List of communication programs and reports from mass organizations.

Table 14: Budget for implementation

Activities	Beneficiaries		Implementation arrangement	Quantity	Budget
	Male	Female			
1. Guidelines, vocational training, developing business models					
Handicraft vocational training (beading, knitting...)	50	50	Ward staffs PMU and vocational training centers.	Number of HH to be determined in coordination with eligible HH under the RP.	Included in the budget for the RP.
Training for mechanics and civil electronic repair					
Training for motorbike repair					
Training for office information technology					
Total	100				
2. Organizing workshops introducing the loan program	All Khmer people who need loan.		Community monitoring board Ward People's Committee Investor Donor	4 workshops	129,800,000
3. Organizing community consultation meetings to disseminate information and providing education to raise community awareness for Khmer people	All Khmer people in project areas.		Community monitoring board Ward People's Committee Investor Donor	4 meetings	129,800,000
4. Organizing training courses for enhancing the working and management	30 staff		Investor Donor	2 course (8 meeting)	259.600.000

Ethnic Minority Development Plan

Activities	Beneficiaries		Implementation arrangement	Quantity	Budget
	Male	Female			
<i>capacity of staffs related to ethnic minority affairs</i>					
5. Support to raise the level of house floors to protect HHs from flooding	649HHs in LIA 6			2800 m ³	906.714.984
6. Supporting committee to prepare material on communication activities	Committee of Bac Lieu city.		Ward cultural and communication staff, women's union, youth union.	Lump sum	100.000.000
7. Implementation cost					300.000.000
8. Monitoring and evaluation cost				Lump sum	150.000.000
Total					1.975.914.984
Contingency cost (10%)					197.591.498
Total budget for implementation of the EMDP					2.173.506.482
				1\$ = 22,226VND	97.791 USD

ANNEX

ANNEX 1: DETAILED COST ESTIMATES FOR EMDP

Table15: Cost estimation for community meetings and workshops

No.	Action	Quantity	Unit price	Amount (VND)
Activity 2: Organizing workshops introducing <u>the</u> loan program				
1	Preparation of related documents (A1)	Lump sum	5,000,000	5,000,000
2	Hiring meeting hall, instruments, media equipment...(A2)	Lump sum	10,000,000	10,000,000
3	Salary for specialist/staff (A3)	2 people	5,000,000	10,000,000
4	Support for participants (A4)	30 people	150,000	4,500,000
5	Total A5 = (A1) + (A2) + (A3)+ (A4)			29,500,000
6	Contingency cost A6=10%*A5			2,950,000
7	Cost for organizing 1 workshop (A7)			32,450,000
8	Total cost for organizing 4 workshops A8 = 4*A7			129,800,000
Activity 3: Organizing community consultation meetings				
1	Preparation of related documents (A1)	Lump sum	5,000,000	5,000,000
2	Hiring meeting hall, instruments, media equipment...(A2)	Lump sum	10,000,000	10,000,000
3	Salary for specialist/staff (A3)	2 people	5,000,000	10,000,000
4	Support for participants(A4)	30 people	150,000	4,500,000
5	Total A5 = (A1) + (A2) + (A3)+ (A4)			29,500,000
6	Contingency cost A6=10%*A5			2,950,000
7	Cost for organizing 1 meeting(A7)			32,450,000
8	Total cost for organizing 4 meetingsA8 = 4*A7			129,800,000
Activity 4: Organizing training courses for staffs				
1	Preparation of related documents(A1)	Lump sum	5,000,000	5,000,000

Ethnic Minority Development Plan

2	Hiring meeting hall, instruments, media equipment...(A2)	Lump sum	10,000,000	10,000,000
3	Salary for specialist/staff(A3)	2 people	5,000,000	10,000,000
4	Support for participants(A4)	30 people	150,000	4,500,000
5	Total A5 = (A1) + (A2) + (A3)+ (A4)			29,500,000
6	Contingency cost A6=10%*A5			2,950,000
7	Cost for organizing 1 training course (A7)			32,450,000
8	Total cost for organizing 8 training courses A8 = 8*A7			259,600,000

Table 16: Detailed unit prices to support raising the level of house floors (per 100m³)

No	Work items	Unit	Rate	Unit price	Factor	Amount
1.	Sand filling, leveling compactness Y/C K = 0,95	100m3				
2.	Material					25,132,000
3.	- Sand for floor leveling	m3	122	206,000	1.000	25,132,000
4.	Labor force					261,693
5.	- Labor 3,0/7 - Group 2	labor	1.5	174,462	1.000	261,693
6.	- Labor adjustment factor				1.000	261,693
7.	Machinery					807,315
8.	- Handheld compactor 80kg	shift	2.47	322,018	1.000	795,384
9.	- Other machinery	%	1.5		1.000	11,931
10.	- Machinery adjustment factor				1.000	807,315
11.	Direct cost (Material + Labor + Machinery)	T				26,201,008
12.	GENERAL COST (T x 6,5%)	C	0.065			1,703,066
13.	Pre-determined Taxable income (T + C) x 5,5%	TL	5.5%			1,534,724
14.	Construction cost before tax (T + C + TL)	G				29,438,798
15.	VALUE ADDED TAX (G x 10%)	GTGT	10%			2,943,880
16.	Construction cost after tax (G + GTGT)	Gxd				32,382,678
17.	Total (Gxd)					32,382,678

ANNEX 2: MEETING MINUTES OF ETHNIC MINORITY COMMUNITY CONSULTATION

Summary of Public Consultation

No.	Time	Location	Participants	Number of participants	Gender		Main comments
					M	F	
1	19/9/2016	People's Committee of ward 8	Consultant; Investor's representative; Representative of People's committee of ward 8; Representative of unions, associations Representative of Khmer community	15	7	8	<ul style="list-style-type: none"> - Local authority support the project and expresses high consensus on the requirement for special priority for Khmer people through the EMDP; - Regarding supporting activities, Khmer people should rather be provided with vocational training courses than be supported in cash; - For the capacity for implementation management for the ethnic minority, there are a few ward staffs being trained in ethnic minority issues so to implement the plan in an effective manner, it is required to have training courses for improving staff's capacity in EM issues.
2	21/9/2016	House of Mr. Tran Van Em, alley 14, Tra Kha village, ward 8	Consultant; Investor's representative; Representative of People's committee of ward 8; Head of Tra Kha, Tra Khua villages; EM households	35	20	15	<ul style="list-style-type: none"> - People totally agree with the implementation of the project and are happy that the project pay special attention to people's wishes; - Most of the elderly and middle-aged people wish their lives will not be disturbed by the project. when the project affect land, house, they will get reasonable compensation; - The alley 14 in Tra Kha after being upgraded can lead to households' floors higher than the road, so they can be inundated during raining due to run-off water, so the project should have technical

Ethnic Minority Development Plan

No.	Time	Location	Participants	Number of participants	Gender		Main comments
					M	F	
							solution for this issue;
3	22/9/2016	House of Mrs. Cuong, alley 14, Tra Kha village, ward 8	Consultant; Investor's representative; Representative of People's committee of ward 8; Head of Tra Kha, Tra Khua village; EM households	40	23	17	<ul style="list-style-type: none"> - People totally agree with the implementation of the project and are happy that the project pay special attention to people's wishes; - Most of the elderly and middle-aged people wish their lives will not be disturbed by the project. when the project affect land, house, they will get reasonable compensation; - The younger people want to have vocational training or borrow fund for doing business;
4	23/09/2016	People's Committee of ward 8	Consultant; Investor's representative; Representative of People's committee of ward 8; EM households in LIA 1, 2, 3, 5 and along roads as Nguyen Dinh Chieu, De Lo Ren, Lo Bo Tay	35	19	16	<ul style="list-style-type: none"> - People totally agree with the implementation of the project and are happy that the project pay special attention to people's wishes; - Most of the elderly and middle-aged people wish their lives will not be disturbed by the project. when the project affect land, house, they will get reasonable compensation; <p>Language is not an issue because the Khmer have largely integrated into the Kinh community and are able to communicate in Vietnamese;</p>

**ANNEX 3: MINUTES OF MEETINGS FOR ETHNIC MINORITY COMMUNITY
CONSULTATION**

**SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness**

COMMUNITY CONSULTATION MEETING MINUTES

Name of the meeting: Community consultation for preparation of the Ethnic Minority Development Plan (EMDP).

Meeting time: 21/09/2016.

Meeting venue: House of Mr. Tran Van Em, alley 14, ward 8, Bac Lieu city.

Project: Viet Nam Scaling-up Urban Upgrading Project – Bac Lieu city subproject, Bac Lieu province.

1. Participants of the meeting:

a. Employer's representative

1. Mr.: Pham Minh Thanh

Position: Representative of PMU

b. Ward People's Committee

1. Mr.: Truong Chi Cuong

Position: Vice Chairman of People's Committee of Ward 8 – Bac Lieu city

2. Ms. Ho Ngoc Mai

Position: Head of residential group.

c. Representative of Consulting unit

1. Ms. Tran Thi Ngoc

Position: Consultant

2. Mr. Nguyen Thanh Phong

Position: Consultant.

d. Households' representative

2. Aims and content of the consultation meeting:

- To present brief information on the SUUP – Bac Lieu city subproject: scope of the project, objective, project items, implementation time.
- Project items relating to the land acquisition, right and benefits of affected people. Compensation for resettlement, responsibility for arrangement and implementation of compensation and resettlement; potential activities of the project items relating to the land acquisition, environment and ethnic minority.
- To discuss some issues relating to socio-economic condition: income, living condition, employment, gender, labor division in households, custom...
- Negative impacts and positive impacts of the project on the Ethnic minority people during the implementation.

- To present solutions for promoting positive impacts and for mitigating negative impacts of the project.
- Plan for implementing the compensation and support plan for the Ethnic minority.
-

3. Discussions

3.1. Socio-economic characteristics

- Most of people in the area are hired labors.
- Educational level: mostly secondary level.
- Household average income: from 3-5 million dong/month.

3.2. Positive impacts and solution for maintaining

- Positive impacts: to improve living condition, employment opportunities, improving house and land value.
- Solution for optimize benefits: To manage and monitor the construction in a close manner, ensuring quality for the construction work.

3.2. Negative impacts and mitigation measures

- Negative impacts: negative impacts from land acquisition, affecting people's traveling during the construction, arising of social evils due to the immigration of labors, temporary environmental pollution (wastewater during the construction phase).
- Mitigation measures for negative impacts: Selecting the technical solution to mitigate the land acquisition, preparing supportive programs for income restoration, promoting the construction progress, monitoring the management, ensuring security in the area.

3.3. Recommendation

- Supporting livelihood by providing vocational training courses.
- Supporting the community to rise the house's floor (in the case floor of people is lower than road's elevation after the road is upgraded).
- Providing loan.

4. Conclusion

- Participants in the meeting all understood about scope and objective and investment items of the project.
- Participants presented many ideas on potential impacts of the project on environment, land acquisition, crops, plants and ethnic minority community living in the area.
- People clearly understood the compensation and support policy of the project

- Participants agree with the plan for implementation of compensation, support and activities for development of Ethnic minority and mitigation measures.

-

The meeting ended onof the same day

Representative of community

(Signature and full name)

Representative of consulting unit

(Signature and full name)

Representative of Project owner

(Signature and full name)

**Representative of ward People's
committee**

(Signature and full name)

19/09/2016, Committee's people of Ward 8 of Bac Lieu city

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

BIÊN BẢN THAM VẤN CỘNG ĐỒNG

1. Thời gian họp: giờ, ngày 19 tháng 09 năm 2016

2. Địa điểm họp: UBND Phường 8 T.P. Bac Lieu.....

3. Thành phần tham dự:

Ông (bà): Trương Chí Cường Chức vụ: PCT UBND Phường 8

Ông (bà): Đường Quốc Trung Chức vụ: CT Hội ND Phường 8

Ông (bà): Chức vụ: Ban QLDA

Ông (bà): Hồ Ngọc Mai Chức vụ: Trưởng nhóm Tra vấn

Ông (bà): Phùng Thu Thủy Chức vụ: Thành viên 1

Ông (bà): Trần Thị Ngọc Chức vụ: Thành viên

Đại diện các hộ trong phường (có danh sách kèm theo)

4. Nội dung cuộc họp:

① Viết thieu dự án

② Tình hình một số vấn đề liên quan đến đời sống kinh tế - xã hội:

..... Nghề nghiệp chủ yếu của các hộ Khmer là lao động làm thuê, thu nhập thấp và không ổn định.

..... Tuổi đời học vấn: Tỷ lệ người Khmer có trình độ Cao đẳng/Dai học và trên đại học rất thấp, chủ yếu đạt trình độ học vấn cấp II.

..... Điều kiện sống: nhiều gia đình người Khmer chưa được cơ chế tiền sử dụng nước cấp, họ thường sống trong các khu lùm, nơi mà cơ sở hạ tầng cũng chưa được đầu tư đúng chi.

③ Thảo luận về tác động của dự án:

..... Tác động tích cực: Cải thiện điều kiện sống, có học vấn, nâng cao kỹ năng và chất

..... Tác động tiêu cực: Ảnh hưởng tiêu cực từ thu hồi đất ảnh hưởng đi lại trong thời gian thi công, phát sinh tệ nạn xã hội do thu nhập từ công nhân lao, ô nhiễm môi trường, tạm thời

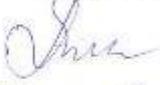
④ Thảo luận biện pháp giảm thiểu tác động tích cực:

..... Lựa chọn PCT chủ trì, xây dựng các chức vụ tranh hỗ trợ, phục hồi thu nhập. . . . 1

5. Kết luận

Công trình dân tộc Khmer trong khu vực dự án
có điều kiện sinh kế còn nhiều khó khăn. Những hộ
này cần được có những chính sách ưu tiên hỗ trợ để
ổn định sinh kế và cải thiện cuộc sống sau khi dự án
hoàn thành.

Thư ký cuộc họp
(ký và ghi rõ họ tên)


Ngô Thị Dung

Đại diện cộng đồng dân cư
(ký và ghi rõ họ tên)

Đại diện đơn vị tư vấn
(ký và ghi rõ họ tên)


T.T. Ngọc

Đại diện Chủ dự án
(ký và ghi rõ họ tên)

Đại diện UBND phường
(ký và ghi rõ họ tên)


CHỦ TỊCH

Trương Chí Cường

MEETING MINUTES OF ETHNIC MINORITY COMMUNITY CONSULTATION

21/09/2016, House of Tran Van Em, alley 14, ward 8, Bac Lieu city

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

BIÊN BẢN THAM VẤN CỘNG ĐỒNG

Tên cuộc họp: **Tham vấn cộng đồng – Lập báo cáo phát triển Dân tộc thiểu số (EMDP)**
Thời gian họp: giờ, ngày 21 tháng 09 năm 2016
Địa điểm họp: Nhà ông Trần Văn Em, Alley 14, Phường 8, TP. Bạc Liêu
Dự án: **Mở rộng nâng cấp đô thị Việt Nam – Tiểu dự án thành phố Bạc Liêu, tỉnh Bạc Liêu**

1. Thành phần tham dự:

a. Đơn vị chủ đầu tư

- Ông (bà): Phạm Minh Khoa Chức vụ: MRPH
- Ông (bà): Chức vụ:

b. UBND phường

- Ông (bà): Trần Thị Cường Chức vụ: KT. Phường 8 - TP. BL
- Ông (bà): Nguyễn Duy Khánh Chức vụ: Phong Dân tộc
- Ông (bà): Trương Quốc Trung Chức vụ: CT. Hộ Nông dân
- Ông (bà): Hồ Ngọc Mai Chức vụ: Tư lệnh Khon

c. Đại diện tư vấn

- Ông (bà): Trần Thị Ngọc Chức vụ: N. viên
- Ông (bà): Nguyễn Văn Phong Chức vụ: N. viên

d. Địa diện hộ dân

- Ông (bà): Trần Văn Em Chức vụ: Hộ dân
- Ông (bà): Nguyễn Thị Hoa Chức vụ: Hộ dân

2. Nội dung cuộc họp:

- Giới thiệu tóm tắt về dự án Mở rộng nâng cấp đô thị Việt Nam – tiểu dự án thành phố Bạc Liêu, tỉnh Bạc Liêu: Phạm vi dự án, mục tiêu, hạng mục đầu tư, thời gian tiến hành;
- Các hạng mục dự án có liên quan đến việc thu hồi đất; Quyền lợi và quyền được đền bù của người bị ảnh hưởng; Các hoạt động đền bù tái định cư; trách nhiệm tổ chức và thực hiện đền bù tái định cư; Các tác động tiềm tàng của các hạng mục dự án có liên quan đến việc thu hồi đất, môi trường và dân tộc thiểu số;
- Thảo luận một số vấn đề liên quan đặc điểm Kinh tế - Xã hội: thu nhập, mức sống, nghề nghiệp, giới, phân công lao động trong gia đình, phong tục tập quán...
- Tác động tiêu cực cũng như tác động tích cực của dự án đối với người Dân tộc thiểu số trong quá trình thực hiện dự án
- Đưa ra các giải pháp phát huy các tác động tích cực và các giải pháp giảm thiểu các tác động tiêu cực của dự án đem lại;

1



- Kế hoạch thực hiện đền bù – hỗ trợ chương trình phát triển dân tộc thiểu số

3. Tiến trình thảo luận

3.1. Đặc điểm kinh tế - xã hội

- Nghề nghiệp chủ yếu: lao động làm thuê
- Trình độ học vấn chủ yếu đạt trình độ cấp II
- Thu nhập bình quân/hộ: Vào đồng từ 3-5 triệu/tháng

3.2. Tác động tích cực và giải pháp duy trì

- Tác động tích cực: cải thiện điều kiện sống, cơ hội việc làm, nâng cao đời sống xã hội
- Biện pháp tiếp tục duy trì: Quản lý và giám sát thời gian chất chi đảm bảo chất lượng công trình đầu tư

3.3. Tác động tiêu cực và biện pháp giảm thiểu

- Tác động tiêu cực: Ảnh hưởng tiêu cực từ thu hồi đất, ảnh hưởng đi lại trong quá trình thi công, phát sinh di dời nhà ở, di dời đồ đạc, lao động ngoài giờ, ô nhiễm môi trường xung quanh (bụi, nước thải, tiếng ồn, mùi thi công)
- Biện pháp giảm thiểu tác động tiêu cực: Lựa chọn phương án kỹ thuật phù hợp giảm thiểu thu hồi đất, xây dựng các công trình vượt hồ dự phục hồi thu nhập, đẩy nhanh tiến độ thi công, giám sát quản lý chặt chẽ, đảm bảo an toàn khu vực

3.4. Đề xuất

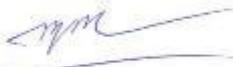
- Hỗ trợ sinh kế thông qua cung cấp các khóa đào tạo nghề
- Hỗ trợ công đồng nâng cao vốn nhà (trong tương lai lập nhà cửa hộ có quy mô, đáp ứng khi các hộ còn nhà thấp hơn các hộ nên hưởng suất đền bù cấp)
- = Giải thích xây dựng

5. Kết luận

- Người tham gia đã hiểu biết đầy đủ về mục tiêu quy mô và các hạng mục đầu tư của Dự án;
- Người tham gia đưa ra rất nhiều ý kiến về các tác động tiềm tàng của dự án về môi trường, thu hồi đất, ảnh hưởng cây cối hoa màu, và ảnh hưởng đối với cộng đồng dân tộc thiểu số địa phương;
- Người dân đã hiểu được chính sách đền bù – hỗ trợ, phát triển dân tộc thiểu số và môi trường của các hạng mục đầu tư;
- Người tham gia thống nhất kế hoạch thực hiện các hoạt động đền bù, hỗ trợ, các hoạt động phát triển dân tộc thiểu số và các biện pháp giảm thiểu;

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

Đại diện cộng đồng dân cư
(ký và ghi rõ họ tên)


HỒ THỊ NGỌC AN

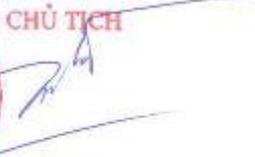
Đại diện đơn vị tư vấn
(ký và ghi rõ họ tên)


Trần Thị Ngọc

Đại diện Chủ dự án
(ký và ghi rõ họ tên)


PHẠM VĂN HỮU

Đại diện UBND phường
(ký và ghi rõ họ tên)


HỒ CHỮ TÍCH

Trương Chí Cường



ANNEX 4: SOME PICTURES OF CONSULTATION MEETINGS



Mr. Truong Chi Cuong delivered speech in the meeting on 19/09/2016



Ethnic minority community consultation meeting on 21/09/2016



Community consultation meeting on 22/09/2016



Community consultation meeting on 22/09/2016