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** MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT**

**SỞ NÔNG NGHIỆP VÀ PHÁT TRIỂN NÔNG THÔN TỈNH**

BAN QUẢN LÝ DỰ ÁN TIỂU DỰ ÁN THÀNH PHẦN SỬA CHỮA VÀ NÂNG CAO AN TOÀN ĐẬP TỈNH HÀ TĨNH

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IRRIGATION PROJECTS CENTRAL PROJECT OFFICE



**MEKONG DELTA INTEGRATED CLIMATE RESILIENCE AND SUSTAINABLE LIVELIHOODS PROJECT**

**SUBPROJECT 1: ADDRESSING COASTAL AND RIVERBANK EROSION IN MEKONG DELTA**

**RESETTLEMENT ACTION PLAN**

**AN GIANG PROVINCE**

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**AN GIANG, JUNE 2020**

**MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT**

IRRIGATION PROJECTS CENTRAL PROJECT OFFICE



**MEKONG DELTA INTEGRATED CLIMATE RESILIENCE AND SUSTAINABLE LIVELIHOODS PROJECT**

**RESETTLEMENT ACTION PLAN**

**SUBPROJECT 1: ADDRESSING COASTAL AND RIVERBANK EROSION IN MEKONG DELTA**

**AN GIANG PROVINCE**

|  |  |
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| **PROJECT OWNER** | **CONSULTANCY AGENCY** |

**TABLE OF CONTENTS**

[ABBREVIATIONS vi](#_Toc43801605)

[DEFINITION OF TERMS 7](#_Toc43801606)

[EXECUTIVE SUMMARY 9](#_Toc43801607)

[1. PROJECT OVERVIEW 13](#_Toc43801608)

[1.1. Project overview 13](#_Toc43801609)

[1.2. Subproject 1: “Addressing Coastal and Riverbank Erosion in Mekong Delta - An Giang province” 14](#_Toc43801610)

[2. OBJECTIVES OF RESETTLEMENT ACTION PLAN 15](#_Toc43801611)

[3. SCOPE OF LAND ACQUISITION AND RESETTLEMENT (LAR) 16](#_Toc43801612)

[3.1. Mitigation measures of land acquisition and resettlement 16](#_Toc43801613)

[3.2. Scope of land acquisition and resettlement 17](#_Toc43801614)

[3.2.1. Number of permanently affected households 17](#_Toc43801615)

[3.2.2. Permanent impacts on land 18](#_Toc43801616)

[3.2.3. Impacts on houses and structures 19](#_Toc43801617)

[3.2.4. Impacts on trees and crops 19](#_Toc43801618)

[3.2.5. Impacts on public land 20](#_Toc43801619)

[3.2.6. Temporary impacts during construction phase 20](#_Toc43801620)

[3.3. Related projects 20](#_Toc43801621)

[4 SOCIO-ECONOMIC PROFILE 21](#_Toc43801622)

[4.1. Objectives and methods of Socio-Economic Survey (SES) 21](#_Toc43801623)

[4.2. Socio-economic profile of An Giang province 22](#_Toc43801624)

[4.3. Socio-economic information of affected households 23](#_Toc43801625)

[4.3.1. Household size 23](#_Toc43801626)

[4.3.2. Age of household heads 23](#_Toc43801627)

[4.3.3. Education levels 23](#_Toc43801628)

[4.3.4. Occupation of households 24](#_Toc43801629)

[4.3.5. Household appliances 24](#_Toc43801630)

[4.3.6. Household income and expenditure 24](#_Toc43801631)

[4.3.7. Access to electricity, water and other services 24](#_Toc43801632)

[4.3.8. Social evils 25](#_Toc43801633)

[4.3.9. Current land use status and land use right certificates (LURCs) 25](#_Toc43801634)

[4.4. Gender issues 25](#_Toc43801635)

[4.4.1. Analysis of gender difference 25](#_Toc43801636)

[4.4.2. Subproject impacts on women 26](#_Toc43801637)

[4.4.3. Gender monitoring indicators 26](#_Toc43801638)

[5 LEGAL FRAMEWORK 28](#_Toc43801639)

[5.1. World Bank’s Operational Policy on Involuntary Resettlement 28](#_Toc43801641)

[5.2. Legal Framework of the GoV: 29](#_Toc43801642)

[5.3. The comparsion of GoV’s Laws and Regulations and WB’s Safeguard Policies 31](#_Toc43801643)

[6 COMPENSATION, ASSISTANCE AND RESETTLEMENT POLICY 36](#_Toc43801644)

[6.1. Applicable conditions 36](#_Toc43801645)

[6.2. Resettlement principles 36](#_Toc43801646)

[6.3. Policies on compensation, resettlement and assistance 37](#_Toc43801647)

[6.3.1. Compensation policy for permanent impacts 38](#_Toc43801648)

[6.3.2. Rehabilitation allowances and assistance 39](#_Toc43801649)

[7 ELIGIBILITY CRITERIA AND ENTITLEMENTS 44](#_Toc43801650)

[7.1. Project Affected Persons (PAPs) 44](#_Toc43801651)

[7.2. Identification of vulnerable groups or households 44](#_Toc43801652)

[7.3. Eligibility 44](#_Toc43801653)

[7.4. New affected households after cut-off-date 45](#_Toc43801654)

[8 RESETTLEMENT 45](#_Toc43801655)

[9 LIVELIHOOD RESTORATION PROGRAMS 46](#_Toc43801656)

[9.1. Overview 46](#_Toc43801657)

[9.2. Need analysis 46](#_Toc43801658)

[9.3. Proposed income restoration program (IRP) 46](#_Toc43801659)

[8.3.1. Description 46](#_Toc43801660)

[8.3.2. Cost estimate for the income restoration program 47](#_Toc43801661)

[8.3.3. Organization for IRP implementation 48](#_Toc43801662)

[8.3.4. IRP implementation schedule 49](#_Toc43801663)

[8.3.5. Monitoring and evaluation 49](#_Toc43801664)

[10 PUBLIC CONSULTATION AND PARTICIPATION 50](#_Toc43801665)

[10.1. Objectives of public consultation and information disclosure 50](#_Toc43801666)

[10.2. Information disclosure, public consultation and participation 50](#_Toc43801667)

[11 GRIEVANCE AND REDRESS MECHANISM 55](#_Toc43801668)

[11.1. Responsibilities 55](#_Toc43801669)

[11.2. Grievance Redress Mechanism 55](#_Toc43801670)

[12 IMPLEMENTATION ARRANGEMENT 57](#_Toc43801671)

[12.1. Responsibilities of relevant agencies 57](#_Toc43801672)

[13 IMPLEMENTATION PLAN 59](#_Toc43801673)

[13.1. Main activities 59](#_Toc43801674)

[13.2. Implementation plan 60](#_Toc43801675)

[14 MONITORING AND EVALUATION 62](#_Toc43801676)

[14.1. Objectives 62](#_Toc43801677)

[14.2. Internal monitoring 62](#_Toc43801678)

[14.3. Independent monitoring 63](#_Toc43801679)

[15 COST ESTIMATION AND BUDGET 64](#_Toc43801680)

[APPENDIX 67](#_Toc43801681)

[Appendix 1: Some minutes of public consultations in the subproject area 67](#_Toc43801682)

[Appendix 2: Socio – Economic Survey Form to AHs in the subproject area 70](#_Toc43801683)

[Appendix 3: Some photos of the site and community consultation 79](#_Toc43801684)

[Appendix 4: Rapid Replacement cost 80](#_Toc43801685)

**TABLE OF CONTENTS**

[Table 1: The construction works under Subproject 1 - An Giang province 16](#_Toc46411871)

[Table 2: Linked Project 16](#_Toc46411872)

[Table 3: Summary of permanently affected households by Subproject 1 - An Giang province 17](#_Toc46411873)

[Table 4: Summary of permanent land acquisition impact by Subproject 1 - An Giang province 18](#_Toc46411874)

[Table 5: Summary of impacts on houses and structures 19](#_Toc46411875)

[Table 6: Summary of affected trees and crops 19](#_Toc46411876)

[Table 7: Information about affected households participating in the survey 23](#_Toc46411877)

[Table 8: Information about ages of respondents 23](#_Toc46411878)

[Table 9: Information on education level 23](#_Toc46411879)

[Table 10: Comparison of the GoV’s and WB’s policies related to compensation, support and resettlement 32](#_Toc46411880)

[Table 11: Matrix of Entitlements 41](#_Toc46411881)

[Table 12: Affected household need on income restoration program 46](#_Toc46411882)

[Table 13: Cost estimate for the income restoration program 48](#_Toc46411883)

[Table 14: The IRP implementation schedule 49](#_Toc46411884)

[Table 15: Community consultation on land acquisition and resettlement 51](#_Toc46411885)

[Table 16: The RAP implementation plan of An Giang subproject 60](#_Toc46411886)

[Table 17: Replacement cost for affected residential land 64](#_Toc46411887)

[Table 18: Replacement prices for houses and structures 64](#_Toc46411888)

[Table 19: Replacement cost for trees 65](#_Toc46411889)

[Table 20: Cost estimate for compensation of the subproject items 65](#_Toc46411890)

**CURRENCY EQUIVALENTS**

(March 2020)

|  |  |  |
| --- | --- | --- |
| Currency | – | Vietnam Dong (VND) |
| $1.00 | = | VND 23,250 |

# ABBREVIATIONS

|  |  |
| --- | --- |
| PAP/AH | Project affected persons/affected household |
| CPO | Irrigation Projects Central Management Office |
| ICRSL | Mekong Delta Integrated Climate Resilience and Sustainable Livelihoods Project |
| RAP | Resettlement Action Plan |
| MARD | Ministry of Agriculture and Rural Development |
| DARD | Department of Agriculture and Rural Development |
| WB | World Bank |
| PPC | Provincial People's Committee |
| PMU | Provincial Project Management Unit |
| PC | People's Committee |
| IOL | Inventory of loss |
| DMS | Detailed measurement survey |
| VND | Vietnamese Dong |
| WB | Work Bank |
| GOV | Vietnamese government |

# DEFINITION OF TERMS

|  |  |
| --- | --- |
| Project impacts | Any consequences directly related to land acquisition or restriction of the use of legally selected areas or protected areas. |
| Affected people | Any person, affected by the implementation of a project affecting the loss of ownership, use, or loss of income or means of livelihood such as construction works, land (residential land, agricultural land or pasture land), annual or perennial crops and plants or other impacts regardless of relocation, in whole or in part, permanent or temporary. |
| Cut-off date | The date on which the competent authority issued a notice of land acquisition to the relevant project (Clause 1, Article 67 of Land Law 2013) before conducting a detailed measurement survey (DMS). An impact assessment survey (census) will be conducted before the cut-off date is published to make list of possible affected households. |
| Eligibility | Any person who has used the land affected by the project and is listed before the cut-off date that (i) has legal land use rights; (ii) do not have a legal land use right but are eligible to be legalizable pursuant to national law; and (iii) not to be claimed a lawful use right or a claim of the right to use the land they are occupying. |
| Replacement cost (price) | - For agricultural land, the replacement cost is the market price at the time prior to the project implementation or before the relocation for the project implementation (upon whichever is higher) of the equivalent production or use value of land in the adjacent area to the affected area, plus land reclamation costs to achieve an equivalent value of such affected land, and plus costs applied to registration and transfer taxes.  - For residential land in urban areas, it is the market price at the time prior to the relocation of a land of the same size and use purpose, with similar or good infrastructure and public services compared with the previous residence and in the vicinity of the affected land, plus the costs applied to registration and transfer taxes.  - For houses and structures, the market price of materials will be applied to build replacement structures of equal or better quality than affected ones, or to repair partially damaged ones, plus costs of transporting construction materials to the construction site, plus labor costs and costs for construction contractors, plus costs of transporting construction materials to the construction site, plus labor costs and costs for construction contractors, and plus fees and duties applicable for registration and transfer taxes. The determination of replacement costs is regardless of the depreciation of assets and the value of liquidated materials as well as the value of benefits from the project that has deducted the value of affected assets. |
| Resettlement | Including all direct economic and social damages caused by land acquisition and limited access to assets, along with subsequent compensation and remedies. Resettlement is not restricted to house relocation. Resettlement may, on a case-by-case basis, include (i) acquisition of land and structures on such land, including business activities; (ii) relocation of house and structures; and (iii) rehabilitation measures to improve (or at least restore) income and living standards of PAPs. |
| Entitlements | Including compensation and assistance to PAPs based on types and extents of damages. |
| Inventory of loss (IOL) | A process of calculating assets and sources of income affected by project. |
| Baseline socio-economic survey | A baseline socio-economic survey of households, businesses, or parties affected by other projects required to: Accurately identify and compensate or minimize damage, assess impacts, on household economy, and differentiate levels of impacts on affected parties. |
| Vulnerable groups | Identified as persons due to their gender, ethnicity, age, physical or mental disability, economic disadvantages or social status, which are more severely affected by resettlement than other communities and those who are limited by their ability to request support to develop their benefits from project, including: (i) female-headed households with dependents (without husbands, husbands who were dead, husbands who are incapable of working); (ii) people with disabilities (no longer able to work), old people who have no one to rely on; (iii) poor and near poor households; (iv) people who don’t have land; (v) ethnic minorities; and (vi) policy households. |
| Livelihoods | Economic activities and income generation, often by self-employment and/or labor paid by their own labor and materials to earn sufficient income to meet the requirements of themselves and their families sustainably. |
| Income (livelihood) restoration | Restoring income or livelihood of affected households. |
| Stakeholders | Any and all individuals, groups, organizations, and institutions that are interested and likely affected by the project or may affect the project. |

# EXECUTIVE SUMMARY

**Project overview**

1. The Government of Vietnam has received a credit of the International Development Association (IDA) to finance the Mekong Delta Integrated Climate Resilience and Sustainable Livelihoods Project (MD-ICRSL Project). The Project has started since the third quarter of 2016 with the development objective of "Strengthening tools for planning and adapting to climate change and improving resilience to climate change for land and water resource management in the selected provinces in the Mekong Delta". Subproject 01: "Addressing Coastal and Riverbank Erosion in Mekong Delta - Ca Mau Province" is part of Component 2 - Managing Upstream Floods - Mekong Delta Integrated Climate Resilience and Sustainable Livelihoods Project (MD-ICRSL Project). This Resettlement Action Plan (RAP) is prepared to cover impacts linked to *the "Embankment against landslides in Hau river section in Chau Phong commune (l = 2.5km) and Embankment against landslides in Long Xuyen city, Ton Duc Thang bridge - Dung canal section (l=2km), An Giang province"*. This RAP is based on the Project's Resettlement Policy Framework and socio-economic survey results, inventory of loss (IOL), and community consultation.

**Objectives of the Resettlement Action Plan**

1. The main objective of this RAP is to replace and compensate for lost properties based on the principles of full replacement cost. The PAPs will be provided with various types of cash assistance for life stabilization as per government laws and regulations in addition to payment for land and non-land assets. .

**Scope and impact of land acquisition**

1. The construction of the works will affect 58 households (55 households and 03 organizations, which are People's Committees of communes/wards (CPCs)), including 03 ethnic minority households (Cham people), in which (i) 55 households are affected with residential land, structures and crops and must be relocated, and (ii) 03 CPCs are affected with public land.
2. The total acquired land area for the subproject implementation is 5,075m², in which, ​​affected residential land is 2,620 m2 and affected road is 2,455 m2 managed by 03 CPCs. In total there will be 70 trees to be affected (47 bananas, 10 coconuts, 13 Terminalia catappa).
3. It is estimated that during the construction of the subproject works, 03 communes/wards will be also temporarily affected, with the total area of public land of ​​3,000 m2.

**Mitigation measures**

1. The Project Management Unit has worked closely with the Project Planning Consultant and Resettlement experts to avoid or minimize land acquisition scope in all the subproject work-items. Measures to mitigate negative impacts of the subproject have been proposed through the study of design options. At the same time, measures to mitigate temporary impacts during the construction period have been studied and proposed.

**Entitlement and policy framework**

1. **Entitlement and policy framework.** The Resettlement Policy Framework has been developed based on the current policies and decisions of the Vietnamese government and the World Bank's Operational Policy on involuntary resettlement (OP 4.12). This document will guide the preparation of the resettlement action plan and the implementation of resettlement activities for the subproject. In case of discrepancies between the Vietnamese and World Bank’s policies, the World Bank's policy will be applied.

**Cut-off-date**

1. This is a date on which the competent authority issues notice of land acquisition for the relevant project (Clause 1, Article 67 of the Land Law in 2013) before a Detailed Mesurement Survey is implemented (DMS). An impact assessment survey (census) will be conducted before the cut-off date to be published to make a list of possisble affected households.

**Income restoration program**

1. An Income Restoration Program has been prepared in order to help severely affected and vulnerable households to improve or at least restore their income and livelihoods as before the subproject implementation. In addition, financial support and vocational training will be provided to PAPs.

**Organization of implementation**

1. Compensation and resettlement assistance through the project is under the management and supervision of the Project Management Unit and the District Land-fund Development Centers district/commune/town. During the implementation, the implementing organizations should have close coordination with the functional agencies and local authorities of the towns and communes and the communities in the subproject area to ensure that the compensation and support and resettlement are conducted publicly, transparently, on schedule, and in compliance with the approved RAP.

**Consultation and participation**

1. The Subproject's Resettlement Action Plan is developed in close cooperation with local authorities, community representatives and PAPs. The authorities in the towns/communes and representatives of the affected households have been consulted through meetings and community consultations, surveyed by questionnaires for most of households in the affected area. The information gained during the consultation process is an important basis for the development of the Subproject's Resettlement Action Plan including compensation and support options and Income Restoration Program.

**Monitoring and evaluation**

1. The Resettlement Action Plan will be implemented under the supervision of the PPMU, which will hire an independent monitoring agency/individual to oversee the implementation of the Resettlement Action Plan.
2. After completing the subproject, the Independent Monitoring Agency (IMA) will conduct an evaluation to determine if the objectives of the resettlement policy are achieved. If the assessment results show that the objectives of the resettlement policy are not achieved, the PMU will propose additional measures in order to meet the program's objectives..

**Complaints and grievance redress mechanism**

1. In order to ensure that all grievances of PAPs on land acquisition, compensation and resettlement are addressed promptly and satisfactorily, a grievance redress mechanism is set up in the Resettlement Action Plan. All PAPs can submit complaints and written questions about entitlements, compensation rates, support, income restoration .... The grievances redress process includes 3 levels (CPCs, DPCs, and PPCs) If complainers do not agree with the outcome of settlement of their complaints, they can send their complaints to the courts, whenever they wish. The PPMU will appoint a staff member to oversee and follow up the grievances of the DPs until they are settled.

**Cost estimate**

1. The total cost estimated for implementing the Resettlement Action Plan for the subproject works is **VND 12,284,358,821** (equivalent to **US $ 528,928**). This cost includes compensation/support costs for land, structures, assets affected by the subproject, income restoration program, transition support and implementation management and contingency cost. The total estimated cost for implementing the subproject’s site clearance will be taken from the counterpart fund of the People's Committee of An Giang province.

# PROJECT OVERVIEW

* 1. Project overview

1. The Government of Vietnam has received a credit of the International Development Association (IDA) to finance the Mekong Delta Integrated Climate Resilience and Sustainable Livelihoods Project (MD-ICRSL Project). The Project has started since the third quarter of 2016 with the development objective of "Strengthening tools for planning and adapting to climate change and improving resilience to climate change for land and water resource management in the selected provinces in the Mekong Delta". The total investment of the Project is USD 385.9 million (USD 310 million is financed by the IDA; USD 72.5 million is financed by the Government's counterpart fund; and USD 2.4 million is from private capital. The project is implemented in a period of 6 years (2016-2022), consisting of 05 components below.

* Component I: Enhancing monitoring, analytics, and information systems (USD 61.29 million): Component I focuses on overcoming the shortage of databases, synchronizing documents and optimizing the use of databases in the direction of policy and coordination administration and planning, especially operating irrigation systems to serve production and people's life in order to minimize adverse impacts caused by climate change.
* Component II: Managing Floods in the Upper Delta (USD 100.909 million): The main objective of this Component is to protect and enhance positive effects of floods via flood control measures (flood water retention), increase rural incomes, and protect high value assets. It is possible to use (i) flood control measures (flood water retention) which is more beneficial in rural areas and provide alternatives in agricultural and fishery production; (ii) provide livelihood supports to farmers so that they can replace rice crops in flood seasons, including aquaculture; (iii) build and upgrade infrastructure to protect high-value assets like urban areas and orchards, and support the efficient use of agricultural water in dry seasons.
* Component III: Adapting to Salinity Transitions in the Delta Estuary(107.075 million USD): The main objective of this Component is to address challenges relating to saline intrusion, coastal landslides, sustainable aquaculture and livelihood improvement for coastal communities. The activities will include: (i) Construction of coastal protection systems such as embankments, dykes and mangrove forests; (ii) upgrading irrigation and agricultural infrastructure along coastal areas to increase aquaculture flexibility and sustainability and adapt to salinity change; (iii) support farmers to convert (if needed) to more sustainable brackish water farming activities such as mangrove-shrimp, rice-shrimp, and other aquaculture activities; and (iv) support the smart agriculture to adapt to climate change by facilitating effective water use in dry seasons.
* Component IV: Protection of coastal areas in the delta peninsula (USD 101.148 million): The activities include (i) Construction/rehabilitation of coastal protection forest belt in combination with embankments, dykes and mangrove forest belt; (ii) upgrading infrastructure to control tidal and saline water along coastal areas to help the aquaculture to be flexible and sustainable; (iv) controlling groundwater resources used for agriculture/fisheries and developing freshwater sources for domestic use; (v) supporting farmers to implement more sustainable brackish water farming activities such as mangrove forests - organic shrimp and other fisheries activities; and (vi) support the smart agriculture to adapt to climate change and effective use of water.
* Component V: Support for project management and implementation (USD 14.557 million): This component is divided into project management support and capacity building for MONRE/MARD/MPI and project participating provinces. It will support the increased costs associated with project management and provide consulting services for overall project management, financial management, bidding, safeguard policies and evaluation monitoring.

1. **Subproject 01** belongs to Component 2 of the “**Mekong Delta Integrated Climate Resilience and Sustainable Livelihoods Project” (MD-ICRSL Project)** implemented in three provinces of the Mekong Delta: the upstream (An Giang province) and the peninsula (Ca Mau province and Kien Giang province).
2. *General objectives:* Preventing erosion of river and coastal banks, protecting coastal population, infrastructure and land, enabling livelihoods stabilization and development, and improving incomes for people in the subproject area.
3. *Specific objectives:* Avoiding potential erosion at selected critical (emergency) locations, promoting better land and water management and improving disaster resilience under climate change and sea level rise conditions in selected provinces in the Mekong Delta.
   1. Subproject 1: “Addressing Coastal and Riverbank Erosion in Mekong Delta - An Giang province”
4. Subproject 1 aims to prevent the erosion of river and coastal banks to protect the population, infrastructure and land along the coastal areas, and to enable stabilization and development of livelihoods and raising revenues for people in the subproject area.
5. An Giang province includes 02 work-items:
6. Embankment against landslides in Hau river section in Chau Phong commune (l = 2.5km). The total investment is 340 billion
7. (ii) Embankment against landslides in Long Xuyen city, Ton Duc Thang bridge - Dung canal section (L=2km). The total investment is 100 billion.

|  |  |
| --- | --- |
| Embankment against landslides in Hau river section in Chau Phong commune | Embankment against landslides in Long Xuyen city |
|  |  |

# OBJECTIVES OF RESETTLEMENT ACTION PLAN

* 1. **Objectives**

1. Decree No.16/2016/ND-CP dated 16 March 2016 of the Government, on the management and use of ODA and concessional loans from foreign donors, provides the principle of the management and use of ODA capital: "Comply with the ODA provisions of Vietnam’s laws and international treaties which the Socialist Republic of Vietnam is a member. In case where the international treaties on ODA contain provisions different from the provisions of Vietnamese laws, the provisions of such international agreements shall be applied". Land Law No.45/2013/QH13, Article 87.2 states that: “For projects using loans from international or foreign organizations for which Vietnam has committed to a policy framework for compensation, support and resettlement, the policy frameworks of such projects will prevail”
2. The Resettlement Action Plan for An Giang subproject is based on the agreed Project’s Resettlement Policy Framework (RPF) prepared to harmonize the operational policy of World Bank OP 4.12 and the GOV's regulations on compensation, support and resettlement. The basic principles of the Resettlement Action Plan include: (i) Involuntary resettlement should be avoided where feasible; (ii) minimize involuntary resettlement with alternative design solutions and compensation when land acquisition is inevitable; (iii) Improve or at least restore living conditions of affected households to their living standard as before the subproject implementation; and (iv) Improve living standards for the poor and vulnerable households.
3. Based on these principles, the main objectives of the Resettlement Action Plan are as follows:

* Ensure complete and accurate determination of impacts, damages on land, structures, and other assets of all affected individuals and organizations.
* Develop criteria, conditions and entitlements on compensation, support and resettlement.
* Ensure adequate preparation of resettlement sites for displaced households.
* Implement an Income Restoration Program to minimize difficulties for affected households during and after relocation, ensuring that the objective that the livelihoods of the households after relocation must be "better or at least equal” to their livelihoods before the subproject implementation.
* Ensure adequate and timely funding to pay compensation and support to affected households.
* Ensure that the land acquisition and handover of sites to carry out the construction works are on time and in pace of the general schedule of the whole project.
* Encourage PAPs and communities to participate in the process of preparing, implementing and monitoring the Resettlement Action Plan.
* Establish a grievance redress mechanism to ensure that all grievances of PAPs will be handled in a timely, satisfactory and transparent manner.
* Establish a mechanism for consultation, participation and supervision for affected households.

1. The RAP report is based on the basic design of the subproject. The combined results of the RAP report are included in the feasibility study to ensure the allocation of Government funding for the subproject implementation. The Resettlement Action Plan will be updated after finalizing the detailed designs, detailed measurement survey and replacement cost survey.
   1. **Scope of Resettlement Action Plan**
2. Subproject 01 is located in An Giang province including 02 construction items. The details are shown in the table below.

Table 1*: The construction works under Subproject 1 - An Giang province*

| **NO.** | **WORKS** | **COMMUNES/WARDS** | **CITY/TOWN** |
| --- | --- | --- | --- |
| 1 | Embankment against landslides in Hau river section in Chau Phong commune (l = 2.5km) | Chau Phong commune | Tan Chau town |
| 2 | Embankment against landslides in Long Xuyen city, Ton Duc Thang bridge - Dung canal section (l=2km) | Binh Khanh ward, My Khanh commune | Long Xuyen city |

(Source: Project baseline report)

* 1. **Linked project**

1. All non-Bank funded activities that in the judgment of the Bank, are:
   * Directly and significantly related to the Bank-assisted project;
   * Necessary to achieve its objectives as set forth in the project documents; and
   * Carried out, or planned to be carried out, contemporaneously with the project are subject to the applicability of the Resettlement Policy Framework.

Based on the criteria defined above, there is one existing project linked to the SUUP as indicated in Table 2 below.

Table : Linked Project

|  |  |  |  |
| --- | --- | --- | --- |
| **Project name** | **Donor/ Budget** | **Source Situation** | **Linked or not to the project** |
| Hoa Long hamlet - Tan Chau commune | The funding for the construction of the resettlement area is from the local budget of An Giang Provincial People's Committee | 100,000 m2, currently at design stage,  The relocated HH under SP1 will be allocated plots in this RS; | Considered as linked. Should follow the provision of RFP once implemented; |

52 households will have to be relocated under SP1 in this RS. The land is public land owned by Tan Chau CPC. The infrastructures will be developed by Chau Phong Town People's Committee. The commencement of construction of the resettlement site is expected to take place in the third quarter of 2020. Resettlement plots will be provided to the relocated HHs at the beginning of early 2021. As this RS, will be built partially for the needs of the relocated HH under the SP1, WB policy (OP 4.12) on land acquisition and resettlement of affected households located in the planned RS, must be in compliance with the policies that have been defined in the RPF and RAP.

# SCOPE OF LAND ACQUISITION AND RESETTLEMENT (LAR)

## Mitigation measures of land acquisition and resettlement

1. In order to minimize subproject impacts on households, including directly and indirectly affected households, the mitigation measures have been implemented as follows:

* The PPMU has coordinated with the Design Consultant to conduct survey and study of location and scale of each construction work to propose the most optimal design plans to minimize land acquisition impact on households. Technical measures, comparison and selection of options are based on the principle of minimizing land acquisition impact on households in the subproject area and prioritizing the option of with either minimum site clearance or use of state-owned public land.
* During the subproject preparation and the development of the RAP, the PPMU and the Resettlement Consultant held consultations with the stakeholders and affected households in the subproject area. Many issues were discussed and exchanged, such as compensation and support policy, project design, mitigation measures, income restoration programs and estimated construction time, which are provided for affected households, and appropriate solutions are taken. All people are very supportive of the subproject and look forward to its early implementation.
* To reduce impacts on households living near the construction site to the minimum, during the construction process, the Resettlement Consultant consulted with local authorities and households living there to take mitigation measures suitable for each locality. Accordingly, a series of mitigation measures during construction will be applied to minimize negative impacts on local people.
* Construction periods will be widely announced in accordance with the regulation to local authorities and affected households, in order that the affected households take suitable farming plans.
* The Resettlement Consultant organized meetings with the Design Consultant to localize civil works, public works and decide necessary solutions to avoid/minimize adverse impacts on people ..., and to formulate criteria, at the same time, i.e. labor safety plans (during the construction next to residential areas), suitable materials and equipment (signs, partitions/barriers to residential areas...), construction schedule... to minimize temporary impacts throughout the construction process as well as when the project goes into operation.

## Scope of land acquisition and resettlement

## Number of permanently affected households

1. The construction of the subproject works will affect 58 households (55 households and 03 organizations, which are People's Committees of communes/wards (CPCs)), including 03 ethnic minority households (Cham people), in which (i) 55 households are affected with residential land, structures and crops, and (ii) 03 CPCs are affected with public land.

* 55 households are affected with residential land and will need to relocate.52/55 households will be arranged in a resettlement area in Hoa Long hamlet – Tan Chau commune
* 55 households are affected with structures.
* 03 CPCs are affected with public traffic land.

1. 100% of the affected households are severely affected households and need to relocate. Among the affected households, there are 03 vulnerable households (Cham people). The number of affected households in each subproject work is shown in the table below, according to the statistics during the RAP implementation.

Table 3*: Summary of permanently affected households by Subproject 1 - An Giang province*

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **No.** | **Work-items** | **Locations (communes/wards)** | **Number of affected households** | **Number of affected organizations** | **Total number of affected households (Including households and organizations)** | **Number of households affected with residential land** | **Number of households affected with structures** | **Number of vulnerable households** |
| 1 | Embankment against landslides in Hau river section in Chau Phong commune (l = 2.5km) | Chau Phong commune | 52 | 1 | 53 | 52 | 52 | 3 |
| 2 | Embankment against landslides in Long Xuyen city, Ton Duc Thang bridge - Dung canal section (l=2km) | Binh Khanh ward | 0 | 1 | 1 | 0 | 0 | 0 |
| My Khanh commune | 3 | 1 | 4 | 3 | 3 | 0 |
|  | **Total** |  | **55** | **3** | **58** | **55** | **55** | **3** |

*(Unit: household/organization)*

*(Source: IOL results, November 2019)*

## Permanent impacts on land

1. The total acquired land area for the subproject implementation is **5,075m²** of 58 households (including 03 ethnic minority households) in the communes/wards of An Giang province. Besides, the subproject affects roads land managed by the People's Committees of 03 communes.

* ​​Affected residential land: 2,620 m2 (55 households);
* Affected roads: 2,455 m2 managed by 03 CPCs.

1. The extent of permanent impact on land acquisition by each subproject work-item is shown in the table below.

**Table 4*: Summary of permanent land acquisition impact by Subproject 1 - An Giang province***

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **No.** | **Work-items** | **Locations (communes/wards)** | **Unit** | **Residential land** | **Roads** | **Total** |
|
| 1 | Embankment against landslides in Hau river section in Chau Phong commune (l = 2.5km) | Chau Phong commune | HHs | 52 | 1 | 52 |
| m2 | 2,380 | 1.250 | 3.630 |
| 2 | Embankment against landslides in Long Xuyen city, Ton Duc Thang bridge - Dung canal section (l=2km) | Binh Khanh ward | HHs | 0 | 1 | 1 |
| m2 | 0 | 550 | 550 |
| My Khanh commune | HHs | 3 | 1 | 4 |
| m2 | 240 | 655 | 895 |
| **Total** | | | **HHs** | **55** | **3** | **58** |
| **m2** | **2.620** | **2.455** | **5,075** |

*(Source: IOL results, November 2019)*

## Impacts on houses and structures

1. In the basic design phase, optimal options are selected to minimize impacts caused by land acquisition on local households. However, impacts due to land acquisition and site clearance are unavoidable, especially on structures. The DMS results show that there are 55 households (including 03 ethnic minority households) affected with houses and structures as follows:

* Affected area house-grade 4 of wooden walls/corrugated iron roofs: 1,365 m2 (39 households);
* Affected area house-grade 4, brick-walls, corrugated iron roofs and affected yard: 751 m2 (16 households).

1. The impacts on structures by each work-item of Subproject 1 is shown in the following table.

Table 5*: Summary of impacts on houses and structures*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **No.** | **Work-items** | **Locations (communes/wards)** | **Unit** | **House-grade 4 of wooden walls/corrugated iron roofs** | **House-grade 4 of brick-walls, corrugated iron roofs** |
| 1 | Embankment against landslides in Hau river section in Chau Phong commune (l = 2.5km) | Chau Phong commune | HHs | 39 | 13 |
| m2 | 1.365 | 611 |
| 2 | Embankment against landslides in Long Xuyen city, Ton Duc Thang bridge - Dung canal section (l=2km) | Binh Khanh ward | HHs | 0 | 0 |
| m2 | 0 | 0 |
| My Khanh commune | HHs | 0 | 3 |
| m2 | 0 | 140 |
| **Total** | | | **HHs** | **39** | **16** |
| **m2** | **1.365** | **751** |

*(Source: IOL results, November 2019)*

## Impacts on trees and crops

1. In total there will be 70 types of trees to be affected (47 bananas, 10 coconuts, 13 Terminalia catappa) as summarized in the table below.

Table 6*: Summary of affected trees and crops*

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **No.** | **Work-items** | **Locations (communes/wards)** | **Bananas** | | **Coconuts** | | **Terminalia catappa** | |
| **AHs** | **Trees** | **AHs** | **Trees** | **AHs** | **Trees** |
| 1 | Embankment against landslides in Hau river section in Chau Phong commune (l = 2.5km) | Chau Phong commune | 10 | 32 | 3 | 5 | 5 | 6 |
| 2 | Embankment against landslides in Long Xuyen city, Ton Duc Thang bridge - Dung canal section (l=2km) | Binh Khanh ward | 0 | 0 | 0 | 0 | 0 | 0 |
| My Khanh commune | 3 | 15 | 3 | 5 | 3 | 7 |
| **Total** | | | **13** | **47** | **6** | **10** | **8** | **13** |

*(Source: IOL results, November 2019)*

## Impacts on public land

1. The subproject's items affect roads: 2,455 m2, managed by 03 CPCs, along both site of the embankments .The public land area of the communes/wards will be supported in accordance with the current regulations of An Giang Provincial People's Committee. The roads will be rebuilt.

## Temporary impacts during construction phase

1. According to the IOL results, during the construction, the subproject works will also temporarily affect public land of 03 communes/wards. The total estimated area is 3,000 m2. The temporary affected land area is currently managed by the People's Committees of the communes/wards in the subproject area and there are no crops or structures on this area.
2. Temporary affected land during construction is mainly used for gathering materials, making bypasses, transporting materials... Contractors will consult and negotiate with the CPCs to pay cost of temporary land use and bear any losses related to the land use process. The contractors shall restore land to its original condition before handing it over to land owners. These requirements will be integrated into the bidding documents, construction contracts and contractors’ environmental protection plans.

**3.2.7 Impacts on businesses**

Among the households affected by the subproject (55 households), none are affected with their business activities.

## Related projects

1. All non-Bank funded activities that in the judgment of the Bank, are: i) Directly and significantly related to the Bank-assisted project; ii) Necessary to achieve its objectives as set forth in the project documents; and iii) Carried out, or planned to be carried out, contemporaneously with the project are subject to the applicability of the Resettlement Policy Framework.
2. As screened, there is no existing project being implemented in An Giang province related to the Mekong Delta Integrated Climate Resilience and Sustainable Livelihoods Project - An Giang subproject.

# 

# SOCIO-ECONOMIC PROFILE

## Objectives and methods of Socio-Economic Survey (SES)

* + 1. **Objectives**

1. The socio-economic survey of affected households helps to understand the general context of the subproject area and the current socio-economic situation of affected households. The socio-economic survey provides information to (i) have baseline data for assessing socio-economic changes of affected households before and after the project implementation and (ii) ) develop livelihood restoration measures relevant to the context of households to ensure the sustainability of the project benefits.
2. Specifically, the Socio-Economic Survey (SES) aims to collect information about: a) Demographic characteristics; b) Occupation; c) Living standards (income, expenditure, loans, health status, sanitation, water, participation of PAPs ...; d) Affected households of vulnerable group; e) Impacts of sub-project on people's assets; f) Consultations with PAPs about potential impacts and mitigation measures; g) Ability to recover their livelihoods; h) Prioritized resettlement solutions; and i) Subproject implementation assistances.
   * 1. **Survey methods**
3. The survey methods used in the Resettlement Action Plan development are as follows:

**Desk study**

1. The Consulting Agency collected, reviewed, researched and analyzed/assessed documents relating to the compensation, support and resettlement of the subproject including: (i) Subproject documents (statements and design drawings of subproject items, resettlement policy framework...); (ii) Land lot maps, map excerpts and commune-level socio-economic reports, commune data collection questionnaires, district statistical yearbooks; and (iii) compensation - support policies, and supports from the World Bank, the Government of Vietnam and the People's Committee of An Giang province.

**Qualitative study**

1. Group consultations and discussions were held in the sub-project communes/wards with the participation of affected households and unaffected households living near construction, as well as representatives of local authorities. These actions aim to discuss and consult with the community, especially PAPs about scopes and extents of impacts, entitlements, expected implementation progress, and information to resolve complaints. In addition, focus group discussions will be a chance for affected households to understand and share their ideas, concerns and aspirations about the subproject.
2. By the end of November 2019, a total of 03 consultation meetings with 84 participants, including 57 men and 27 women, were held in the subproject communes/wards.

**Quantitative study**

1. By the end of November 2019, the Consultancy Agency conducted SES survey among the 55 households affected by the subproject,. The total number of affected households surveyed is 55 households. The sample of the Socio-Economic Survey on affected households is attached in Annex 03 of this report. The inventory of loss (IOL) was conducted among 100% of affected households.
2. Entering and processing data: Information collected from field monitoring will be processed on specialized software such as SPSS (quantitative study) and NVIVO (qualitative study).

## Socio-economic profile of An Giang province

* **Geographical location and natural area**

1. An Giang province is located in the southwestern region, starting from where the Mekong River devides into 02 branches and flows into our country. An Giang borders with Dong Thap province and Can Tho city to the east and Ho Chi Minh city to the southeast. The southwest borders with Kien Giang province. The west and northwest borders with Cambodia. An Giang’s natural area is 3,536.7 km2, including 08 districts, 2 cities and 1 town.

* **Population and labor force**

1. The population of An Giang province in 2018 was about 2,165 million people (accounting for 2.25% of the national population - 96.2 million people). The average population density is 612 people/km2, which is double of the national average (286 people/km²). The proportion of urban population accounts for 30.81% (lower than the national average - 35.92%). The proportion of rural population accounts for 69.19% (higher than the national average - 64.8%).
2. The labor force of An Giang province aged 15 years old and older embraces 1,234,888 people, of which, male workers are 699,572 people, accounting for 56.7%, and female workers are 535,316 people, accounting for 43.3%, which are segmenting between rural and urban areas. The labor force in rural areas includes 860,655 people, accounting for 69.7%, and in urban areas includes 374,233 people, accounting for 30.3%.

* **Economic growth**

1. The average growth rate of the production industries in 2019 attained 6.4%. In particular, the production value of commerce – services - finance reached VND 30,383.4 billion, up 10.78%; the production value of industry - construction reached 8,597.3 billion VND, up 11.56%; the agricultural production value reached VND 17,826.4 billion, up 3.2%; the budget revenue in 2018 reached VND 9,320 billion (of which, domestic revenue was VND 4.321 billion). The average income per capita (GDP) in 2018 reached 37 million VND/person/year.

* **Electrical supply**

1. An Giang province's current power supply is the national grid with the system of 110kV and 220kV high voltage lines to 35kV - 12kV - 6kV/380V/220V low voltage lines. 98% of main streets and 80% of alleys have night lights.

* **Domestic water supply**

1. According to the statistics by the Center for Monitoring and Technology of Natural Resources and Environment of An Giang province, the number of clean water producers in the province is quite large (about 129 establishments). Medium scale with capacity less than 500m3/day are in majority. In particular, the facilities with the smallest capacity of 10m3/day serve small residential clusters and the establishments with the largest capacity of 43,000m3/day serve larger population in Long Xuyen city. For An Giang province, the water supply industry has supplied domestic and production water to about 160,766 households and establishments, accounting for 35% of the total households in the province (461,329 households). Thus, about 65% of the population still uses water that does not meet hygienic standards for living and eating purposes.

## Socio-economic information of affected households

## Household size

1. The survey results from 55 families with 240 residents, in which women account for 49.2% and men account for 50.8%. The average number of household member is about 4.0 (based on household registration books). The household size ranges from 3 to 5 persons, accounting for the highest of 78.1%; 1-2 persons accounting for 10.2%, which are young households; and more than 05 persons accounting for 11.7%. On average, the number of persons of working age is 2.0 persons/household. The average number of household dependents is 2 persons/household.

Table : Information about affected households participating in the survey

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **No.** | **Communes** | **Households** | **Household structure** | **Respondents** | | **Number of people** |
| **Male** | **Female** |
| 1 | Chau Phong commune | 52 | 4.4 | 27 | 25 | 229 |
| 2 | My Khanh commune | 3 | 3.7 | 1 | 2 | 11 |
|  | **Total** | **55** | **4.0** | **28** | **27** | **240** |

*(Source: Socio-economic survey, 11/2019)*

## Age of household heads

1. According to the survey data, household heads from 36-54 years old account for the highest rate with 45.5%, followed by 55-65 years old accounting for 21,8%, 26-35 years old accounting for 20%, and under 25 years old accounting for 7,3%, except 5.5% of people engaging the survey are over 65 years old.

Table : Information about ages of respondents

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Age** | **Respondents** | | **Total** | |
| **Chau Phong commune** | **My Khanh commune** |
| Number | Number | Number | % |
| Less than 25 | 4 | 0 | 4 | 7,3 |
| 26-35 | 10 | 1 | 11 | 20,0 |
| 36-54 | 25 | 0 | 25 | 45,5 |
| 55-65 | 10 | 2 | 12 | 21,8 |
| More than 65 | 3 | 0 | 3 | 5,5 |
| **Total** | **52** | **3** | **55** | **100** |

*(Source: Socio-economic survey, 11/2019)*

## Education levels

1. The educational attainment of the group of people directly affected by the subproject is medium. According to the survey results, out of 55 interviewed people, the number of household heads with lower secondary education accounts for the highest of 58.2%, and the next is higher education of 21.8%. Twenty percent of the household heads graduated the primary education. There are not either illiterate or university or higher household heads.

Table : Information on education level

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Education level** | **Respondents** | | **Total** | |
| Chau Phong commune | My Khanh commune |
| Number | Number | Number | % |
| Primary school | 9 | 2 | 11 | 20.0 |
| Secondary school | 31 | 1 | 32 | 58.2 |
| High school | 12 | 0 | 12 | 21.8 |
| **Total** | **52** | **3** | **55** | **100** |

(Source: Socio-economic survey, 11/2019)

1. Also according to the survey data, there is no significant difference between male and female education attainment. Information on educational attainment is one of the basis to guide the career change for people in working age in need.

## Occupation of households

1. The survey shows that, out of 55 households participating in the interviews, the households engaged in agriculture accounts for 89.4%; the remaining 10.6% include housework/retirement.

## Household appliances

1. Valuable assets are not common in families with average living standards, while wealthy and better-off families often use more valuable assets. According to the socio-economic survey, 99% of the households have color TVs, 100% have motorbikes, and 79.4% have refrigerators.

## Household income and expenditure

1. Collecting information on households' incomes and expenditures sometimes faces a lot of difficulties, as the respondents, with the common mentality, do not want to declare their family's income, which is also a delicate issue in every Vietnamese family. Therefore, to some extent, the results of income and expenditure amounts are relative.
2. According to Decision No.59/2015/QD-TTg dated November 19, 2015 of the Government on the issuance of multi-dimensional poverty standards applied for the period of 2016-2020, the average income/person/month in rural areas is 700,000 VND/person/month, if an average household has about 5.5 people, corresponding to about 3.85 million VND/household/month. Therefore, according to the survey results, there is no poor household at all.
3. In general, monthly household expenses account for more than two-thirds of total household income. The average income of 55 surveyed households is about 5.1 million VND/household/month and spending is about 4.8 million VND/household/month, equivalent to 61.2 million VND/household/year. and spending corresponding to 57.6 million/household/year. Therefore, households spend about 94.4% of their income on monthly expenses. The average of the remaining 5% is saved after spending. If income per household per month is calculated according to MOLISA standards, the average household income of the surveyed household is almost 2 times higher than the multi-dimensional poverty criterion.

## Access to electricity, water and other services

1. Water supply: As found in the survey, main water sources used by households in the subproject area are dug/drilled wellwater (accounting for 85.3%); tap water (accounting for 11%); and 3.7% of households use rain water and bottled water.
2. Drainage: The survey results show that the drainage system in the subproject area is still poor, does not efficiently work . Up to 61.3% of households responded that there are no sewers; only 14.5% responded that there are underground sewers, built with bricks and covered; and 24.2% responded that there are grooves built of bricks without covering. According to the assessments of the households, the drainage system in the region is still ineffective and often flooded, especially in rainy seasons.
3. Using fuel for cooking: The main sources of fuel used by households for cooking include: Gas accounting for 85% and firewood accounting for 15%.
4. Toilets: Survey results show that 35.1% of households in the survey are using septic toilets and 64.9% are using simple toilets (one compartment or two compartment latrines).

## Social evils

1. The survey results show that among surveyed households, there are no trafficking in women and gender inequality or domestic violence.

## Current land use status and land use right certificates (LURCs)

1. The survey results that 100% of the surveyed households currently have land use right certificates. 51% of them have stayed in their land property before 1980; 28% have stayed in their land property since 1981-1993; and 21% have resided here after 1993 till now, as answered by the surveyed households.
2. The survey results that 51% of the surveyed households have both husband and wife named in land use right certificates, 42% have only men and 7% have only women named in land use right certificates. For the payment of compensation and support, documents and records must be confirmed and signed by both spouses. For female headed households, women will represent affected households to receive compensation and support from the subproject.

## Gender issues

* + 1. **Analysis of gender difference**

1. Through the survey, men and women in the subproject area are found sharing many jobs related to both farm jobs and non-farm jobs. The household income support and management program for every woman who may be household heads requires assessment through a special assistance program to ensure that women headed households are not at risk of poverty and prone-vunerable as the consequence of the subproject implementation.
   * + 1. **Labor and labor division:** The survey results that 86.7% of households answered that women are main houseworkers. However, other jobs like cleaning and taking care of children, both genders are mostly equal. For income generating activities for families, women are suitable for small businesses and agriculture. Men mainly do heavy work and are able to do different jobs: factory workers, construction workers, fishing... These analyses show that employment opportunities and ability to adapt to changing careers is an obstacle for women in the region.
       2. **Women’s participation in groups:** According to the results of the community consultation meetings held in communes/wards in November 2019, both men and women participated enthusiastically expressed their opinions in community consultation meetings. The male-female ratios were 67.9% and 32.1% respectively.
       3. **Deciding family affairs:** For family decisions, the survey results show that both men and women participate in discussions and decision making. For decisions on career change, loans, and ownership of housing and other assets, men are often the mainstay and decision makers in their families.
       4. **Sufficient information on subproject impacts:** Resettlement potential impacts and livelihood restoration should be informed to affected women so that they can be fully aware of impacts as well as income generating activities and propose impact mitigation measures.
       5. **Income and livelihood restoration programs.** For severely affected households, new skills counselling and training should be conducted for both men and women to ensure that women can apply new training knowledge to their jobs.
2. According to the above results, the gender is equal in the subproject area. Both women and men participate equally in local organizations and activities. Women here are quite well aware of and more involved in local social affairs and social relations and their position has been changed and risen.
   * 1. **Subproject impacts on women**
3. ***Expected positive impacts.*** The Subproject implementation will bring huge advantages to local people in general and women in particular, including:

* Overcoming the erosion of riverbanks and coastal banks in the region;
* Protection of population, infrastructure, and land along riverbanks and coastal banks;
* Contributions to stable and developed livelihoods;
* Creating jobs to increase income for women, especially poor women during the subproject construction;
* Creating opportunities to improve women’s position and increase their engagement in community activities;
* Indirect contributions to the poverty reduction in the subproject communes/wards.

1. ***Negative impact on gender.*** In addition to positive effects, the subproject negatively affects women in particular and people in the region in general, namely, the land acquisition will affect the lives of local families. However, mitigation measures will be applied in compensation and resettlement plans. In addition, during the construction, environmental pollution due to dust, construction waste, noise may occur and affect residents, but these impacts can be significantly mitigated by proposed impact mitigation measures.
   * 1. **Gender monitoring indicators**
2. **Disbursement of compensation:** Ensure that the disbursement process is transparent and the compensation is named of both husband and wife. During the compensation payment, the presence of both husband and wife on the compensation receipt should be encouraged.
3. **Participation in consultation:** Ensure that at least 20% of participants in the consultation meetings are women.
4. **Livelihood restoration:** To assess women's requirements for training skills to facilitate the development of income restoration programs, 100% of severely affected households (both men and women) need to be consulted about their needs for counseling/training/job placement; women will be invited to the consultations. Employment opportunities for women to limit potential impacts of the subproject should be implemented. All contractors involved in the subproject construction will inform the PPMU of suitable employment opportunities for local men and women.

# LEGAL FRAMEWORK

## World Bank’s Operational Policy on Involuntary Resettlement

1. The World Bank recognizes that involuntary resettlement may cause severe long-term hardship, impoverishment, and social damage unless appropriate measures are carefully planned and carried out. The Bank’s Resettlement Policy OP 4.12, includes safeguards to address and mitigate the economic, social, and environmental risks arising from involuntary resettlement.
2. The WB’s involuntary resettlement policy objectives are the following:
   * + 1. Involuntary resettlement should be avoided as much as possible or minimized by bringing out optional measures in the process of engineering design;
       2. Wherever involuntary resettlement is unavoidable, resettlement activities should be executed such as sustainable programs, necessary to supply enough investment sources to help adversely PAPs to share project’s benefits. Directly or indirectly PAPs need must be consulted and participated in the process of planning and implementing resettlement programs.
       3. Affected Persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-project levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
3. OP 4.12 implementation principles:

* Ensure that displaced and AHs will: (i) be fully, free consulted about all project’s activities, (ii) regardless of land title, all AH’s assets will compensated and supported, (iii) Compensated at replacement cost, (iv) livelihood of affected households must be improved or at least maintain pre-project level. (v) Have grievance redress mechanism.
* Use participatory method during design and construction to ensure that the design and construction method is incorporated with demand of residential group, especially disadvantaged group.

1. Measures for effective resettlement:

* Consultation with AHs of compensation and support methods;
* AHs shall participate in preparation and selection of options;
* Suggest AHs of resettlement and restoration options (if any)
* Provide full compensation at for damages caused by the project at replacement cost;
* Resettlement site must have equipped with full infrastructure and services (at least equal to previous residence) (if the households have to be displaced).
* Provide allowances, training courses and income support to facilitate relocation activities;
* Identify and help with vulnerable households and severely AHs;
* Establish an institution and organizational structure to facilitate the compensation and resettlement.

## Legal Framework of the GoV:

1. Laws and Decrees with respect to land acquisition, compensation and resettlement in Vietnam and regulations of the city/province at the time of RPF and RAP preparation include:

* Constitution of the Socialist Republic of Vietnam adopted in 2013.
* Land Law No.45/2013/QH13 dated in 2013, effective on July 1, 2014.
* Decree No.01/2017/ND-CP dated June 1, 2017 on amendment and supplement of some contents of decrees on the implementation of Land Law.
* Law on Public Investment No.49/2014/QH13, effective on January 1st 2015.
* Decree No.43/2014/ND-CP dated May 15, 2014 of the GoV on detailing a number of articles of the Land Law No.45/2013/QH13.
* Decree No.44/2014/ND-CP dated May 15, 2014 of the GoV on land prices.
* Decree No.45/2014/ND-CP dated May 15, 2014 of the GoV on collection of land use levies.
* Decree No.46/2014/ND-CP dated May 15, 2014 of the GoV on collection of land and water surface rental.
* Decree No.47/2014/ND-CP dated May 15, 2014 of the GoV [on compensation, support and resettlement upon land acquisition by the State](http://english.luatvietnam.vn/VL/727/Decree-No-472014NDCP-dated-May-15-2014-of-the-Government-on-compensation-support-and-resettlement-up/2EC2148A-E88E-45F1-9023-17377DEA58ED/default.aspx).
* Decree No.136/2015/ND-CP dated December 31st 2015 of the GoV on detailing a number of articles of Law on Public Investment.
* Decree No.99/2015/ND-CP dated 20/10/2015 of the GoV on detailing a number of articles of Law on Housing.
* Decree No.01/2017/ND-CP dated January 6, 2017 amending and supplementing a number of decrees detailing the implementation of the Land Law.
* Decree No.16/2016/ND-CP dated March 16, 2016 of the GoV and Circular No.12/2006/TT-BKHDT dated 08 August 2016 on management and use of official development assistance (ODA) and concessional loans of foreign donors.
* Circular No.30/2014/TT-BTNMT dated 02/06/2014 of MONRE on land allocation, lease, transfer of land use and land acquisition.
* Circular No.36/2014/TT-BTNMT dated June 30, 2014 of Ministry of Natural Resources and Environment on land pricing method; compilation of and adjustment to land price lists; determination of specific land prices and consultancy on land pricing.
* Circular No.37/2014/TT-BTNMT of the MONRE dated June 30, 2014 on compensation, support and resettlement upon land acquisition by the State.
* Circular No.332/2016/TT-BTC dated 26/12/2016 on amendment and supplement of a number of articles in Circular No.76/2014/TT-BTC dated June 16, 2014 issued by the MoF on guidelines for implementing Decree No.45/2014/ND-CP on collection of land use levies.

1. Other relevant laws, decrees and regulations include:

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

1. Decrees related to protection and preservation of cultural property include Decree No.98/2010/ND-CP dated 21/09/2010 on detailed regulations for implementation of some articles of the Law on Cultural Heritage and the Law on editing and supplementing some articles of the Law on Cultural Heritage requiring that sites currently recognized as cultural and historical vestiges, should be kept intact according to current legal regulations.
2. Documents relating to grievances redress mechanisms: Grievance Law No.02/2011/QH13 dated November 11, 2011; Decree No.75/2012/ND-CP dated October 03, 2012 on specific provisions a number of articles of the Grievance Law.
3. In addition, there are some other regulations applied to the An Giang subproject such as:

* Decision No.1956/QD-TTg of the Prime Minister dated November 17, 2009, approving the project on vocational training for rural laborers until 2020.
* Decision No.46/2015/QD-TTG dated September 28, 2015, stipulating policies to support elementary and short-term training.
* Decision No.63/2015/QD-TTg dated 10/12/2015 of the Prime Minister on policies of supporting vocational training and creating jobs for laborers whose land is recovered.
* Official Dispatch No.1665/TTg-CN dated 17/10/2006 of the Prime Minister on the implementation of management of site clearance, clearance of bombs, mines and unexplosive ordinances (UXO) of traffic construction projects.

1. An Giang province's decisions related to compensation, assistance and resettlement policies will be applied in each specific subproject:

* Decision No.33/2018/QD-UBND dated 9/10/2018 by the People's Committee of An Giang province on compensation, support and resettlement policies when the State acquires land.
* Decision No.08/2018/QD-UBND dated April 4, 2018 by An Giang Provincial People's Committee, promulgating regulations on compensation for plants and animals when the State recovers land in An Giang province.
* Decision No.10/2018/QD-UBND dated May 3, 2018 of An Giang Provincial People's Committee, promulgating the price list of new houses, constructions and other architectural structures in An Giang province.
* Decision No.45/2014/QD-UBND dated December 29, 2014 on promulgating regulations and price lists of land types applied for the period of 2015-2019 in An Giang province.
* Decision No.49/2017/QD-UBND dated August 11, 2017 on amending and supplementing the price list of land types in 2015, applied for the period of 2015-2019 in An Giang province.
* Decision No.70/2019/QD-UBND dated December 23, 2019, promulgating the price list of land types for the period of 2020-2024 in An Giang province.

## The comparsion of GoV’s Laws and Regulations and WB’s Safeguard Policies

1. Resettlement and compensation policies for the subproject shall be complied with WB’s and GoV’s requirements and regulations. At the same time, AHs will be entitled to compensation, resettlement and restoration as defined in Operation Policy OP4.12. With the Land Law No.45/2013/QH13 and relevant decrees, the Government’s policies and practices become more consistent with the WB’s social safeguard policy. However, regulations and principles applied in the RPF will replace regulations of current decrees in Vietnam regardless of some differences such as the regulations in Clause 2, Article 87 of Land law 2013 and Article 51 of Decree No.16/2016/ND-CP on ODA management and use.
2. There are differences between the Government of Vietnam’s laws, policies, regulations related to land acquisition/resettlement, and the World Bank’s OP 4.12 on Involuntary Resettlement. The following table highlights the key differences and harmonized measures with these differences will be proposed for this subproject.

Table 10*: Comparison of the GoV’s and WB’s policies related to compensation, support and resettlement*

| **Subjects** | **World Bank’s OP 4.12** | **Government of Vietnam** | **Project policies** |
| --- | --- | --- | --- |
| 1. **Land properties** | | | |
| * 1. Policy objectives | PAPs (Project Affected Persons) should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of the project implementation. | Not mentioned clearly.  However, there is a provision of support to be considered by PPCs to ensure that AHs have place to live, to stabilize their living and production (Article 25 of Decree No.47)  In case the amount of compensation/support is not enough for resettled people to buy a minimum resettlement plot/apartment, they will be financially supported to be able to buy a minimum resettlement plot/apartment (Article 86.4 of Land law 2013 and Article 27 of Decree No.47) | Livelihoods and income sources will be restored in real terms, at least, to the pre-displacement levels or to level prevailing prior to the beginning of the project implementation |
| 1.2. Support/compensation for affected households who have no recognizable legal right or claim to the land they are using/ occupying | a. Agricultural land: Compensation for affected land will be made in accordance with the WB’s OP4.12. Occupied land after cut-off-date will not be compensated.  b. Non-agricultural land: resettlement support will be made for land users. | a. Compensation for acquired land will be made according to regulations in Article 75, 77 of Land Law 2013.  As stipulated in Clause 2, Article 77 of Land law 2013:  b. For agricultural land which was used before July 1,2004, of which land users are households and individuals directly engaged in agricultural production but have not been granted with LURC or not being eligible to be granted with LURC and ownership of houses and other land-attached assets under this Law, the compensation must be made for the land area in real term but not exceeding land allocation quota prescribed in Article 129 of this Law. | a. AHs who use agricultural land after 1/7/2004 and before project’s cut-off-date, will be entitled to livelihood restoration at least 60% of compensation value at replacement cost.  b. Households with illegal residential land is not entitled to compensation for land but supported resettlement equivalent to 30% compensation value of affected land area or other supports as determined by the PPC. Households who must be relocated without any land/house in project’s ward/commune, will be provided with a land plot/minimum apartment in resettlement site and they have to pay land levies; if users are unable to pay land levies, they will be debited. |
| 1.3. Compensation for illegal structures or structures built on illegal land | Compensation at full replacement cost for all structures regardless of legal status of the PAP’s land and structures built before cut-off-date; | No compensation | Compensation at 100% of replacement cost. |
| **2. Compensation** | | | |
| 2.1. Compensation for lost land and other assets | Compensation for lost land and other assets including houses, structures will be offered at full replacement cost without depreciation and deduction for salvageable materials | Compensation “land for land” will be made at specific affected land price. Compensation for houses will be at the cost of newly-built house with the same technical specifications. Compensation for other structures will be made according to existing price but not exceeding cost of newly-built structures. | Independent appraiser identifies market price for all types of assets affected, which are appraised by land appraisal board and approved by PPC to ensure full replacement costs. |
| 2.2. Support for severely affected households | Severe loss ≥ 20% (≥10% for vulnerable groups) of agricultural land | Loss ≥ 30% of agricultural land | Loss ≥ 20% (≥10% for vulnerable groups) of agricultural land will be considered as severely affected households and the compensation will be made in accordance with the project’s RPF. |
| 2.3. Livelihood restoration and assistance | Livelihood restoration and assistance will be provided to reach the targeted policies; | Provision of different livelihood restoration ad assistance is following Article 25, Decree No.47/2014/ND-CP. | Livelihood restoration and assistance and measures are provided to meet targeted policies; |
| 2.4. Consultation and information disclosure | Participation in planning and implementation, specially confirming the eligibility criteria for compensation and assistance, and access to Grievances Redress Mechanisms | Focus mostly on consultation during planning (consultation on draft plan of compensation, support and resettlement and plan for training, career change and facilitating job searching); information sharing and disclosure. | Consultation and participation incorporated into RAP design, along with information sharing should be provided to PAPs. |
| **3. Grievance redress mechanism** | | | |
|  | Grievance redress mechanism for the project should be independent; | Grievance redress is in accordance with the Grievance Law of the GoV. The same governmental body makes decisions on compensation, resettlement, and also handles grievances at the first step;  However, complainants can go to the court at the second step as PAP wishes; | Independent grievance redress mechanisms are established based on the existing governmental system and the WB’s mechanisms with monitoring by an independent monitoring agency; |
| **4. Monitoring & Evaluation** | | | |
|  | Internal and Independent Monitoring are required | Citizens are allowed to monitor and report on breaches in land use and management on their own (or through representative organizations), including land recovery, compensation, support and resettlement (Article 199, Land law 2013);  However, there is no explicit requirements on monitoring of the resettlement works, including both internal and independent (external) monitoring. | Both internal and external (independent) monitoring is to be regularly maintained (on a monthly basis for internal and biannual basis for independent monitoring). A project completion report on resettlement implementation will be done to confirm whether the objectives of OP4.12 were achieved. |

# COMPENSATION, ASSISTANCE AND RESETTLEMENT POLICY

## Applicable conditions

1. Conditions for applying compensation are determined by the following property ownership criteria:
2. Those who have legal land use right (including customary land use rights recognized by the state laws). When considering these cases, documents to verify land use time or assets attached to land of PAPs will be used.
3. Those who have no legal rights to the land are officially recognized at the beginning of the statistics but have compensation for land or properties, provided that such requirements are covered by laws recognized or recognized through the process defined in the resettlement action plan.
4. Those who cannot legalize land use rights pursuant to Vietnamese laws or are not recognized for claim for land compensation they are occupying.
5. AHs who are subject to (i) and (ii) will be compensated for lost land and other supports/assistances in accordance with the RPF. AHs who are subject to (iii) will not be compensated for their acquired land, except resettlement assistance and other assistances, if necessary, to achieve the main objectives set out in this policy, if land is occupied prior to the cut-off date as stipulated by the Borrower and accepted by the World Bank. The cut-off date is the date on which the Provincial People's Committee issues notice of land acquisition. Those who encroach the subproject area after the cut-off date will not be entitled to compensation or any other forms of resettlement assistances.
6. All AHs who are subject to (i), (ii), or (iii) are compensated for damages to their properties on affected land but are not compensated for the land they are using or owning.

## Resettlement principles

1. All project affected persons (PAP) who have assets within or reside within the area of project land-take before the cut-off date are entitled to compensation for their losses. Those who have lost their income and/or subsistence will be eligible for livelihood rehabilitation assistance based on the criteria of eligibility defined by the project in consultation with the PAPs. If, by the end of the project, livelihoods have been shown not to be restored to pre-project levels, additional measures will be provided.
2. The compensation rates will be determined based on the results of independent appraisal of the land/crops/assets (associated with the land) in a timely and consultative manner. All fees and taxes on land and/or house transfers will be waived or otherwise included in a compensation package for land and structures/or houses or businesses. The local authorities will ensure that PAP choosing relocation on their own, obtain, without additional costs.
3. Land will be compensated “land for land”, or in cash, according to PAP’s choice whenever possible. The choice of land for land must be offered to those loosing 20% or more of their productive land. If land is not available, the Project Management Unit (PPMU) must assure itself, that this is indeed the case. Those loosing 20% or more of their land will have to be assisted to restore their livelihood. The same principles apply for the poor and vulnerable people losing 10% or more of their productive landholding.
4. PAPs who prefer “land for land” will be provided with land plots with the equivalent productive capacity for lost lands or a combination of land (a standard land plot) in a new residential area nearby for residential land, and cash adjustment for difference between their lost land and the land plots provided. The resettlement area will be planned properly and implemented in consultation with the PAPs. All basic infrastructures, such as paved roads, sidewalks, drainage, water supply, and electricity and telephone lines, will be provided.
5. PAPs who prefer “cash for land” will be compensated in cash at the full replacement cost. These PAPs will be assisted in rehabilitating their livelihoods and making their own arrangements for relocation.
6. Compensation for houses and structures is offered at the replacement cost, without any depreciation of such structure and without deduction for salvageable materials. Structures shall be evaluated individually. Any rates set by category of structure must use the highest value in that group to ensure that PAHs can build their new ones with similar types and technical specifications.
7. Relocated households who are not eligible for compensation and do not have land or houses for shelter in the project communes/wards will be able to buy land/apartments in resettlement area and provided with resettlement assistance in cash.
8. The PAPs will be provided with full assistance (including transportation allowance) for transportation of personal belongings and assets, in addition to the compensation at replacement cost of their houses, land and other properties. The compensation and rehabilitation assistance for affected households must be done before land acquisition.
9. Other assistances such as economic rehabilitation, training and other forms of assistance, should be provided to PAPs losing income sources, especially to vulnerable groups, in order to enhance their future prospects toward livelihood restoration and improvement.
10. The Resettlement Action Plan is an integral part of the subproject; thus, it will be considered as incompletion until this RAP is sufficiently conducted and satisfactory with the objectives stipulated in OP 4.12.

## Policies on compensation, resettlement and assistance

1. Households affected by the subproject will be entitled to policies on compensation, resettlement and assistace (if any) in line with the GoV’s regulations and the WB’s Operational Policies OP4.12. Affected persons who live in the subproject area after the cut-off-date is publicized, will not be entitled to compensation or assistance.
2. All types of land and on-land assets with legal use rights will be compensated at replacement costs determined by an independent appraisal agency. For illegal land, assistance to investment cost will be made. Affected households, regardless of legal or illegal status of land, will be assisted to participate income restoration programs to restore their income and living standards as equal to or better than their pre-project levels.

**6.3.1. Compensation policy for permanent impacts**

* + - 1. **Residential land**

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

Loss of residential land without structures on land

1. *For legal and/or legalizable land users*, all compensation for loss of land will be made in cash at 100% replacement cost.

Loss of residential land with structures built thereon, where the remaining (non-acquired) land is adequate to rebuild houses and structure (reorganizing by PAPs).

1. Compensation for loss of land will be made in cash at 100% replacement cost for legal and legalizable land users.
2. Cash compensation will be made according to the remaining investment value of affected land for those who do not have recognized land use rights. The amount will be determined by Provincial People’s Committee.
3. Compensation for affected structures at 100% replacement cost.
4. As relocated AHs belong to poor or vulnerable groups or households, additional assistance (in cash and kind) will be provided for them to ensure that they are able to fully relocate to a new site. An Giang PPC will consider making decision on assistance level for these AHs.
   * + 1. **Houses and structures**

Loss of structures:

1. Owners of affected structures shall be compensated as follows:

* Cash compensation will be made for all affected houses/structures at 100% replacement costs, regardless of whether or not they have titles to affected land or construction permits for such affected structures. The compensation amount will be sufficient to rebuild similar affected house/structure of the same quality.
* Cash compensation will be at full replacement cost. No deductions will be made for depreciation or salvageable materials.
* The calculation rates will be based on actual affected area and inclusive of useable area.
  + - 1. **Standing crops, trees and livestocks**

1. For affected annual and perennial standing crops, regardless of legal status of land, compensation will be paid to affected households who cultivate land at full replacement cost. For trees which have not been harvested yet but can be brought to another location, no compensation is made for trees but transportation cost and re-planting cost must be compensated.
2. For affected livestock (including aquatic species), PAPs will be compensated in cash at replacement cost at the time of land acquisition. In case the aquatic species can be brought to another location or due harvested, no compensation for species are made but transportation cost and damages caused by transportation of such aquatic livestock must be compensated.
   * + 1. **Compensation policy for temporary impact during construction**
3. In case the subproject needs temporary land for construction, the PPMU rents land of owners in compliance with the regulations stipulated by the Civil Law.
4. The compensation policy for temporarily affected private or public structures caused during construction is as follows:
5. Damaged property will be restored to its former condition by contractors with their cost immediately upon their completion of civil works.
6. Under their contract specifications, contractors are required to take extreme care to avoid damaging property during their construction. When damages occur, contractors will be required to repair such damages and may be required to pay compensation to affected families, groups, communities, or agencies at the same compensation rates that are applied to all other assets affected by the subproject.
   * + 1. **Other impacts that may be identified during the subproject implementation**
7. Any other impacts that may be identified during the subproject implementation will be compensated in accordance with the principles of this RPF and World Bank OP 4.12. Any disruption of business will be compensated in accordance with the principles of this RPF.
   * 1. **Rehabilitation allowances and assistance**
8. Besides the direct compensation for affected assets, PAPs will be provided with financial assistances to cover their expenses during transition period. The assistance levels will be adjusted appropriately at the payment period, taking into account inflation factor and prices. These rehabilitation allowances and assistance include, but are not limited to the following.
   * + 1. ***For impacts on residential land***
9. Transport allowance for relocation of households: Cash financial allowance is provided to relocated households to new shelter according to the regulations of the Provincial People's Committee.
10. House renting allowance: Relocated households will receive financial allowance in cash to rent houses in accordance with the PPC's regulations while waiting for land allocation and new construction of houses or resettlement apartments.
11. Self-relocated households are eligible for relocation and choose to seek accommodations themselves: besides compensation for residential land acquired at 100% replacement cost, they will receive an allowance for their investment in infrastructure in an apartment of a subproject resettlement area, for each household. The support level will be decided by the PPC.
12. Compensation for damages: If houses/structures are partially affected and the remaining is still usable, the subproject will provide repair allowance to enable them to recover to the previous condition or better. The level of support will be decided by the PPC in accordance with each locality.
13. For households/individuals who have to relocate due to acquisition of residential land where they run business, the subproject will support them with vocational training and job opportunities based on the demographics for the working age and pursuant to the PPC’s policy.
14. Subsistence allowance: PAPs who are relocated or rebuilt houses on the remaining land will receive subsistence allowance in transition period. The amount will be determined by the Provincial People’s Committee.
    * + 1. ***Allowances/assistances for the acquisition of public land of communes, wards or towns***
15. If a public land managed by communes, wards or towns is acquired, the financial assistance will be equivalent to 70% of agricultural land price pursuant to local land price index. The compensation amount will be paid into the state budget which is allocated in annual budget estimates of such communes, wards or towns. The highest assistance level can be equal to the compensation level. This money shall be used to invest in construction of infrastructure projects for public interest purposes of such communes, wards and towns as stipulated in Article 24 of Decree No.47/2014/ND-CP.
    * + 1. ***Other allowances/assistances***
16. Incentive bonus: All PAPs who vacate their affected land immediately after receiving compensation and allowances will be given an incentive allowance consistent with each province regulation.
17. PAPs who lose income sources will be entitled to take part in income restoration programs. Rehabilitation measures like agricultural extension services, job training and creation, credit access and/or other measures as appropriate will be given to PAPs losing income sources to ensure that their livelihood could be restored to their pre-project levels.
18. Apart from the assistances mentioned above, based on the actual situation, the subproject may consider other assistances to secure life stabilization, culture, production and livelihoods of PAPs.

Table 11: Matrix of Entitlements

|  |  |  |  |
| --- | --- | --- | --- |
| **Type of Loss/ Impacts** | **Application** | **Entitlements** | **Implementation Arrangements** |
| **1. Rural residential land** | **1.1. Relocated households**  **(55 households)** | (i) Affected land users with legal rights or legalizable rights:  Depending on expectation of affected households, each will receive a plot of land in a resettlement area. They will have full land use right or ownership without any cost.  Or at the request of households according to their expectation, cash compensation at full replacement cost plus an amount equivalent to the averaged value of infrastructure investment for each household in a resettlement area will be provided. In this case, affected households will relocate by themselves.  If a compensation amount is lower than the price of a land plot in the subproject's resettlement site, each PAP will receive an additional amount of money to buy a land plot (or cash assistance equivalent to the different from self-relocated households).  If relocated households are poor or vulnerable households, the subproject will support to ensure that they can resettle at a new residential area. | - Affected households must be notified at least 180 days prior to the land acquisition.  The compensation process of land plots for land users with legal rights or legalizable rights in resettlement areas is as follows:  - If price of a land plot in a new residential area is higher than value of an affected residential land, respective affected household will receive such land plot without additional cost.  - If price of a land plot in a new residential area is similar with value of an affected residential land, respective affected household will receive such land plot without paying the difference.  - If price of a land plot in a new residential area is lower than value of an affected residential land, respective affected household will receive such land plot and the difference in cash.  Detailed planning and designs of resettlement sites will be consulted with the stakeholders by the consultants of the Compensation, Support and Resettlement Committees and approved by the Provincial People's Committee.  Specific regulations on division of resettlement land plots will be established by the Compensation, Support and Resettlement Committees after consultation with affected local authorities and people and officially approved by the PPC.  For affected households relocating to a new residence, assistance through an equivalent land-for-land option and LURCs without any payment will be provided for them.  The land area to be compensated via “land-for-land option” shall not less than 40 m2, or equivalent cash compensation is provided if PAPs choose self-resettlement option.  Area and number of a resettlement area will be decided based on expectation of PAPs. |
| 1. **Houses** | 2.1. **Full impact** (including houses fully affected or partially affected but the remaining part is not use) (55 households) | - Compensation in cash for entire affected structures will be provided at 100% of the full replacement cost for materials and labor, regardless of whether or not they have title (LURCs) to such affected land or construction permits to build such affected structure. The compensation amount will be sufficient to rebuild structure with same quality at current market prices. | The calculation of rates will be based on actual affected area, exclusive of useable area.  Compensation at replacement cost without deductions of depreciation or salvageable materials |
| **3. Crops, trees and aquaculture products** | Owners regardless of tenure status (15 households) | For annual and perennial standing crops or trees and aquaculture products, regardless of legal status of affected land, compensation in cash will be paid to PAPs at full replacement cost in accordance with local market prices to sufficiently replace such lost standing crops, trees or aquaculture products. | **-**  PAPs will be given notice several months prior the land acquisition. Crops and plants grown after the issuance of such cut-off date will not be compensated. |
| **4. Other allowances/ assistances** | *Loss of land and non-land assets* **(55 households)** | Incentive bonus: All PAPs who vacate the affected land immediately after receiving compensation and allowances will be given an incentive allowance in accordance with the provincial policy and depending on the budget of the subproject.  Transport allowance: Households and individuals, when the State recovers their land, must move beside, backward or forward on their remaining land, will be compensated for relocation cost of 2,000,000 VND/household; moved within the same district is 5,000,000 VND/households; moved within the same province is 7,000,000 VND/households; and moved to another province is 9,000,000 VND/households.  (ii) Allowance for renting houses or temporary residence will be provided to PAPs who (i) are relocated and awaiting resettlement plots/ or (ii) are not relocated but their remaining area is not viable use and they must rebuild houses. The allowance is 1,200,000 VND/month for one household with four or fewer members. If an AH has more than four (04) members, each member will be added 200,000 VND/person/month. The support period for renting house is calculated from the date such AHs hand over their land to the agency in charge of site clearance to the compensation time. |  |
| **5. Allowances /assistances to vulnerable households** | * Loss of land and assets on land * Affected vulnerable groups regardless of severity of impacts.   (03 households) | Special assistances to vulnerable groups are as follows:  For households that no longer have land to stay, assistance through provision of an apartment for each will be made and they can either pay in installments, buy or rent it.  Social policy households, including: (i) Relocated policy households which include heroic mothers, heroic armed force, heroic labor, war veterans, wounded or dead soldiers will be supported from 6 to 8 million VND/household in accordance with the regulations of the PPC; and (ii) relocated households or households whose 20% or more of their productive land is affected or < 20% of production land but their remaining land is rendered unviable will be supported with 10 million VND/household (to be certified by local authorities).  Other vulnerable groups affected by the subproject, whether they have to relocate or not (female headed households with dependents, households with disabled persons, elderly without any source of support, ethnic minority households) will get the same support given to poor households in accordance with the provincial policy.  These households are entitled to take part in income restoration programs. | Allowances for households entitled to Government policies like households with heroic mothers, wounded, dead soldiers are as stipulated by the Government. If AHs are eligible to more than one additional support or allowance for vulnerable people, they are only entitled to the highest value of support or allowance. |
| **6. Temporary impacts** | *Temporary loss of land and assets (03 CPCs)* | Compensation for all damaged or lost assets, including trees, crops at full replacement cost.  Rental in cash for the land acquired which will be no less than the net income that would have been derived from the affected property during disruption.  Restoration of the land within 3 months after use: The contractors are required to return land in its original condition within 3 months of the completion of the civil works. | If the quality of land is radically changed when returned to PAPs, requiring PAPs to change in the types of land use; then PAPs should be compensated for all envisaged cost of losses. |

# ELIGIBILITY CRITERIA AND ENTITLEMENTS

* 1. **Project Affected Persons (PAPs)**

1. Project affected persons are those who are affected by the subproject due to their loss of land, houses, other structures, assets, or access to resources for the implementation of the subproject, specifically:

* Persons whose residential land/houses will be affected (permanently or temporarily) by the subproject;
* Persons whose crops/ trees (annual and perennial) will be affected in part or in total by the subproject;
* Persons whose other assets or access to those assets will be affected in part or in total by the subproject; and
* Persons whose livelihoods will be impacted (permanently or temporarily) due to restriction of access to protected areas by the subproject,
  1. **Identification of vulnerable groups or households**

1. According to the definition of vulnerable group/household in the Project’s Resettlement Policy Framework and the definition of beneficiaries of social sponsorship in Decree No.67/2007/NĐ-CP dated 13th April 2007 and Decree No.13/2010/NĐ-CP dated 27th February 2010 by the Government on support policies for beneficiaries under social sponsorship, the subproject’s vulnerable HHs/groups shall include:

* Ethnic minority households (03 are ethnic minority households).

1. There are special group that may suffer from inappropriate impacts or are exposed to the risks of further impoverishment due to the resettlement. Hence, the Compensation, Support and Resettlement Committees and the PPMU, during the process of compensation, assistance and resettlement, must co-operate with the People's Committees of the wards/communes to survey and update the list of vulnerable groups or HHs in order to provide timely and proper assistances for them.
   1. **Eligibility**
2. The eligibility for entitlement to compensation is determined by asset ownership criteria as follows:
   * + - 1. Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country. In the consideration of such cases, it is also useful to document how long AHs have been using the land or the assets associated with it).
         2. Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the laws of the country, become recognized through a process identified in the RAP.
         3. Those who cannot legalize the right to land use in accordance with Vietnamese laws or have no recognizable legal right or claim to the land they are occupying.
3. Persons covered under item (i) and (ii) are provided with compensation for the land they lose, and other assistance as regulated in the Resettlement Policy Framework. Persons covered under (iii) are not provided with compensation for the land they occupy, but provided with other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the subproject area prior to cut-off date established by the Borrower and acceptable to the World Bank. Persons who encroach on subproject area after cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons covered under (i), (ii), (iii) are provided with compensation for loss of owned or used assets other than land compensation.
4. As defined, a cut-off-date is the date that a state competent agency issues the announcement of land acquisition before the DMS (Point 1, Article 67 of Land Law in 2013). AHs and local communities will be informed of this cut-off date and information related to the subproject so that they can make their own production/investment/construction plans to avoid damages or losses otherwise caused by a lack of subproject information.
   1. **New affected households after cut-off-date**
5. Those households splitting from larger families after cut-off-date who meet the following conditions shall be recognized as eligible AHs:
6. Household with multiple generations, many couples live together on a plot of land acquired who is eligible to separate;
7. Endorsement by the district/city authorities, with verification of commune/ward People’s Committee that the household has split.
8. Newly born infants or spouses of persons named in the household registration books, people who have completed military service, and people who have just returned from schools to live with the affected households will be entitled to the compensation and support measures outlined in this RPF.
9. In case the Gov’s regulations change and there will be some entitlements, which are better than the ones described in the RPF, these better entitlements will be applied for the affected persons (if possible).

# RESETTLEMENT ARRANGEMENTS

1. An Giang subproject has 55 households that need to be relcoated, in which Chau Phong commune, Tan Chau town has 52 households and My Khanh commune, Long Xuyen city 03 households.

For 55 resettled households, the resettlement will be arranged as follows:

* 52 resettled households in Chau Phong commune want to be resettled in the resettlement site in Hoa Long hamlet - Tan Chau commune and no households chose self-relocation. This is a new resettlement site built in an area of 100,000m2 and about 3 km far from the subproject site. The infrastructure will be fully built including roads, electricity, water ... The average distance from the resettlement area to such services as schools, health centers, markets ... is about 2km. It is under preliminary design stage and exact location is not identified. The resettlement area is planned to be built from Quarter 3/2020 to Quarter 2/2021. But as as information provided by local officer, this area will be built on the communal public land and not require any land acquisition from local HH. As indicated in section 2.1, if any land acquisition is necessary during construction stage, the provisoons of te RPF/RAP need to be strictly followed. This was also discussed and recorded in the minutes during consultations with local authorities. As indicated by local officer, the RS will be used for all projects in the Tan Chau town, not only for this WB project. So full basic infrastructures and services will be considered and provided adequately. (Please refer to the minutes of consultation meeting in Appendix 1)
* 03 resettled households in My Khanh commune want compensation in cash and resettle themselves and build new houses on their available land.

# LIVELIHOOD RESTORATION PROGRAMS

### Overview

1. The objective of an income restoration program is to aid subject-affected households having income lost due to the subproject implementation: severely affected due to loss of houses and vulnerable households to restore income to their pre-project levels or higher and ensure that project affected people can adapt to new conditions.
2. The subproject implementation will bring about direct and indirect benefits for people in An Giang province through investments in transport and infrastructure. The program aims to better or at least remain AH’s income level, and help them adapt to new conditions.

### Need analysis

1. The Consultant conducted in-depth interviews and community consultations with the households who will participate in the income restoration program. Among 55 households engaging in the household economic survey, 45 households chose the income restoration program, 36.2% of the households are willing to participate in vocational training, 28.5% are willing to participate in agricultural programs (cultivation and husbandry), 19.5% want to be access to credit support for economic loans, 15.8% chose other types of support including expenses for children’s going to school, home repairs, business support and desire to receive cash, and the rest does not make clear what type of support. The affected household need to participate in the income restoration program will be updated during the RAP implementation.

Table 12*: Affected household need on income restoration program*

|  |  |  |
| --- | --- | --- |
| **No.** | **Supports** | **Percentage** |
| 1 | Vocational training | 36.2% |
| 2 | Agriculture (cultivation and animal husbandry) | 28.5% |
| 3 | Support credit for economic loans | 19.5% |
| 4 | Others (expenses for children’s going to school, house repair ...) | 15.8% |
| **5** | **Total** | **100%** |

*(Source: DMS, November 2019)*

### Proposed income restoration program (IRP)

### 9.3.1. Description

1. The income restoration program is developed based on demand of AHs and will be updated during the subproject implementation. According to survey results, the proposed activities for the income restoration program are as follows.

* **Activity 1 – Vocational training and job creation**

1. Through consultations with local authorities of the communes/wards in the subproject area, we can see that currently training courses on agricultural development programs are co-organized by the agriculture extension centers, cooperatives, and Departments of Labor, War Invalids and Social Affairs of the districts. Therefore, the income restoration program for affected households is proposed to be combined with the local vocational training program for rural workers.
2. Vocational training courses will be sewing, electronic assembly, aquaculture, seafood processing, mechanical engineering, electrical industry, selling and accounting. The average time for a vocational training course is 1-3 months.The agriculture extension centers often organize classes on cultivation and husbandry such as flower growing, safe vegetable growing, safe raising, etc.

* **Activity 2: Job creation program**

1. Contractors shall prioritize local labors who are qualified in construction of civil works. When AHs want to work for the subproject, they either directly send applications for jobs to Contractors or to the PPMU, which the PPMU will transfer the list of candidates to the contractors. The PPMU will discuss with the contractors to provide suitable jobs for AHs.
2. During the subproject implementation, subproject staff (or PPMU’s consultants) will monitor income restoration program, work regularly with representatives of contractors, identify recruitment needs, and notify households that are seeking jobs through local authorities.

* **Activity 3 - Credit access through different organizations**

1. In the survey, 35.6% of households are found desiring for credit loans. The average loan amount is about 30 million VND/household. They want to borrow 36 months and the interest rate is pursuant to the bank policy, about 0.65%/month, which they mainly use for business purposes/small-scale businesses (supplement capital for business). Some households will use loans for agriculture and livestock development.
2. VBSP loans include: Preferential credit for job creation; loan for students with difficulties; loans for policy households; loans for buildng houses for poor households ... Loan packages will be about 10 million VND/household. Agriculture/commercial loans guaranteed by farmers’ unions, women’s unions... amount up 30 million VND/household.
3. During the implementation, surveying AHs will be carried to re-define their demand so that credits will be provided properly. AHs who need credit support shall prove that they are affected by the subproject, including: residential register books; (ii) documents relating on compensation or their copies with confirmation of the ward/commune local authorities.
4. AHs will be supported in loan process and forms to declare their demand. The PPMU shall work with the social policy banks to facilitate AHs access to the loans

### 9.3.2. Cost estimate for the income restoration program

1. According to the initial evaluation, the budget for implementing the income restoration program is about **VND 80,000,000**, including: vocational training and tutoring courses. the budget for implementing the income restoration program will be taken from the local budget and included in the subproject’s site clearance compensation costs.

Table 13*:* *Cost estimate for the income restoration program*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Expected program** | **Unit** | **Number** | **Unit price** | **Amount** | **Participants** | **Implementing agency** |
| Training courses on agriculture and breeding | Courses | 4 | 10,000,000 | 40,000,000 | All AHs who want to participate in | Agricultural extension center, communal cooperatives, District Department Labor, Invalids and Social Affairs |
| Short-term vocational training courses | Courses | 4 | 10,000,000 | 40,000,000 | All AHs who want to participate in | Agricultural extension center, communal cooperatives, District Department Labor, Invalids and Social Affairs |
| Loan supports | This is not included in the compensation and resettlement plan | | | | All AHs who want to participate in | The Bank for Social Policies in An Giang province. |
| **Total cost** | | | | **80,000,000** |  |  |

### 9.3.3. Organization for IRP implementation

1. Responsibilities of the concerned organizations will be identified as follows:

* **Provincial People’s Committee (PPC):** The PPC will allocate costs for the resettlement, compensation and livelihood restoration program and instruct the Department of Labor, Invalids and Social Affairs, Department of Planning and Investment, the Department of Agriculture and Rural Development, etc. implementating the income restoration program.
* **District/town People’s Committee**: Review and approve income restoration program and the relevant communes/towns and agencies directly carry out the income restoration program.
* **PPMU:** The PPMU will be responsible for implementating the income restoration program, instruct the relevant communes/towns and mass organizations during the implementation process, and monitor and report the outputs to An Giang PPC and WB. The PPMU shall establish a IRP team to support and monitor the IRP implementation and address issues that may arise during the IRP implementation.
* **Affected Commune/Town People’s Committees:** These organizations take responsibility for introducing members of severely AHs and vulnerable AHs, who want to look for jobs in enterprises within the province, provided that they meet the recruitment requirements. They also collaborate with the PPMU and the IRP team to design and implement the IRP.
* **Mass organizations/unions** (Farmers’ Unions, Womens’ Unions, Veterans’ Unions, Youth Unions): Take part in the information dissemination and connection of AHs to the IRP.
* Income Restoration Program Team (IRP team): The PPMU will assign staff to coordinate with representatives of the Labor, Invalids and Social Affairs offices and the concerned mass organizations/unions (Farmers’ Unions, Womens’ Unions, Veterans’ Unions, Youth Unions), People's Committees of wards/communes to organize consultations and identify the need for income restoration of AHs. They also work with the concerned training institutions to determine training costs and contract terms and conditions to prepare the program and submit it to the City and Provincial People's Committees for approval. In addition, the IRP team conducts internal monitoring on the implementation of the income restoration program and reports it to the PPMU, An Giang Provincial People's Committee and the World Bank.
* **Vocational training centers and job introduction centers of the province:** Closely coordinate with the IRP team to design and organize training courses according to the approved program schedule.
* **Independent monitoring agency**: Takes responsibility for monitoring and assessing the income restoration program and reflecting all problems related to livelihood restoration of AHs in periodic reports as well as recommendations and adjustment, if any, for the program.

### 9.3.4. IRP implementation schedule

1. It is expected that the income restoration program will start after the compensation payment to affected households is accomplished. The IRP implementation schedule is summarized in the Table below.

Table 14*:* The IRP implementation schedule

|  |  |  |
| --- | --- | --- |
| **No.** | **Activities** | **Time** |
| 1 | Consultation and registration of AHs engaging in the IRP program | Quarter 3/2020 |
| 2 | Organization and planning of training courses for AHs | Quarter 3/2020 |
| 3 | Preparation of livelihood programs as mentioned above | Quarter 3/2020 |
| 4 | Technical assistance in developing specific programs optioned by affected persons | Quarter 3/2020 |
| 5 | Implementation of income program for affected households | Quarter 4/2020 |
| 6 | Monitoring and technical assistance for AHs | Quarter 4/2020 - Quarter 2/2021 |
| 7 | Monitoring and evaluation of the program implementation | Quarter 3/2020 - Quarter 2/2021 |

### 9.3.5. Monitoring and evaluation

1. The income restoration program will be regularly monitored by the PPMU and the Independent Monitoring and Evaluation Consultant semi-annually. The monitoring and evaluation objective is to review the effectiveness of program activities to promptly propose adjustments to meet the program objective.

# PUBLIC CONSULTATION AND PARTICIPATION

### Objectives of public consultation and information disclosure

1. The information disclosure, public consultation and participation will promote two-way communications between project owner and its stakeholders, including affected persons, to ensure the publicity, understanding of purposes, designs, positive and negative impacts, and involuntary resettlement policy in relation to the subproject. It is a chance for affected persons’ participation in all phases of site clearance compensation, at the same time. Feedbacks from consultations will be considered and incorporated into design and negative impact mitigation measures in order:

* To ensure that all affected persons and stakeholders will be involved in the planning and making decisions on involuntary resettlement related to them;
* To minimize adverse impacts caused by involuntary resettlement;
* To avoid possible conflicts during the subproject implementation.

### Information disclosure, public consultation and participation

* + 1. **Consultations during the subproject preparation**
* **Methods:**

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

* **Information disclosure and consultation contents:**

1. The consultation contents focused on the following: (i) Subproject proposal, including objectives and proposed items; (ii) policy framework for compensation, support and site clearance; (iii) mitigation measures and grievance redress mechanism; (iv) resettlement sites; and (v) public consultation in terms of local infrastructure upgrading and enhancement of community’s awareness of subproject’s objectives.
2. By the end of November 2019, public consultation meetings were held in the subproject communes/wards to inform and consult with local people and the community the project policy and the rights and entitlements of people. In total 03 consultation meetings were organized with 84 participants: 57 men and 27 women.
3. The results of public consultation meetings with local people in the subproject area show that people are more active in expressing their opinions on the construction of the subproject items. The results of the public consultation meetings in the subproject communes/wards are shown in the table below.

Table 15*: Community consultation on land acquisition and resettlement*

| **No.** | **Work-items** | **Communes** | **Numbers** | | **Participants** | **Contents** | **Opinions of participants** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Male** | **Female** |
| 1 | Embankment against landslides in Hau river section in Chau Phong commune (l = 2.5km) | Chau Phong commune | 29 | 7 | - Representatives of local authorities, unions, associations such as: Farmer Association, Women’s Union, Vietnam’s Fatherland Front, Youth Union, etc.  - Representatives of households affected by subproject.  Representatives of PPMU  Representatives of resettlement consultant agency.  - Representatives of people in affected communes. | 1. Project introduction:   * Introduction about subproject (objectives, location, scope and plans, etc.,) * Subproject technical proposals; items/works conducted in communes/towns * Introduction about the GoV’s and WB’s Policy frameworks on compensation, assistance and resettlement. * Mitigation measures and Grievance redress mechanism.   2. Consult with community on resettlement issues and resettlement arrangement planning for relocated households. | * The project implementation units should be careful in the surveys and measurement to minimize impacts of land acquisition on households. * There should be an adequate policy of compensation and support for affected households, especially households who have to resettle. * Information of subproject construction plans and schedules should be provided for AHs to let them manage crops appropriately. * Detailed design plans and site clearance landmarking should be proclaimed soon. |
| 2 | Embankment against landslides in Long Xuyen city, Ton Duc Thang bridge - Dung canal section (l=2km) | Binh Khanh ward | 15 | 5 |
| My Khanh commune | 13 | 15 |
|  | **Total** |  | **57** | **27** |

* + 1. **Consultation during the subproject implementation**

1. During the subproject implementation, the PPMU will organize information dissemination and consultation with affected persons, update the city's compensation prices, reaffirm land acquisition scale and impacts on assets based on results of detailed measurement surveys (DMS), consult with affected persons, send letters/questionairs regarding relocation plans to all affected households (a) to inform them resettlement plans (explaining consequences of each plan) and resettlement areas for them to reside and (b) request affected persons to confirm their choice of resettlement plan.
2. After the subproject is ratified, subproject information will be widely informed on the mass media. The dissemination of information includes the subproject's objectives, components, and activities. The PPMU also coordinates with local authorities responsible for information dissemination and community consultation. Consultations with affected persons will continue during the subproject implementation.
3. During the subproject implementation, the PPMU, with the support of the project consultants, will undertake the following tasks:
4. Providing information for relevant agencies at all levels throughout training workshops; provide detail information on the subproject policies and implementation procedures.
5. Organizing information dissemination and consultation to all affected persons during the subproject implementation.
6. After DMS results are finalized and compensation unit prices are updated in the RAP, the Compensation and Resettlement Committees will confirm land acquisition scales and asset impacts, consult with concerned stakeholders and affected households, and complete compensation plans for each affected household.
7. The compensation plans finalize affected assets and compensation entitlements of AHs, which must be signed by affected persons to demonstrate their concurrence with evaluated results. Any questions of affected persons on the content of the compensation plans must be recorded at this time.
8. Letters/questions related to resettlement options/plans will (a) be sent to all affected households who are entitled to relocation policy to inform them the resettlement plans (accompanied by clear explanations of consequences of each plan); (b) request affected persons to confirm their choice of resettlement plan and make a basic confirmation of relocation site; and (c) request affected persons to explain the services they are using like education/health/markets and how far to access those services to ensure the development of future infrastructure services for them.
9. Consulting affected persons about their desires for income restoration plans will be conducted. This will be applied for severely and vulnerable affected persons. The District Compensation and Resettlement Committees (DCRC) will notify affected persons the plans and their entitlements to get technical assistances before requesting them to make clear their desires for such income restoration supports.
10. **Public Consultation**: During the development of detailed compensation plans, vocational training and job transition plans, An Giang PPMU and DCRCs will organize community meetings at each affected commune/ward to provide PAPs with additional information and give them an opportunity to participate in the open discussions on resettlement policy and procedures. Invitations will be conveyed to all affected persons before meetings are held in place. The purpose of meetings is to clarify the information updated at the meeting time and enable affected persons to discuss concerned issues. In addition to notification letters addressed to affected persons, other measures of information dissemination to AHs and the public in general like posters in visible places in the headquarters of communes/districts where the affected persons are living, as well as local speakers, radio and newspapers will be provided. Men, women of affected households as well as community members who are interested in the subproject are encouraged to participate meetings. In meetings, there will be explanations about the subproject, rights and entitlements of households, and AHs can raise relating questions. Similar meetings will be organized periodically throughout the subproject cycle. The organization of consultation must be established with certification of CPCs, which are represented by communal Vietnam Fatherland Fronts, and representatives of households that have land acquired.
11. The following information will be given to PAPs:
12. **Subproject components.** This includes the places where they can obtain more detailed information about the subproject.
13. **Subproject impacts**. Impacts on people living and working in affected areas as well as explanations about the need for land acquisition for each subproject components.
14. **PAPs’s rights and entitlements**. Rights and benefits of affected persons will be determined including: entitlements for those who lose business, employment and income. Entitlement methods include land for land compensation, cash compensation, entitlements for income restoration support. The cut-off date shall be notified to identify eligibility.
15. **Grievance redress mechanism**. AHs will be informed about policies of compensation, support, resettlement and income restoration, and will be informed that if they have any confusion or misunderstanding about any aspect of the subproject, compensation, resettlement and income restoration, the Resettlement and Compensation Committees and competent agencies will consider and help resolve. AHs will receive explanation about how to access grievance redress procedures.
16. **Right to participate and be consulted.** AHs will be informed about their rights to participate in the planning and implementation of the resettlement process. AH representatives will be represented in District Resettlement Committees and can be present whenever commune/district/provincial committees meet so that their participation in all aspects of the subproject is assured.
17. **Resettlement activities**. AHs will be given explanations regarding how to calculate compensation and how to pay compensation; monitoring procedures which will include sample interviews with AHs; relocation to individual locations/self-relocation; and preliminary information about civil work procedures.
18. **Responsibilities of organizations**. AHs will be informed about the organizations and Government levels involved in the resettlement and the responsibilities of each, as well as their officers’ names, positions, phone numbers, office locations, and office hours, if available.
19. **Implementation schedule**. PAPs will receive the proposed schedule for the main resettlement activities and are informed that the construction works will be started after the completion of all resettlement activities and site clearance in the subproject area.
20. Project Information Boolet (PIB). PIB providing information about the subproject will be developed and delivered to affected persons during the subroject preparation phase as well as the subroject implementation phase to ensure that AHs capture and are fully aware of the benefits that the subproject brings. PIB provides compensation policies and supporting details as outlined in the resettlement policy framework to develop measures to minimize social impacts caused by the subproject land acquisition and site clearance.

# GRIEVANCE AND REDRESS MECHANISM

## Responsibilities

1. In order to ensure that all PAPs’ grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to PAPs to air their grievances, a well-defined grievance redress mechanism needs to be established. All PAPs can send any questions to implementation agencies about their rights. PAPs are not required to pay any fee during any of the procedures associated with seeking grievance redress including if resolution requires legal action to be undertaken in a court of law. The grievance redress with the decision of compensation and assistance, clearance and resettlement with responsibility for redressing grievances, validity and procedures for settling complaints shall comply with the provisions of Law on complaint No.02/11/QH13 and Decree No.75/2012/ND-CP dated 20/11/2012. Complaints will be addressed through 03 steps before being sent to the Court as final resort.

## Grievance Redress Mechanism

1. All inquiries and complaints from PAPs about entitlements, compensation policies, compensation rates, land acquisition, resettlement and restoration programs will be recorded and addressed by competent authorities. Local social organizations such as Fatherland Front, Farmers’ Unions, Womens’ Unions, Reconciliation Council, etc. will participate actively in the Grievance Redress Mechanism.
2. A Grievance Redress Committee for the subproject will be established that works independently from the District Compensation and Site Clearance Committees. The Committee composes of district leaders, PPMU social safeguard officers (1-2 persons), mass organizations/civil society/CBOs/NGOs (1-2 persons), Lawyer Union/Associations... and AHs representatives in order to ensure the equity for AHs in the Grievance Redress Procedure. The function cost for the Grievance Redress Committee will be covered from the subproject compensation administration cost. The PPMU’s monthly monitoring reports on compensation and site clearance and/or written complaints (if any) will be provided to the Committee timely for mediation and resolving as well as to allow the Committee to monitor the grievance redress process.
3. Grievances will be redressed as below:

* **First Stage: Commune/Ward People’s Committee (C/WPC)**

1. An aggrieved PAP may bring his/her complaint to the One-door mechanism of the respective C/WPC in writing or verbally. It is incumbent upon said member of the C/WPC will notify the C/WPC’s leaders about the complaint. The CPC chairman will meet personally with the aggrieved PAP and will have 15 days following the lodging date of the complaint to resolve it.
2. The independent Grievance Redress Committee will, at the first stage, conduct community consultation meeting and/or face to face discussions, for conciliation. If it is impossible to solve complaints at this stage, the complaint will start second stage - propose the solution to the complaint to the district authorities to settle within 15 days since the date the complaint is lodged.

* **Second Stage – District/Town People’s Committee**

1. If after 15 days since the date a complaint is lodged, the aggrieved PAP does not hear any information from the W/CPC One-door mechanism, or if he/she is not satisfied with the decision taken on his/her case, he/she may make complaint, either in writing or verbally to the respective DPC’s One-door mechanism. The DPC in turn will have 30 days following the lodging of the complaint to resolve the case. The DPC is responsible for documenting and filing all complaints within their judgement and will inform the City Compensation Committee conciliation results of such complaint. Aggrieved PAPs can escalate their complaints to the Court if they want.

* **Third Stage – Provincial People Committee (PPC)**

1. If after 30 days, the aggrieved PAP does not hear any information from from the DPC, or if he/she is not satisfied with the decision taken on his/her case, he/she may make the complaint in writing or verbally to the One-door mechanism of An Giang PPC or submit the case to the City Court for settlement. The PPC has 45 days to satisfactorily resolve complaint to the parties involved. The PPC secretariat is responsible for documenting and filing all complaints to be taken over. Aggrieved PAPs can escalate their complaints to the Court if they want.

* **Final Stage: the Court**

1. If after 45 days, the aggrieved PAP does not hear judgement from the PPC, or if he/she is not satisfied with the decision taken on his/her case, the case may be submitted to the Provincial People’s Court for adjudication. The Court’s decision will be final. Decisions on complaint adjudication must be sent to respective aggrieved PAPs and concerned parties, and posted at the offices of the respective People’s Committees where complaints appear. The decision/result on complaint solution is available after three days at commune/ward level and after seven days at district/city level.
2. The agencies responsible for complaints and grievance redress during the site clearance and compensation are the City/District People’s Committees, relevant departments, the Compensation and Resettlement Committees at all levels and commune/ ward people’s committees. All records of complaints and grievance redress are filed at the Land-fund Development Center (LFDC) and An Giang PPMU. An Giang PPMU is responsible for updating the list of complainants and status of complaints in the internal monitoring reports.

# IMPLEMENTATION ARRANGEMENT

1. The implementation of resettlement activities requires the involvement of local agencies and organizations at national, provincial, district and commune levels. The respective PPC engaged in the ICRSL project will take overall responsibility for the implementation of the Resettlement Policy Framework (RPF) and the Resettlement Action Plan (RAP) of the project. The Compensation, Resettlement and Support Committees will be established at provincial/district levels in compliance with the provisions of Decree No.47/2014/CP. The provisions and policies of the RPF and the RAP of the ICRSL project will make legal basis for the implementation of compensation and resettlement activities of this subproject.

### Responsibilities of relevant agencies

* + 1. At central level

1. The Ministry of Agriculture and Rural Development (MARD), on behalf of the Government, is the Project Owner of the MD-ICRSL Project, takes overall responsibility for the whole project. The People's Committees of the provinces in the project area are the project owners of the subprojects in the respective provinces that are liable for making investment decisions in relation to the sub-projects managed by the MARD and the provinces. A Project Steering Committee (PSC) has been established consisting of representatives of the MARD and relevant ministries and departments. The Provincial People's Committees of the project assume the regularly monitoring and managing the subprojects. The Central Project Office (CPO) under the Ministry of Agriculture and Rural Development (MARD) will be responsible for the overall supervision and monitoring of resettlement activities to ensure the compliance with the ICRSL project's Resettlement Policy Framework, including the following tasks:

* Cooperate with the PPCs to conduct compensation and resettlement to assure compliance with the RPF and the construction progress;
* Organize training and building capacity for project implementing agencies (PPMUs and DCRCs) on the implementation procedure of the RPF and RAPs;
* Cooperate with the PPMU to monitor internally compensation and resettlement of overall project;
* Select and coordinate the independent monitoring consultants for overall project;
* Report periodically on resettlement to MARD and WB.
  + 1. An Giang Province People's Committee

1. An Giang Province People’s Committee (PPC) is responsible for the compensation, site clearance and resettlement of this subproject. The PPC will take overall responsibility as follows:

* Inform or authorize the DPCs to announce the land acquisition when the sub-project location is selected;
* Promulgate decisions on land acquisition and approval of compensation plans for site clearance for land users under their jurisdiction according to the regulations and is not authorized;
* Approve RAPs of their respective sub-projects;
* Instruct DPCs to implement compensation, resettlement, and site clearance according to the approved plans;
* Provide adequate funds for compensation.

1. In special cases, the provincial authority’s approval is needed for compensation plans, the provincial authority establishes an appraisal council at provincial level to appraise the compensation plans submitted by the DRCs so that advice will be provided for the provincial authority to approve such plans in accordance with the Government’s regulations on compensation, assistance and resettlement, and the WB’s involuntary resettlement policy (OP4.12) applied to the project.
   * 1. Subproject Owner– An Giang DARD/PPMU
2. The Subproject Owner shall be responsible for managing the compensation and site clearance of their respective subprojects, encompassing:

* Prepare and update RAPs.
* Submit RAPs to the PPC before making compensation payment.
* Co-operate closely with departments, agencies, sectors, and DPCs in the subproject area in implementing resettlement and site clearance to ensure that the implementation of compensation and resettlement is in line with the construction schedules.
* Monitor internally implementation of compensation and resettlement of the subproject and prepare quarterly reports on implementation progress of compensation and resettlement of the sub-projects to the CPO.
  + 1. City/Town People's Committees

1. The People's Committee of Long Xuyen city and Tan Chau town assume the following responsibilities:

Issue land acquisition notices within their authority or in each case authorized;

* Issue land acquisition decisions; approve compensation, support and resettlement plans for land users under their respective regulations or in each case authorized;
* Resolve complaints and grievances of affected persons within their authority;
* Direct the City/Town Compensation and Resettlement Committees (CRCs) to pay compensation, support and resettlement as prescribed.

1. The District Centers for Land Fund and Development (LFDC) or District Compensation and Resettlement Committees (DCRC) shall take responsibility for the implementation of the compensation and site clearance for the construction works in their respective districts, including:

* Detailed measurement surveys (DMS);
* Preparation of compensation plans to submit to the respective District People's Committees for approval;
* Implement the compensation and supports in accordance with the approved compensation plans.
  + 1. Commune/ward People's Committees

1. The People's Committees of Chau Phong and My Khanh communes and Binh Khanh wards have the following responsibilities:

* Propagating and mobilizing people to implement the Resettlement Policy Framework of the ICRSL project and the subproject RAPs;
* Protecting land use planning and participating in the protection of the rights of ways (ROW) of the works, and maintain local security and order;
* Providing cadastral maps for DCLFD/DCRC, determining the origin of land use and mobilizing their staffs to be members of DMS teams;
* Co-operating with the DRCs in delivering information and organizing community consultation;
* Settling APs’ queries and complaints relating to the inventory of their assets;
* Facilitating and assisting PAPs in restoring their livelihoods, incomes, and stabilizing their lives.
  + 1. Project Affected Household (AHs)

1. AHs shall be responsible for:
2. Coordinating with survey teams in carefully checking and certifying affected land and other assets as well as their entitlements;
3. Participating in all phases of the RAP preparation and implementation and giving feedback to improve the quality of the RAP and devise solutions for implementing the RAP smoothly; and
4. Moving to new sites in a timely manner after receiving full compensation and entitlements.
   * 1. Independent Monitoring Agency (IMA)
5. **Independent monitoring agency (IMA):** It is required to hire an agency/ organization or research institute specializing in social sciences to conduct socio-economic surveys, monitor and evaluate the implementation of the RAP. The PPMU will sign a contract with the IMA. The cost for the IMA’s resettlement independent monitoring for the subproject will come from the Project’s loan. The IMA will report periodically on the progress and recommendations concerning problems detected during the monitoring process.

# IMPLEMENTATION PLAN

### Main activities

1. To ensure that the subproject is successfully implemented and highly efficient, the main activities should be established through an implementation schedule with timelines. Thereby, the implementation progress of the work items at certain times can be evaluated. The plan should be mapped out from the start of the subproject and prolong throughout the implementation process and continuously to the completion phase of the subproject. In the Resettlement Action Plan, the main contents needed to be done from commencement to completion phase include:

* Announcement of cut-off-date and compensation policies: all project affected households are fully informed of the entitlements, and policies in the RAP, including the eligibility, entitlements, methods and compensation rates, schedules, grievances and redress. Project Information Booklet (PIB) will be prepared by the PPMU and then it will be distributed to affected households or announced at the meeting in population groups, ward, district, or in the public consultation. Besides, leaflets, posters are distributed to each household, posted at public places like the CPC offices, cultural houses, clinics, schools, etc.
* Socio-economic survey in affected area.
* Development of the plans on development of resettlement sites, if necessary.
* Development of the livelihood restoration measures, if necessary.
* Compensation, support, resettlement and livelihood restoration.
* Assessment of the subproject’s impacts on affected households: One year after the subproject ends, a social- economic survey in the subproject area will be conducted to assess its impacts on the benefited community and the project affected households. The results of this survey will be served as basis for assessment of the project’s impacts on the community and the lessons learnt for the later project operations and design and implementation.

### Implementation plan

1. The RAP implementation plan of An Giang subproject is shown in the table below:

Table 16*: The RAP implementation plan of An Giang subproject*

|  |  |  |
| --- | --- | --- |
| **Activity** | **Agencies** | **Plan** |
| **Preparation of RAP** |  |  |
| Uploading RAP at Infoshop | WB | Quarter III/2020 |
| Publicizing subproject’s RAP at the PPMU, People's Committee of relating districts and communes | An Giang PPMU | Quarter III/2020 |
| Disclose subproject’s RAP at the CPO | CPO | Quarter III/2020 |
| Approving subproject’s RAP | WB and the Vietnamese government | Quarter III/2020 |
| Capacity building training for project staff and LFDC staff | CPO and Resettlement consultants | Quarter III/2020 |
| **Implementation of RAP** |  |  |
| Notice of land acquisition | An Giang PPC | Quarter III/2020 |
| Recruiting independent valuation consultant | PPMU An Giang | Quarter III/2020 |
| Detailed measurement survey (if there is land acquisition) | LFDC and CPCs | Quarter III/2020 |
| Updating RAP | CPO and Resettlement consultants | Quarter III/2020 |
| Disseminating subproject information to affected persons | LFDC and CPCs | Quarter III/2020 |
| Preparation of compensation plans | LFDC and CPCs | Quarter III/2020 |
| Recruiting independent monitoring agency | CPO | Quarter III/2020 |
| Payment of compensation and site clearance | Subproject owner, LFDC, and CPCs | Quarter II/2021 |
| Construction of resettlement area | AN Giang PPC | Quarter III/2020 - Quarter II/2021 |
| Monthly internal monitoring of resettlement and quarterly report preparation | Project Owner | During the implementation of the subproject |
| Independent resettlement monitoring every 6 months and monitoring report preparation. | Independent monitoring agency | During the implementation of the subproject |

# MONITORING AND EVALUATION

## Objectives

1. To ensure the activities and commitments described in the approved RAP are fully and promptly carried out, the Project Owner should maintain monitoring and evaluation of RAP implementation. Monitoring RAP implementation is to regularly collect information on the results of RAP implementation. Meanwhile, evaluation of RAP implementation aims to analyze the information collected during the monitoring process to assess whether RAP is properly implemented as agreed plan and method or not, as well as evaluate whether RAP implementation meets the objectives of World Bank OP 4.12 on Involuntary Resettlement. In case there is any difference (between RAP and actual implementation) in the implementation process, the PPMU will propose remedies in timely manner.
2. The monitoring includes 02 following purposes:

* Verify whether the subproject activities are completed efficiently or not (including quantity, quality and time).
* Assess whether these activities reach the objectives and purpose of the subproject or not, and if not how much do they reach.

## Internal monitoring

1. Internal monitoring for the implementation of the Resettlement Action Plan of the subproject will be conducted by the PPMU. The PPMU will monitor the progress of preparation and implementation of resettlement through periodic progress reports:
2. Internal monitoring aims to:

* Ensure that compensation payment for affected households for different types of damage is implemented according to the compensation policy agreed in the RPF and RAP;
* Ensure that resettlement activities are implemented according to the compensation policy agreed in the RPF and RAP;
* Determine whether the conversion process, income restoration measures and resettlement assistance are provided on time or not;
* Evaluate whether the income restoration supports have been provided or not yet and propose corrective measures if targets of income restoration for households are not achieved;
* Disseminate public information and consultation procedures;
* Determine whether the complaint procedures have been followed or not and there is any outstanding issue needed the attention by the management level or not;
* Prioritize for interests and needs of affected people, especially poor and vulnerable households;
* Ensure transition between relocation, clearance and start of construction of civil works proceeds smoothly and that construction area will not be handed over until affected households have been compensated, supported and resettled satisfactorily.

1. Based on the RAP’s nature and complication as well as implementation stages, the internal monitoring can be carried out weekly/monthly or quarterly. Quarterly report is prepared in the brief form of progress report to ensure a) compliance with WB’s OP 4.12 and b) timely and proper settlement of any arising issues.
2. The implementation agencies will collect information every month from the different compensation resettlement committees. A database tracking the resettlement implementation of the subproject will be maintained and updated monthly, including redressing of grievances (if any).
3. The implementation agencies will submit internal monitoring reports on the RAP implementation as a part of the quarterly report to be submitted to the WB. The internal monitoring reports should contain the following information:
4. Number of affected persons according to types of impacts and subproject components and the status of compensation, relocation and income restoration for each item.
5. The distributed costs for the activities or for compensation payment and disbursed cost for each activity.
6. List of outstanding complaints.
7. Final results on solving complaints and any outstanding issues that demand management agencies at all levels to solve.
8. Arisen issues in the implementation process and how they are settled.
9. Updated actual schedule of resettlement activities.

## Independent monitoring

1. In addition to the internal monitoring by the PPMU, a qualified independent monitoring agency is appointed by the CPO to carry out the independent monitoring of the RAP implementation. This organization, namely the Independent Monitoring Consultant (IMC), has been expertizing in social sciences and experiencing in independent monitoring of resettlement. Specific tasks of the IMC are specified in the term of reference (TOR) for selection of IMC and this TOR will be submitted to the World Bank for approval. The IMC should start its work right after starting the subproject.
2. The objective of the independent monitoring is to provide results of periodic assessments and independent review of the results of the resettlement goals, changes in living standards and employment, and the restoration of income sources and the social basis of affected persons, the effectiveness, impact and sustainability of people's entitlement, the need for additional measures to minimize damage if any, and to draw lessons from strategies for future policy and planning.
3. The independent evaluation and monitoring criteria include but not limited to the following:
   * + 1. Payment of compensation such as: (a) If all compensation will be paid fully to affected persons before acquisition of land or not; (b) If the payment is commensurate with the replacement of affected assets.
       2. Support people who have to rebuild their houses on the remaining land or those who are relocated to rebuild houses in new locations arranged by the subproject or newly allocated.
       3. Support for recovering livelihood and income.
       4. Public consultation and public dissemination of compensation policy: (a) PAPs must be fully informed and consulted about land acquisition, land lease activities and relocation; (b) the Independent Monitoring Consultant must attend at least one community consultation meeting to monitor the community consultation procedure, problems that arise during the meeting process and propose solutions; (c) assessment of public awareness of policies and rights of compensation to affected persons by the subproject; and (d) assess the awareness of the different options for affected persons regulated in the RAP.
       5. Supervise the restoration of production activities.
       6. Evaluate the level of satisfaction of affected persons on different aspects of RAP which are monitored and recorded. Monitoring the operation of the grievance redress mechanism and the progress of grievance redress.
       7. Observe and investigate trends in living standards of affected households. Any potential issues in the restoration of living standards are reported and appropriate measures will be proposed to ensure the subproject goals.

# COST ESTIMATION AND BUDGET

1. As required by the World Bank’s Involuntary Resettlement Policy (OP4.12), a replacement cost survey must be conducted to be basis for the calculation of replacement costs for all land, crops, trees, assets, and structures affected by the subproject.
2. Therefore, during the development of the resettlement action plan (draft), the consulting unit conducted a rapid replacement cost survey, which was in November 2019 (please see details in Appendix 4).
3. Accordingly, the Consultant has proposed unit prices applicable to the subproject affected assets to households for structures and trees. For residential land, it was found that the PPC rates meet market rates. These unit prices have been disclosed to affected households at community consultations during the preparation of the RAP and agreed by the people.

Table : Replacement cost for affected residential land

|  |  |  |  |
| --- | --- | --- | --- |
| **Types of impacts** | **Unit** | **[Current unit prices of the provincial People's Committee[[[1]](#footnote-1)]](file:///D:\\TÙNG%20PHẠM%20IAC\\Tiểu%20DA%201%20An%20Giang,%20Cà%20Mau,%20Kiên%20Giang\\Tác%20động%20TĐC%20TDA%201(AutoRecovered).xlsx" \l "RANGE!B6)** | **Proposed replacement costs** |
| Land in Chau Phong commune | VND/ m2 | 500,000 | 500,000 |
| Land in My Khanh commune | VND/ m2 | 850,000 | 850,000 |

Table : Replacement prices for houses and structures

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **No.** | **Contents** | **Unit** | [**Current unit prices of the provincial People's Committee [[[2]](#footnote-2)]**](file:///D:\TÙNG%20PHẠM%20IAC\Tiểu%20DA%201%20An%20Giang,%20Cà%20Mau,%20Kiên%20Giang\Tác%20động%20TĐC%20TDA%201(AutoRecovered).xlsx#RANGE!B6) | **Proposed replacement costs** |
| 1 | House grade-4 with wooden / metal walls, corrugated iron roofs | VND/ m2 | 2,773,000 | 3,327,600 |
| 2 | House grade-4 with brick walls, corrugated iron roofs | VND/ m2 | 3,852,000 | 4,622,400 |

Table : Replacement cost for trees

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **No.** | **Trees** | **Unit** | [**Current unit prices of the provincial People's Committee [[[3]](#footnote-3)]**](file:///D:\TÙNG%20PHẠM%20IAC\Tiểu%20DA%201%20An%20Giang,%20Cà%20Mau,%20Kiên%20Giang\Tác%20động%20TĐC%20TDA%201(AutoRecovered).xlsx#RANGE!B6) | **Proposed replacement costs** |
| 1 | Banana | Trees | 80,000 | 96,000 |
| 2 | Coconut | Trees | 975,000 | 1,170,000 |
| 3 | Terminalia catappa | Trees | 1,000,000 | 1,200,000 |

1. As required by the World Bank's Voluntary Resettlement Policy (OP4.12), during the subproject implementation, there should be a replacement cost survey agency using independent methods to conduct replacement cost surveys for land and property affected by the subproject. The agency will set up replacement unit costs as a basis for the People's Committee of An Giang province to decide the compensation rates in accordance with the market prices before the time of applying compensation to affected organizations/individuals, when making compensation, support and resettlement plans for the subproject.
2. The budget for the implementation of the Resettlement Action Plan will be part of the counterpart fund of Government (budget from An Giang PPC). An Giang PPC will provide counterpart funds for the implementation of compensation and resettlement, which will be included in the total investment cost of the subproject.
3. The costs estimated for the RAP implementation for the subproject’s works include **VND** **12,,284,,358,,821** (equivalent to USD 528,,928),, The detailed cost estimation is presented in the table below.

Table 20*: Cost estimate for compensation of the subproject items*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **No.** | **Contents** | **Unit** | **Number** | **Unit** | **Amount** |
| **I** | **Land** |  |  |  | **1,394,000,000** |
| 1 | Land in Chau Phong commune | m2 | 2,380 | 500,000 | 1,190,000,000 |
| 2 | Land in My Khanh commune | m2 | 240 | 850,000 | 204,000,000 |
| **II** | **Trees, crops** |  |  |  | **25,950,000** |
| 1 | Banana | Trees | 40 | 80,000 | 3,200,000 |
| 2 | Coconut | Trees | 10 | 975,000 | 9,750,000 |
| 3 | Terminalia catappa | Trees | 13 | 1,000,000 | 13,000,000 |
| **III** | **Structures** |  |  |  | **8,013,596,400** |
| 1 | House grade-4 with wooden/metal walls and corrugated iron roof | m2 | 1,365 | 3,327,600 | 4,542,174,000 |
| 2 | House grade-4 with brick walls and corrugated iron roof | m2 | 751 | 4,622,400 | 3,471,422,400 |
| **IV** | **Supports** |  |  |  | **1,515,000,000** |
| 1 | Support for relocating assets | HHs | 55 | 5,000,000 | 275,000,000 |
| 2 | Support for house rental (6 months) | HHs | 55 | 12,000,000 | 660,000,000 |
| 3 | Support for vulnerable households | HHs | 3 | 10,000,000 | 30,000,000 |
| 4 | Bonus on time relocation | HHs | 55 | 10,000,000 | 550,000,000 |
| **V** | **Income restoration program** | **Courses** | **8** | **10,000,00** | **80,000,00** |
| **VI** | **Total: I+II+III+IV+V** |  |  |  | **10,948,626,400** |
| **VII** | **Administration cost = 2% VI** |  |  |  | **218,972,528** |
| **XIII** | **Total: VI+ VII** |  |  |  | **11,167,598,928** |
| **IX** | **Contingency cost (10% of total amount)** |  |  |  | **1,116,759,893** |
|  | **Total cost** |  |  |  | **12,284,358,821** |

# APPENDIX

# Appendix 1: Some minutes of public consultations in the subproject area

1/ Binh Khanh ward

**SOCIALIST REPUBLIC OF VIETNAM**

**Independence – Freedom – Happiness**

**---------\*\*\*---------**

**MINUTES OF CONSULTATION MEETING WITH COMMUNITY**

**DIRECTLY AFFECTED BY THE PROJECT**

Project: Addressing Coastal and Riverbank Erosion in Mekong Delta

Location: Binh Khanh ward

Time: 8h, 31/10/2019

Place of meeting: Binh Khanh ward

1. **Participants***:*
   1. **PMU**

* Mr. Vuong Viet Hung Position: Project Deputy Director
  1. **Consultant:**
* Mr. Pham Son Tung Position: Social experts
  1. **Commune/town representatives: Binh Khanh ward**
* Ms Nguyen Thi Yen Oanh Position: Vice Chairwoman of Ward   
   People’s Committee

1. **Content of meeting:**

* Dissemination of the project information “Addressing Coastal and Riverbank Erosion in Mekong Delta”.
* In An Giang province, there are three construction works, of which in Long Xuyen city, there is the construction section from Ton Duc Thang bridge to Rach Dung, with 2 km long.
* The subproject is implemented in Binh Khanh ward, so people around the embankment area are affected (houses, works, and environment, air, water and local transportation).
* Opinions of people:

+ People support the embankment; however, the contractor should inform people about the construction time and progress.

+ How is the embankment plan?

+ People are bewildered whether they must relocate or not?

* The village leader of Binh Khanh 6:

+ The embankment of Binh Khanh 5 section is contiguous to My Khanh commune, so during the construction, it will affect people along the route.

* The Vice Chairman of the Ward People's Committee: The contractor should inform people about the subproject area in Binh Khanh ward. People are very supportive of the subproject and expect it to be implemented soon.

1. **Conclusion of the meeting:**

Local people and authorities concur with the project implementation.

|  |  |
| --- | --- |
| **PROJECT MANAGEMENT UNIT** | **COMMUNE/WARD FATHERLAND FRONT COMMITTEE** *(signed and sealed)*  **Nguyen Thi Yen Oanh** |
|  |  |
| **CONSULTANT**  **Pham Son Tung** |  |

2/Chau Phong commune, Tan Chau town

**SOCIALIST REPUBLIC OF VIETNAM**

**Independence – Freedom – Happiness**

**---------\*\*\*---------**

**MINUTES OF CONSULTATION MEETING WITH COMMUNITY**

**DIRECTLY AFFECTED BY THE PROJECT**

Project: Addressing Coastal and Riverbank Erosion in Mekong Delta

LocationChau Phong commune, Tan Chau town

Time: 14h 30, 30/10/2019

Place of meeting: Cultural house of Vinh Loi 2 hamlet

1. **Participants***:*
   1. **PMU**

* Mr. Vuong Viet Hung Position: Project Deputy Director
  1. **Consultant:**
* Mr. Pham Son Tung Position: Social experts
* Ms Nguyen Thi Bich Ngoc Position: Social experts
  1. **Commune/town representatives:**
* Mr. Nguyen Trung Giang Position: Vice Chairman of Ward   
   People’s Committee
* Mr. Nguyen Van To Position: Chairman of Ward   
   People’s Committee

1. **Content of meeting:**

* The commune vice-chairman introduces the participants to the meeting.
* Consultant Pham Son Tung summarizes the project information passing through the commune.
* The Consultant summarizes the project's impacts on the environment and society and measures to minimize negative impacts on the surrounding people.
* During the construction, workers from other places coming to the project's construction site will affect the social safety for local people.
* Vehicles carrying materials may affect local traffic.
* Mr. Phan Van Loc: Landslides extend till Group 17, why the project only build embankment to Group 16, while Group 17 had houses eroded. How will compensation process be calculated?
* Feedback of the Consultant: Currently only the initial survey has been conducted, but not detailed survey, so the data is not specific.
* Mr. Nguyen Thanh Phong: We suggest the project starts fast construction to stabilize life for people.
* Mr. Nguyen Van Sam: During the construction process, are canals leading waters to fields constructed?
* Answer of the Consultant: The construction will be designed in accordance with the conditions of people, without affecting the aquaculture and rice cultivation of people.
* Mr. Vice Chairman of CPC: this is a necessary work for locality as every year people must be relocated about 20 households. The site clearance and compensation will be specifically measured to identified. The local authorities will recommend the consulting unit recommend solutions for the farming and aquaculture of people.
* The construction units are requested to ensure environmental safety, minimize negative impacts on people's lives during the construction.
* In the commune, there are ethnic minorities living, mainly Cham people living alternately with Kinh people.
* People's living conditions here are still difficult, so during the construction, we hope that the contractor prioritizes hiring local workers to improve income for local people.
* Although the construction affects agricultural production, it is not significant. The construction should be implemented early ensuring property and safety for people.
* Relocated households will be arranged in town the resettlement area newly built in Hoa Long hamlet, Tan Chau commune. This resettlement area was built to serve all projects in Tan Chau town, not just for this project.
* This new resettlement area is expected to be built in about 10ha. Currently no detailed design of the construction site is available, but according to the information of the Commune People's Committee, this area will be built on the land managed by the CPC, therefore, land acquisition from local households is not required.
* If during the construction land of households is affected, households will be compensated satisfactorily according to the policies of the province and the project.

1. **Conclusion of the meeting:**

Local authorities and people fully support the project. However, during the construction, the construction units are requested to apply measures to minimize environmental impacts and transport material at the right load, no construction is implemented during the rest time of residents to minimize negative impacts.

|  |  |
| --- | --- |
| **PROJECT MANAGEMENT UNIT** | **COMMUNE/WARD FATHERLAND FRONT COMMITTEE** *(signed and sealed)*  **Nguyen Van To** |
|  |  |
| **CONSULTANT**  **Nguyen Thi Bich Ngoc** |  |

# Appendix 2: Socio – Economic Survey Form to AHs in the subproject area

SOCIAL-ECONOMIC HOUSEHOLD QUESTIONAIR

Code: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_; Survey date: \_\_\_\_ /\_\_ /2019

1. Full name of householder: ………………………………Gender: Male = 1; Female = 2

2. Address: Village/hamlet: ..........................Commune ......................District ......................Province.....................

3. Age: ...........................................4. Religion: ...................................................................

A. GENERAL INFORMATION OF HOUSEHOLD

A1. Number of family members? \_\_\_\_\_\_\_\_\_ people,

In which: Male:\_\_\_\_\_\_\_people, Female\_\_\_\_\_\_\_people.

A2. Number of households in the current house: ......... households (number of households living in 1 house).

A3 Số Number of working members at working age, main labor (generate income, cultivation, animal husbandry):\_\_\_\_\_\_\_\_people.

A4. Number of working children (generate income) in the family:\_\_\_\_\_\_\_\_\_people

A5. Which types of household does your family belong to? (*You can choose more than one option).*

1.Poor households (having poor certificate) 4.Ethnic minority households

2.Near poor households 5.Elderly households (1-2 members)

3.Women-headed households with/without dependants 6.Households with meritorious services to the revolution.

Information of respondents:

A6. **Relationship with householder**: (householder does not have to answer this question)

0. Householder 1. Husband/wife 2. Children 3. Grandchildren

4. Father, mother 5. Grandfather/grandmother 6. Brother/sister

A7. Ethnic Minority: 1. Kinh 2. Others (specify): ...........................

A9. Marital status:

1. Single 2. Married 3. Divorced

4. Separated 5. Widowed 6. No answer

A10. Education level (with degree):

0. Illiteracy 1. Primary school 2. Secondary school

3. High school 4. Vocational training 5. University/College

6. Don’t know

A11. What is your main job?

1. Disable/Unemployed 2. Agri, forestry, aquaculture

3. Trading/Service 4. Civil servants/Military soildiers

5. Pupils/Students 6. Handicraft

7. Workers 8. Housewife/Retired

B. **ASSETS**

B1. Houses *(choose only one option)*

1. Permanent (one-storey or more/ brick wall, reinforced concrete roof)

2. Semi-permanent (brick wall, tile/corrugated iron roof, etc.)

3. Wooden house, leaf roof (wooden house, wood/leaf roof)

4. Temporary houses (bamboo, wooden, corrugated iron, etc.)

5. No house

6. Others (apartment), specify:............................................................................

B2. Land use title

B2.1. Do you have LURCs for residential land?

1. Yes 2. No

B2.2. Do you have LURCs for production land?

1. Yes 2. No

B2.3. If there are LURCs, who is named for?

Named for residential land? Named for production land?

1. Husband

2. Wife

3. Both husband and wife

4. Grandfather/grandmother

5. Brother/Sister

6. Others :...........

B3. Which source of water do your family use *?* *(choose only one option)*

**Water for drinking and washing Water for production**

1.Natural rivers/streams/creeks

2.Reservoir/Irrigation system

3.Drilled/ Dug well

4.Clean water supply system

5.Rain water

6.Bottled water (e.g. 20 litre bottle)

7. Others : .................

B4. Which type of toilets do you use? *(Choose only one option*

1. No toilet

2. Septic/semi-septic toilet

3. Two-compartment toilet

4. Temporary toilets (garden holes)

5. Toilets on pond, ditches, streams, etc.

6. Others (specify)……………….........

B5. What is your main type of power for lighting? *(Choose only one option)*

1. Kerosene

2. Gas

3. Grid electricity

4. Electricity from battery, generator, small-scale hydropower

5. Others (specify)................

B6. Which fuel do you use for cooking: *(Choose only one option)?*

1. Wood/straw, leaves 4. Electricity

2. Coal 5. Others (specify)……………….)

3. Gas/Biogas

B7. How is household waste collected/disposed of? (Choose multiple options)

1. Burning/burying in home gardens. 4. Pour into cattle sheds

2. Dispose in public landfill 5. Throw away into field/bush/river/pond/canal

3. Pour into garden 6. The sanitation team collects daily/weekly.

7. Others (specify): ……………………………………

B8. Which of following household equipment do you have? (Enumerator: ask about each type of equipment)

Name of equipment Yes Name of equipment Yes

1. Television 8. Car (excluding rurimendary Motorvehicle for agriculture)

2. Internet 9. Refrigerator

3. Boat/Motorboat 10. Air conditioner

4. Motorbike/ Electric bike 11. Computer

5. Telephone 12. Washing machine

6. Mobile phone 13. Water heater

7. Gas stove 14. Water filter.

15. Others (specify):................

C. INCOME AND EXPENDITURE

C1. How much is the total expenditure of your family last year? ..........................................................................................................(VND/month)

C2. How much is your family income from following sources last year? ........................................................................................................................(VND/month)

C3. Generally, how is your household income compared to others in the area:

1. Better-off 3. Poor

2. Average 4. Near-poor 5. No answer

D. ACCESS TO SOCIAL SERVICES

D1. What do you think about changes of following issues in 3 recent years in your area?

| **No** | **Issues** | **Better** | **Unchanged** | **Worse** |
| --- | --- | --- | --- | --- |
| 1 | Medical services/health care |  |  |  |
| 2 | Education/school |  |  |  |
| 3 | Water supply for domestic uses |  |  |  |
| 4 | Water supply for production |  |  |  |
| 5 | Infrastructure (bridge, culverts, roads, school, medical units, etc.) |  |  |  |
| 6 | Diseases in production |  |  |  |
| 7 | Natural disaster (storm, flood, drought, damaging cold, etc.) |  |  |  |
| 8 | Agricultural extension/assistance |  |  |  |

D2. Are there any members going to school in your family?

1. Yes 2. No

D3. Are there any children from 5 to 17 years not going to school in your family?

1. Yes 2. No  Move to D6

D4. How many children do not going to school in your family? \_\_\_\_\_\_\_\_\_\_\_\_, in which:

Boy:\_\_\_\_\_\_\_\_\_\_\_\_ Girl:\_\_\_\_\_\_\_\_\_\_\_\_

D5. Reasons for dropout? .............................................................................................

D6. Is there any family member got sick last month?

1. Yes 2. No  Move to D9

D7. If yes, which illness is it?

|  |  |
| --- | --- |
| 1. Cold/Flu | 6. Hepatitis |
| 1. Respiratory | 7. Food poisoning |
| 1. Malaria | 8. Accident/injury |
| 1. Dengue | 9. Gynecological disease |
| 5. Cholera/dysentery, diarrhea | 10.Eyesore |
|  | 11. Others (specify) |

D8. Where did the family go for health examination and treatment (in the latest time)?

1. Commune health station 4. Central hospital

2. District hospital 5. Clinics

3. Provincial hospital 6. Buy medicine at a pharmacy

D9. Does your family participate in health insurance (health insurance, social insurance, AIA, Chathay, etc.)?

1. Yes 2. No

D10. If yes, how many people are participating in? \_\_\_\_\_\_\_\_\_\_\_people/\_\_\_\_\_\_\_\_people

E. PRODUCTION ACTIVITIES

E1. Describe some details about your production land:

|  | Residential area (m2) | Garden/land for perennial trees (m2) | Agricultural land (ha) | Aquaculture land (ha) | Salt farms (ha) | Forest land (ha) |
| --- | --- | --- | --- | --- | --- | --- |
| Area |  |  |  |  |  |  |

E2. Do you borrow any loans?

1. Yes, amount: \_\_\_\_\_\_\_\_\_\_ thousand VND 🡪Move toE4

2. No Move to E6

E3. What is the loan used for? (*You may choose more than one option)*

1. Agricultural production

2. Husbandry

3. Aquaculture and fishing

4. Forestry farming

5. Handicraft

6. Durable goods purchase

7. Daily spending

8. Business/Service

9. Healthcare and treatment

10. Education

11. Production land purchase

12. Residential land purchase

13. House building, repair

14. Others (specify)………

E4. If you are affected by the project, what will you use your compensation and assistance amount for? *(Choose suitable options)*

|  |  |  |  |
| --- | --- | --- | --- |
| 1 | Production land purchase | 8 | Loan payment |
| 2 | Residential land purchase | 9 | Daily spending |
| 3 | Building new house/Repair, upgrade house | 10 | Expensive furniture purchase |
| 4 | Investment in business, services, non-agricultural production | 11 | Health treatment |
| 5 | Agricultural, forestry, aquaculture production | 12 | Children’s education |
| 6 | Vocational training *(non-agriculture)* | 13 | Distribution to children and relatives |
| 7 | Bank deposit | 14 | Others (specify) |

E5. If you are affected by the project, what will you use your compensation and assistance amount for?

1. Support for farming extension training

2. Support for livestock development

3. Support for non-agricultural vocational training

4. Support for job introduction

5. Support to access credit loans

6. Don’t know

7. Other, (please specify)……………………

G. SOME ISSUES RELATING TO THE PROJECT

G1. Do you know that there is the project in the locality?

1. Yes (*Name or description*: ................................................................)

2. No Move to G3

G2. If yes, from which source do you know about it? *(You may circle more than one option)*

1. Village meetings

2. Commune meetings

3. Television, radio, newspapers

4. Commune’s louder speakers

5. Officers of local authorities, mass organizations

6. Staff of PMU/Project Owner

7. Consultant

8. Husband/wife

9. Relatives

10. Friends/neighbours

13. Others (specify):..........................................................

G3. According to you, what should be done in order to minimize those negative impacts?

1. Different communication methods to raise awareness among the community, staff, workers on HIV/AIDS, STDs and social evils.

2. Training programs on HIV/AIDS, STDs and social evils prevention and control for officers, workers of construction contractors should be carried out.

3. People’s awareness of project’s benefits should be enhanced through communication.

4. Impacts on travelling, noise, stagnancy, etc. should be minimized by the construction contractors.

5. There should be monitoring agency to ensure that construction activities do not affect livelihood of local people.

6. Representatives of village heads, local people should be allowed to supervise construction activities.

7. Minimize the number of affected households by the project.

8. Subproject construction should be quick and in good quality.

9. Local people should be informed of when subproject items may temporarily affect remaining land of local people.

10. During construction, if any impacts on land, crops, etc. of local households arise, AHs should be timely compensated and assisted.

11. Local labors should be hired for construction activities.

12. Others (specify)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

G4. Do you support this project?

1. Yes

2. No Why?......................................................................

3. Other comments......................................................................................

H. KNOWLEAGE OF INFECTIOUS DISEASSES, SEXUALLY TRANSMITTED DISEASES (STDs) and HIV/AIDS

H1. What is HIV?

|  |  |
| --- | --- |
| 1. Harmful bacteria | 1. Mycosis |
| 1. Human immunodeficiency virus | 1. No idea |

H2. Do you think that HIV/AIDS can be cured?

1. Can be cured. 2.cannot be cured 3. Don’t know

H3. How do you know about STDs/HIV/AIDS? (Circle a suitable answers)

1. News/radio/Internet 2. Meetings

3. Tivi 4. Others (specify)

5. Local medical units

H4. How is STDs/HIV/AIDS transmitted? (Circle a suitable answers)

1. Drug injection or share syringes with others

2. Use common bowls with HIV infected persons

3. Bitten by insects or mosquitoes

4. Have sex without using condom

5. Mother-to-child transmission

6. Others (specify) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

H5. How can STDs/HIV/AIDS be prevented? (Circle a suitable answers)

1. Be married to one person at a time

2. Be separated from HIV/AIDS infected people

3. Have sex with using condom

4. Use separate injection syringes in all cases

5. Not shaking hand with infected people

6. Not using bowl and chopsticks used by infected people

7. Others (specify)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I. GENDER ISSUES

1. How are your family activities distributed? (Choose only one option)

| **Contents** | **Male** | **Female** | **Both** |
| --- | --- | --- | --- |
| Income generating activities |  |  |  |
| Children care and education |  |  |  |
| Household chores (cleaning, cooking, decorating, small purchase) |  |  |  |
| Commune meetings |  |  |  |
| Village meetings |  |  |  |

***Thank you for your cooperation****!*

# Appendix 3: Some photos of the site and community consultation

|  |  |
| --- | --- |
|  |  |
| Community consultation in Chau Phong commune | |
|  |  |
|  |  |
| Community consultation in My Khanh commune | |

# Appendix 4: Rapid Replacement cost

**A. Survey objective**

The important objective of the Rapid Replacement Cost Survey is to ensure that all unit prices calculated for the compensation of affected assets are at full replacement costs. This objective will be achieved through a detailed market survey and/or through surveying such factors as production capacity, equivalence factors, values of replacement assets, disadvantages of affected objects..., which are compared and evaluated with the respective unit prices that the provincial People's Committee enacted.

As required by the Involuntary Resettlement Policy of the World Bank, a replacement cost survey is required for calculating replacement costs for all affected land, crops, and properties on affected land.

**B. Rapid replacement cost survey method**

**1. Comparative method**

- For residential land: Survey the unit prices of residential land transactions at similar locations adjacent to the subproject area; review market transaction information and data collected; consult with people in the subproject neighborhood; and consider differences between the surveyed land prices in the affected areas (including taxes and fees) and the benefits people receive from the subproject, and the compensation unit prices in accordance with the current regulations of the Provincial People's Committee, to propose suitable replacement unit prices; then publish the estimated compensation unit prices for local people to get their consensus.

- For houses and structures: Survey the unit prices of new construction of houses and structures on market, and compare with the subproject’s replacement costs of assets (which are approved) and the compensation unit prices in accordance with the current regulations of the Provincial People's Committee to propose suitable replacement unit prices. The Consultant surveyed 03 companies/shops trading construction materials in the subproject communes.

- For plants and crops: Review market information and data; consult with those who specialize in crop and plant trading and unit prices of crops; and consider the actual compensation prices applied locally and agreed by people. The Consultant surveyed 03 companies/shops trading plants and crops in the subproject communes.

**2. Cost method**

- For affected houses and structures: Refer to unit prices of supplies, equipment, and new construction costs of the similarities to the affected houses and structures of relocated households, then compare with the estimated results from the above comparison method to proposed suitable prices.

- For affected plants: Calculate the costs of sowing, seeding, developing till harvesting, then compare with the estimated results from the above comparison method to proposed suitable prices.

**3.** **Procedure**

The local Rapid Replacement Cost Survey was conducted by the Consultant in November 2019. The content is as follows:

- The Consultant interviewed local officials (commune level) and people about the current market prices of land and assets on land, and updated the latest land price transaction records. In case of the absence of the nearest transaction of land prices (other than residential land), it is based on practical experience. i.e. locations to determine market prices, and then discuss and determine land replacement costs.

- The Consultant met with suppliers of construction materials and local contractors to interview and determine the current prices of construction materials, labor cost and construction house and other structure costs.

- The Consultant approached local real estate offices and real estate websites, and interviewed local plant owners and agricultural department officers to verify perennial and annual crop prices;

- The Consultant referred the compensation and support policies when the State acquired land and properties on land in the province, and the unit prices of land, trees, architectural works and objects enacted by the provincial People's Committee.

- In addition, during the subproject implementation, an independent price survey agency will conduct a detailed replacement cost surveys for land, assets and crops affected by the subproject. This agency will set up replacement unit prices for the provincial People's Committee to decide the compensation prices in line with market prices.

**C.** **Quick survey results of replacement costs**

**Land compensation unit prices**:

* For residential land: The market prices of the types of residential land in Chau Phong commune and My Khanh commune at the survey time are 500,000 VND/m2 and 850,000 VND/m2 respectively.
* Comparing the updated and adjusted unit prices with the compensation rates applied in the province for the period of 2020-2024, the Consultant proposes replacement cost for each type of land in accordance with the reality and compensation prices in the province.

- Unit price for plants and animals:

- Regarding plants and animals, the People's Committee of An Giang province has issued Decision No.1037/QD - UBND on promulgating the price list of compensation for aquatic plants and animals in An Giang province in 2019.

- The market survey of the Consultant shows that the market unit prices of fish and shrimp in An Giang is quite stable over the past 2 years, especially the prices of fish. Fish, shrimp and crab prices do not fluctuate much. During the applying compensation prices for each type of fisheries affected by the subproject, the Consultant has proposed the prices according to the latest decision issued by the province. However, during the actual compensation process, an independent pricing agency will be required to conduct surveys for compensation replacement cost at the compensation time.

Based on the results of the rapid replacement cost survey, the Consultant has recommended the unit prices applicable to compensate affected assets. The compensation prices calculated in this RAP report were informed to AHs during the consultation process. AHs agreed with the unit prices to be applied in the draft Resettlement Action Plan Report. During the subproject implementation period, a more detailed replacement cost survey by a replacement cost survey agency will be conducted to update the compensation prices and will be considered as a basis for compensation and support of the subproject.



1. Decision No.70/2019/QD-UBND dated December 23, 2019, promulgating the price list of land types for the period of 2020-2024 in An Giang province [↑](#footnote-ref-1)
2. Decision No.10/2018/QD-UBND dated May 3, 2018 of An Giang Provincial People's Committee, promulgating the price lists for building houses, constructions and other structures in An Giang province. [↑](#footnote-ref-2)
3. Decision No.08/2018/QD-UBND dated April 4, 2018 of An Giang Provincial People's Committee, promulgating regulations on compensation for plants and animals when the State recovers land in An Giang province. [↑](#footnote-ref-3)