

Resettlement Plan

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VIE: Secondary Cities Development Project

COMPONENT BMT-01: SOLID WASTE MANAGEMENT AND LANDFILL SITE - BUON MA THUOT CITY

Prepared by the Provincial People's Committee of Dak Lak for the Asian Development Bank.

CURRENCY EQUIVALENTS

(as of 14 Dec 2015)

Currency unit dong (D)

D1.00 = \$0.0000477

\$1.00 = D22,450

ABBREVIATIONS

ADB	–	Asian Development Bank
AEC	–	Agriculture Extension Centre
AH/AP	–	affected household/affected person
CFLD	–	Center for Land Fund Development
CPC	–	City People’s Committee
DAKURENCO	–	Dak Lak Urban and Environmental Limited Company
DARD	–	Department of Agriculture and Rural Development
DMS	–	detailed measurement survey
DOLISA	–	Department of Labour, War, Invalids and Social Affairs
EA	–	executing agency
FS	–	feasibility study
FHH	–	female-headed household
HH	–	household
IA	–	implementing agency
IOL	–	inventory of losses
ISC	–	implementation and support consultant
LURC	–	land use right certificate
PC	–	People’s Committee
PMU	–	project management unit
PPC	–	Province People’s Committee
RCS	–	replacement cost study
ROW	–	right-of-way
RP	–	resettlement plan
SCDP	–	secondary cities development project
VND	–	Vietnamese dong
VTC	–	Vocational Training Centre
WU	–	Women’s Union
uRP	-	Updated Resettlement Plan

GLOSSARY

Compensation	- This is payment given in cash or in kind to affected persons (APs) at replacement cost or at current market value for assets and income sources acquired or adversely affected by the project.
Cut-off date	- Refers to the date after which people will NOT be considered eligible for compensation i.e. they are not included in the list of APs as determined by a census. In this Project, the Center for Land Fund Development of Buon Ma Thuot City will disclose the cut-off-date to residents and local officials of each affected commune which coincides with the date of the public announcement of the land acquisition.
Detailed Measurement Survey (DMS)	- With the use of approved detailed engineering drawings, this activity involves the finalization and/or validation of the results of the IOL, severity of impacts, and list of APs done during the preparation of this resettlement plan (RP).
Affected	- Refers to any person or persons, household, firm, private or public institution that, on account of changes resulting from the Project, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (e.g., residential, commercial, agricultural, and/or grazing land), water resources or any other fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without physical displacement.
Household (AH)	<p>In the case of affected household (AH), it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by the project.</p>
Entitlements	- Any of the 53 ethnic groups in Viet Nam other than the majority Kinh (Viet) and Hoa ethnic group that possess the following characteristics in varying degrees - collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; and customary cultural, economic, social, or political institutions that are separate from those of the dominant Kinh (Viet) society and culture.
Entitlement	- Refers to a range of measures, such as compensation in cash or in kind, income restoration support, transfer assistance, relocation support, etc., which are provided to the APs

depending on the type and severity of their losses to restore their economic and social base.

Inventory of Losses
(IOL)

- This is the listing of assets as a preliminary record of affected or lost assets during the preparation of the RP where all fixed assets (i.e., land used for residence, commerce, agriculture; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; standing crops and trees with commercial value; etc.) and sources of income and livelihood inside the COI are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. The severity of impact on the affected assets and the severity of impact on the livelihood and productive capacity of the DPs are likewise determined.

Involuntary
Resettlement

- It is the displacement of people, not of their own volition but involuntarily, from their homes, assets, sources of income and livelihood in the ROW in connection with the Project

Land acquisition

- Refers to the process whereby a person in the Secondary Cities Development Project, is compelled by the government through the Center for Land Fund Development to alienate all or part of the land s/he owns or possesses, to the ownership and possession of the government for the Project in return for compensation at replacement cost.

Relocation

- This is the physical displacement of a DP from his/her pre-project place of residence and/or business.

Replacement cost

- Means the amount in cash or in kind needed to replace an asset in its existing condition, without deduction of transaction costs or depreciation and salvageable materials, at prevailing current market value at the time of compensation payment.

Replacement Cost
Study

- This refers to the process involved in determining replacement costs of affected assets based on empirical data.

Resettlement

- Refers to various measures provided to DPs or AHs to mitigate any and all adverse social impacts of the project, including compensation, relocation (where relevant), and rehabilitation as needed.

Resettlement Plan

- This is a time-bound action plan with budget, setting out the resettlement objectives and strategies, entitlements, activities and responsibilities, resettlement monitoring, and resettlement evaluation.

Right of way (ROW)

This is the area which will be cleared of all structures and obstructions.

Severely affected

- This refers to AHs who will (i) lose 10% or more of their total

households	productive assets, (ii) have to relocate, and/or (iii) lose 10% or more of their total income sources due to the project..
Vulnerable groups	- These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized due to the project and specifically include: (i) female-headed households with dependents, (ii) household heads with disabilities, (iii) households falling under the generally accepted indicator for poverty, (iv) elderly households who are landless and with no other means of support, (v) landless households, (vi) severely ethnic minorities.

NOTE

In this report, "\$" refers to US dollars.

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Contents

1. DESCRIPTION OF THE PROJECT	1
1.1 General.....	1
1.2 Sub-Components in Buon Ma Thuot City	1
Solid Waste Management and Landfill Development	2
1.3. The objectives of the resettlement plan	2
1.4 Measures Taken to Reduce Resettlement	3
1.5 Changes Made in the Updated Resettlement Plan.....	5
1.6 Land Acquisition and Resettlement-Related Conditions.....	6
2. SCOPE OF LAND ACQUISITION AND RESETTLEMENT	6
2.1 Method of Information Collection.....	6
2.2 Cut-off date	7
2.1 Scope of Land Acquisition and Resettlement.....	8
2.1.2 Land Acquisition	8
2.1.3 Land Tenure	9
2.1.4 Affected temporary Houses and secondary structures	9
2.1.5 Affected Crops and Trees	10
2.1.6 Affected Business	10
3. SOCIOECONOMIC SURVEY	10
3.1 Socio-economic profile of the subProject Area	11
3.2 Demographics	11
3.3 Poverty	12
3.4 Vulnerable among Affected Households.....	13
3.5 Ethnic Minorities	14
3.6 Education.....	16
3.7 Source of Income.....	16
3.8 Households Assets	18
3.9 Water, Sanitation and Source of Energy	20
3.10 Members of Organizations	22
3.11 Gender Issues	22

3.12	The socioeconomic status of affected households of the Hoa Phu landfill component	24
3.13	Dumpsite Scavengers	27
3.13.1	Focus Group Findings	27
3.13.2	Interview with DAKURENKO Management Staff	29
3.12.3	Mitigation Measures	30
4.	INFORMATION, CONSULTATION AND PUBLIC DISCLOSURE	31
4.1	Meetings with Local Authorities	31
a.	Information dissemination and consultation during RP preparation	31
b.	Information dissemination and consultation during updatingRP	31
4.2	Public consultation	32
4.3	Concerns of affected AH	34
4.4	Focus Groups with Scavengers at Current landfill site	34
4.5	Information Disclosure	34
5.	GRIEVANCE REDRESS	35
6.	POLICY AND LEGAL FRAMEWORK FOR RESETTLEMENT	37
6.1	Relevant Vietnamese Legislation	37
6.3	ADB Safeguard Policy and Requirements	39
6.2.1	Project Principles	40
6.2.2	Eligibility Policy	42
6.3	Reconciliation of Government and ADB Policy on Resettlement	42
7.	ENTITLEMENTS, ASSISTANCE AND BENEFITS	46
7.1	Entitlement Matrix	46
8.	RELOCATION	52
9.	INCOME RESTORATION	52
9.1	Need for an Income Restoration Program	52
9.2	Agriculture Program	53
9.3	Training	54
9.4	Budget for IRP implementation	55
10.	RESETTLEMENT BUDGET	55
10.1	Budget flow	55
10.2	Replacement cost survey	55
11.	INSTITUTIONAL ARRANGEMENT	58
11.1	Provincial People's Committee of Dak Lak Province	58

11.2	Buon Ma Thuot City People's Committee.....	58
11.3	Project Management Units (PMUs).....	58
11.4	Centre for Land Fund Development of Buon Ma Thuot City	59
11.5	Local Administrative Authorities (District, Commune).....	60
11.6	Local Mass Organizations.....	61
11.7	Implementation Support Consultants	61
12.	IMPLEMENTATION SCHEDULE	62
12.1	Resettlement Activities.....	62
12.2	Indicative Implementation Schedule.....	64
13.	MONITORING AND REPORTING.....	65
13.1	Objectives.....	65
13.2	Internal Monitoring.....	66
13.3	External Monitoring and Evaluation.....	67
	APPENDIX	70
	Appendix 1: Public Information Booklet.....	70
	Appendix 2: Attendance Sheets for Public Meetings.....	71
	Appendix 3. Cost for Income Restoration Program	78
	Appendix 4. AH characteristics based on DMS data	79

Executive Summary

Project Description: Under the Secondary Cities Development Project (SCDP) the recommended subprojects in Buon Ma Thuot City consist of four sub-components: (1) Environmental Management (Solid Waste Management and Landfill site); (2) Urban Roads Development (Tran Quy Cap Road); (3) Urban Roads Development (Mai Thi Luu Road) and (4) Capacity Building (Sub-project Implementation Support). Only components 1, 2 and 3 involve land acquisition and resettlement. According to the Project's requirements, three (3) updated Resettlement Plans will be prepared for Buon Ma Thuot Subproject

Scope of the Resettlement Plan: This Resettlement Plan plan is updated for component BMT-01 and it includes following key information: (i) description of project and detailed measurement survey; (ii) legal policies; (iii) entitlements and benefits; (iv) grievance redress mechanism; (v) restoration measures, (vi) Budget for uRP implementation; (vii) institutional arrangement, and (viii) monitoring and evaluation. The updated resettlement plan will be disclosed to the affected people through community meetings and ADB's website. This resettlement plan is updated for Component BMT-02: Tran Quy Cap road based on the original RP for Buon Me Thuot subproject, approved detailed technical design, detailed measurement survey (DMS), replacement cost survey, and public consultations.

Scope of Land Acquisition and Resettlement: According to the DMS, the total affected land area is 495.827,4 m². 100% affected land is perennial land. In total 70 households affected by the component, 56 households are seriously affected who lost 10% or more of productive land area (in which 11 HH loses from 10% to 30%, 22 AHs lose from 30%-70% and 23 HHs lose over 70% of their productive land).

Of 70 affected households, about 13 households will be partially affected with temporary houses and other assets. None of cases has to relocate. In line with the BMT-01, this component will not affect graves, business facilities or other cultural works in the area (96.8%).

Socio-Economic Conditions: Among the 70 AHs, the average family size is 6.1 members for a total affected population of 425 people. Agriculture is the major employment sector in the component with 90% of households engaged in agriculture. 18 AHs are from the ethnic minority groups (Ede, Giarai, Nung, Thai). There are 16 AHs identified as vulnerable: 15 households who are women-headed and 1 household is poor.

Consultation: Meetings and public consultations were held in each affected commune during the preparation and implementation of the subproject. These meetings disseminated project information, project design, mitigation measures, compensation policies and rehabilitation measures. The consultations with the affected households (AH) also discussed on key issues including the compensation unit prices for affected assets, project implementation plans, results of compensation plan for each AH, interests and entitlements of AHs and explanations to questions and complaints of AHs and the grievance redress mechanism.

Key information in the RP and public information booklets (PIBs) has been disclosed to the AHs through public meetings. The updated RPs will be disclosed as per disclosure requirements laid out in ADB's SPS. Semi-annual monitoring reports on uRP implementation will be prepared and uploaded on the ADB website.

Grievance Redress Mechanism (GRM): 4 stages of the GRM were set up to address complaints and questions from affected households related to land acquisition, resettlement and compensation as quickly and satisfactorily as possible. The AHs have rights to make any claims to the land acquisition, resettlement, compensation policies, benefits, rates and payment of compensation, strategies and procedures for resettlement as well as other support programs. According to the procedures for complaint settlement, the people's committees of the communes, wards and social institutions play the settlement role at commune level while the district/province people's committees will be responsible for resolving complaints at the district/province levels. The courts will be the final level for the settlement of complaints of the affected households. The grievance redress mechanism will be published to the affected people during public meetings and consultations.

Legal Framework: The legal and policy framework for compensation, resettlement and rehabilitation under the project is defined by the relevant laws and regulations of the Government of Viet Nam, Dak Lak Province & the ADB Safeguards Policy Statement (2009) on involuntary resettlement and indigenous people. Because some differences still remain between GoV regulation and ADB 's SPS, a Resettlement Framework was prepared for endorsement by the Prime Minister.

The Resettlement Policy Framework: The Project's Policy Framework for Compensation, Support and Resettlement is based on the applicable laws and regulations of the Government of Vietnam on land acquisition, compensation, resettlement, rehabilitation and ADB's policy on involuntary resettlement as defined in ADB's Social Safeguard Policy Statement (SPS-2009). If

there is any discrepancy between the regulations of the Government of Vietnam and ADB, the ADB rules, policies and procedures will be applied. The Project's Resettlement Policy Framework is established and approved by the Government of Vietnam and ADB on the principle of ensuring the fair and maximum benefits of affected households on land-use rights as well as especial support for the poor and vulnerable so that they can improve their lives after the compensation and resettlement.

The rights and entitlements of the affected people (APs) are presented in the entitlement matrix in the updated resettlement plan and consistent with affected people identified during the detailed measurement survey (DMS). This entitlement matrix will be applied for preparation of compensation plan to ensure the restoration or improvement of APs' income and livelihood that are affected by the subproject.

Entitlements: The project entitlements adopted are based on ADB safeguard policy statement (2009), Government Laws, Dak Lak Province People's Committee Decisions on land acquisition, resettlement and assistance, and entitlements applied for other ADB-funded projects in Viet Nam. These entitlements were discussed and agreed with each PMU. All compensation is based on the principle of replacement cost. A qualified appraiser was be engaged by Dak Lak PPC to carry out a replacement cost survey (RCS) during detailed design.

Relocation of Housing and Settlements: None of AHs has to relocate.

Income Restoration and Rehabilitation: The AHs 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. An income restoration program was be prepared during the Detailed Design Phase which will provide supplemental assistance to severely affected households, enhancing opportunities for them to improve incomes through training and provision of inputs.

Institutional Arrangements: Dak Lak PPC is the Executing Agency (EA) for the project. Buon Ma Thuot City PMU is the Implementing Agency (IA) for the Mai Thi Luu Road sub-component, while the Dak Lak Urban Environmental Company (DAKURENCO) is the IA for the landfill site and the Tran Quy Cap road components. Both PMU and DAKURENCO will be responsible for the supervision of resettlement activities within their sub-components. At the city level, the Buon Ma Thuot City People's Committee, together with relevant line agencies such as the CFLD, together with local authorities will be responsible for the implementation of the RP.

Disclosure: Key information in this RP has been disclosed to the AHs through public meetings and dissemination of public information booklets (PIBs) during public meetings. The final RP and updated RPs will be disclosed as per disclosure requirements laid out in ADB's SPS.

Resettlement Budget: The uRP cost estimate is VND **64,895,071,437** equivalent to USD **2,890,649** (the rate of exchange: 1USD = 22,450 VND).. This includes the compensation for land acquisition, non-land assets, assistance and allowances, income restoration program, administration and contingency.

Implementation Schedule: The Project will be implemented over four years. The commencement date is planned for the third quarter of 2013 and the start of construction on the 1st quarter of 2016.

Monitoring and Reporting: Internal Monitoring is the responsibility of PPC through PMU with assistance from the project Implementation Support Consultant (ISC). PMU will submit quarterly monitoring reports to ADB. PMUs was engage an external monitor (EM) to provide an independent periodic review and assessment of (i) achievement of resettlement objectives; (ii) changes in living standards and livelihoods; (iii) restoration of the economic and social base of the affected people; (iv) effectiveness and sustainability of entitlements; and (v) the need for further mitigation measures as required. Semi-annual external monitoring reports are required to submit to ADB and PMUs.

1. DESCRIPTION OF THE PROJECT

1.1 General

1. Developing the secondary cities of Viet Nam is vital to forestalling the spatial and economic disparities that can jeopardize the country's sustained economic growth and attainment of its development aspirations. Three cities have been selected under the Secondary Cities Development Project: Tam Ky (Quang Nam Province), Buon Ma Thuot (Dak Lak Province) and Ha Tinh (Ha Tinh Province).

2. The selected cities are rapidly developing urban areas whose potentials have been constraint by weak infrastructures services. The economy of these cities, though still largely agriculture based, indicates significant potential for newly emerging industries and services. Road development, flood protection and drainage and solid waste management are the three main development orientations under the SCDP.

1.2 Sub-Components in Buon Ma Thuot City

3. Buon Ma Thuot is the capital of Dak Lak Province in the Central Highlands Region (Tay Nguyen Region) of Viet Nam. To maximise the potential for economic growth in Buon Ma Thuot it is essential that priority is given to: (i) securing improvement and upgrading of the cross border strategic road links and strategic road links to Ho Chi Minh City, Danang and the southern/central coastal provinces; (ii) providing improved roads infrastructure into the rural/agricultural areas, (iii) providing strategic by-pass routes for the City and relieving increasing traffic loads and congestion in the existing urban area; and (iv) providing strategic cross city road links to open up new urban development areas as proposed in the Master Plans and to relieve potential local road congestion.

4. It is also necessary to continue investment in the environment sector: (i) to ensure a sustainable environment and better urban services; and (ii) to offer social protection and ensure those most vulnerable societal groups, including the urban poor benefit are beneficiaries.

5. To answer to the above concerns, solid waste management and urban roads development sub-components have been proposed for Buon Ma Thuot City:

- ✓ Environmental Management - Solid Waste Management and Landfill Development
- ✓ Strategic Roads Development – Tran Quy Cap Road
- ✓ Strategic Roads Development – Mai Thi Luu Road
- ✓ Capacity Building (Sub-project Implementation Support).

6. These subproject/component proposals will in particular:

- ✓ Provide for better levels of sustainability and greater cost-effectiveness in solid waste management for Buon Ma Thuot;
- ✓ Provide priority urban road infrastructure, which will directly benefit the economic development and expansion of Buon Ma Thuot and relieve increasing levels of traffic congestion;

Solid Waste Management and Landfill Development

7. This sub-component includes the construction of an Engineered Landfill Site and Recycling Facility of 104 ha at Hoa Phu Commune close to 20 km from the city centre. Half of the landfill site (51.7 ha) will be developed in Stage 1 under the SCDP. Once completed, the existing dumpsite in Cu Ebur Commune will be closed and restored. The proposed new landfill site is mainly under agriculture mainly cashew plantation. Only one house is located among the 51.7 ha (see Figure 1.2).

Compliance with City Master Plan

8. The 3 sub-components are part of the Buon Ma Thuot City Master Plan. The first Master Plan was approved in 1998. The final draft of the adjustment Master Plan toward 2025 published in 2012 shows the sites of the proposed sub-components: (i) solid waste treatment plant and landfill site at Hoa Phu; and (ii) alignments for the proposed road development projects – Tran Cap Quy Road and Mai Thi Luu Road.

1.3. The objectives of the resettlement plan

9. The resettlement plan ensures that the subproject will (i) avoid involuntary resettlement wherever possible; (ii) minimize involuntary resettlement by exploring subproject and design alternatives; (iii) enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-subproject levels; and (iv) improve the standards of living of the displaced poor and other vulnerable groups.

10. This document is derived from the original resettlement plan prepared for the Second Cities Development Project, Dak Lak province in May 2013 and updated for Component BMT-02 – Tran Quy Cap road, based on the approved detailed design for the road, results of the DMS, replacement cost survey and consultations with APs.

11. This updated RP (uRP) is the guiding document that identifies the key issues to address in reconciling the requirements of ADB's SPS 2009 on Involuntary Resettlement with national and provincial government policies on compensation, assistance and resettlement. Concerns for

involuntary resettlement have been integrated in this document and will govern subproject design, implementation, and monitoring.

12. This uRP includes the following:

- (i) Policy and procedural guidelines for land acquisition, compensation, resettlement, and strategies that will help ensure full restoration of the AH's livelihood and standard of living;
- (ii) Identification of households and communities to be adversely affected by the subproject, where they are located, what compensation and related alleviating measures to be provided to them and how and when these measures will be carried out;
- (iii) A plan on how AHs will be involved in the various stages of the subproject, including resolution of grievances; and.
- (iv) An estimate budget for resettlement implementation

13. The resettlement plan is made to minimize negative impacts of sub-projects and ensure mitigation and compensation measures, which will help affected people, recover their living standards at least equal to their condition before the project implementation. To accomplish this, the resettlement plan will achieve the following objectives:

- Determine project's affected areas and negative impacts on affected people as well as impact scope on their property, economic - cultural and livelihood impacts;
- Determine affected people's rights and entitlements to the compensation and support based on the replacement cost principle and the requirements of the national laws and the ADB policies;
- Describe project's procedures for compensation and support policy, including the grievance redress mechanism; and;

Describe institutional arrangements and financial requirements to implement plans and monitor the implementation of the resettlement plan.

1.4 Measures Taken to Reduce Resettlement

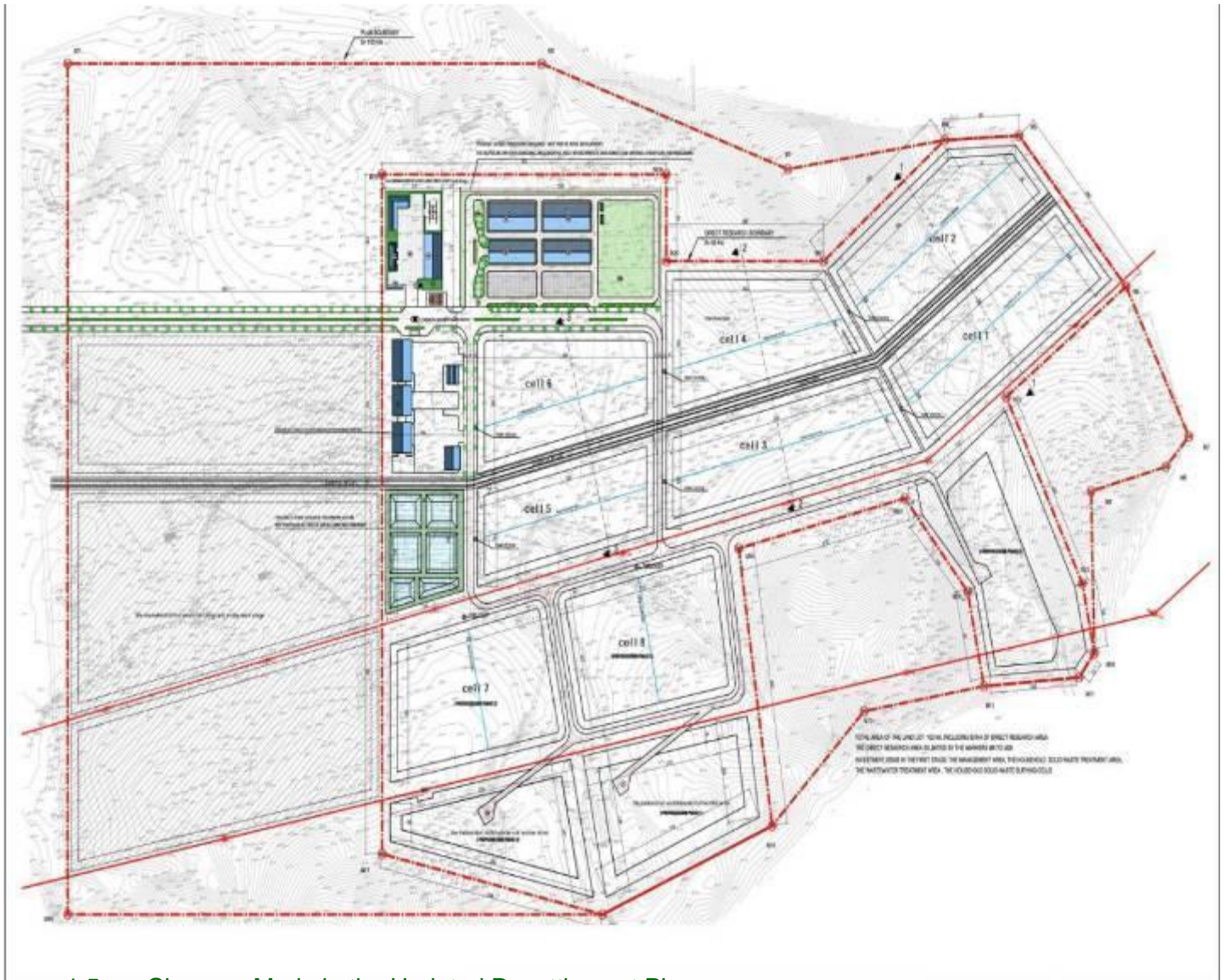
14. Local authorities have confirmed that HH located within the road sub-component couldn't build new house or structures within these sub-component are they are part of the approved

master plan. However they can improve their existing house. According to local authorities, AHs met are aware of the master plan and of the land use restriction within the sub-components. This was confirmed by APs during public consultation at the PPTA stage. Therefore choosing sub-components included in the master plan contributes to minimize resettlement as building new structures were not allowed along these components for the last years.

15. During the project implementation and updating RP, great efforts to minimize Involuntary Resettlement were carefully considered and applied following principle: involuntary resettlement and impact on land, structures and other fixed assets should be minimized where possible by exploring all alternative options. The measures to minimize resettlement impacts was applied through public consultation: during technical design and updating RP, many public consultations with local people were conducted that local people were informed of project information as well as resettlement impacts. Broad discussion on design solutions, alternative location selection was also carried out aiming on minimizing land acquisition. Local people were also informed of scope of land acquisition and resettlement implementation schedule, e.g informing 90 days before acquisition of agricultural land and 180 days for residential land acquisition, so that people will not cultivate or construct structures on the land to be acquired.

Figure 1: Proposed Sub-Components of Buon Ma Thuot City

Figure 2. Layout of Hoa Phu Landfill Site



1.5 Changes Made in the Updated Resettlement Plan

16. The updated Resettlement Plan is prepared BMT-01 to (i) summarize actual impacts of the project items based on detailed technical design of the project and results of DMS conducted by the provincial LFDC/ Buon Ma Thuot city RC, (ii) give mitigation measures and policies on compensation, assistance and resettlement, actual resettlement cost based on applicable policies. The updated resettlement plan will make some changes in the original Resettlement Plan, including:

- i. Scope of subproject impacts based on results of DMS conducted by the provincial LFDC/ Buon Ma Thuot city RC from June 2014 to April 2015;
- ii. Procedures and results of public consultations with affected people during the updating resettlement plan;
- iii. Entitlements of AHs to categories of impacts in accordance with the result of DMS and applicable regulations (Land Law 2013 and related Decrees), but no downgrade of APs' entitlements were made in this uRP; and
- iv. Budget of compensation for all categories of impacts and relevant allowances according to replacement cost survey;

1.6 Land Acquisition and Resettlement-Related Conditions

17. As provided in the loan agreement (Loan No. 3044 VIE), the following conditions shall be complied:

- i. All land acquisition and resettlement activities under the Project shall be conducted in accordance with this updated RP;
- ii. In case of discrepancies between the relevant laws and regulation of Viet Nam and ADB's Safeguard Policy Statement (2009), then ADB SPS shall prevail;
- iii. PMU- Buon Ma Thuot shall work with Dak Lak CPC and the project wards to: (a) disclose the updated RP to the APs and implement the approved RP to the satisfaction of ADB, including provision of adequate counterpart funding to cover the actual cost; (b) ensure that all APs are compensated, resettled, and rehabilitated in accordance with the requirements of the approved RP prior to any physical or economic displacement; and, (c) engage a qualified specialist or institution to conduct independent external monitoring; and,
- iv. Civil works contract will not be awarded until the updated RP is approved by ADB.

2. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

2.1 Method of Information Collection

18. Information on the magnitude of impacts on land and other losses were determined using the Detailed Measurement Survey (DMS) conducted by the CFLD of Buon Ma Thuot city from September 2014 to April 2015. Additional information was gathered from focus group

discussions (FGDs) conducted in March - May 2015 in the affected wards/communes, including 1 commune (Hoa Phu).

19. In scope of the Component BMT-01, Hoa Phu commune will be affected by land acquisition.

20. The DMS and meaningful consultation documented the losses and impacts resulting from the land and/or resource/asset acquisition as follows:

- Main socio-economic information of APs/households – number of people in household; number of families that comprise household; gender and age of head of household and household members; tenure of land; education of household members; livelihood activities (paid and unpaid and by number of people in HH participating); cash income (regular, seasonal, non-wage etc); levels of subsistence production; type of dwelling; whether there are people in the household with disability or long-term illness;
- Loss of land – by type of land affected (i.e., residential; agricultural; commercial etc); total area of land (including other plots), area of land affected; tenure of land;
- Loss of assets - by type i.e. structures, crops and trees (type, area affected, number lost etc); time required to rebuild or relocate;
- Loss of, or impact on livelihood activities – type, dependency, level of impact, restoration measures required; and
- Any other impact or losses.

21. Data was entered into a database, and analyzed to establish the profile of AHs and determine the losses and impact in order to calculate the compensation. Data were disaggregated, as relevant, by gender, vulnerability and income groups. The conditions, needs, and priorities of women were analyzed to ensure that LAR impact do not disadvantage women and other vulnerable group.

2.2 Cut-off date

22. The cut-off date established for the component is the day of land acquisition announcement to APs- April 20, 2015. This cut-off date was disclosed to APs.

2.1 Scope of Land Acquisition and Resettlement

Affected households

23. The DMS results show that 70 families in Hoa Phu commune, Buon Ma Thuot city are affected by the sub-component. The average member per HH is 6.1. Their main occupation is from agriculture.

Component	HH	Persons			Average HH member
		M	F	Total	
Landfill site	70	221	204	425	6.1

Table 1: Affected Households

24. The total number of affected inhabitants is 425 persons. Eighteen (18) AHs are EMs and fifty-two (52) others are Kinh. The average size of the AH is 6.1 members (lowest size is 2 and highest– 11 persons). Women headed and poor HHs affected by the sub-component are identified as vulnerable HHs. There are 16 vulnerable HHs in BMT-01 regarding to the DMS data.

25. No affected household is garbage collector.

2.1.2 Land Acquisition

26. The BMT-01 component will affect a total of 495.827,4 m² of land managed by 70 HHs. The construction of the landfill site will affect only agriculture land. No garden land, pond and public land will need to be acquired. The distribution of land losses is set out in the table below.

Source: DMS data

Component	Agriculture Land		Residential Land		Other land		Total	
	HH	Area (m ²)	HH	Area (m ²)	HH	Area (m ²)	HH	Area (m ²)
Landfill site	70	495.827,4	-	-	-	-	70	495.827,4

Table 2: Affected Land

27. In total 70 households affected by this component, 56 households are seriously affected who lost 10% or more of productive land area (in which 11 HH loses from 10% to 30%, 22 AHs lose from 30%-70% and 23 HHs lose over 70% of their productive land).

Source: DMS data

Component	Affected Agriculture Land (HH)			
	< 10%		>10%	
	HH	%	HH	%
Landfill site	14	20%	56	80%

Table 3: Severity of Impact for Agriculture Land

2.1.3 Land Tenure

28. Among Of total 495.827,4m² affected agriculture land, there are 126.374,2m² where have the LURC, y the left (369.453,2m²) doesn't have yet the LURC, but gather all conditions to get the LURC, because they occupe the land stably since several generations. Therefore they are considered as legalizable as per Vietnamese regulations and are fully entitled to the compensation and assistance measures as per HH who have a LURC.

29. The entitlements to compensation and allowance will be based on legal status of land use right to ensure justice in compensation. The details of policy and entitlements to compensation and assistance are presented in Table 21 (Table 21: Entitlement Matrix).

2.1.4 Affected temporary Houses and secondary structures

30. The quantity of affected secondary structures was measured for compensation, including some areas of temporary houses, land ditches, irrigation pond, concrete pillar, wells, water tank, concrete yard, cow barn, fence. The table below presents the details of the losses.

Source: DMS data

Secondary structures	Unit	Hoa Phu commune	TOTAL
Temporary houses	M2	417.6	417.6
Land ditches	M ³	236.2	236.2
Irrigation pond	m ³	26,135.63	26,135.63
Concrete pillar	Nb	222	222
Water tank	m ³	25,192	25,192
Concrete yard	m ²	-73	73
Cow barn	m ²	41.4	41.4
Fence	m ²	2	2
Wells	Nb	5	5

Table 4: Impacts on temporary houses and secondary Structures

2.1.5 Affected Crops and Trees

31. There are many kinds of plants and crops to be affected in a total of 495.827,4 m2 affected area. Most of the affected trees are cashew trees (2,467) mainly located in the landfill site. There are 968 fruit trees, 1,109 timber trees and some types of industrial trees to be affected (such as rubber trees, coffee trees, pepper trees)... The details are in Table below.

Source: DMS data

o.	Types of trees and crops	Unit	Quantity	Total
I	Crops	m2	16,997	16,997
III	Trees			
1	Cashew trees	Trees	6,018	6,018
2	Timber trees	Trees	1,109	1,109
3	Pepper trees	Trees	3,402	3,402
4	Coffee tree	Trees	475	475
5	Rubber trees	Trees	108	108
6	Fruit trees	Trees	968	968

Table 5: Affected Crops and Trees

2.1.6 Affected Business

32. No business households, companies, factories are affected by the land acquisition for this component.

Impact on heritage/cultural heritage and conservation areas

33. The component does not affect the historical, cultural heritages and nature conservation areas, biosphere reserves, and protection forests.

3. SOCIOECONOMIC SURVEY

34. A socioeconomic survey (SES) was conducted from February to March 2013 among the three sub-components. The socio-economic survey (SES) collected data on household living conditions on a sample of approximately 20% of the affected household population. The results of the SES provide baseline against some indicators to measure changes of living standards post resettlement. The summarized results are presented in the following pages including updated socio-economic information of the affected households in Hoa Phu landfill component.

3.1 Socio-economic profile of the subProject Area

35. The two road sub-components traverse 3 wards (Tan Lap, Tu An and Ea Tam) in the urban area of Buon Ma Thuot while the new landfill and the current landfill are located in rural area (respectively in Hoa Phu and Cu Ebur communes). We should note that the current land use status along the roads sub-components is mainly agriculture; however this area is under development with the presence of a major regional infrastructure under construction (Tai Nguyen Regional hospital with 800 beds) along Tran Quy Cap road.

36. Hoa Phu commune is a rural commune and the proposed landfill site is located mainly on agriculture land occupied by cashew plantation, owned by 70 HH.

3.2 Demographics

37. Buon Ma Thuot is the capital of Dak Lak Province in the Central Highlands Region (Tay Nguyen Region) of Viet Nam. The recorded population in 2011 was some 335,000 persons. Actual population growth over the last 4-5 years has been steady. The urban wards affected by the roads sub-components are densely populated while the two rural communes have a much lower density.

	Average population in 2011 (persons)	Area (km2)	Population density (persons/km2)
Buon Ma Thuot City	335,008		
Tan Lap ward	22,580	9.69	2,330
Tu An ward	18,105	5.26	3,422
Ea Tam ward	27,894	13.78	2,024
Cu Ebur Commune	16,560	6,196	37.42
Hoa Phu commune	16,213	51.04	318

Table 6: Population in the project area

3.3 Poverty

38. New poverty standard for the period of 2011-2015 have been issued by the Prime Minister (Decision 09/2011 of the Prime Minister of 30 January 2011). In rural areas, households are defined as poor if the average household income is equal to or less than 500,000 VND/person/month (400,000VND/person/month in urban areas). For the 2005-2010 period the rural poverty line was VND 200,000/person/month while the urban poverty line was VND 260,000/person/month. Therefore between 2009 and 2011 the poverty rate raised in most of the areas due to this change of standards. The Decision also establishes a category of households that are “close to poor”, with an income threshold in rural areas for this group of 401,000 to 550,000 VND/person/month (501,000 to 650,000 in rural areas).

39. Based on the above definition of poverty line, households can apply to register as poor with the local authorities. If successful in their application, they receive a registration card that entitles them to a range of benefits including lower fees for services and reduced cost health care. Households just above the poverty line are not eligible for these benefits.

40. Poverty rates within the project area significantly lower to averages in the Central Highlands region, in Dak Lak Province and national average. In 2010 the poverty rate for Buon Ma Thuot City was significantly below the average for the Dak Lak Province (2.6% versus 21.9%) and the Central Highlands region (2.6% versus 22.2%). For Viet Nam the poverty rate was 14.2 (6.9% in urban area and 17.4% in rural area).

41. In the project area, Tan Lap ward and Tu An ward, located in the city centre, with respectively 1.49% and 0.85% of poor HH have significant lower poverty rate than Buon Ma Thuot City (2.59%). Ea Tam ward, Cu E Bur and Hoa Phu Commune with respectively 4.58%, 5.29% and 4.46%) have however higher rate.

	Poverty rate 2008	Poverty rate 2011		Component
	Poor HH	Poor	Near Poor	
Dak Lak Province	21.3%	21.9%		
Buon Ma Thuot City	10.6%	2.59%	3.04%	
Tan Lap ward		1.49%	2.79%	Tran Quy Cap

				Road
Tu An ward		0.85%	1.07%	Tran Quy Cap Road
Ea Tam ward		4.58%	2.50%	Mai Thi Luu Road
Hoa Phu commune		4.46%	5.19%	New landfill site
Cu Ebur commune		5.29%	3.49%	Current landfill site
Central Highlands	21.0%	22.2%*		
Total Viet Nam	13.4	14.2%*		
Viet Nam Urban	6.7%	6.9%*		
Viet Nam Rural	16.1%	17.4%*		

* Value of 2010 (Source, Viet Nam Living Standards Survey 2010) based on Government's poverty lines for period 2011-2015

** Statistical Year Book Buon Ma Thuot City 2011

Table 7: Poverty Rates in the Project Area

3.4 Vulnerable among Affected Households

42. A total of 38 AHs have been identified as vulnerable. Among these 38 HH, 3 are poor (registered as poor at the ward/commune level). Female head of HHs with dependent, disabled head of HHs and elderly without support account for 23, 6 and 6 HH, respectively. No landless is among the affected HHs

Component	Poor	WHHH	Disabled	Elderly	Landless	Total
Tran Quy Cap Road	-	3	2	-	-	5
Mai Thi Luu Road	2	5	4	6	-	17

Landfill site	1	15	-	-	-	16
Total	3	23	6	6	-	38

Table 8: Vulnerable Households

3.5 Ethnic Minorities

43. There are 7 main ethnic minorities groups in Buon Ma Thuot, namely Tay, Thai, Hoa, Gia Rai, Muong, Nung and Ede. Among these groups, Ede is the largest one accounting for 68.58% of the total ethnic minorities' population, followed by Muong (8.49%) and Tay (5.14%). Other groups account for less than 1% of the total ethnic minorities' population.

44. In Buon Ma Thuot City, 16.36% of the population belongs to an ethnic minority group. In the project area, the ethnic minority group among the population varies from 7.2% (Tu An ward) to 37.4% (Cu Ebur commune).

45. While Tay, Hoa, Gia Lai, Nung are more concentrated in urban wards, Thai, Muong and Ede are concentrated in rural communes. In the project area, Ede is the largest group in Tan Lap ward, Ea Tam ward and Cu Ebur Commune while in Hoa Phu Commune Thai is the main group (13.1%) and in Tu An ward Hoa (Chinese) is the first group (see Table 3.3).

46. In Buon Ma Thuot City, the poverty rate among the ethnic minorities in 2010 was low (2.65%). It is however about 3 times higher than the city poverty rate of 0.89%¹. The reasons for poverty amongst the ethnic groups are due mainly to low education, lack of productive land and reliance on casual labour as their main income source. They have also larger family.

47. Within the Project area, interviews with the People's Committees and affected ethnic minority households in city indicate that these ethnic minority households have been living for a long time in the subproject area (several generations) and integrated with the majority ethnic Kinh population. There is no difference in identity, culture, livelihood system between the EMs and Kinh group. The subproject causes minor impact on these ethnic minority groups and does not make vulnerable for them..

¹ Proposal of Buon Ma Thuot city Peoples Committee dated March 2012 on the implementation of policy to support the ethnic minorities with difficulties in production land, water for domestic use, in conformance with the Prime Minister Decision No.1592/QD-TTg

Ward/ commune	Average population in 2011 (persons)	Total ethnic minorities (persons)	% ethnic minorities	% Ede	% Hoa	% Thai
Buon Ma Thuot city	335,008	54,794	16.36	11.2	0.8	0.8
Urban wards	217,310	19,634	9.03	5,0%	1.0%	0.2%
Tan Lap ward	22,580	3,506	15.53	13,5%	0.6%	0.1%
Tu An ward	18,105	1,295	7.16	1,0%	3,9%	0,2%
Ea Tam ward	27,894	6,226	22.32	12,6%	0,2%	0,5%
Rural communes	117,698	35,160	29.87	22,7%	0,3%	1,9%
Cu Ebur commune	16,560	6,196	37.42	34,2%	0,2%	0%
Hoa Phu commune	16,213	4,024	24.82	8,5%	0,3%	13,1%

Table 91: Ethnic Minorities in the Project Area

48. Among the affected HHs, 38 belong to the ethnic minority groups; of which 18 are located in the landfill site, 18 along the two urban roads sub-components (see Table below). Meaningful consultation was organized among the ethnic minority community in all affected hamlets of the 3 components on 9 and 10 May 2013.

Sub-Component	Kinh		Ethnic minority groups		Total
	HH	%	HH	%	HH
Tran Quy Cap Road	337	97,7%	8	2,3%	345
Mai Thi Luu Road	187	94,9%	10	5,1%	197
Landfill site	52	73,3%	18	26,7%	70

Total	590	93,4%	36	6,6%	632
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Table 20: Ethnic Minorities among Affected Households

3.6 Education

49. In the three sub-components, most of the AHs surveyed have reached lower or upper secondary. Slightly lower education level is found in the Landfill site sub-component, while HH affected by the roads components, located partially in urbanized area, have higher level of education especially HH affected by the Mai Thi Luu road.

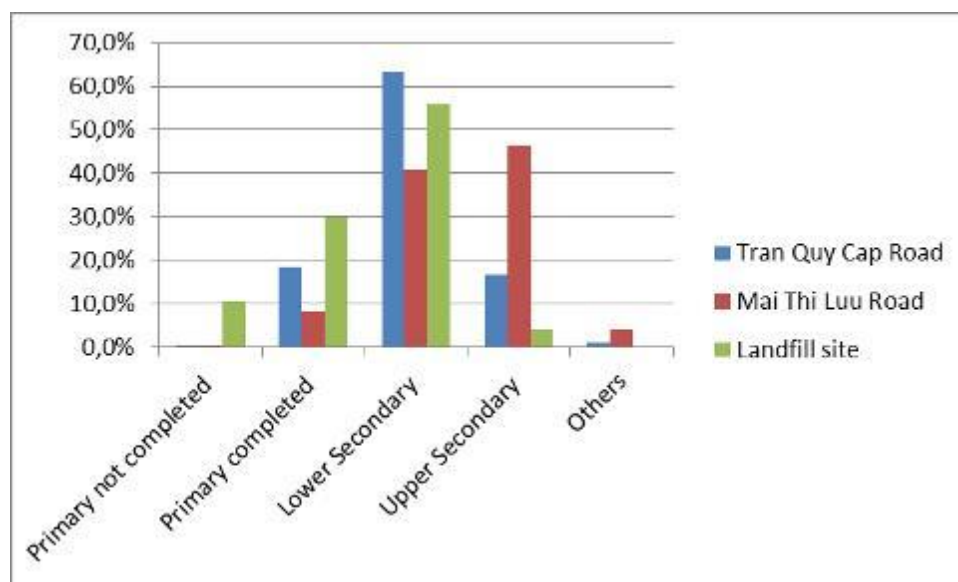


Figure 3-1: Level of Education of Household Head

3.7 Source of Income

50. Agriculture is the main occupation of HH affected by the Landfill site sub-component area with 78.4% of household members involved in agriculture activities. For AHs along the Tran Quy Cap and Mai Thi Luu roads component, located partially in urban area, trading with respectively 20% and 25.7%, wages from private sector (33.8% and 16.2%) and wages from the public sector (15% and 21.6%) are the main source of income. We should note that along the Tran Quy Cap Road, a large number of farmers will also be affected (22.5%).

Component	Surveyed HH		Agriculture		Trading		Services		Wage (private sector)		Wage (public sector)		Manual daily labor		Government Pension	
	HH	%	HH	%	HH	%	HH	%	HH	%	HH	%	HH	%	HH	%
Tran Quy Cap road	80	100	18	22,5	16	20,0	4	5,0	27	33,8	12	15,0	2	2,5	1	1,3
Mai Thi Luu road	74	100	7	9,5	19	25,7	2	2,7	12	16,2	16	21,6	12	16,2	6	8,1
Landfill site	37	100	29	78,4	3	8,1	3	8,1	2	5,4	0	0,0	0	0,0	0	0,0
Total	191	100	54	28,3	38	19,9	9	4,7	41	21,5	28	14,7	14	7,3	7	3,7

Table 31: Household Main Source of Income in the two Sub-Components

51. Manual daily labor, services and wages from the private sector are the main secondary source of income in all 3 sub-components. Trading, services and wages from both private and public sectors constitute also important secondary source of income.

Component	Surveyed HH		Agriculture		Trading		Services		Wage (private sector)		Wage (public sector)		Manual daily labor		Government Pension	
	HH	%	HH	%	HH	%	HH	%	HH	%	HH	%	HH	%	HH	%
Tran Quy Cap road	80	100	0	0,0	5	6,3	20	25,0	29	36,3	1	1,3	25	31,3	0	0,0
Mai Thi Luu road	74	100	12	16,2	8	10,8	12	16,2	14	18,9	0	0,0	22	29,7	6	8,1
Landfill site	37	100	0	0,0	7	18,9	10	27,0	6	16,2	0	0,0	14	37,8	0	0,0
Total	191	100	12	6,3	20	10,5	42	22,0	49	25,7	1	0,5	62	31,9	6	3,1

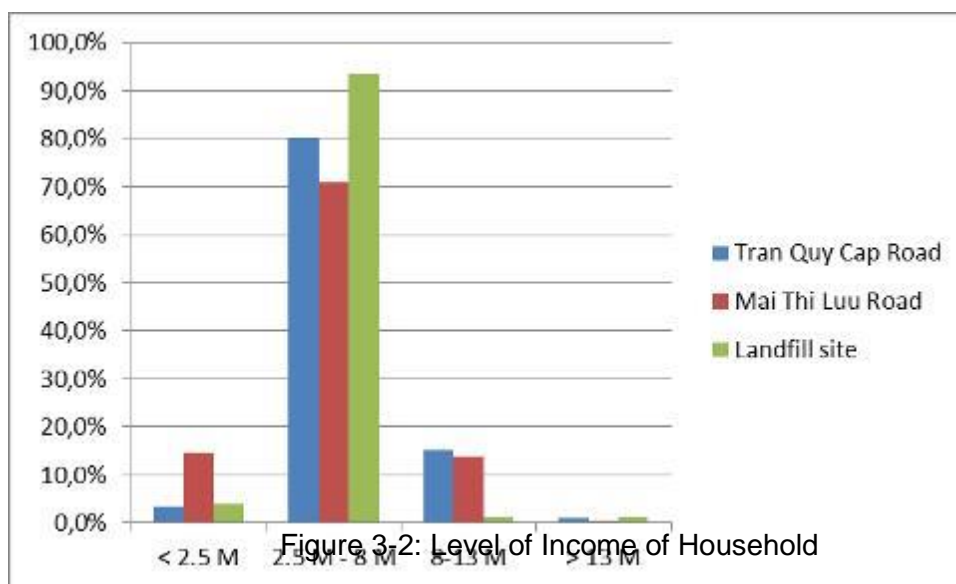
Table 11: Household Secondary Source of Income in the Sub-Components

52. Average monthly income of surveyed HHs is around 2 times higher than the poverty line (see table 3.12). Average income is higher for the AHs along the two roads sub-component

located in urban area where many HH are involved in trading. In the landfill site, where most of the HH are involved in agriculture, the HH income is significantly lower.

Component	Surveyed HH	Monthly HH Income (M/VND)		Poverty lane in urban area (family of 4.9 members)
		Main source	All source	
Tran Quy Cap Road	80	3.6	5.7	2.5
Mai Thi Luu Road	74	4.3	5.3	
Landfill site	37	3.4	5.0	
Total	191	3.7	5.5	

Table 4: Average Monthly HH Income



3.8 Households Assets

53. In terms of household assets, Table 3-13 presents the ownership of various assets of the sample HHs. The survey on asset ownership of affected households showed that, in both sub-components, HHs have mainly have the most necessary assets/tools for daily activities.

The rate of motorbikes and televisions per household is high (respectively from 96% to 100% and from 86.5 % to 100% for each sub-component).

54. Besides, not a majority of families in general have assets for a higher quality of life. Only 35% to 38% of families have a refrigerator and respectively 25.0% and 26.4% a computer. The rate of local people who can access communication services is high with respectively 89.5% and 91.2% having a mobile phone.

Type	%	Type	%	Type	%
Component Tran Quy Cap Road					
1-Bicycle	100	7-Water Pump	58,75	13- Sewing machine	6,25
2-Motorbike	97,5	8- Rive Cooker	100	14-Truck	0
3-Car	0	9- Mobile phone	88,75	6- Generator	38,75
4-TV	100	10- Desk Phone	21,25	12 – Computer	41,25
5-CD/DVD Player	72,5	11- Refrigerator	35		
Component Mai Thi Luu Road					
1-Bicycle	100	7-Water Pump	10,8	13- Sewing machine	2,7
2-Motorbike	100	8- Rive Cooker	100	14-Truck	5,4
3-Car	4,1	9- Mobile phone	97,3	6- Generator	20,3
4-TV	100	10- Desk Phone	21,6	12 – Computer	10,8
5-CD/DVD Player	90,5	11- Refrigerator	36,5		
Component Lanfill Site					
1-Bicycle	100	7-Water Pump	54,1	13- Sewing machine	8,1

2-Motorbike	94,6	8- Rive Cooker	100,0	14-Truck	0,0
3-Car	0	9- Mobile phone	89,2	6- Generator	40,5
4-TV	86,5	10- Desk Phone	21,6	12 – Computer	21,6
5-CD/DVD Player	75,7	11- Refrigerator	37,8		

Table 135: Assets of Surveyed Households

3.9 Water, Sanitation and Source of Energy

55. As for water supply, as shown in Figure 3-3, the situation is different between the road components and the landfill site. Regarding water for drinking and cooking, for HH affected by the landfill site, source of water comes from rain water, shallow well and river/canal. For the HH affected by the road sub-components most of them have access to piped water from the city network while others use rain water. The quality of water is considered good or acceptable by all the surveyed HHs.

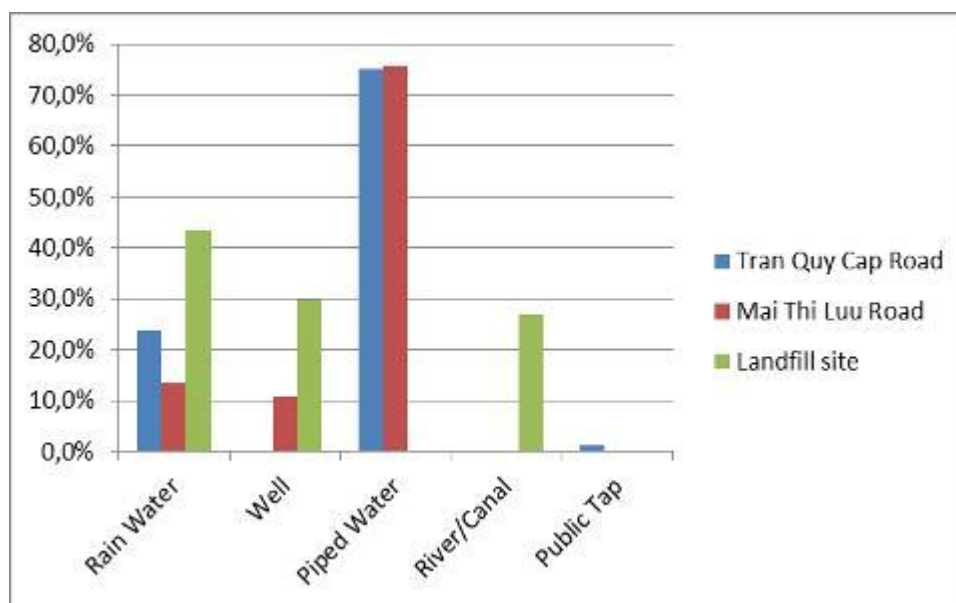


Figure 3-3: Source of Drinking/Cooking Water

56. Regarding water for washing and bathing, the situation is also different between the road sub-components and the landfill site. HHs affected by the landfill site use rain water well and water from river/canal while those affected by the roads sub-components used mainly well and piped water. See Figure 3.4.

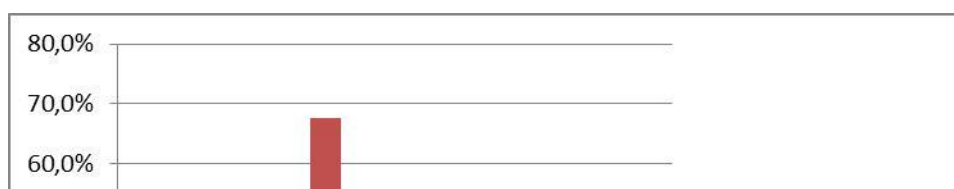


Figure 3-4: Source of Washing/Bathing Water

57. Regarding sanitation, for the two roads sub-components, most of the HH have in house toilet, while for the landfill site sub-component pit latrine, toilet upon river and in house toilet are used. Few HH have no toilet.

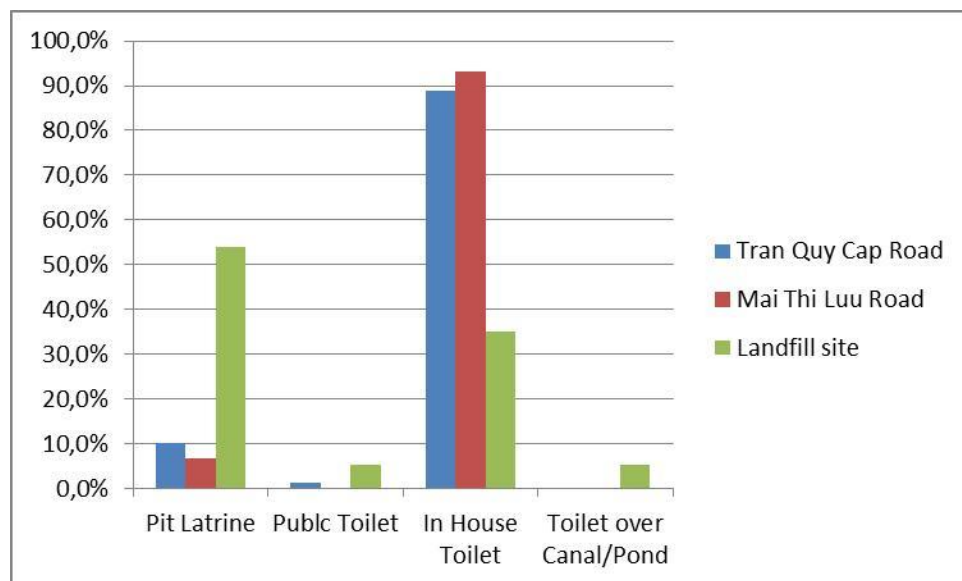


Figure 3-5: Sanitation

58. All HH are connected to the state power network; electricity is used for lighting. Wood and gas are used for cooking in both sub-components.

3.10 Members of Organizations

59. In rural areas, almost all HH have a member of the Women's Union of Farmer's Union. These organizations provide support and counsel to HH. They can be used as support during compensation and income restoration. Some HH are also members of saving groups and cooperatives.

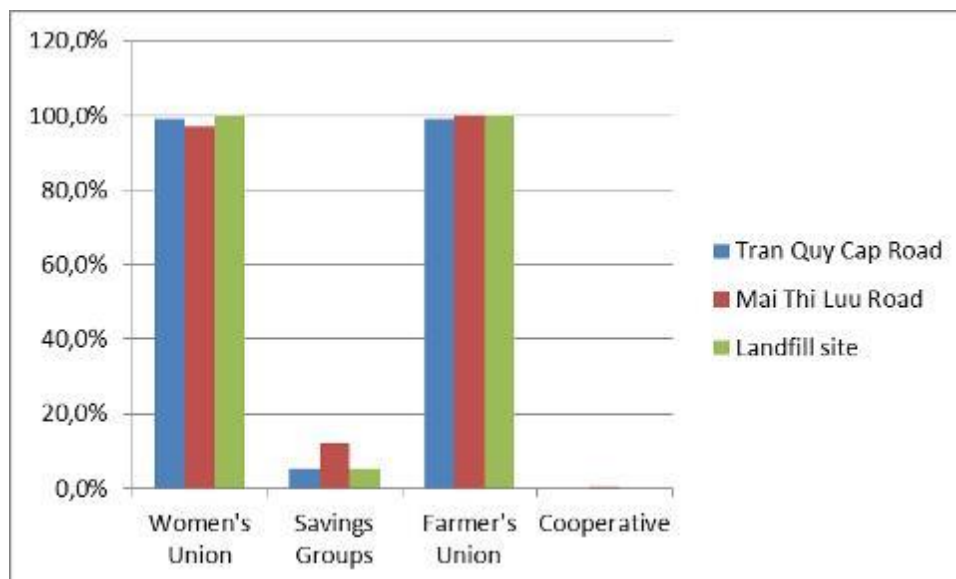


Figure 3-6: Member of Organizations

3.11 Gender Issues

60. Development projects can impact differently on men and women. The impacts on women are often overlooked when mitigation measures focus solely on the nominal heads of households alone to the exclusion of other household members. The compensation process associated with land acquisition has the potential to alienate women from household assets if compensation is not made to both spouses heading households. Female-headed households face additional challenges associated with resettlement – especially when they are reliant on extended family and social networks for the care and socialization of children.

61. A Gender Action Plan (GAP) has been prepared under the SCDP Project. This Gender Action Plan includes specific actions and strategies that are gender responsive and culturally appropriate.

62. The Project Implementation Assistance (PIA) prepared for the project also includes a distinct component to strengthen the capability of the Women's Union in Tam Ky city. The main objectives of this component are to:

- i) Increase capability to deliver awareness building in the environment and health sectors, through a training and project delivery programme that can be replicated over time and in different sectors.
- ii) Increase capability to design and deliver employment creation for women in society, through a training and project delivery programme, which is geared to awareness building and practical skill training for the participants. The programme should include close links with existing vocational training opportunities in each city and also consider the feasibility and support for establishing a micro-credit facility for women looking to establish new urban enterprises and further expand existing urban enterprises.

63. *Involvement in Economic Activities:* Among the surveyed HH, both household head and spouse are the main responsible for the HH main source of income. Adult children also contribute to the HH income together with their parents. Few HH (3.1%) have only the HH head as only provider of the HH main source of income. Therefore women are involved as men in the economic activities of the HH

Component	Surveyed HH	HH Head only		HH Head and spouse		Adult children only		HH Head Spouse and Adult children		Others	
		HH	%	HH	%	HH	%	HH	%	HH	%
Tran Quy Cap road	80	4	5	59	73.7	14	17,5	2	2.5	1	1,2
Mai Thi Luu road	74	2	2.7	48	64,9	2	2,7	20	27,0	2	2,7
Landfill site	37	0	0	17	45.9	6	16,2	11	29,7	3	8,1
Total	191	6	3.1	124	64,9	22	11,5	33	17,3	6	3,1

Table 146: Households Members Responsible for Primary Source of Income

64. *Education:* Among AHs, women AHs also tend to have lower educational attainment with women represented proportionally more than men in maximum education attainments of primary level and below and men represented proportional more than women in maximum.

65. *Female Headed Households:* A total of 23 female headed households (FHH) have been identified through the census. FHH are defined in this RP as households where an unpartnered

woman has significant responsibility for the maintenance and operation of the household. Households which have unpartnered women listed as head of the family registration booklet, but who do not have dependents and have other adults co-residing (such as adult children) who are working have not been treated as female headed households.

66. Similarly elderly women (of retirement age) who are residing alone are treated separately as vulnerable elderly APs residing alone rather than as female headed households. The reason being that the responsibility of maintenance tends to fall to other family members (rather than by the APs themselves for others) and in that respect they share more in common with elderly males residing alone than with other female headed households.

67. Female headed households likely to experience greater stress and vulnerability as a result of land acquisition and resettlement are those with combination higher dependency ratios and more severe impacts on livelihoods, as well as those with low per capita incomes. Therefore specific assistance and follow-up will be needed.

68. According to information collected in Buon Ma Thuot city, the women-headed HHs account for 16% of the total number of poor HHs.

3.12 The socioeconomic status of affected households of the Hoa Phu landfill component

69. The socio - economic survey on the affected households was conducted parallel with the DMS in March 2015 and ended in late May 2015. The consultations with local leaders, social groups and affected families were carried out during this process.

70. The socioeconomic information was collected from 100% (70 AHs) of the affected households in Hoa Phu commune. The total number of people in the affected households is 425 persons, of which 221 are men (52%) & 204 are women (48%). The average number of household's members is 6.1 persons/household.

71. The majority of household members are between 18-60 years old (see Table 17). The affected people who are above 60 years old are either working on their agricultural land or keeping the house. Some of them have the pension, some of them need to have assistance from their younger members...Those who are between 18-60 years old (persons) are likely to look for income from opportunities for self-employment or have a better chance to get employed in factories and offices...

Table 16: Age of Surveyed AH Members

Component	Below 18	18-60	Above 60	Total
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BMT-01 component	90	229	106	425
Percentage (%)	21.1	53.8	25.1	100

Source: Socio-economic survey, May 2015

Livelihood and Income

72. According to results of the survey, all household heads are currently employed. Majority (95.6%) reported agriculture as their primary job. Another 3.1% claim to be workers/employees in factories or offices. Only a few (1.3%) claim to primarily depend on trading. Most household heads have more than one job, main subsidiary job is work for hire labor and trading.

73. Many household heads claim agriculture as their primary occupation and source of income, around 75.7% of their income actually comes from agriculture. When they have free time, they also work for hired labor. Income from small trading accounted for about 9.8% of their income. Income from other sources only contributes between 14.5% of their income.

74. According to Decision 09/2011/QĐ-TTĐ dated January 30, 2011 issued by Prime Minister on regulation on standard of poor, near poor applying for period of 2011-2015, no household of 70 affected households are poor.

75. The census for BMT-01 component shows that 23 households have income of VND 6-7.8 million. The biggest rate in distribution of AHs income is between VND 20-30 million/year. The distribution of AHs according to per capita income per year is presented in the following Table 16.

Table 77: Distribution of AHs by estimated income per year

Site	Million dong/year				No. of AHs
	6 - 7.8	7.8 - 19	20-40	40>	
BMT-01 component	17	6	42	5	70

Source: Socio-economic survey, May 2015

76. But AHs losing agricultural land in the project area are likely to lose about 40% of their income source unless they have alternative plots to cultivate elsewhere. The livelihood restoration program would need to ensure that AHs losing their income from agricultural activities are able to either improve their income from their other jobs or to find additional alternative income sources.

Accessibility to Social Services

77. According to the survey results, 100% of households have been connected to the national grid, 89.9% of households claimed that they use clean water for daily eating, drinking and bathing purposes. Households are using sanitary toilets for their families.

Vulnerable Households

78. Based on the definition of a vulnerable household used in the Project, the census identified a total of 16 households which may be considered as vulnerable.

79. ***Support from Women's Union:*** As said above, all the AHs have at least one member of the HH who is member of the Women's Union (WU). The WU is a social-political organization with goals that include raising the capacity and knowledge of women, to affect gender equality. They operate on four administrative levels within Viet Nam—central, provincial, district and commune. This provides them with an extensive network enabling them to integrate new information into existing systems and promote change at different levels. Livelihood restoration program for severely affected women will be designed with involvement of the WU and combined with the ongoing support programs for women operated by the WU in the city.

80. Below activities have been carry out during detailed design and resettlement implementation.

- Conduct focus group discussions with women, and especially FHH, on resettlement issues; identify concerns and problems encountered during planning and implementation and report to the working group throughout the process
- Encourage women to be present at the time of compensation and planning of relocation sites and income restoration program
- Work with CFLD, concerned departments, and local authorities to review documents and revise the documents as necessary which will then require both husband and wife to sign documents related to payments and assistance,
- Work with CFLD, concerned departments, and local authorities to review documents and revise the documents as necessary which will then require issuance of land use rights certificates to both husband and wife as mandated by law and based on good practice;
- Counsel both men and women (and especially FHH) on use of compensation
- Provide advice related to access to basic services, health care, school for children, etc.
- Provide advice related to access for support for women requiring assistance during relocation and building of houses.

3.13 Dumpsite Scavengers

81. The current dumpsite is located in Cu Ebur commune at the North-West of the city centre. Its area is around 15 ha. From 50 to 100 persons (according to the period of the year before and after Tết) are collecting recyclable material at the site. Following the opening of the new landfill site in Hoa Phu Commune, by the end of 2016, the current dumpsite will be closed. The distance between the two sites is about 25 km. These persons could lose their livelihood due to the project and therefore are considered as affected persons and entitled to assistance to restore their income.

82. To assess the situation of these dumpsite scavengers, focus group discussion was conducted on 28 February 2013 with 10 dumpsite scavengers. DAKURENCO managers, in charge of waste management in Dal Lak Province and the manager of the current dumpsite were also met.

3.13.1 Focus Group Findings

83. The focus group was conducted with 10 persons, of whom 4 are women and 2 belongs to an ethnic minority group (Ede).

- **Ethnicity**

84. According to persons met, both Kinh and Ede are working as dumpsite scavengers. About 40% are from the Kinh group and are living in Hamlet 8 about 2 km away from the landfill; they can walk from their home to the landfill. In Hamlet 8, about 10% of the households have at list one member working as dumpsite scavenger. Kinh people originate from other provinces (Thanh Hoa and Binh Dinh provinces).

85. 60% of the scavengers belong to the Ede ethnic group. They live in Bun Ki hamlet and Thanh Nhat Ward (up to 9 km from the site). They come to the landfill by small trucks; each truck carries many people. There are no other ethnic minorities present among scavengers.

- **Status, education and living conditions**

86. All the scavengers are registered permanents residents and live in their own houses. These houses are mostly semi-permanent and some are temporary structures which require periodic replacement (built with temporary materials mainly wood).

87. Most of the scavengers are adults aged 35-40 years. All of them are literate, having at least the 5th grade education level. About two thirds are women, who are both Kinh and Ede.

88. There are about 10-15 children, both girls and boys, aged of 10-15 years who go to school in the morning and come to collect recyclable waste in the afternoon. Besides, there are some small children that the parents bring to the landfill. They play there while their parents collect recyclable waste.

- **Income**

89. The scavengers consider themselves as poor people; however, none of the 10 participants to the focus group are registered as poor at the commune/ward. They have to work as scavenger because they do not have agriculture land. Collecting recyclable waste is the only income source of the family.

90. Their average income on good days is about 100,000 VND/pers/day while on bad days it is about 50,000 VND. The women tend to have better income because they are more hard working. The income is said to be just enough to buy food.

- **Working conditions, material collected and outputs**

91. They come to the landfill site at 4 a.m. and leave at 5 p.m. They bring lunch box and eat at the site. Each person is choosing a place to store the recyclable materials collected. They do not steal from each other. They work individually and there is no association/group to represent them.

92. They wear boots, masks and gloves. They have a temporary shelter made of plastic and cement bags which can accommodate only few people to protect from the sun.

93. Type of material collected is divided into Kinh and Ede. Kinh collect all kinds of bags (plastic bags, cement bags etc.) while the Ede collect other plastic and metal material. They collect everything that can be sold, including plastic bags, plastic objects, cement bags, paper, metal pieces etc.

94. Every 2 days, the traders come to buy their materials at the landfill site. They are friendly with each other and help each other only when someone has an accident. There is no cooperation between the scavengers and landfill management. The management just reminds them about the fire protection measures.

- **Risks faced**

95. Dumpsite scavengers face many risks. They can be cut by needles, which can originate either from the hospital or the drug users, or by other sharp materials. They are aware of the danger and often take antibiotic.

96. They may find bodies of new born children in the landfill (the oldest man among them has buried 11 bodies since he started working there in 2001). They often suffer from lung diseases, feel tired and have difficulties to breath. Some of them visit hospital every month and spend a lot of money for treatment. Besides, they suffer from joint pain, eye disease or gynecologic disease.

97. There are few among them who sometime get drunk. No drug users are among them. There is also no fighting and no conflict between Kinh and Ede, male and female, or young and old.

- **Concerns about the future**

98. They have no idea on what they can do when the current dumpsite will close. Most of the interviewed scavengers want to move to the new landfill site, despite the long distance. It will however increase the transport costs and the duration of their working days. They also worry about the possible conflict with the local population who could want to work at the landfill site.

99. For scavengers who want to work in the new landfill site, they would like the site owner to provide space where the scavengers can built a temporary shelter to stay overnight during the working days. They would also like to be registered as temporary resident at the new landfill site (Hoa Phu Commune). They also want to be informed on the construction progress of the new landfill and the time of closure of the current one.

3.13.2 Interview with DAKURENKO Management Staff

100. Meetings was also held with DAKURENKO management staff and the director of the Consultant who designed the future landfill site. Because the bottom of the new landfill site will be covered with a sealing membrane to prevent leakage of the leachate, there is a risk that scavengers could cause a fire with their cigarettes or could damage the membrane.

101. For DAKURENKO, it is not easy to provide space for the scavengers to stay overnight in the new landfill site. There will be a concern about safety and health in the new site.

102. The health and safety regulations will have to be followed in the new landfill site. DAKURENKO can provide protection means such as gloves, masks etc. DAKURENKO also believes that the scavengers should be regularly informed about the project so they can better plan their future,

103. In the new landfill site, about 30 people will be hired to work in recycling facilities for one shift. If two shifts are needed, 60 people will be needed. The scavengers who could move to the new site could get priority for these jobs and could receive adequate training.

3.12.3 Mitigation Measures

104. Since the current landfill site will be closed in 2017 and due to the likely change in circumstances and situation of the communities in the area, which are beyond control of the Project, it is very difficult to propose specific measures at this stage. Cost estimates also cannot be considered at this stage. The range of targeted beneficiaries as well as the scope of potential activities also remains under review. Therefore further planning will have to be conducted at least 1 year before the closure of the current dumpsite.

105. A number of measures could be however identified at this stage, following focus group discussion with affected scavengers and meeting with DAKURENKO management, they are as follow:

✓ **For scavengers who want to move to the new site;**

- Give priority to dumpsite scavengers working at the current dumpsite to work in the new landfill site to segregate waste at recycling facilities;
- Authorize scavengers to collect waste with adequate safety measures;

✓ **For scavengers who don't want to move to the new site**

- Provide vocational training at no cost for participants;
- An information campaign program will also be prepared to keep the communities informed on a regular basis with regard to the Project implementation schedule. Information will be as follow:

Period	Activity	Way of information	By whom
Pre-construction period			
Once the project is approved (expected June, 2013)	-Expected start of closure of current landfill site and opening of new site -Planned construction schedule;	- Meeting at the landfill site	-Manager of current landfill site; -DAKURENKO

Construction Period			
-Every year after the start of the construction (during 3 years)	-Update information on: +Construction schedule + Expected date of site closure and new site opening +Answer to questions	-Meeting at the landfill site	-Manager of current landfill site; -DAKURENKO
-One year before the site closure	-Update information - Planning of activities to design mitigation measures -Answer to questions	-Meeting at commune PC -Focus groups	- DAKURENKO/ Implementation and Supervision Consultant

Table 18: Proposed Information Campaign for Dumpsite Scavengers

4. INFORMATION, CONSULTATION AND PUBLIC DISCLOSURE

4.1 Meetings with Local Authorities

4.1.1 Information disclosure

a. Information dissemination and consultation during RP preparation

106. During RP preparation at the PPTA stage, many consultations have been organized with different stakeholders, including local authorities, social organizations, EAs/IAs and affected people. Results of the consultations have been summarized and reflected in the original RP.

b. Information dissemination and consultation during updatingRP

107. During the update of the resettlement plan, local authorities, communities and affected families were completely consulted, focusing on information and impacts of component BMT-02. The subproject Information Manual (PIB) was prepared with 5 main contents: (i) the introduction of the scale of component BMT-02, Dak Lak province; (ii) the information about impact levels on land and associated properties on the affected land; (iii) the project's policies on compensation, support and resettlement; (iv) the detailed schedule for compensation, support and resettlement; and (v) the grievance redress mechanism. The PIB was disseminated to affected families and stakeholders. The project information leaflet is attached in Appendix 1 of this updated resettlement plan.

108. The Dak Lak Urban Environmental Company (DAKURENCO) of Dak Lak province and the District Compensation Board delivered the project information leaflets to the subproject communities and affected households.

109. All the policies related to land acquisition, compensation, support and resettlement of the road were also publicly posted at the headquarters of the people's committees of the wards.

110. The DMS results, replacement cost survey were also posted in public places.

111. Prior to the submission of the updated resettlement plan to the ADB, its main content will be summarized and disseminated and discussed in the public consultation meetings with APs.

4.2 Public consultation

Meetings with Local Authorities

112. Various meetings with relevant agencies were organized by the Resettlement consultation. Table below summarizes the date, the persons met and the issues discussed.

Table 19: Meetings with Local Authorities

Date	Location	Participants	Issues Discussed
From March to May, 2015	Buon Ma Thuot city	-Representatives of affected communes Peoples Committee -Representatives of PMU Dakurenko - City PC Representatives -Center for Land fund Development -Design consultants	- Project schedule; -Need for cooperation to conduct DMS and SES; -Presentation of the component -Discussion on project policy on resettlement; -Preparation of public consultation -Visit of resettlement sites

Consultation with Affected HHs

113. Information dissemination and consultation with affected persons and involved agencies will reduce the potential for conflicts and minimize the risk of Project delays. Furthermore, this

approach will enable the Project to design the resettlement and rehabilitation program so that it meets the needs and priorities of the affected people, and in this way, potentially maximizing the economic and social benefits of the investment. The objectives of the public information campaign and the consultation program are as follows:

- ✓ To fully share information with the AHs about the proposed project components and activities;
- ✓ To obtain information about the needs and priorities of the AHs, as well as information about their reactions to proposed policies and activities;
- ✓ To ensure that AHs are enabled to make fully informed decisions that will directly affect their incomes and quality of life, and that they will have the opportunity to participate in activities and decision-making about issues that will have a direct effect upon them;
- ✓ To obtain the maximum level of co-operation and participation of the AHs and communities in activities necessary for resettlement planning and implementation;
- ✓ To ensure transparency in all activities related to land acquisition, compensation, resettlement and rehabilitation.

114. A public consultations were conducted in Hoa Phu commune . A total of 57 persons (41 men, 16 women) attended the meetings. Detailed information is provided in the table below.

Table 20: Meetings with Local Authorities

Date	Commune/Ward	Participants	Men	Women	Women Participants
15/05/2015	Hoa Phu	57	41	16	39%

115. The content of the meetings was as follow:

- Overview of the project sub-components;
- Project Resettlement Policy (compensation, assistance, allowance) ;
- Entitlements of Affected persons;
- Grievance Redress Mechanism;
- Presentation of Public Information Booklet;
- Relocation options and proposed resettlement sites;
- Implementation Schedule;
- Discussion and concerns of affected persons;

4.3 Concerns of affected AH

116. The minutes of meeting of the public consultation are presented in Appendix 3. The main concerns of the participants are summarized below:

- ✓ Compensation/entitlements

- The project to acquire all land if remaining part is not viable?
- The project to compensate for the entire house if the house is partially affected?
- What are the compensation and assistance for agriculture land?
- What is the compensation for land bought before 1993?
- Can we continue to cultivate until the start of the project?
- All compensation should be paid in one time.

- ✓ Relocation/Resettlement Sites

- What are the relocation options?
- Are we obliged to move in a serviced resettlement site?

- ✓ Impacts during construction

- Reduce negative impacts (dust, traffic, noise) and ensure traffic safety during construction;

117. Issues raised during consultation were incorporated into the RP. For example, threshold for viability of remaining land has been included into the entitlement matrix.

4.4 Focus Groups with Scavengers at Current landfill site

118. Focus group discussion was also conducted with dumpsite scavengers working at current Cu Ebur dumpsite and who could lose their livelihoods due to the project. 10 persons, of which 4 are women and 2 are from ethnic minorities (Ede) were met. The purpose of the focus group was to identify socioeconomic profile of dumpsite scavengers, their concerns and needs for rehabilitation once the current dumpsite will be closed. Section 3.12 presents the result of this survey.

4.5 Information Disclosure

119. Upon ADB concurrence on this uRP, it will be uploaded on the ADB website and grief uRP in Vietnamese will be disclosed to the AHs and copies of the uRP will be placed in commune office.

120. The Public Information Brochure (PIB) was distributed and explained to AH during the public meetings and will be disclosed through loudspeaker system of the commune so that APs who did not in the consultation meeting could know about the project information.

5. GRIEVANCE REDRESS

121. A well-defined grievance redress and resolution mechanism has been established to address AH's grievances, complaints, and requests regarding land acquisition, compensation and resettlement in a timely and satisfactory manner. The grievance redress mechanism and appeal procedures are explained in the project information booklet that was distributed to all AHs. During resettlement implementation, all AHs are be informed of their rights, and the detailed procedures for filing grievances and an appeal process were publicized through an effective public information campaign.

122. AHs (men and women) can lodge complaints regarding any aspect of the land acquisition and resettlement requirements such as, entitlements, rates and payment and procedures for resettlement and income restoration programs.

123. Procedure for redress of grievances, in Dak Lak Province, is implemented according to the the Law on Complaints No.02/2011/QH1 dated November 11, 2011 and Law on Denunciation No.03/2011/QH13 dated November 11, 2011 and Decree No.75/2012/ND-CP dated October 3, 2012 guiding on implementation of the Complaint Law and Decree No.76/2012/ND-CP dated October 3, 2012 guiding on implementation of the Denunciation Law.

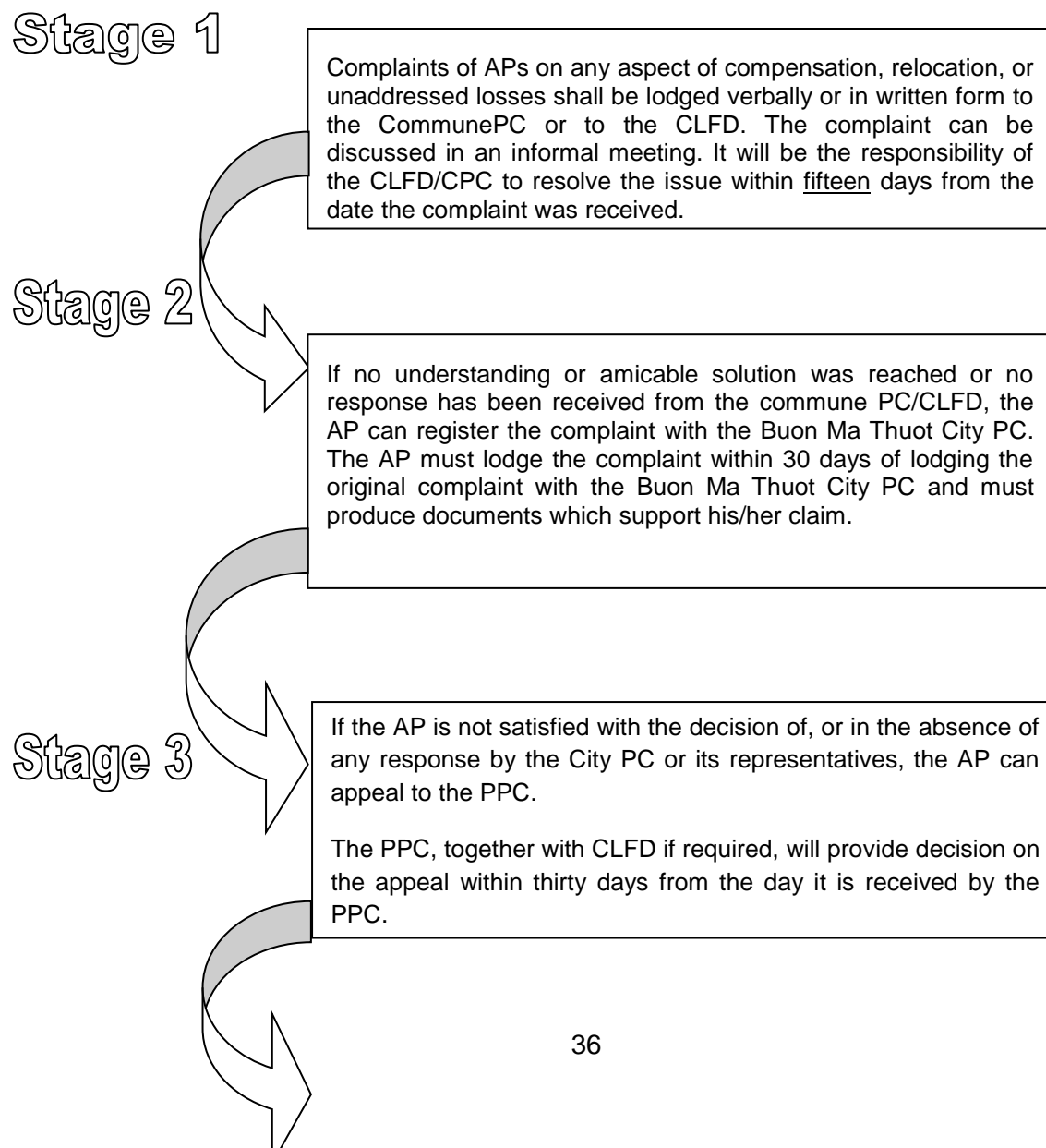
124. The main actors of the grievance process are the Center for Land Fund and Development (CLFD) and the city and commune/ward authorities. In Buon Ma Thuot City, the process is as follow:

- ✓ **Stage 1:** AH send/forward directly their complaints (written or by verbal) to commune level or to the Buon Ma Thuot City CLFD. After receiving complaints of AH, the CLFD in collaboration with ward/commune PC hold a first meeting to review the case and propose a first solution. AP is then met and the solution is proposed to AH. In case AH did not agree with the proposed answer, the CLFD assigns a person to review the complaint following approved compensation plan (complaints are mainly on compensation rates for land) then another meeting with AH is organized (second meeting) to clarify their complaint. After this second meeting, CLFD send a letter of complaint resolution to AP, and if AH agrees with the resolution he/she will withdraw the complaint.

- ✓ **Stage 2:** (i) if AH is still not satisfied with the CLFD proposed solution, he can forward his complaint to the city level; (ii) in this case, City PC will send AP's complaint back to CLFD, and CLFD will collaborate with relevant departments of the city to establish a review/appraisal mission and check the AP complaints, then carry out grievance process as stipulated under the Law of Complaints and Denunciation.
- ✓ **Stage 3:** If the AH is not satisfied with the decision of the CLFD or in the absence of any response, the AH can appeal to the Provincial People's Committee. The PPC will review and issue a decision on the appeal within 30 days from the day it is received
- ✓ **Stage 4:** If the AH is still not satisfied with the decision of PPC or in the absence of any response within the stipulated time, the AH as a last resort may submit his/her case to the court.

125. However, the project grievance procedure does not impede access to court at any time.

126. The grievance process is summarized in the Figure 5.1 below.



Stage 4

If the AP is still not satisfied with the decision, the AP can appeal to higher authorities such as the District Court.

Figure 5-1: Grievance Redress Process in Buon Ma Thuot City

6. POLICY AND LEGAL FRAMEWORK FOR RESETTLEMENT

127. The legal and policy framework for compensation, resettlement and rehabilitation under the SCDP is defined by the current relevant laws and regulations of the Government of Viet Nam and the ADB's 2009 on Social Safeguards.

128. Safeguards Policy Statement (SPS, 2009) requirement 2: of Involuntary Resettlement regulates that in case of discrepancies between the Borrower's laws, regulations, and procedures and ADB's policies and requirements, ADB's policies and requirements will prevail. This is also consistent with Decree No.38/2013/ND-CP dated 13/4/2013 on the management and use of official development assistance (ODA) and preferential loans from donors. This is the basic principle stated in Decree No.38/2013/ND-CP, Article 46 regarding the compensation, support and resettlement: "The compensation, support and resettlement of programs and projects shall comply with the provisions of the current laws and international treaties on ODA and concessional loans the Socialist Republic of Vietnam is a member. In case of differences between the provisions of the domestic laws with the international treaties, the international treaties shall be applied". Ordinance No.34/2007/PL-UBTVQH11 of the National Assembly dated 20/4/2007 on the democracy implementation in communes, wards and towns also regulates that information on "projects, works and investment priorities, implementation schedule, compensation, support and resettlement plan for land clearance related to such projects and works need to be disclosed to people in communes, wards and towns.

6.1 Relevant Vietnamese Legislation

129. The current legal documents required by law for land acquisition, compensation, support and resettlement of the Government of Vietnam are as follows:

- Land Law No.45/2013/QH13 dated November 29, 2013 of the National Assembly of the Socialist Republic of Vietnam, replacing Land Law 2003;
- Decree No.43/2014/ND-CP dated May 15, 2014 of the Government, detailing the implementation of some provisions of Land Law 2013;
- Decree No.44/2014/ND-CP dated May 15, 2014 of the Government on evaluating land prices;
- Decree No.45/2014/ND-CP dated May 15, 2014 of the Government, regulating the collection of land-use lease;
- Decree No.47/2014/ND-CP dated May 15, 2014 of the Government on compensation, support and resettlement when the State acquires land, replacing Decree 197/2004/ND-CP and Decree 69/2009/ND-CP;
- Decree No.104/2014/ND-CP dated November 14, 2014 of the Government on land price frame;
- Circular No.36/2014/TT-BTNMT dated June 30, 2014, detailing the land valuation method; building and adjustment of specific land prices and consultation for land-price valuation;
- Circular No.37/2014/TT-BTNMT dated June 30, 2014, detailing regulations on compensation, support and resettlement when the State acquires land;
- Decree No.42/2012/ND-CP dated 11/5/2012 on the management of paddy land use;
- Decree 11/2010/ND-CP, dated on 24 Feb 2010 on management and protection of road, and Decree 100/2013/ND-CP amending Decree 11/2010/ND-CP.
- Decree No.38/2013/ND-CP, on the management and use of official development assistance (ODA) and preferential loans from donors;
- Ordinance No.34/2007//PL-UBTVQH dated 20/4/2007 of the National Assembly Standing Committee on the implementation of democracy in communes, wards and towns;
- Law on Complaints No.02/2011/QH1 dated November 11, 2011 of the National Assembly of the Socialist Republic of Vietnam;
- Law on Denunciation No.03/2011/QH13 dated November 11, 2011 of the National Assembly of the Socialist Republic of Vietnam;
- Decree No.75/2012/ND-CP dated October 3, 2012, detailing the execution of some articles of the Law on Complaints;
- Decree No.76/2012/ND-CP dated October 3, 2012 detailing the execution of some articles of the Law on Denunciation.

6.2 Decisions of Dak Lak province related to land acquisition

130. In addition to the national legal documents, Provincial People's Committees have also issued regulations on compensation since the national legislation has given them the responsibility to carry out resettlement planning and implementation in Dak Lak. The following decisions provide the provisions for compensation, support and resettlement when the Government acquires land in the province:

- Decision No.1/2014/QD-UBND dated January 7th, 2014 of the People's Committee of Dak Lak province that promulgates regulations on unit prices for structures, works, assets when the State acquires land in Dak Lak province;
- Decision No.2/2014/QD-UBND dated January 7th, 2014 of the People's Committee of Dak Lak province that promulgates regulations on unit prices for new construction for houses in Dak Lak province
- Decision No.01/2011/QD-UBND dated January 7th, 2011 of the People's Committee of Dak Lak province that issues regulations on the unit prices of crops and trees when the State recovers land in Dak Lak province;

6.3 ADB Safeguard Policy and Requirements

131. The ADB Safeguard Policy Statement (2009) consolidates three existing safeguard policies: involuntary resettlement (IR), indigenous peoples (IP), and environment. The objectives of the IR policy are to (i) avoid involuntary resettlement, (ii) explore alternatives to avoid, (iii) restore livelihoods and (iv) improve living standards of poor and vulnerable households. The IP policy objectives are to (i) design and implement projects that fosters full respect for IP's identity, dignity, human rights, livelihoods systems, and cultural systems, and cultural uniqueness as defined by IP themselves and (ii) ensure that IPs receive culturally appropriate social and economic benefits, do not suffer adverse impacts as a result of projects, and can participate actively in projects that affect them. The policy on environment is discussed in a separate environment report.

132. The ADB Policy on Gender and Development (1998) adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate in and that their needs are explicitly addressed in the decision-making process for development activities. The new safeguard policy and requirements also reiterates the importance of including gender issues in the preparation of safeguards documents at all stages to ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This

includes special attention to guarantee women's assets, property, and land-use rights and restoration/improvement of their living standards; and to ensure that women will receive project benefits. Other policies of the ADB that have bearing on resettlement planning and implementation are the (i) Public Communications Policy (2011); and (ii) Accountability Mechanism Policy (2012).

6.2.1 Project Principles

133. The objectives of the ADB Safeguard Policy Statement (SPS) concerning Involuntary Resettlement are to avoid or minimize the impacts on people, HH, businesses and others affected by the acquisition of land and other assets, including livelihood and income. Where resettlement is not avoidable, the overall objective of the ADB SPS is to enhance, or at least restore, the livelihoods of all AHs in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups by compensating for lost assets at replacement costs and by providing, as necessary, various forms of support.

134. The main policy principles are to:

- a. Screen the project early on to identify past, present & future involuntary resettlement impacts and risks. Determine the scope of resettlement planning through a survey and/or census of AHs, including a gender analysis related to resettlement impacts and risks.
- b. Carry out meaningful consultations with affected persons, host communities, and concerned non-government organizations. Inform all Affected Households of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land, and ensure their participation in consultations. Establish a grievance redress mechanism to receive and facilitate resolution of the affected persons' concerns. Support the social and cultural institutions of Affected Households and their host population. Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase.
- c. Improve, or at least restore, the livelihoods of all Affected Households through (i) land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, (ii) prompt replacement of assets with access to assets of equal or higher value, (iii)

prompt compensation at full replacement cost for assets that cannot be restored, and (iv) additional revenues and services through benefit sharing schemes where possible.

d. Provide physically and economically Affected Households with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, social and economic integration of resettled persons into their host communities, and extension of project benefits to host communities; (ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and (iii) civic infrastructure and community services, as required.

e. Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas, provide them with legal and affordable access to land and resources, and in urban areas, provide them with appropriate income sources and legal and affordable access to adequate housing.

f. Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain an equal or better income and livelihood status.

g. Ensure that Affected Households without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of non-land assets.

h. Prepare a resettlement plan elaborating Affected Households' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.

i. Disclose a final resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.

j. Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits. For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation.

k. Pay compensation and provide other resettlement entitlements before physical or economic displacement. Implement the resettlement plan under close supervision throughout project implementation.

l. Monitor and assess resettlement outcomes, their impacts on the standards of living of Affected Households, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

6.2.2 Eligibility Policy

135. All AHs who are identified in the project-impacted areas by the cut-off date will be entitled to compensation for their affected assets and rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards and income-earning capacity. The cut-off date for this component the date of the notice of land acquisition for the component.

136. Those who encroach into the Component area after the cut-off date will not be entitled to compensation or any other assistance. They will be given sufficient advance notice to vacate premises and dismantle affected structures prior to project implementation.

6.3 Reconciliation of Government and ADB Policy on Resettlement

137. The resettlement and compensation policies for the Secondary City Development Project are to be in accordance with ADB requirements and laws of the Government of the Socialist Republic of Vietnam. Under the ADB policy, it is a condition of funding that the Bank's requirements are met in relation to resettlement, compensation and rehabilitation to all DPs as defined in the ADB Safeguard Policy and ADB Policy on Involuntary Resettlement.

138. With the promulgation of Land Law 2013 and the guiding documents, including Decree No.43/2014/ND-CP, Decree No.44/2014/ND-CP, Decree No.47/2014/ND-CP which are directly related to the land acquisition, compensation, support and resettlement, the policy of the Government of Vietnam has become more consistent with the ADB's policy statement on involuntary resettlement (SPS 2009). However, there are some differences between the Government's policies and the ADB's policy on involuntary resettlement.

139. Decree No.43/2014/ND-CP: This decree provides common rules on the matters relating to granting of land-use right certificates (LURC) and land-use issues such as land quota,

conditions for the transfer of land-use rights, administrative procedures related to land use (LURC, land recovery and requisition, land dispute settlement...).

140. Decree No.44/2014/ND-CP on land prices. This Decree prescribes the valuation method for land price; building and adjustment of land price frame; specific land valuation and consulting activities for determining prices. Under the provisions of this decree, when the common land prices in the market increase 20% or more compared with the maximum land prices or reduces 20% or more compared with the minimum land prices in the land price frame for the period of 180 days or more, the provincial People's Committee will have to adjust the land prices.

141. Land Law 2013, Decree No.47 and Circular No.37 are the main legal instruments that give guidance and regulations on the rights and entitlements to the compensation, support and resettlement when the State recovers land. Under the provisions of Decree No.47/2014/ND-CP, when the State recovers land, if users do not have papers on land-use rights stipulated in Clause 1, 2 and 3 of Article 100 of the Land Law and Article 18 of Decree No.43/2014/ND-CP but are eligible to the issuance of certificates of land-use rights, ownerships of houses and other assets attached to land, they shall be compensated for land.

142. The differences between the current Government's Laws and Decrees and ADB Policy with regard to resettlement and compensation, and how to address these gaps for this Project are shown in the table below.

Table 21: Gaps between National Laws and ADB Policies and Gap Filling Measures

Issues	Land Law 2013, Decree 47/2014/ND-CP, Decree 44/2009/ND-CP	ADB SPS 2009	Project Policy
Criteria of severe AHs	Decree 47/2014/ND-CP, Article 19, Item 3: APs losing 30% or more of productive agriculture land are considered severely impacted and are entitled to livelihood restoration measures.	The involuntary resettlement impacts of an ADB-supported project are considered significant if 200 or more persons will experience major impacts, which are defined as (i) being physically displaced from housing, or (ii) losing 10% or more of their productive assets (income	Losing 10% or more of the household's productive assets and/or relocation shall be considered as the threshold of severely affected HHs

		generating).	
APs without LURC	Land Law 2013, Article 77, item 2 and article 92: Persons who has used land before 1st July 2004 and directly be involved in agriculture production on the acquired land without LURC or illegalizable will be compensated for the acquired land area but not exceed quota of agricultural land allocation. But no compensation for non-land assets in the following cases: (i) the assets subject to the land recovery as stipulated in one of items a, b, d, đ, e, l, clause 1, article 64 and items b, d, clause 1, article 65 of the Land Law 2013; the assets created after the notification on land acquisition; and (iii) unused public infrastructures and other works.	Those APs without legal title to land will be included in consultations. Ensure that APs without titles to land, or any recognizable legal rights to land, are eligible for resettlement assistance and compensation for loss of non-land assets created before the cut-off date at replacement costs, including dwellings, structures and other improvements to land such as crops, irrigation, at full replacement cost. Safeguards cover involuntary restrictions on land use or on access to legally designated parks and protected areas. Covers temporary and partial losses.	Project affected people, without legal or recognizable legal claims to land acquired, will be equally entitled to participation in consultations and project benefit schemes where possible, and be compensated for their losses of non-land assets at replacement costs, such as dwellings and structures if created before the cut-off date. They will be entitled to resettlement assistance and social support to assist them to improve or at least restore their pre-project living standards and income levels.
Compensation for structures	Land Law 2013, Article 89, item 1: houses/structures used for living purpose will be compensated at	Rate of compensation for affected houses/structures and other assets will be calculated at full replacement	Full compensation at replacement cost will be paid for all affected structures without any

	replacement cost. Decree 47, article 9: houses/structures used for other purposes will be compensated equal to the remaining value of the affected house plus some percentage of current value but total compensation amount is not exceed value of the new house/structure.	costs without any deductions for salvageable materials or depreciation, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments.	deductions for salvageable materials or depreciation, full replacement costs, based upon: i) fair market value, ii) transaction costs, iii) interest accrued, iv) transitional and restoration costs, v) other applicable payments
Monitoring	No monitoring indicators indicated	Monitoring indicators specified for internal and external monitoring and reporting. In case of significant or sensitive impacts, an external monitoring organization is required to conduct monitoring on RP and EMDP implementation	The EA must undertake internal monitoring according to the critical indicators. Since anticipated negative impacts of the project are significant, It needs to recruit an external monitoring organization to conduct semi-annual monitoring.
Third-party validation of consultation related to land donations	Not required.	The borrower is required to engage an independent third-party to document the negotiation and settlement processes to openly address the risks of asymmetry of information and bargaining power of the parties involved in such transactions.	In case of land donations involving marginal portions of land, the LIC will verify and report on the negotiation and settlement processes as part of the due diligence report. A voluntary donation form signed by the landowners, witnesses, and village leaders will be attached in the report.

7. ENTITLEMENTS, ASSISTANCE AND BENEFITS

7.1 Entitlement Matrix

143. The rights and entitlements of people affected by the component (including compensation, allowances, resettlement and livelihood restoration) are detailed in the entitlements matrix below, which are consistent with the actual impacts identified during the detailed measurement survey (DMS). It should be noted that these benefits cannot be reduced. Benefits will be supplemented, if necessary, based on the results of the DMS and consultation with displaced persons. Project entitlements are based on the governmental and provincial decisions about compensation, resettlement and rehabilitation measures as well as ADB's SPS (2009) on involuntary resettlement. The beneficiaries should be consistent with the cut-off date.

144. This matrix has been discussed and agreed with the Center for and Land Fund Development of BMT and the 2 PMUs, in charge of the implementation activities on behalf of Buon Ma Thuot People's Committee.

145. Entitlements for each type of AHs are based on the types and levels of losses. The entitlements also provide various measures aimed at providing opportunities for AHs to obtain development benefits from the project as well as assisting vulnerable AHs to improve their living standards. The Entitlement Matrix for the Project is shown in the table below.

Table 21: Entitlement Matrix

No	Impact/Influence and application (*)	Level of impacts	Eligible persons	Entitlements	Implementation issues
A	Permanent impact				
I	LAND				
1.1	Agriculture land impact (annual crop land and perennial crop land)	Marginal impact: losing less than 10% of their total productive land	Land users with LURC; in the process of LURC; and eligible to be granted LURCs in accordance with the Government's regulations but not claim for LURC;	<ul style="list-style-type: none"> - Cash compensation for affected land area at replacement cost; and - Cash allowance for job training/creation, equal to 2 times of value of annual crop land and perennial crop land; <p>APs can select compensation for affected land based on market price of a specific parcel, depending whichever is higher.</p> <ul style="list-style-type: none"> - For non-land affected assets, see item II below. 	<p>Supports and allowances will be paid simultaneously with the payment of compensation.</p> <p>Support for job training/creation is applied only for households and individuals who are directly involved in agricultural production;</p> <p>A supported area shall not exceed a local standard area of allocated agricultural land</p>
			<p>Land-users without LURC or illegalizable for LURC AND</p> <p>Users who lease public land.</p>	<ul style="list-style-type: none"> - No compensation for land but compensation at replacement cost for non-land assets on the affected land and remaining investment cost on the affected land. If the remaining investment cost on land is unable to identify, they will be supported by 20% of compensation unit price of agricultural land to be recovered. - For public land, no 	<p>If affected households have no land for cultivation, local authorities will allocate them agricultural land or assist them to find alternative land.</p> <p>Cash assistance for families and individuals of land leasing/bidding under this provision shall be deducted from the amount</p>

No	Impact/Influence and application (*)	Level of impacts	Eligible persons	Entitlements	Implementation issues
				compensation for land but support for the organization, equal to 70% of land value based on the land price frame. Cash assistance is only used for construction of infrastructure for the communal public purpose.	of support land to the budget of commune people's committees.
		<p>Significant impact: losing 10% or more of their total productive land (remaining unaffected portion is viable for productive use)</p> <p>89 AHs losing from 10-70%, no one losing >70%</p> <p>11 HH loses from 10% to 30%, 22 AHs lose from 30%-70% and 23 HHs lose over 70% of their productive land</p>	Land users with LURC; in the process of LURC or legalizable for LURC in accordance with the Government's regulations.	<ul style="list-style-type: none"> - Cash compensation for affected land area at replacement cost; and - Subsistent allowance: Support in cash, equal to 30kg of rice per person per month for all household members for: <ul style="list-style-type: none"> - Losing 10-30% of total land holding: 03 months if no relocation, 12 months if relocation; and - losing 30-70% of total land holding: 06 months if no relocation, 12 months if relocation; AND - Cash allowance for job training/creation, equal to 2 times of value of annual crop land and perennial crop land; - For non-land affected assets, see item II below. 	<p>If remaining land area is unusable or uneconomic, it will be recovered and compensated at replacement cost.</p> <p>Supports and allowances will be paid simultaneously with the payment of compensation.</p> <p>Support for job training/creation is applied only for households and individuals who are directly involved in agricultural production.</p> <p>A supported area shall not exceed a local standard area of allocated agricultural land.</p>
II	NON-LANDASSETS				
2.1	Impact on houses and structures	Partly Impacted house (the remaining	Land-owners regardless LURC	- Cash compensation at replacement cost for the affected	Assets attached to the affected land built after the

No	Impact/Influence and application (*)	Level of impacts	Eligible persons	Entitlements	Implementation issues
		part is usable)	or legalizable for LURC with houses/structures created before the cut-off date.	part without deduction of salvageable materials and costs for repairing the remaining part.	notice of land acquisition (cut-off date), shall not be compensated.
		Totally Impacted house (or partly affected but the remaining part is not usable)	Land-owners regardless LURC or legalizable for LURC with houses/structures created before the cut-off date.	- Cash compensation at replacement cost for the affected house without deduction of salvageable materials.	
2.2	Impact on plants and crops		All plants/crops created before the cut-off date on affected land regardless of ownership status.	- Cash compensation for damaged plants/crops at market values at time of compensation.	Affected households will be notified of land acquisition prior to 90 days so that they can harvest crops or stop farming on land to be recovered.
III	TRANSITION ASSISTANCE AND ALLOWANCES				
3.1	Life stabilization allowance	Severe impact: losing 10% or more of productive land	Land users regardless LURC status and directly farming	a) Subsistent allowance: - losing 10%- 30% of productive land: Cash allowance of 360,000 VND (equivalent to 30kg rice) per person per month for all family members for a period of 3 months if no relocation and 12 months if relocation. - losing 30-70% of productive land: Cash allowance of 360,000 VND (equivalent to 30kg rice) per person per month for all family	AHs not eligible for compensation of affected agricultural land will be entitled to stabilization allowance and income restoration program.

No	Impact/Influence and application (*)	Level of impacts	Eligible persons	Entitlements	Implementation issues
				<p>members for a period of 6 months if no relocation and 12 months if relocation;</p> <p>- losing 70-100% of productive land: Cash grant of 360,000VND (equivalent to 30kg rice) per household member for a period of 12 months if not required to relocate and for a period of 24 months if required to relocate;</p> <p>b) Entitled to participation in the income restoration program (IRP)</p>	
3.2	Vulnerable group	Affected by the subproject	<p>Households are:</p> <p>(i) headed by women with dependents, (ii) headed by disabled people/children, (iii) landless and no other means of support, and (iv) poor</p> <p>No HH in category (ii), (iii) and (iv)</p>	- Cash allowance of 2,000,000 VND/household.	The support amount will be paid simultaneously with the payment of compensation.
B	Temporary impacts				
	Temporary impact during construction	Impact less than 2 years	<p>Land users regardless land use status;</p> <p>All assets on affected land</p>	<p>No compensation for land because it will be returned to owners after using.</p> <p>Compensation for standing trees/crops and income lost</p>	All negative impacts during construction should be considered and compensated adequately and timely under the project

No	Impact/Influence and application (*)	Level of impacts	Eligible persons	Entitlements	Implementation issues
			regardless ownership status.	during period of temporary use. For property on affected land, the compensation will base on the replacement cost as stated above.	policy. Improve or at least restore the affected land to pre-project condition before returning to the owners.
		Impact more than 2 years	Land users regardless land use status	Pay compensation for income lost from subsequent duration or compensation for land if required by the land owner.	

8. RELOCATION

146. No AHs has to relocate in this component.

9. INCOME RESTORATION

9.1 Need for an Income Restoration Program

147. The adverse impact on income is one of the most significant effects of resettlement for men and women, the effects of which can be long lasting with inter-generational consequences. For the proposed sub-components, losses of income commonly result from either having to physically relocate (e.g. causing loss of commercial, farming or other livelihood operation site) or significant reduction in livelihood base (as in partial loss of farming land). In some cases the challenge is to re-establish pre-existing livelihoods in a new location while for others it may have to adopt new income generating practices. The latter often includes farmers who either need to diversify income generating activities (e.g. adopt small scale trade to supplement farming) or intensify productivity on reduced areas of land. Restoration of income is one of the greatest challenges to successful post-resettlement rehabilitation. The success of resettlement planning in restoring living conditions is thus inextricably bound to income restoration and effective income restoration in turn necessitates a clear understanding of livelihoods, capacities and risks faced by those displaced.

148. Buon Ma Thuot has developed a specific policy for restoration of income for severely affected farmers. A number of specific income restoration measures are already included in the entitlement matrix and summarized in the table below. It was confirmed by local authorities (Center for Land Fund Development) that such measures have been applied for other project. In particular, due to the disponibility of land in BMT, non-agriculture plots have been given to affected farmers.

Table 22: Income Restoration Measures

Affected Livelihood	Income Restoration Measures
All affected Farmers	Stabilization allowance (income support) for 6-24 months (cash allowance)
All affected Farmers	Job training/creation allowance, equivalent to 2 times the PPC compensation rate per m2 for agriculture land (cash allowance)
Farmers who are losing 30% or more of their productive	For HH who want to start non- farm activity, assistance equal to a plot of residential land OR a plot of non- agricultural

land	land.
	<p>APs who want to follow trainings have to register at the Vocational Training Center of the City. The Project will pay the training fees directly to APs based on receipt but not exceed to VND 3,000,000/course (not exceed to 3 members/households).</p> <p>In case APs don't want to follow trainings, they will receive an allowance of VND 2,000,000 for each HH member in labour age, men from 16 to 60 years old, and women from 16 to 55 years old, but not exceed VND 4,000,000 per HH.</p>
Vulnerable	Special assistance (cash allowance from 2 M VND/HH)

149. Cash assistance, as described above, does not necessarily lead to stabilization of AHs. Therefore the implementation of an Income Restoration Program (IRP) is necessary. The IRP aims to provide supplemental assistance to severely affected HH and vulnerable, enhancing opportunities for them to improve incomes through training and provision of inputs.

150. In Buon Ma Thuot City, the IRP measures are already in place , but only agriculture activities are be offered. Dak Lak has already a training program free of charge for severely affected HH and also provides plots of land for non-farm activities .

151. It is proposed that the IRP will be implemented by the Buon Ma Thuot City Agriculture Extension Services Centre under the Department of Agriculture and Rural Department (for agriculture activities).

152. A Detailed Needs Assessment (DNA) is conducted among beneficiaries. The purpose of the DNA is to establish household's preference for income restoration activities. The type of training, of agriculture activities are determined for each HH. The results constitute the basis for the implementation of the IRP.

9.2 Agriculture Program

153. A number of agricultural extension models should be designed in collaboration with the Farmers' Union and the Agricultural Extension Center. Most of AHs want to join the following activities:

- Cow-raising, pig-breeding, frog-raising, duck/chicken-raising;
- Planning mushroom and Japan purple eggplants.

- Aquaculture: shrimp; fish; eel

154. In order to reduce risk of failure for affected household, only agricultural activities with great chance of success will be proposed. Proposed activities should be with minimum risk (favourable market conditions, few risk of disease etc.) and with short generating income (1 or 2 years maximum).

155. Beneficiaries will receive input in kind only (i.e. animals); no cash will be given to beneficiaries. Beneficiaries will also receive training and follow-up to be conducted by various stakeholders.

156. The Agriculture Extension Centre (AEC) of Buon Ma Thuot City will be the main stakeholder and will be in charge of the implementation of the agricultural program. AEC is present at the city level and provides training and veterinary services to farmers. AEC is under the Provincial Department of Agriculture and Rural Development. Under the project, AEC will provide the technical follow-up of participants. Veterinary services will be required when necessary. All these services will be free of charge for the participants.

9.3 Training

157. Vocational training will be offered to HHs entitled to the IRP. Buon Ma Thuot City has its own Employment Resource Center (VTC) to provide vocational training. The trainees are less than 30 years old entitled to participation in training without payment. Most of the trainings are short-term training (3 to 6 months). Intermediate training course (6 months to one year) are also offered.

158. Training will be job oriented and consistent with HH education background to ensure the best work opportunities.

159. The Buon Ma Thuot City Vocational Training Center (VTC) will be responsible for conducting occupational training courses according to the need of participants. They will also establish a program to provide information to the affected ward/communes on the availability of jobs through posting of job vacancies in the ward/commune offices and through commune's local radio. VTC will also coordinate with commercial, industrial and institutional establishments within the City with the intention of identifying their manpower requirements (i.e. number, qualification, schedule of deployment, etc.) and securing agreements.

9.4 Budget for IRP implementation

160. Based on DMS data and need assessment, the total number of IRP beneficiaries is 56 as presented in the table below.

Type of Beneficiaries	Number of HH
HH Losing \geq 10% of their productive land and vulnerable households	56 ²
TOTAL	56

Table 23: Estimated Number of IRP Beneficiaries

161. The total cost estimate for the Income Restoration Program in BMT - 01 is 1,267,200,000 VND equivalent to 56,445 USD. The detailed costs estimates are presented in Appendix 6..

10. RESETTLEMENT BUDGET

10.1 Budget flow

162. All costs for land acquisition, compensation and resettlement of the sub-project will be taken from the counterpart fund of Dak Lak province.

10.2 Replacement cost survey

163. Replacement cost is the amount needed to replace for the affected assets without deduction for taxes and/or costs of transaction.

164. Replacement costs are normally determined by the Dak Lak PMU, with support from resettlement consultants and other agencies involved in resettlement implementation (e.g Buon Ma Thuot Land Fund Development Center/Compensation Committee) following the valuation standard methodology prescribed under Gov Decree No. 44/2014/ND-CP dated May 15, 2014.

165. The replacement cost survey and household consultation on market prices was carried out during preparation of the updated RP (April - June 2015), the methodology and result for replacement cost of the project is presented as following:

- For land, based on promulgating regulations on land prices in the provinces of Dak Lak and Decision No.1587/QD-Committee on 25/6/2015 of Dak Lak provincial People's Committee on approving the land price adjustment coefficient for calculating

² Because all the Vulnerable affected households are HHs Losing \geq 10% of their productive land.

compensation for land when the State recovers land for BMT-02 component in Secondary cities Development Project in Quang Nam, Ha Tinh and Dak Lak and based on consultation and market survey, the land prices are equal. Through the consultation with AHs, they agreed with the land prices.

- For assets/structures and trees/crop, according to the consultation and market survey, the unit rates shown in the PPC's decision are basically equal to market value, which are acceptable to AHs.

166. A summary of the replacement cost survey is presented in Table 20 below.

Table 24: Summary of replacement cost survey

No.	Items	Prices issued by the PPC (VND)	Surveyed price (VND)	Proposed price (VND)
A	Land			
1	Perennial crop land	36,000	30,000-35,000	36,000
B	Structures			
1	Concrete pillar	113,400	113,400	113,400
2	Fence	1,482,500	1,300,000- 1,400,000	1,482,500
3	Well	1,958,580 – 8,403,200	1,800,000 – 8,200,000	1,958,580 – 8,403,200
4	Land ditch	23,000	23,000	23,000
5	Irrigation pond	23,000	23,000	23,000
C	Trees and crops			
1	Cashew tree	118,000- 396,000	110,000 – 390,000	118,000- 396,000
2	Timber tree	50,000-118,000	50,000-118,000	50,000-118,000
3	Pepper tree	96,000-231,000	96,000-231,000	96,000-231,000
4	Rubber tree	85,000-106,000	85,000-106,000	85,000-106,000

167. Table 25 summarizes the resettlement cost of the component based on results of DMS and replacement cost survey, including (i) compensation for permanently acquired land, ; (ii) compensation for structures, houses, trees, crops; (iii) allowances; (iv) administration and implementation cost; and (vi) contingency cost. The resettlement cost does not cover costs for support consultancy and external monitoring. Buon Ma Thuot PMU will hire support resettlement

consultants and external monitoring consultants by separate consultancy components to assist and supervise the implementation of the updated resettlement plan.

168. The total cost estimate for the implementation of the resettlement plan is VND **64,895,071,437** equivalent to USD **2,890,649** (the rate of exchange: 1USD = 22,450 VND). The details are shown in Table 21 below.

Table 25. The resettlement implementation cost

No.	Item	Unit	Cost (VND)
1	Compensation for land	VND	17,849,772,000
2	Compensation for structures	VND	1,511,318,535
3	Compensation for crops and trees	VND	5,576,117,600
4	Assistance	VND	38,053,484,000
	Job training/creation	VND	35,699,544,000
	For severely affected persons	VND	916,740,000
	Bonus for site clearance	VND	140,000,000
	IRR program	VND	1,267,200,000
	For vulnerable households	VND	32,000,000
Total direct cost		VND	62,992,692,135
Administration cost (2%)		VND	1,259,853,842.70
Subtotal		VND	64,252,545,977.70
Contingencies (10%)		VND	642,525,459.78
Total		VND	64,895,071,437.48

11. INSTITUTIONAL ARRANGEMENT

11.1 Provincial People's Committee of Dak Lak Province

169. The Provincial People's Committee (PPC) of Dak Lak Province is the executing agency (EA) and will oversee all subproject activities including the implementation of RPs. The Dak Lak PPC will have to endorse the RP. The Dak Lak PPC could also delegate such endorsement to the Buon Ma Thuot City PC.

170. A Project Steering Committee (PSC) is already operating in Buon Ma Thuot City and is headed by the PPC Vice Chairman, and includes representatives of provincial and city government agencies. The PSC will continue to coordinate the implementation of the Project and provide policy guidance. The PSC will be chaired by the PPC Vice Chairman, and will normally include representatives from the following organizations: (i) Department of Construction (DOC); (ii) Department of Planning and Investment (DPI); (iii) Department of Finance (DOF); (iv) Department of Natural Resources and Environment (DONRE); (v) Provincial and/or City

171. Women's Union (WU); (vi) Chairman or Vice Chairman of the concerned Project City, and (vii) other agencies or entities that may be recommended by the PPC, for instance in Buon Ma Thuot this must include DAKURENCO.

172. The PSCs will continue to assist the PPCs by: (i) monitoring Project implementation; (ii) making decisions related to Project implementation within the power of the local authorities; (iii) approving Project documents related to, for example, resettlement plans procurement plans, and bidding and contract documents; and (iv) coordinating relevant agencies of the provinces and the PMU in the project implementation process.

11.2 Buon Ma Thuot City People's Committee

173. The Buon Ma Thuot City People's Committee (PPC) is the implementing agency (IA) and will oversee all subproject activities including the implementation of the RP. If PPC delegates the endorsement responsibility to the Buon Ma Thuot City PC, the CPC will be responsible for endorsement of the RP.

11.3 Project Management Units (PMUs)

174. Two Project Management Units (PMUs) have been established within the existing institutional structures in Buon Ma Thuot City. Buon Ma Thuot City PMU is the Implementing

Agency (IA) for the Mai Thi Luu Road sub-component, while the Dak Lak Urban Environmental Company (DAKURENCO) is the IA for the landfill site and the Tran Quy Cap road sub-components. Both PMUs will manage the implementation of each of their sub-components.

175. The functions of the PMUs include: (i) monitoring and coordinating all Project activities in sub-project cities; (ii) supervising the consultants responsible for design, preparation of tender documents, construction supervision, and other activities; (iii) preparing bid plans, work plans, and annual budget plans; (iv) managing the prequalification of contractors, bid evaluations, bid awarding and contract signing; (v) site compensation and clearance; (vi) supervising work plans and ensuring quality control of work carried out by contractors and Implementation Support Consultant (ISC) (vii) supervising and monitoring project-related resettlement and environmental activities; and (viii) preparing periodic project progress and annual reports for submission to the PPC.

176. Related to resettlement, PMU will work closely with local administrative authorities, regarding resettlement planning and implementation. Together with the ISC, the PMU will provide technical plans, designs and project activities and schedule of the proposed project in order for all parties to identify and minimize the potential effects on land and people and to make sure that all RP activities are properly addressed and implemented prior to construction activities. The PMU will be responsible for the preparation of quarterly resettlement progress reports.

11.4 Centre for Land Fund Development of Buon Ma Thuot City

177. A new resettlement organization, the Center for Land Fund Development (CFLD), was established at the provincial and district level. Since 2010³, the CFLDs have been given more responsibilities. CLFD at the provincial level are under DONRE while at the district/City level they are under the District/City People's Committees.

178. In Buon Ma Thuot City, the Centre for Land Fund Development (CLFD) is established under the Buon Ma Thuot City People's Committee and has the mandate to implement all resettlement related activities.

3 Circular No 01/2010/TTLT-BTNMT-BNV-BTC Guiding the functions, tasks, powers, organizational structure and financial mechanism of land fund development organizations

179. For this project, the Buon Ma Thuot City CLFD has been assigned to work directly with PMUs to prepare and implement the resettlement plan with other relevant institutions. The CLFD will oversee the implementation of the DMS and establish a database of AHs, impacts on property and livelihoods, as well as compensation, assistance and allowances.

180. Specific to the Project, the CFLD will execute the following tasks:

- a) Issue Notice of Land Acquisition when the project will be formally approved;
- b) Inform AHs about Detailed Measurement Survey process;
- c) Conduct Detailed Measurement Survey;
- d) Prepare AHs database;
- e) Prepare compensation plans in line with resettlement plans;
- f) Prepare individual “AH Compensation Forms” which detail all types of losses with its corresponding established compensation rates. This will also include all types of relocation and rehabilitation assistance.
- g) Inform AHs regarding payment schedule at least two (2) weeks in advance.
- h) Present proposed compensation amounts to AHs and explain in detail the AH's rights and entitlements based on Project policies and explain how compensation amounts were calculated.
- i) If compensation payments are acceptable to AHs, process payment and inform AHs of exact date of release of payment.
- j) Effect compensation payment. Copies of compensation payment documents will be provided to AHs. Copies will also be provided to the Implementation and Support Consultants and external agency for monitoring and reporting.
- k) Review grievances in consultation with main stakeholders and HH who raised grievances. Submit recommendation to solve grievance to District and Province PC;
- l) Prepare and update regularly a database and lists of AHs, including information regarding disbursement dates for monitoring purposes.

11.5 Local Administrative Authorities (District, Commune)

181. The concerned local administrative authorities at district and commune level play an important role in the planning and implementation of resettlement-related activities. Their roles and responsibilities are to:

- ☐ Coordinate and work closely with the concerned stakeholders in relation to the conduct of consultation, census and DMS and other resettlement-related activities;
- ☐ Act as grievance officers and ensure that grievance are resolved;
- ☐ Assist AHs during the negotiation and compensation process;
- ☐ Involve the local-based organizations to carry out the RP activities;
- ☐ Certify the list of AHs and sign compensation documents; and
- ☐ Monitor and register new settlers in the area. The local authorities will be responsible for informing residents and new settlers not to construct houses/structures in the areas where there will be improvement/ construction.

11.6 Local Mass Organizations

182. Mass organizations relevant to the various AH profiles, needs and impacts will participate in the development and implementation of assistance measures for AHs. Mass organizations in Viet Nam are types of community based organizations. Such organizations would include the Fatherland Front, Women's Union, Farmer's Union and other relevant organizations.

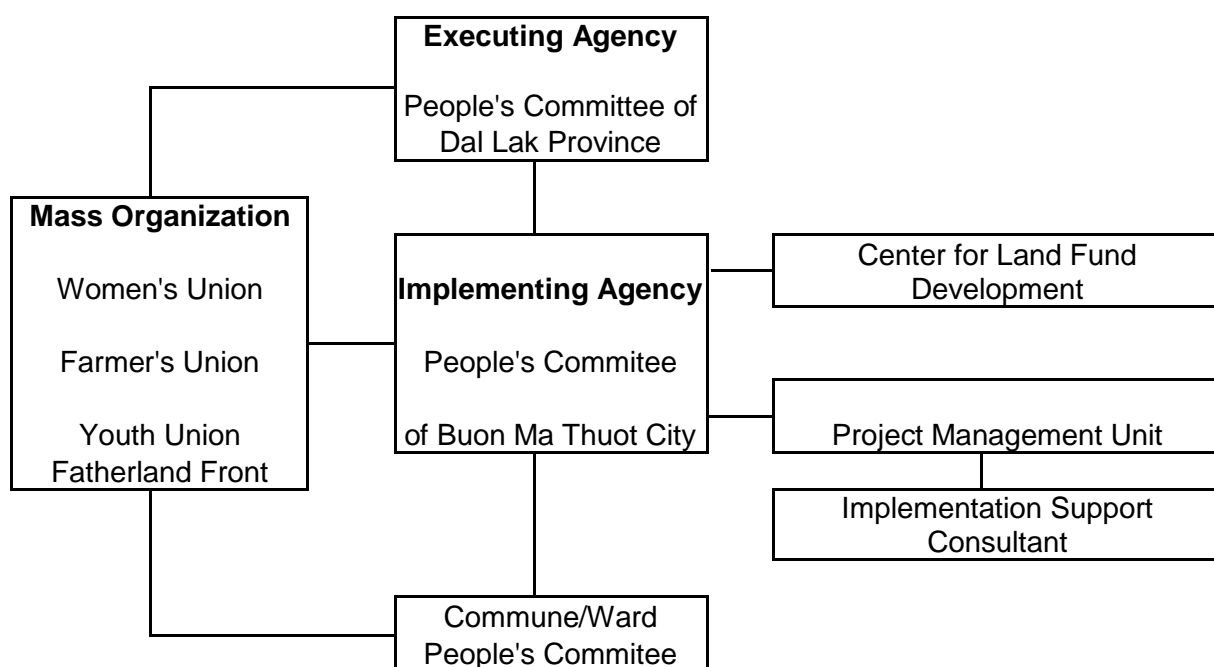
11.7 Implementation Support Consultants

183. The Implementation Support Consultant (ISC) will include one international resettlement specialist and two local resettlement specialists, to assist and supervise all social and resettlement- related activities. Their responsibilities include the following:

- a) Work closely with PMUs, Centre for Land Fund Development, local authorities at all levels on all resettlement-related activities;
- b) Assist in the conduct of the information campaigns, public consultation and community participation;
- c) Assist in the verification of census, inventory of losses and detailed measurement survey activities;
- d) Check the accuracy of the AH database prepared and provide improvements if necessary;
- e) Assist in the preparation of an updated RP;
- f) Assist and improve, if necessary, procedures for the coordination of resettlement and compensation activities;

- g) Ensure that grievances are addressed promptly and properly and that grievance redress mechanism is functioning well;
- h) Provide necessary training on grievance if needed;
- i) Establish and implement liaison mechanisms to ensure proper technical and logistical support to PMUs, local administrative authorities, resettlement committees and concerned government departments;
- j) Establish and implement procedures for ongoing internal monitoring;
- k) Design and deliver capacity development activities for all relevant agencies, as needed, in the areas of ADB resettlement policy; participation and communication; gender and development; and livelihood restoration.

184. Implementation arrangements are summarized in the diagram below.



12. IMPLEMENTATION SCHEDULE

12.1 Resettlement Activities

Establishment of Resettlement Plan Implementing Unit

185. The Centre for Land Fund Development/ Compensation and Site Clearance Committee of Buon Ma Thuot city⁴ are contracted to perform the compensation, assistance and resettlement of the project and responsible for land acquisition to hand over to the project in Buon Ma Thuot city.

Conduct of Detailed Measurement Survey

186. The conduct of the updated Census and Detailed Measurement Survey (DMS) will be undertaken, following final design, by the Buon Ma Thuot CLFD. The DMS data, together with the result of the replacement cost study as reviewed and approved by the EA, will be the basis of preparation of the updated Resettlement Plan. During the DMS, all AHs are involved in inventory of their losses and required to submit copies of LURCs or any legal papers to proof their ownership as legal basis for preparation of Compensation Plan. All DMS forms are reviewed and signed by AHs and hand over them a copy. AHs are informed of their right to note any objections to the DMS assessment on the form.

Public Consultation and Information Disclosure

187. The official list of AHs, type of affection, and corresponding payments due is disclosed to the affected people. Any disagreement on the DMS and Compensation Plan is not signed by the respective AHs until it is resolved either through direct discussion with relevant agency or following the grievance redress process. During the DMS, vulnerable persons were identified including those who fall below the national poverty level, female-headed households with large number of dependents, low-income households, elderly residing alone, disabled and landless households.

Conduct of Independent Appraisal of land price

188. DAKURENCO PMU in Buon Ma Thuot city with support from The Centre for Land Fund Development/ Compensation and Site Clearance Committee of Buon Ma Thuot city and project resettlement consultants evaluate the market price of land and affected assets to determine the replacement cost for land and affected assets. Results from this survey will serve as basis for preparation of compensation plan to submit to Buon Ma Thuot PPC for approval.

Preparing a detail plan for compensation, assistance and resettlement

189. The Centre for Land Fund Development/ Compensation and Site Clearance Committee of Buon Ma Thuot city will be responsible for preparing a detail compensation plan for each

⁴the Center for Land Fund Development of Buon Ma Thuot city participates all of components.

affected household based on results of DMS and RCS and entitlements matrix. The compensation plan is also included specific schedule of payment release, relocation and site clearance.

Updating Resettlement Plan

190. After completion of DMS, consultation with APs and RCS, DAKURENCO PMU with support of resettlement consultants, updates the Resettlement Plan in compliance with ADB SPS 2009. The updated RP will be approved by ADB, concurred by the PPC and uploaded on the ADB website. Bid award can only commence once the updated RP has been reviewed and approved by ADB.

Payment Releasing

191. The compensation and allowance payment will be released to AHs before commencing civil works construction under supervision of representatives from the district/commune authorities and AHs.

Internal and external independent monitoring:

192. Monitoring should begin as early as possible and continue throughout the construction of the project. DAKURENCO PMU will conduct regularly internal monitoring and external monitoring consultant will provide periodical independent monitoring in semi-annual basis and report to ADB. The PMU is responsible for implementation of a corrective action plan proposed by the external monitoring consultant for gaps between actual implementation and the updated RP.

12.2 Indicative Implementation Schedule

193. The uRP is prepared following detailed project design. All resettlement activities will be coordinated with the civil works schedule. Land acquisition and relocation of affected households cannot commence until the updated RP has been reviewed and approved by ADB.

194. It is not allowed to perform construction activities in affected sites until all compensation and allowances have been satisfactorily completed and confirmed by reports of the Independent Monitoring Consultant (IMC). It is estimated that all resettlement activities for compensation and relocation of households will be completed in the first two years of project implementation as detailed in Table 22 below.

Table 26: Implementation Schedule

Activities	Starting Date	Completion Date
Implementation of resettlement and land acquisition		
Hire individual consultants (Resettlement)	Q1/2015	Q3/2017
Detailed Design	Q4/2013	Q4 2014
Conduct the DMS based on the Detailed design	Q2/2015	Q2/2015
Update Resettlement Plan	Q2/2015	Q2/2015
Consult AHs on the project impacts, their entitlements and livelihood restoration measures	Q1/2015	Q2/2015
Submit the updated Resettlement Plan to ADB for review and approval	Q3/2015	Q3/2015
Disclose the approved updated Resettlement Plan to the AHs and publish on the ADB website	Q3/2015	Q3/2015
Disburse compensation budget and pay AHs	Q3/2015	Q4/2015
Monitoring and Implementation of livelihood restoration program		
Implement Income restoration measures/programs	Q2/2015	2017
Conduct internal and independent monitoring	Quarterly (expectedly, external monitoring by Q3/2015, Q4/2015 and ex-post evaluation by Q3/2017)	Quarterly (expectedly, external monitoring by Q2/2015, Q4/2015 and ex-post evaluation by Q3/2017)
Site clearance and construction	Q1/2016	2018

Source: DAKURENCOPMU, May 2015

13. MONITORING AND REPORTING

13.1 Objectives

195. The objectives of the monitoring program are (i) to ensure that the standard of living of AHs are restored or improved; (ii) to monitor whether the overall project and resettlement objectives are being met; (iii) to assess if rehabilitation measures and compensation are sufficient; (iv) to identify problems and risks; and (v) to follow up measures to resolve problems and risks

13.2 Internal Monitoring

196. DAKURENCO PMU directly responsible for internal monitoring of uRP implementation. In particular, DAKURENCO PMU with assistance from the Project Implementation and Support Consultants will supervise and manage monitoring of resettlement activities and implementation arrangements.

197. DAKURENCO will provide quarterly reports to ADB. DAKURENCO will ensure that the reports of the Project Implementation and Support Consultants include in their progress reports, the status of the resettlement plan implementation, information on location and numbers of people affected, compensation amounts paid by item, and assistance provided to AHs.

198. The range of activities and issues that need to be recorded and verified, include:

- ✓ Compensation, allowance payments and delivery of assistance measures;
- ✓ Re-establishment of AH settlements and business enterprises;
- ✓ Reaction of AHs, in particular, to resettlement and compensation component; and
- ✓ Re-establishment/improvement of income levels.

199. The principal indicators for internal monitoring of resettlement activities include the following:

- ✓ Timely and complete disbursement of compensation to AHs according to the compensation policy agreed in the RP;
- ✓ Timely and complete delivery of relocation, income restoration and rehabilitation allowances and measures;
- ✓ Allocation of replacement land and development of individual and/or group resettlement sites and infrastructure;
- ✓ Public information dissemination and consultation procedures;
- ✓ Adherence to grievance procedures and identification of outstanding issues that require further attention and resolution;
- ✓ Adequacy of Resettlement Sites;
- ✓ Attention given to the priorities of AHs regarding the options offered;
- ✓ Completion of resettlement activities required before the award of civil works contracts.
- ✓ Participation of poor and vulnerable HH throughout the process;
- ✓ Restoration and improvement of socioeconomic conditions of AHs;

200. On a quarterly basis, DAKURENCO will prepare a resettlement monitoring report for their own sub-component. The report will be submitted to PCC and ADB. The scope of the report will include:

- ✓ The number of AHs by category of impact, district, commune and village, and the status of compensation payments, AH relocation and income restoration measures for each category; (ii) The status of disbursement of cash and allocation of replacement land and housing.
- ✓ The amount of funds allocated and disbursed for a) resettlement program operations and b) compensation, assistance and resettlement activities.
- ✓ The activities, levels of participation, outcomes and issues of the Information Dissemination and Consultation Program.
- ✓ The status and outcomes of complaints and grievances and any outstanding issues requiring further attention by provincial or district authorities, or ADB assistance.
- ✓ Implementation problems, including delays, lack of personnel or capacity, insufficient funds, etc.; proposed remedial measures; and, revised resettlement implementation schedule.

13.3 External Monitoring and Evaluation

201. PMUs will hire independent External Monitor (EM) to monitor the implementation of RP. The EM should be mobilized soon before the implementation of DMS. The main objectives of external resettlement monitoring are:

- ✓ To verify the results of internal monitoring reports prepared by PMUs and Center for Land Fund Development (CLFD) of Buon Ma Thuot City;
- ✓ To examine whether provision of compensation and other agreed forms of assistance complies with the approved RPs;
- ✓ To assess whether supplemental assistance measures have been provided in accordance with the IRPs, and the extent to which they have been effective in restoring incomes and living standards for severely affected households;
- ✓ To assess the effectiveness, impact and sustainable level of resettlement management agencies and procedures;
- ✓ To propose necessary adjustments in the implementation of RPs and IRPs to improve implementation effectiveness.

202. Strategic lessons for future policy formulation and planning will also be drawn from the monitoring and evaluation of resettlement. This is possible through a Post-Resettlement Implementation Evaluation Study that will be carried out carry out 6-12 months following completion of all resettlement activities.

203. The external monitor will cover specific issues such as, but not limited to, the following:

- ✓ Public consultation and disclosure activities;
- ✓ Awareness of affected people on resettlement rights and entitlements; grievance redress, resettlement process, and project schedule;
- ✓ Establishment of market rates for land and non-land assets;
- ✓ Documentation of impacts and payments (DMS, compensation documents,) as per agreed RP;
- ✓ Coordination of resettlement activities with construction schedule;
- ✓ Land recovery and transfer procedures;
- ✓ Relocation of households, public assets, and sacred structures
- ✓ Quality of preparation and adequacy of planned relocation sites
- ✓ Level of satisfaction of AHs with the provisions and implementation of the RPs;
- ✓ Effectiveness and efficiency of grievance redress mechanism (documentation, process, resolution);
- ✓ Effectiveness, impact and sustainability of entitlements and rehabilitation measures/income restoration programs, and the need for further improvement, as required;
- ✓ Gender impacts and strategy;
- ✓ Capacity of AHs to restore/re-establish livelihoods and living standards, especially the severely affected, poor and vulnerable households. Monitor and assess the assistance and support provided or to be provided to these households;
- ✓ Unanticipated impacts, or any resettlement impacts caused during construction activities;
- ✓ Participation of AHs in RP planning, updating and implementation;
- ✓ Institutional capacity, internal monitoring and reporting;
- ✓ Channeling of government funds for payment of land, non-land assets and allowances to the affected households (if done transparently, efficiently, and effectively);
- ✓ Integration with host communities;
- ✓ Restoration/improvement of affected public, communal, and community assets.

204. Monitoring of RP implementation will be based on desk review and field visits, meetings with various ministries and local officials, and affected households. Review baseline data that was collected under the socio-economic survey during RP preparation and updating to assess changes in: household income and expenditures, expenditure composition patterns, primary and secondary occupations, borrowing amounts and debts patterns, materials conditions and possessions of consumer items, land area and tenure arrangements, school attendance of children, health, and distances to public services and infrastructure. Additional survey may be carried out as necessary. Separate meetings will be held with women and vulnerable households. Monitoring indicators and findings will be disaggregated by gender.

205. The External Monitor (EM) will be recruited before DMS. Monitoring and evaluation period is expected to be from second quarter 2014 to 4th quarter 2017.

206. Monitoring reports will also include a summary of outstanding issues and how these issues were addressed, and if there are still outstanding issues that require further action, including a number of case studies that require follow-up monitoring. If the findings indicate that RP objectives have not been achieved, the external monitor will propose appropriate alternative actions or approaches. The reports will also describe any good practice and lessons learned that may be useful for future activities.

207. The EM will submit semiannual monitoring report to ADB and PMUs within two weeks after completion of the monitoring activity. The type of reports to be submitted to PMUs and ADB are: (i) Inception Report; (ii) Semi-annual Monitoring Reports; and (iii) Post-evaluation Report. to manage the Project. The Project includes 3 components.

APPENDIX

Appendix 1: Public Information Booklet

The Dak Lak Province People's Committee, with the assistance from the Asian Development Bank (ADB), is addressing the needs for the urban development of Buon Ma Thuot City. A Project Management Unit (PMU) has been established at the City level Enlargement & improvement of Tran Quy Cap Road and Mai ThiLuu roads.

Why is this Project necessary to implement?

A new landfill is required to replace the existing 60ha unsustainable dump site in Cu E Bur Commune 8km north of the city centre. The new landfill site will be developed with new technology to reduce environmental impacts. The Cu E Bur dump site will be closed and restored.

The roads improvement will provide significantly better access in the city and will reduce traffic congestion.

Scope of impact

For Component 1, a total of around 150 HH (9 relocated HH) will be affected. For Component 2, a total of around 200 HH (13 relocated HH) will be affected. For Component 3, a total of around 160 HH (12 relocated HH) will be affected. Surveys are ongoing to identify the exact number of affected HH.

Who are the affected households (AHs)?

Entitled AHs are those persons who are located within the affected area at the date

e) Payment of compensation for affected assets and relocation of AHs to new sites will be completed prior to commencement of any construction activities.

f) Specific assistance will be provided for ethnic minorities, female headed-households, families with disabled, and other vulnerable families.

When the Detailed Measurement Survey (DMS) will take place?

This activity will be carried out after the detailed design of the 3 components (end of 2013) has been completed. The DMS will identify all affected assets (land, structure, trees, crops etc.) of each HH. The DMS team will be composed of project representatives (PMU staff), the Resettlement Committees, commune staff. The DMS will only be carried out in the presence of the AHs. AHs will be informed prior to the survey.

When the Project is expected to commence?

The detailed design will take place by the end of 2013. Land acquisition and resettlement will take place by mid-2014 and the civil works for all components are expected to start by mid-2015 and be completed in 2018.

When other consultation will take place?

Consultation with AHs will continue during the detailed design phase and before the

the project will be publicly announced. The cut-off-date for eligibility is the date of the notification for land acquisition (end of 2013). Persons who encroach into the area after the cut-off-date will not be entitled to compensation or any other form of resettlement assistance.

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

The basic resettlement principles of the Project are:

- a) All APs are entitled to be compensated for their lost assets, incomes and businesses at replacement cost, and provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, incomes and productive capacity.
- b) Lack of legal rights to the assets lost will not prevent APs from entitlement to compensation.
- c) Compensation for affected assets shall be provided at market rates.
- d) Preparation of resettlement plans and their implementation is to be carried out with participation and consultation of affected people.

DMS. AHs will receive a written invitation to join the public meetings.

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

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

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

Anybody who has questions or concerns about the Project, can contact the following persons:

Mr. Truong Cong Thai - Director of Dak Lak Urban Management and Environment Company, 01 Dao DuyTu, Buon Ma Thuot City, Tel: 0903.587.552

Mr. Vo Ky - Director of Buon Ma Thuot PMU, No. 1, Ly Nam De, Buon Ma Thuot City, Tel: 0914.041.104

Appendix 2: Attendance Sheets for Public Meetings

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

Hòa Bình, ngày 15 tháng 1 năm 2015

DỰ ÁN PHÁT TRIỂN CÁC THÀNH PHỐ LOẠI II

- THÀNH PHỐ BUỒN MA THUỘT

BIÊN BẢN HỢP THAM VẤN CỘNG ĐỒNG

Về các chính sách: Tái định cư và Dân tộc thiểu số

Tên tiểu dự án: Quy hoạch phát triển khu vực xây dựng khu dân cư
Xã: Hòa Bình (huyện: Buôn Ma Thuột, tỉnh Đắk Lắk)

I. Thành phần tham dự:

- | | |
|--|--|
| - Ông/Bà: <u>Trần Văn</u> | Chức vụ: <u>Chủ tịch UBND xã</u> |
| - Ông/Bà: <u>Lê Văn Lương</u> | Chức vụ: <u>Đại diện Ban Quản lý dự án</u> |
| - Ông/Bà: <u>Lê Đức Hải</u> | Chức vụ: <u>Giám đốc ITI & KĐT Khu phố</u> |
| - Ông/Bà: <u>Đoàn Kiều Loan</u> | Chức vụ: <u>Nhà tài trợ</u> |
| - Ông/Bà: | Chức vụ: |
| - Ông/Bà: | Chức vụ: |
| - Ông/Bà: | Chức vụ: |
| Đại diện những người bị ảnh hưởng: <u>57</u> người (chi tiết xem danh sách đính kèm) | |

II. Nội dung tham vấn

1. Cán bộ Ban QLDA tỉnh giới thiệu về địa điểm, quy mô, các thông số kỹ thuật cơ bản và những tác động tiểu dự án được xây dựng tại địa phương mang lại.

2. Chuyên gia tư vấn trình bày về Khung chính sách của dự án về những vấn đề về phong tục, tập quán của cộng đồng dân tộc thiểu số, kế hoạch phát triển người dân tộc thiểu số; những tác động khi thu hồi đất và các tài sản trên đất. Đồng thời, chuyên gia cung cấp thông tin liên quan đến các chính sách của Chính phủ Việt Nam, nhà tài trợ ADB và Dự án đối với những nhóm đối tượng dễ bị tổn thương, phụ nữ và các nhóm dân tộc thiểu số trong quá trình thực hiện Tiểu dự án và trong vấn đề bồi thường thiệt hại khi Nhà nước thu hồi đất đai và các tài sản trên đất.

III. Ý kiến thảo luận

III.1. Các vấn đề về dân tộc thiểu số

Thưa các quý khách, hôm nay chúng tôi họp tham vấn
để giải quyết các vấn đề liên quan đến dân tộc thiểu số.



trong đó có 15 hộ bị ảnh hưởng nặng. Họ đều có hộ đói, địa điểm ở đây là thôn Hòa Đức xã Sơn, nhưng gần cầu Đền Đám bao quanh là đất, từ khu Nhà nước thu hồi đất, từ các công nhân địa phương.

III. 2. Các vấn đề về đền bù, giải phóng mặt bằng: thu hồi đất và các tài sản trên đất, đền bù, giải phóng mặt bằng, hỗ trợ cho các hộ bị ảnh hưởng...

Sau khi nghe từ vấn đề đền bù và thu hồi đất, từ thu hồi đất và kết quả khảo sát, tất cả các hộ dân đều đồng ý với mức giá 36.000 đ/m² kết quả này, họ đã tiếp tục tham gia khảo sát cũng các bên liên quan.

Khi được tham vấn về giá đất, tất cả các hộ dân tham gia đều đồng ý với mức giá 36.000 đ/m² ở thôn họ, đây là mức giá chấp nhận được với dân bản địa, tuy nhiên không quá tốt và với mức giá này, họ có thể mua được đất canh tác trên địa bàn lân cận (cộng là vấn đề phát triển về vấn đề này).

Ông Y-Ben Mè hỏi về chính sách đền bù bị mất đất nông nghiệp trong chi phí. Trả lời: với mức giá 36.000 đ/m² mà các hộ dân đã thấy chấp nhận, các hộ dân sẽ được đền bù bằng tiền mặt theo diện tích mất đất của mình. Ngoài ra, sẽ được hỗ trợ bằng tiền mặt bằng diện tích 2 lần mức đền bù theo quy định của UBND tỉnh quy định. Ngoài ra, dân thôn Hòa Đức cũng được cộng từ 10% tổng diện tích đất nông nghiệp từ tiền thuế được tham gia vào các chứng từ được hỗ trợ cấp.

- Ông TENG ban hồ sơ vào đi gia đình ông mất 99% dân số tốt, dân số còn lại quá nhỏ, không đủ để con cái, vậy để ông đi làm thuê cho tốt. Tài sản: nhà đất, đất còn lại không đủ để hoạt động sản xuất, chỉ có sau khi bán trả thuế để có thu hồi một để đảm bảo quyền lợi cho bà con.
- Các hộ dân nhất trí và quyết xuất và xây cơ, nhà mới... như được tham vấn.

IV. Kết luận

- Tài sản các hộ dân tham gia báo thảo luận đã nhất trí và kết quả kiểm tra, và quá trình xây dựng và mang muốn sớm như được đi đầu tư để an định đời sống.

Cuộc họp các bên thống nhất và kết thúc vào lúc 11h ngày 15 tháng 5 năm 2015

Đại diện cộng đồng

nguy ết

Gõ chữ tìm nguy ết

Đại diện UBND xã



PHÓ CHỦ TỊCH
Tư Tho

Đại diện Ban QLDA

leu

Lê Văn Lương

Đại diện tư vấn

Đinh

Đinh Kiên Danh

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM

Độc lập – Tự do – Hạnh phúc

Hòa Sơn, ngày 12 tháng 5 năm 2015

DỰ ÁN PHÁT TRIỂN CÁC THÀNH PHỐ LOẠI II

- THÀNH PHỐ BUỒN MA THUỘT

DANH SÁCH THAM DỰ THAM VẤN CỘNG ĐỒNG

(Tham vấn cộng đồng về các chính sách: Tái định cư và Dân tộc thiểu số)

Tên tiểu dự án: Quản lý môi trường - quản lý chất thải rắn và xây dựng
Xã: Hòa Sơn (huyện TP. Buôn Ma Thuột, tỉnh Đắk Lắk) chọn lập

STT	Họ và tên	Giới tính	Dân tộc	Địa chỉ	Ký tên
1	Y Tón H Dén	Nam	Ê Đê	Buôn Rê	20/11
2	Y Dén H Hók	Nam	Ê Đê	Buôn Rê	11/11
3	NGUYỄN VĂN KHOAN	Nam	Kinh	Thôn 7	1 Chơơ
4	Nguyễn Văn Sơn	Nam	Kinh	Thôn 6	1/11
5	Trần Văn Hậu	Nam	Kinh	Thôn 11	1/11
6	Hà Văn Cảnh	Nam	Kinh	Thôn 11	1/11
7	Hồng Văn Việt Nam	Nam	Kinh	Thôn 7	1/11
8	Nguyễn Văn Ngọc	Nam	Kinh	Thôn 2	1/11
9	Nguyễn Văn Ngọc	Nam	Kinh	Thôn 11	1/11
10	Nguyễn Văn Ngọc	Nam	Kinh	Thôn 11	1/11
11	Y Sơn Văn	Nữ	Ê Đê	Buôn Rê	11/11
12	Nguyễn Văn Sơn	Nam	Kinh	Hòa Phú	Thôn
13	Hồng Văn Việt Nam	Nam	Kinh	Hòa Phú	Thôn
14	Y Sơn Văn	Nam	Ê Đê	Buôn Rê	1/11
15	Y Sơn Văn	Nam	Ê Đê	Buôn Rê	1/11
16	Y Sơn Văn	Nam	Ê Đê	Buôn Rê	1/11
17	Y Sơn Văn	Nam	Ê Đê	Buôn Rê	1/11
18	Y Sơn Văn	Nam	Ê Đê	Buôn Rê	1/11



STT	Họ và tên	Giới tính	Dân tộc	Địa chỉ	Ký tên
19	Châu Văn Thanh	Nữ	Kinh	Thôn 1	Thanh
20	Nguyễn Văn Bế	Nam	Kinh	Thôn 2	Bế
21	Đào Văn Tiến	Nam	Kinh	Thôn 14	Tiến
22	Trần Văn Tiến	Nam	Kinh	Thôn 14	Tiến
23	Nguyễn Văn Sơn	Nam	Kinh	Thôn 14	Sơn
24	Trần Văn Tiến	Nam	Kinh	Thôn 14	Tiến
25	Nguyễn Văn Tiến	Nam	Kinh	Thôn 7	Tiến
26	Nguyễn Văn Tiến	Nam	Kinh	Thôn 14	Tiến
27	Trần Văn Tiến	Nam	Kinh	Thôn 4 xã Hòa Phú	Tiến
28	Võ Văn Tiến	Nam	Kinh	Thôn 7 xã Hòa Phú	Tiến
29	Nguyễn Thị Mỹ Nga	Nữ	Kinh	Thôn 6 xã Hòa Phú	Nga
30	Phạm Văn Tiến	Nam	Kinh	Thôn 14	Tiến
31	Trần Văn Tiến	Nam	Kinh	Thôn 14	Tiến
32	Trần Văn Tiến	Nam	Kinh	Thôn 14	Tiến
33	Võ Văn Tiến	Nam	Kinh	Thôn 7	Tiến
34	Trần Văn Tiến	Nam	Kinh	Thôn 14	Tiến
35	Nguyễn Văn Tiến	Nam	Kinh	Thôn 6 xã Hòa Phú	Tiến
36	Trần Văn Tiến	Nam	Kinh	Thôn 14	Tiến
37	Nguyễn Văn Tiến	Nam	Kinh	Thôn 14	Tiến
38	Trần Văn Tiến	Nam	Kinh	Thôn 14	Tiến
39	Trần Văn Tiến	Nam	Kinh	Thôn 14	Tiến
40	Trần Văn Tiến	Nam	Kinh	Thôn 14	Tiến
41	Trần Văn Tiến	Nam	Kinh	Thôn 14	Tiến
42	Trần Văn Tiến	Nam	Kinh	Thôn 14	Tiến
43	Trần Văn Tiến	Nam	Kinh	Thôn 14	Tiến
44	Trần Văn Tiến	Nam	Kinh	Thôn 14	Tiến



STT	Họ và tên	Giới tính	Dân tộc	Địa chỉ	Ký tên
45	Y JIR	nam	340	Buôn Mbué	Y Jip
46	LE VĂN HUY	nam	kh	Hoa ph	CHUY
47	HREL	nam	kh	Hoa ph	hrel
48	LE VĂN CÚC	nam	kh	Hoa ph	Cúc
49	ĐÔNG THẠO TUYÊN	nam	kh	Thôn 7	Tuyen
50	V. TUEL BERING			Buôn Mbué	V. TUEL
51	H.ER BUDR	Buôn Mbué			H.ER
52	TRẦN THÂN TẠNG	nam	kh	T2 - Hoa ph	TANG
53	NGUYỄN TÂN	nam	kh	T1 - Hoa ph	Tân
54	NGUYỄN THỊ TUYÊN	nam	kh	T1 - Hoa ph	Tuyen
55	TRẦN ĐỨC	nam	kh	T4 - Hoa ph	Đức
56	NGUYỄN VĂN LÊ	nam	kh	T2 - Hoa ph	Lê
57	NGUYỄN THỊ HỒNG NGUYỄN				nguyễn

Đại diện cộng đồng

NGUYỄN THỊ HỒNG NGUYỄN

Đại diện UBND xã



PHÓ CHỦ TỊCH
TỪ THO

Đại diện Ban QLDA

LE VĂN LƯƠNG

Đại diện tư vấn

NGUYỄN VĂN LƯƠNG

Appendix 3. Cost for Income Restoration Program

		Unit	Qty	Unit cost	Month	Total Costs
1	Agriculture Component					VND
1.1	Training course	Trainee	56	1 000 000		56 000 000
1.2	Inputs	HH	56	20 000 000		1 120 000 000
1.3	Support from Agriculture Extension Center	Staff	1	7 600 000	6	45 600 000
1.4	Support from Farmer's Union	Staff	1	7 600 000	6	45 600 000
1.6	Total IRP					1,267,200,000

Appendix 4. AH characteristics based on DMS data

No.	Name	Family member	Ethnic	Rate of losing agriculture land (%)	Household type			
					Women headed	Poor	Social Policy	Severely affected
1	Trương Văn Hùng	6	Kinh	B65				x
2	Ngô Thị Ngọc Lan	7	Kinh	1				
3	Y.Lun- Byă	5	Ê đê	59				x
4	Y B Loan - Niê	7	Ê đê	40				x
5	Y Bên Niê	5	Ê đê	59				x
6	Y Juel Bkrông	5	Ê đê	67				x
7	Y Jir Altô	5	Ê đê	83				x
8	Hoàng Văn Cảnh	4	Kinh	4				
9	Phạm Xuân Hải	4	Kinh	7				
10	Trần Thị Thu Thủy	4	Kinh	98				x
11	Chu Văn Mộc	5	Kinh	1				
12	Nguyễn Lê Cường	13	Kinh	82				x
13	Y Tồnh Hđơk	11	Ê đê	34				x
14	H'er Kbuôr	7	Ê đê	25	x			x
15	Võ Trung Trước	8	Kinh	96				x
16	Bùi Thân Tuy	7	Kinh	51				x
17	Y Siăng Bkrông	7	Ê đê	55				x
18	Huỳnh Thiên Thạch	4	Kinh	31				x
19	Trần Nghĩa	8	Kinh	84				x
20	Trần Quang Việt	3	Kinh	69				x
21	Đặng Minh Hùng	5	Kinh	44				x
22	Nguyễn Thị Tân	9	Kinh	87				x
23	Võ Xuân Thanh	6	Kinh	94				x
24	Đặng Thái Truyền	8	Kinh	94				x
25	Trần Duy Đức	7	Kinh	63				x
26	Y Em Niê	4	Ê đê	45				x
27	Yeng Êban	9	Ê đê	99.6				x
28	Y găm Adrông	8	Ê đê	9				
29	Phùng Văn Kiếm	11	Kinh	6				
30	Lê Văn Hoàng	4	Kinh	24				x
31	Đoàn Chính	5	Thái	4				
32	Huỳnh Thị Tuyết Thu	10	Thái	100				x
33	Phạm Thị Kim Hà	5	Kinh	19				x
34	Phạm Văn Thương	6	Kinh	1				
35	Hoàng Anh Việt	8	Kinh	7				
36	Nguyễn Thị Mỹ Nga	7	Kinh	37				x
37	Lê Nguyên Minh	6	Kinh	8				
38	Y Drun.HĐơk	7	Ê đê	1				
39	Y Thương Niê	4	Ê đê	64				x

40	Nguyễn Văn Khoan	4	Kinh	47				X
41	Lê Văn Thủy	4	Kinh	12				X
42	H'rel	4	Giarai	33				X
43	Phan Văn Thanh	4	Kinh	17				X
44	Bùi Thanh Nhật	4	Kinh	97				X
45	Trần Thị Minh Luông	4	Kinh	100				X
46	Nguyễn Văn Ngọt	5	Kinh	45				X
47	Nguyễn Văn Thành	5	Kinh	65				X
48	Nguyễn Hữu Lộc	11	Kinh	28				X
49	Nguyễn Tiến Quý	5	Kinh	81				X
50	Chu Thị Vinh	8	Kinh	13	X			X
51	Nguyễn Anh Tuyên	3	Kinh	100				X
52	Nguyễn Văn Hiếu	3	Kinh	9.7				
53	Trần Văn Viện	6	Kinh	60				X
54	Trần Xuân Hậu	5	Kinh	99				X
55	Huỳnh Văn Bé	7	Kinh	30.1				X
56	Nguyễn Thị Như Mai	2	Kinh	24				X
57	Nguyễn Thanh Minh	4	Kinh	100				X
58	Trần Đức	4	Kinh	99				X
59	H'Nuât Đok	3	Ê đê	100	X			X
60	Phạm Ngọc Nhân	8	Kinh	29				X
61	Lê Văn Đào	6	Kinh	100				X
62	Nguyễn Văn Hay	7	Kinh	94				X
63	Lê Thị Thơ	9	Kinh	100				X
64	Huỳnh Văn Huê	4	Kinh	73				X
65	Lê Văn Cúc	9	Kinh	100				X
66	Vàng Thanh Hằng	4	Nùng	45				X
67	Lưu Thiện Vụ	7	Kinh	8				
68	Nguyễn Thành Nguyễn	5	Kinh	35				X
69	Lê Văn Ước	11	Kinh	24				X
70	Nguyễn Thị Lan	6	Kinh	3				

