

**THE SOCIALIST REPUBLIC OF VIETNAM  
KHANH HOA PROVINCIAL PEOPLE'S COMMITTEE**

**THE COASTAL CITIES SUSTAINABLE ENVIRONMENT PROJECT  
NHA TRANG CITY SUB-PROJECT**

**RESETTLEMENT PLAN  
(Updated )**

**KHANH HOA , NOV, 2023**

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NHA TRANG CITY SUB-PROJECT**

**RESETTLEMENT PLAN  
(Updated)**

**PROJECT OWNER  
KHANH HOA DEVELOPMENT PROJECT  
MANAGEMENT UNIT**

**KHANH HOA , NOV 2023**

## TABLE OF CONTENTS

	1	
APPENDICES	ERROR! BOOKMARK NOT DEFINED.	
ABBREVIATIONS		5
GLOSSORY	6	
EXECUTIVE SUMMARY		8
1.1.	<b>OVERALL PROJECT BACKGROUND</b>	13
1.2.	<b>PROJECT OBJECTIVES</b>	14
1.2.1.	<i>GENERAL OBJECTIVES</i>	14
1.2.2.	<i>SPECIFIC OBJECTIVES</i>	14
1.3.	<b>SUB-PROJECT COMPONENTS</b>	14
2.	<b>LAND ACQUISITION IMPACTS</b>	24
2.1.	<b>THE SUB-PROJECT'S IMPACTS</b>	24
2.1.1.	<b>IMPACT ON HOUSEHOLDS</b>	24
2.1.2.	PERMANENT LAND ACQUISITION	24
2.1.3.	SHORT-TERM IMPACT DURING CONSTRUCTION PERIOD	25
2.2.	<b>MITIGATION MEASURES OF RESETTLEMENT IMPACTS</b>	25
3.	<b>OBJECTIVES OF THE UPDATED RESETTLEMENT PLAN</b>	26
4.	<b>SOCIO - ECONOMIC CONDITION OF AFFECTED HOUSEHOLDS</b>	27
	SITUATION OF LAND USE	27
5.	<b>LEGAL FRAMEWORK</b>	27
5.1.	LEGAL FRAMEWORK OF THE VIETNAM GOVERNMENT	27
5.2.	WORLD BANK'S INVOLUNTARY RESETTLEMENT POLICY	29
5.3.	SOME KEY GAPS BETWEEN VIETNAM AND WB APPROACHES IN COMPENSATION, SUPPORT AND RESETTLEMENT AND RECOMMENDED MEASURES FOR FILLING THE GAPS FOR THE SUBPROJECT	30
6.	<b>LIGIBILITY CRITERIA AND ENTITLEMENTS</b>	35
6.1.	PROJECT AFFECTED PERSONS	35
6.2.	IDENTIFICATON OF VULNERABLE GROUPS OR HOUSEHOLDS	35
6.3.	ELIGIBILITY	36
6.4.	ENTITLEMENTS	36
6.5.	NEW HOUSEHOLDS AFTER THE CUT-OFF-DATE	36
7.	<b>VALUATION AND COMPENSATION FOR LOSSES</b>	37
8.	<b>PRINCIPLES AND POLICIES COMPENSATION, SUPPORT AND RESETTLEMENT</b>	37
8.1.	GENERAL PRINCIPLES	37
8.2.	COMPENSATION POLICY FOR PERMANENT IMPACT	39
8.2.1.	FOR LOSS OF AGRICULTURAL LAND	39
8.2.2.	COMPENSATION FOR NON-AGRICULTURAL LAND	40
8.2.3.	FOR LOSS OF RESIDENTIAL LAND	40
8.2.4.	FOR LOSS OF HOUSE/ STRUCTURES	42
8.2.5.	FOR LOSS OF CROPS, TREES AND LIVESTOCK	43
8.2.6.	COMPENSATION FOR LOSS OF OTHER ASSETS	43
8.2.7.	FOR LOSS OF PUBLIC STRUCTURES	43
8.3.	COMPENSATION POLICIES FOR TEMPORARY IMPACT DURING CONSTRUCTION	43
8.4.	COMPENSATION FOR IMPACTS OF ASSOCIATED PROJECT	44

8.5.	OTHER POSSIBLE IMPACTS DURING IMPLEMENTATION	44
8.6.	ALLOWANCES/ ASSISTANCES FOR LIVELIHOOD RECOVERY	44
8.6.1.	FOR IMPACTS ON RESIDENTIAL LAND	44
8.6.2.	FOR IMPACTS ON AGRICULTURAL LAND	45
8.6.3.	FOR LOSS OF INCOME AND BUSINESS	45
8.6.4.	FOR LOSS OF PUBLIC LAND OF COMMUNES, WARDS OR TOWNSHIPS	46
8.6.5.	ALLOWANCES/ASSISTANCE TARGETED TO VULNERABLE HOUSEHOLDS	46
8.6.6.	OTHER ALLOWANCES/ASSISTANCE	46
8.7.	RESETTLEMENT AND INCOME RESTORATION STRATEGY	47
8.8.	VULNERABLE GROUPS AND GENDER ISSUES	48
<b>9.</b>	<b>SELECTION AND PREPARATION OF RESETTLEMENT SITE</b>	<b>48</b>
9.1.	DEMANDS FOR RESETTLEMENT	48
9.2.	CONSTRUCTION OF RESETTLEMENT SITES	49
9.3.	RELOCATION ARRANGEMENT	49
<b>10.</b>	<b>LIVELIHOOD RESTORATION MEASURES</b>	<b>50</b>
	IMPLEMENTATION OF LIVELIHOOD RESTORATION PROGRAM	50
<b>11.</b>	<b>ROLE, RESPONSIBILITIES OF RELATED ORGANIZATIONS FOR IMPLEMENTATION OF THE URAP</b>	<b>51</b>
11.1.	PROVINCIAL LEVEL	52
11.2.	PROJECT MANAGEMENT UNIT	52
11.3.	CITY/ DISTRICT LEVEL AUTHORITIES	54
11.4.	WARD/ COMMUNE LEVEL AUTHORITIES	54
11.5.	PROJECT DISPLACED PERSONS (DPS)	55
<b>12.</b>	<b>COST ESTIMATION</b>	<b>55</b>
<b>13.</b>	<b>PUBLIC CONSULTATION AND INFORMATION DISSEMINATION</b>	<b>56</b>
13.1.	OBJECTIVES OF PUBLIC CONSULTATION AND INFORMATION DISSEMINATION	56
A.	COMMUNITY CONSULTATION DURING PROJECT'S PREPARATION STAGE	57
B.	CONSULTATION DURING PROJECT IMPLEMENTATION STAGE	57
D.	INFORMATION DISCLOSURE	61
<b>14.</b>	<b>GRIEVANCE MECHANISM</b>	<b>61</b>
<b>15.</b>	<b>IMPLEMENTATION PLAN</b>	<b>63</b>
<b>16.</b>	<b>MONITORING AND EVALUATION</b>	<b>63</b>
16.1.	MONITORING	63
16.2.	INTERNAL MONITORING	64
B.	INDEPENDENT MONITORING	65
C.	METHODOLOGY FOR INDEPENDENT MONITORING	66
	<b>APPENDIX 1- ENTITLEMENT MATRIX</b>	<b>68</b>
	<b>APPENDIX 2 – INDICATORS OF MONITORING AND EVALUATION</b>	<b>95</b>

## **ABBREVIATIONS**

AP(s)	Affected Person(s)
PMU	The Project Management Unit
DOLISA	Department of Labor, invalid and Social Assistance
GoV	Government of Viet Nam
CCESP	Coastal Cities Environment and Sanitation Project
CCSEP	Coastal Cities Sustainable Environment Project
EMP	Ethnic minority people
SC	Site Clearance
LURC	Land Use Rights Certificate
WI	Works item
WB	World Bank
ODA	Official Development Assistance
IMC	Independent Monitoring Consultant
PC	People's Committee

**GLOSSORY**

- Project Impact : Any consequence immediately related to the taking of a parcel of land or to restrictions in the use of legally designated parks or protected areas. People directly affected by land acquisition may lose their home, farmland, property, business, or other means of livelihood. In other words, they lose their ownership, occupancy, or use rights, because of land acquisition or restriction of access
  
- Affected Persons (Aps) : Individuals, organizations or businesses that are directly affected physically and economically by WB-funded projects caused by the involuntary taking of land that results in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location (those with livelihood impacted permanently or temporarily). In addition, affected person is one for whom involuntary restriction of access to legally designated parks and protected areas that result in adverse impacts on livelihoods also.
  
- Cut-off-date : Is the date when the local authority issues the Notification of Land acquisition for the relevant project component (Article 67.1 of Land Law 2013) before implementation of detailed measurement survey. Affected persons and local communities will be informed of the cut-off date for each project’s component, and that anyone moving into the project component areas after that date will not be entitled to compensation and assistance under the Project.
  
- Eligibility : The criteria to receive benefits under the resettlement program.
  
- Replacement cost : The term used to determine the amount sufficient to replace lost assets and cover transaction costs. For losses that cannot easily be valued or compensated for in monetary terms (e.g. access to public services, customers, and supplies; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities.
  
- Resettlement : In accordance with the World Bank’s Operational Policy on Involuntary Resettlement (OP 4.12), it covers the involuntary taking of land that results in (i) relocation or loss of shelter, (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location.
  
- Entitlements : Include compensation and assistance for APs based on the type

		and extent of damage.
Inventory of Losses (IOL)	:	Is process of accounting for physical assets and income affected by project.
Vulnerable groups	:	Groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) women headed household (single, widow, disabled husband) with dependents, (ii) disabled (loss of working ability), the elderly alone, (iii) poor people according to the criteria issued by the MOLISA, (iv) the landless, and (v) ethnic minority people.
Livelihood	:	A set of economic activities, involving self-employment, and or wage employment by using one's endowments (both human and material) to generate adequate resources for meeting the requirements of the self and household on a sustainable basis with dignity.
Income (livelihood) restoration	:	A set of activities to be provided to the affected people who lost income sources or means of livelihoods to restore their income and living standard, as equal or better than pre-project level.
Severely Displaced/ Affected Person	:	Means DPs who will (i) lose 20% (10% for vulnerable households) or more of their total productive land and assets and/or more of their total income sources due to the Project, (ii) have to relocate.
Stakeholders	:	Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.

## **EXECUTIVE SUMMARY**

The original RAP for Nha Trang sub-project was approved and publicly disclosed in January 2017. During project implementation, several changes to the project design resulted in changes to the E&S footprint of the project. First, consultations with Project Affected People demonstrated that the Dat Lanh and Hon Ro Resettlement sites are not feasible nor desirable resettlement options. Second, some civil works items covered by procurement packages NT 2.1 and NT 2.2 under Component 2 were cancelled. As a result, the resettlement land needs for the Bank-financed activities at the Ngoc Hiep Resettlement Site were lower than previously estimated. Instead of 13.45 ha at the Ngoc Hiep Resettlement Site, only 8.62ha are needed for Bank-financed activities. It was agreed with the Khanh Hoa PPC that the remaining 4.83ha will be excluded from the project and the RAP. The current update of the RAP reflects these changes to the scope and scale of land acquisition and resettlement in the Nha Trang subproject.

The updated Resettlement Action Plan is consulted with the relevant agencies and units for comments before being submitted to the WB for clearance and the PPC for approval. The approved uRAP will be consulted with and publicly disclosed to PAPs in the project areas, and uploaded on the PMU's websites and WB portal. Consultation minutes will be included as annex.

### **Project background**

1. The Coastal Cities Sustainable Environment Project is being proposed for WB's loan, investing in 04 coastal cities in 4 coastal cities (Dong Hoi, Quy Nhon, Nha Trang and Phan Rang – Thap Cham) of 4 provinces Quang Binh, Binh Dinh, Ninh Thuan, Khanh Hoa. The Nha Trang Sub-Project is proposed to be implemented in 18 wards/communes: Vinh Hai, Vinh Tho, Vinh Phuoc, Vinh Ngoc, Ngoc Hiep, Loc Tho, Phuoc Long, Phuoc Hoa, Xuong Huan, Van Thanh, Phuoc Tien, Phuoc Tan, Phuong Sai – Van Thang, Phuong Son, Vinh Nguyen, Tan Lap. The project includes 04 components:

- Component 1 – Sanitation Infrastructure Expansion
- Component 2 - Environment infrastructure.
- Component 3 – Compensation and Site Clearance
- Component 4 – Assistance for Capacity Development and Institutional Reform

2. This Resettlement Plan is updated following the Project restructuring and provides guidance applied to the implementation of activities related to compensation and land acquisition during the implementation of (i) the CCSEP - Nha Trang Subproject financed by the WB, and (ii) 8.62ha of the Ngoc Hiep resettlement area which is financed by the Khanh Hoa province and among those 6ha is for resettlement purpose of CCSEP – Nha Trang Subproject.

### **Impacts of land acquisition**

3. Nha Trang subproject would cause impacts on land acquisition and resettlement to the residents in project's area for the construction of following items under the component 1: Retention lake, waste water pumping station and wastewater collection sewer network (NT-1.5), stormwater pumping station (NT1.6), wastewater treatment plant (NT1.7); and component 2: Southern Cai river embankment and road (NT2.1), and Northern Cai river embankment and Chu Dong Tu road (NT2.3). By the time of updating the RAP (Sep 2023), the detailed measurement



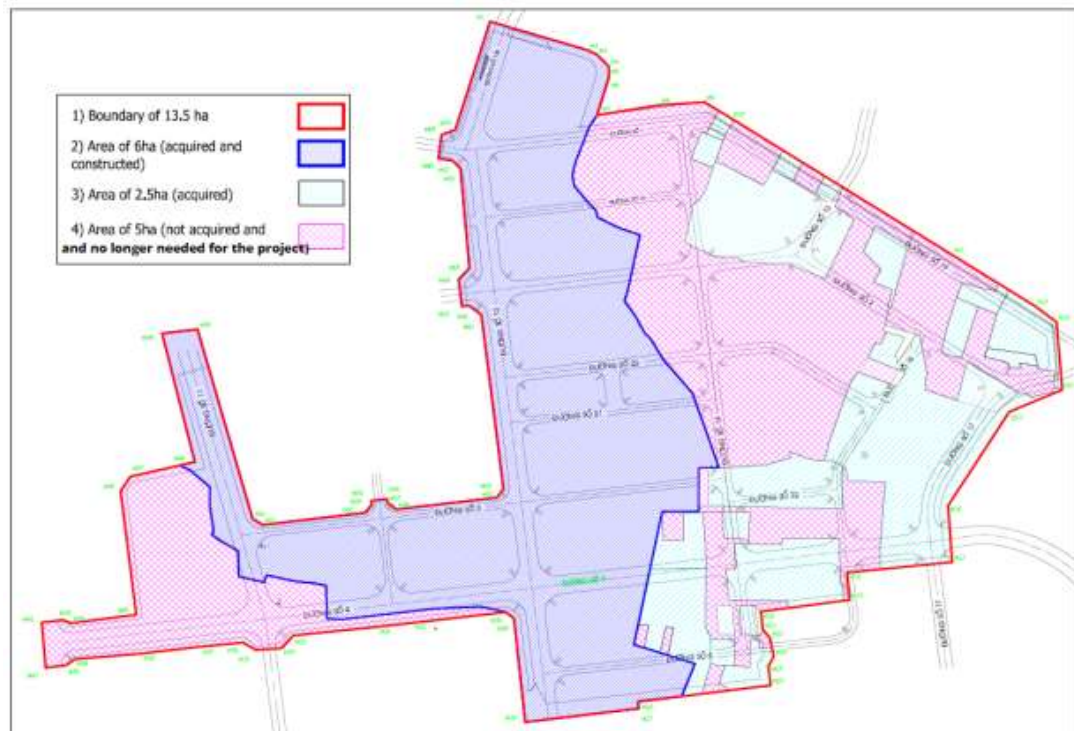
survey (DMS) was completed for the whole CCSEP-Nha Trang. Results of the DMS showed that the total number of PAHs for components 1 and 2 (exclude NT-1.5 package) is 450 households. Of them, 215 households are estimated to be relocated, of which 24 are vulnerable PAHs. The total area of land to be permanently acquired for the CCSEP-Nha Trang Subproject is 16.2ha comprising 1.92ha of residential land, 8.27ha of agricultural land, and 5.99ha of lands with different uses.

4. In July 2023, an ARAP was prepared to address the land acquisition impacts of NT 1.5 retention lake ,wastewater pumping station and wastewater collection sewer network, impacting 14 PAHs. This updated RAP covers the remaining of the PAHs affected by components 1 and 2 of the CCSEP-Nha Trang Subproject. The summary of the impacts are summarized as follow:

Component	Contract Number	ARAP (July 2023)	Update RAP 2023	TOTAL PAHs (per component)
Component 1	NT 1.5: retention lake , wastewater pumping station and wastewater collection sewer network	14 PAHs	0	66
	NT 1.6: Rainwater pumping station	0	18	
	NT 1.7: Wastewater treatment plant	0	34	
Component 2	NT 2.1: Sounthern Cai river embankment and road	0	290	398
	NT 2.3: Northern Cai river embankment & Chu Dong Tu road	0	108	
<b>TOTAL PAHs</b>		14	450	464

5. Ngoc Hiep resettlement site funded by the province’s budget in a separate project that acquired the 8.62ha needed for Bank-funded activities, in which 6ha was cleared and constructed infrastructure to provide 235 plots for the CCSEP. The rest 2.62ha was also cleared, but the infrastructure has not been built yet. Finally, the 4.83ha not cleared, are not needed for the CCSEP and the land holders have been formally informed accordantly . It is summarized as follows:

Section	Status
6 ha	Land cleared, and infrastucture constructed. 235 plots are available. Enough to accommodate all the relocated households affected by CCSESP
2.62 ha	Land cleared and compensation paid in compliant with the Subproject’s RAP before restructuring in December 2022. However, after restructuring, the number of PAHs who need resettlement is reduced, thus this area will not be needed for relocating peoples from the CCSEP Subproject. The Province, will decide on continuing construction of infrastructure in this area as per the approved masterplan and designs
4.83 ha	No land clearance needed for CCSEP. Land holders formally adviced accordantly



**Ngoc Hiep Resettlement Site**

### **Legal framework and compensation policy**

6. The compensation policies applicable in Nha Trang City sub-project, including the 8.62ha of NHRS, will comply with the World Bank’s OP 4.12 Involuntary Resettlement and the Resettlement Policy Framework (RPF) which was approved by Prime Minister in Decision No.1078/TTg-QHQT dated 22/6/2016 of the Government, and relevant laws and regulations of Vietnam and the detailed regulations approved by Khanh Hoa PPC.

7. The basic principle applied in the resettlement plan is that affected persons (PAPs) are supported sufficiently to improve (or at least maintain) their living standard, incomes and productivity compared to pre-project level. All PAPs living in project sites before cut-off date are compensated for the losses and will be provided with adequate rehabilitation support. Lack of legal basic on land use will not interfere the affected households accessing the compensation and/or support of livelihood recovery. Lost assets will be compensated at replacement cost.

8. Affected graves/tombs have been compensated for the cost of excavation, relocation, reburial and other related costs which are necessary to satisfy customary requirements. The compensation amount has been determined by Khanh Hoa PPC’s regulations. For ownerless affected graves, PMU signed a contract with an independent unit for compensation and relocate them to new site. Household and individual graves are considered physical cultural resources (PCR) and even though the costs associated with their relocation have been covered in the resettlement action plan, the WB OP 4.11 on Physical Cultural Resources has been triggered and relevant cross references have been made to the Environmental Management Plan or Project Implementation Manual.

### **Implementation arrangement**

9. Agreed by Khanh Hoa PPC, the PMU signed a contract with Khanh Hoa Provincial Land Fund Development Center to directly implement the compensation, support and resettlement of the Project. In addition, the Nha Trang CPC also established the Compensation, Support and Resettlement Council of Nha Trang City as a unit to perform the function of organizing the compensation and site clearance task. During the implementation process, implementing units need to closely coordinate with the ward and commune level authorities and residential communities in the project area to ensure that compensation and land acquisition is transparent, according to approved schedule and in compliance with the approved RAP.

### **Community Consultation and Participation**

10. In 2016, the RAP of the Nha Trang sub-project was prepared in consultation with local authorities, community representatives and affected people. They were consulted through different means and information channels including community meetings and consultations, households survey. The information collected during consultation is important to inform resettlement policy including the development of compensation, support and incomes restoration plans. The updated Resettlement Action Plan has been disclosed and consulted with PAPs and the relevant agencies and units for comments before being submitted to the WB for clearance. The final RAP will be used in consultation sessions with the PAPs in the project locations before being submitted to Khanh Hoa Provincial People's Committee for official approval, and then the approved RAP will be publicly disclosed to PAPs in the project areas, and on the PMU's and WB's websites. The meeting of the consultation sessions will be included as an annex.

### **Grievance Redress Mechanism**

11. The Grievance and Redress mechanisms is established on the existing governmental system, monitored by an independent monitor consultant, and follows the WB policies and this Resettlement Action Plan. This grievance management system allows affected persons (APs) to lodge their complaints at project-level and receive responses in accordance to the project's resettlement policy framework (RPF) and the project's operational manual. Four different steps of Grievance redressing show the roles of the People's Committee of three government levels: commune/ward, city, province and provincial Courts. The PMU's staff in charge of site clearance will work directly with PAPs as a first step prior to the grievance is addressed by the agencies at higher levels. The information on Grievance redress mechanism will be fully informed to the PAPs by appropriate measures.

### **Monitoring and Evaluation**

12. The implementation of resettlement plan will be internally supervised and monitored. In addition, PMU was mobilize an independent monitoring consultant to evaluate and monitor the RAP implementation. Issues/difficulties emerged in implementation will be raised and solved in a timely manner thanks to the regular supervision and monitoring.

### **Implementation plan**

13. The implementation of the resettlement action plan will be linked to the pace of civil works under the subproject. Site clearance is implemented by each civil work package and must be completed before the contractor can commence the construction.

### **Cost estimation**

14. Out of the total investment of the subproject approved by Khanh Hoa PPC in 2016, the total cost for site clearance is estimated about VND 184,186,315,000 (equivalent \$8.25 million USD). This cost includes compensation/support for affected, land and structures, income restoration program, transition allowance, monitor and evaluation, administration cost. This estimation excludes construction cost of NHRS (funded by Khanh Hoa province) and training cost because this item has been budgeted in Component 4 of this subproject.

15. The cost will be updated in accordance to the DMS as well as the replacement cost at time of land acquisition. Counterpart fund will be used for payment of compensation, support, resettlement and independent monitoring consultant from 2023.

## 1.1. Overall Project Background

16. The proposed Coastal Cities Sustainable Environment Project (CCSEP) was built on the success of the Coastal Cities Environmental Sanitation Project (CCESP) which was implemented to improve the environmental sanitation in the project cities (Dong Hoi, Nha Trang and Quy Nhon) in a sustainable manner and thereby enhancing the quality of life for city residents. The CCESP was implemented from June, 2007 to November 30th, 2014. The design indicators of the CCESP were achieved and the following results were realized in the project areas: i) flooding decreased significantly and no wastewater was discharged onto beaches and into canals; ii) lakes, canals and rivers were upgraded; (iii) public toilets and toilets at schools have been properly operated and maintained; and; iv) capacity of the PMUs and relevant authorities was strengthened.

17. The investment policy of the CCSEP - Nha Trang Sub-project was approved by the Prime Minister in the Decision No. 582/QD-TTg dated April 6, 2016; and adjusted Investment policy was approved in the Prime Minister's Decision No. 1624/QD-TTg dated October 25, 2017. Accordingly, the main objective of the project is to improve environmental sanitation, strengthen the health of residents in the participating cities through completing technical infrastructure, creating urban landscapes; support in strengthening project management and institutional reform to raise people's awareness of environmental protection. The CCSEP – Nha Trang construction investment project has also been approved by the Khanh Hoa PPC in the Decision No. 3348A/QD-UBND dated October 31, 2016 and the adjusted construction investment project was approved in the Decision No. 2925/QD-UBND dated October 27, 2020. However, the implementation of the project is delayed so that a 18 -month extension of the Loan Agreement for the project was approved by the World Bank in the Bank's letter dated December 30, 2022. The implementation period of Nha Trang Sub-project was also extended to June 30, 2024 in the Khanh Hoa PPC's Decision No. 2984/QD-UBND dated November 02, 2022.

18. The initial project's scale of investment consists of 04 components:

Component 1: Sanitation Infrastructure Expansion

Component 2: Urban Connectivity Improvement

Component 3: Compensation and site clearance.

Component 4: Technical assistance and institutional reform.

19. In 2016, during the preparation of the CCSEP Nha Trang sub-project, three resettlement sites were arranged for accommodation of relocated PAPs of the CCSEP Nha Trang, including Ngoc Hiep, Dat Lanh and Hon Ro 2. Among three resettlement sites, Ngoc Hiep site was determined to be associated activity with the CCSEP-Nha Trang because according to the OP4.12 it is (i) directly and significantly related to the Bank-assisted project, (ii) necessary to achieve its objectives as set forth in the project documents; and (iii) carried out, or planned to be carried out, contemporaneously with the project. Dat Lanh and Hon Ro 2 were constructed before the CCSEP project, so a due diligent was made and showed that there has been no pending issue regarding compensation and site clearance. During the implementation of the CCSEP - Nha Trang sub-project, consultation with relocated households showed that PAPs want to move to Ngoc Hiep site because it is close to the Center of the City (about 2km) while 2 other sites (Dat Lanh and Hon Ro 2) is far from the center (about 14km). Therefore, Khanh Hoa Provincial People's Committee agreed that the NHRS project would provide resettlement land plots for the CCSEP Nha Trang sub-project, ensuring the completion of site clearance work of the CCSEP Nha Trang sub-project Site clearance work of the NHRS project has also been agreed

by the Provincial People's Committee to comply with the RPF/RAP of CCSEP Nha Trang sub-project.

20. Following adjustments to CCSEP Nha Trang sub-project, a part of civil work package 2.1 and entire package 2.2 were dropped from the subproject, led to reduction of number of affected households from 594 to 450 . The estimated number of displaced households totals 215: 13 PAHs under component 1 and 202 PAHs under component 2. Therefore, the area of Ngoc Hiep resettlement site is also reduced from 13.45ha to 8.62ha, in which 6ha was cleared and constructed infrastructure to provide about 235 plots for the CCSEP-Nha Trang and 2.62ha was cleared but its infrastructure has not being developed yet, and 4.83ha is no longer needed for the CCSEP-Nha Trang. Hence, the updated RAP excludes from CCSEP - Nha Trang: package NT-2.2, a road section (connecting to the ring road) of package NT-2.1, 4.83ha of the Ngoc Hiep resettlement site as linked activity, and the full Dat Lanh and Hon Ro 2 resettlement sites.

## **1.2. Project Objectives**

### **1.2.1. General Objectives**

21. To improve environmental sanitation, strengthen the health of residents in the participating cities through completing technical infrastructure, creating urban landscapes; support in strengthening project management and institutional reform to raise people's awareness of environmental protection

### **1.2.2. Specific objectives**

22. The implementation of the sub-project needs to meet the following specific objectives:

- Enhancing capacity of WWTP in the South by additional investments to perfect the network of tertiary sewers and odor prevention manholes in the center and in the Southern area of the city.
- Resolving flooding and environmental pollution on the North by investments in combined sewers and wastewater collection sewers, odor prevention manholes, pumping stations, balancing lakes and the Northern WWTP.
- Improving environmental sanitation, enhancing flood control and preventing landslide along both banks of Cai River as well as upgrading transportation infrastructure to meet development needs of the city in accordance with the planning.
- Providing support for project implementation through consulting services for supervision, management of construction, finance, environment, society and resettlement, etc. Providing technical assistance for the Employer, related departments and institutional reforms with an aim at satisfying intended objectives in the implementation stage, archiving effectiveness in the operational stage and promoting project sustainability.

## **1.3. Sub-project components**

### **1.3.1 Sub-project components before adjustment**

23. Summary description of the Sub-project's initial investments:

No.	Items	Dimensions	Unit of measurement	Quantity
<b>I</b>	<b>Component 1</b>			
<b>I.1</b>	<b>Tertiary sewers at the Central and the Southern areas (uPVC)</b>	D150 D200 D300	m m m	16,888.8 14,043.4 12,735.6
<b>I.2</b>	<b>Drainage, flood protection and wastewater collection</b>			
I.2.1	Tertiary sewers -uPVC	D150 D200 D300	m m m	33,175.7 10,167.9 7,609.5
I.2.2	Replacement of odor preventive manholes		cái	509
I.2.3	Investment in sewers for drainage and wastewater collection			
	<b>Drainage sewers</b>			
1	Sewer on 2/4 street from Doan Tran Nghiep to Ditch M1	1,0x1,0 1,2x1,2 2,2x1,4 2,7x1,4 2x2,2x1,4 2x2,7x1,4	m m m m m m	304 435 120 210 310 308
2	Sewer on 2/4 street from Thap Ba street to Nguyen Dinh Chieu street (2 sides of the road)	D600 D800	m m	364 1022
3	Sewer from Bau market to Son Thuy area	D600 D1000	m m	290 85
4	Box culvert along Son Thuy ditch	1.5x1.5	m	148
5	Box culvert parallel to the railway	2x2.5x2.0 2x2.5x2.5 3x3.0x2.5	m m m	303 618 418
6	Construction of box culvert connecting from ditch M1 to the railway bridge	4x2,0x2,5	m	120
7	Construction of box culvert connecting Nguyen Khuyen discharge outlet to the 1.05ha lake	2x2,0x2,0 2x2,5x2,5	m m	187 72
8	Culvert on Dien Bien Phu Road	0,8x0,8 1,2x1,0 1,8x1,2	m	633 142 435
	<b>Wastewater collection</b>			
1	Gravity sewer on Pham Van Dong street (Duong De Residential area)	D300	m	1007
2	Gravity sewers in Duong De Residential area	D300	m	314.6
3	Pressure sewer from PS4 (Duong De Residential area) to the gravity	D200	m	924

No.	Items	Dimensions	Unit of measurement	Quantity
	sewer on Pham Van Dong street			
4	Gravity sewer on Dien Bien Phu street	D400	m	383
5	Gravity sewer on Duong Hien Quyen Street	D400	m	863
6	Gravity sewer on Pham Van Dong Street (Dien Bien Phu intersection to PS1)	D400	m	431
7	Gravity sewer on oad No.4	D300	m	1209
8	Pressure sewer from PS1 to the combined sewer on Mai Xuan Thuong street	D200	m	749
9	Pressure sewer from PS3 to 2/4 street (at Doan Tran Nghiep intersection) parallel 2/4 street	D200	m	808
10	Pressure sewer line from PS2 in Son Thuy residential area to 2/4 street	D250	m	871
11	Interceptor sewer on Pham Van Dong street (CSO No.4 to the embankment road)	D300	m	380
12	The interceptor sewer on Pham Van Dong street (CSO No.5 to the embankment road)	D300	m	129
13	Interceptor sewer on the embankment road from Pham Van Dong Street to PS3	D300	m	517
14	Interceptor sewer from CSO 2 to PS 5	D400	m	534
15	Interceptor sewer from CSO 1 to PS 5	D800	m	76
16	Pressure sewer from PS5 to the treatment station	D700	m	1773
17	Pressure sewer from the leachate treatment station	D90	m	37
	<b>Wastewater pumping station</b>			
1	Pumping station No.1 near Ba Lang discharge outlet	Trạm		1
2	Pumping station number 2: Son Thuy residential area	Trạm		1
3	Pumping station 3: Embankment on Cai river	Trạm		1
4	Pumping station number 4: Duong De residential area	Trạm		1
5	Pumping station No. 5 (main pumping station in Northern area)	Trạm		1
	<b>Retention lake and rainwater</b>			



No.	Items	Dimensions	Unit of measurement	Quantity
	<b>pumping station</b>			
1	Construction of a retention lake in the East area		ha	1,05
2	Construction of stormwater pumping station		m <sup>3</sup> /s	10
I.2.4	Wastewater treatment station		m <sup>3</sup> /ngđ	15,000
I.2.5	School sanitation program: rehabilitation and new construction of school toilets		trường	4
<b>II</b>	<b>Component 2</b>			
1	Dyke, embankment, road on the South bank of Cai river from Railway bridge to Ha Ra bridge		m	2064
2	Dyke and embankment the North bank of Cai river from Xom Bong bridge to Chu Dong Tu street		m	420
3	Chu Dong Tu Street (including the box culvert)	B14m	m	420
	The box culvert on Chu Dong Tu street	D1500 2.0x1.5	m m	251 78
4	Road No. 4 along the railway (exclusive of the box culvert)	B20m	m	2026

24. At time of updating the RAP, the following civil work packages have been completed construction and accepted by the State Agency for Construction Quality Inspection under the Ministry of Construction :NT-1.1; NT-1.2; NT-1.3; NT-1.4 and NT-1.8.

Contract	Items	Description
<b>Component 1 – Sanitation Infrastructure Expansion</b>		
NT-1.1	Construction tertiary sewers and replacement of odor preventive manholes	Including: * Construction of tertiary sewers D150mm; D200mm; D300mm for the City’s Central and Southern areas in the following wards: Loc Tho, Phuoc Long, Phuoc Hoa, Xuong Huan, Van Thanh, Phuoc Tien, Phuoc Tan, Phuong Sai, Van Thang, Phuong Son, Vinh Nguyen, and Tan Lap.
NT-1.2	Construction of drainage sewers	Including: - Main sewer and tertiary sewers on 2/4 street, section from Doan Tran Nghiep to the ditch T1 - Main sewer and tertiary sewers on 2/4 street from Doan Tran Nghiep Road to Xom Bong bridge - Drainage sewer on Dien Bien Phu street to Tran Quang Dieu street - Main sewer and tertiary sewers in Cho Bau area (including the culvert crossing the 2/4 street) - The box culvert in Son Thuy residential group

Contract	Items	Description
NT-1.3	Construction of Pumping stations, CSOs and the primary, secondary & tertiary sewers	<p>Including:</p> <ul style="list-style-type: none"> <li>- Pumping stations: PS1, PS3, PS4 (construction part)</li> <li>- CSOs: CSO1; CSO4; CSO5; CSO6 (construction part)</li> <li>- Sewerage network: <ul style="list-style-type: none"> <li>+ The sewers D300mm on Pham Van Dong street (Duong De residential) and in Duong De residential</li> <li>+ Pressure sewer D200mm from PS4 to gravity sewer on Pham Van Dong street</li> <li>+ The sewers D400mm on Dien Bien Phu street; Duong Hien Quyen Street; Pham Van Dong street (section from Dien Bien Phu junction to PS1)</li> <li>+ The pressure sewer D200mm from PS1 to the combined sewer on Mai Xuan Thuong street</li> <li>+ The sewers D300 on Pham Van Dong street (CSO No.4 to the embankment road and CSO No. 5 to the embankment road); along the embankment road (from Pham Van Dong Street to PS3)</li> <li>+ The pressure sewer D200 from the PSNo.3 to the gravity sewer on 2/4 street (the intersection of Doan Tran Nghiep street with 2/4 street)</li> <li>'- The tertiary sewers along the primary and secondary sewers of the same bidding package</li> </ul> </li> </ul>
NT-1.4	Construction of school toilets	Construction of toilets for 3 schools in the project area: Vĩnh Hải 2 Primary school; Vĩnh Hòa 2 Primary school; Vĩnh Hòa 1 Primary school;

25. The remaining civil work packages have been signed and construction work has been carrying out, expectedly to be completed in the second quarter of 2024, including:

Contract	Items	Description
<b>Component 1 – Sanitation Infrastructure</b>		
NT-1.5	Construction of pumping stations, CSOs and the primary, secondary & tertiary sewers – Remaining items.	<p>Including:</p> <p>Wastewater collection network</p> <ul style="list-style-type: none"> <li>- Pumping stations: PS2; PS5 (construction part)</li> <li>- The pressure sewer D700mm from PS5 to wastewater treatment station</li> <li>- CSOs: CSO2; CSO3; (construction part)</li> <li>- The sewer D800mm from CSO1 to PS5</li> <li>- The sewer D400mm CSO2 to PS5</li> <li>- The pressure sewer D200mm from CSO3 to 2/4 Street</li> </ul> <p>Drainage system</p> <ul style="list-style-type: none"> <li>- Dredging to create drainage direction for the existing lake to the west of the railway</li> <li>- The box culvert from Nguyen Khuyen street to the 1.05ha retention lake</li> <li>- The drainage sewer connected to the ditch T1</li> <li>- The box culvert from the 1.05ha retention lake to the western open ditch along the railway</li> <li>- The 1.05ha retention lake</li> <li>- The tertiary sewers along the primary and secondary sewers of the same package</li> </ul>

<b>Contract</b>	<b>Items</b>	<b>Description</b>
NT-1.6	Construction of storm-water pumping station.	Construction of the stormwater pumping station including both construction and equipment supply and installation
NT-1.7	Construction of the wastewater treatment plant in the Northern area of Nha Trang (Northern WWTP) Supply and installation of mechanical equipment for wastewater pumping stations	Construction of the Northern WWTP including both construction and equipment supply and installation Supply and installation of mechanical equipment for pumping stations No1, No.2, No. 4, No.5 and No.6 (including pumps, valves, foundations for equipment, joints, technical pipes and spare parts in the station, ...) and CSOs (such as flip valve, ...) (including inspection and equipment supply, installation, commissioning, training on operation)
NT-1.12	Supply and installation of SCADA system for the wastewater pumping stations and Storm-water pumping stations and wastewater treatment stations	Supply and installation of SCADA system, electrical cabinets for the WWTP, wastewater pumping stations
<b>Component 2: Urban Connectivity Improvement</b>		
NT-2.1	Construction of road and embankment along Cai river.	Including: - Road and embankment along the south bank of Cai River (from railway bridge to Ha Ra bridge); along the north bank of Cai River (from the intersection of Chu Dong Tu street to Xom Bong bridge) - Technical infrastructure works along the road
NT-2.3	Construction of Chủ Động Tử Road (including drainage sewer) and northern Cai Rive embankment	- Chu Dong Tu Road and accompanying technical infrastructure (including drainage sewer from 2/4 street to the discharge outlet to Cai river) and northern Cai Rive embankment

26. Component 3 of the subproject regards implementation of land acquisition and resettlement. At time of the project preparation, 3 resettlement sites were arranged to accommodate all relocated households of the CCSEP, in which Dat Land and Hon Ro 2 resettlement sites were constructed by the province before the CCSEP for local projects, and Ngoc Hiep resettlement site (NHRS) of 13.45ha would be constructed during the implementation of the CCSEP in a separate project funded by the province. NHRS was considered an associated activity with the CCSEP because it is (i) directly and significantly related to the Bank-assisted project, (ii) necessary to achieve its objectives as set forth in the project documents; and (iii) carried out, or planned to be carried out, contemporaneously with the CCSEP-Nha Trang. Therefore, land acquisition of NHRS must be followed regulations of the RPF and RAP. For Dat Lanh and Hon Ro 2 resettlement sites, a due diligent review on land acquisition was conducted

and found that there has been no pending issues need to be resolved.

27. During implementation of CCSEP-Nha Trang, consultation with relocated households showed that they all wanted to move in NHRS because it is close to the city center (about 2km) while Dat lanh and Hon Ro 2 is 14km from the city center. Therefore, Dat lanh and Hon Ro 2 are no longer being used for the CCSEP-Nha Trang so that they are not included in the updated RAP. For NHRS, at time of updating RAP, 8.62 of 13.45ha were cleared, of which 6ha were developed infrastructure to provide 235 plots which are required for the CCSEP-Nha Trang, while 2.62ha have not developed the required infrastructure . The remaining 4.83ha were not cleared yet and also are not needed for the CCSEP so that the local government decided to cancelled all decisions related to land acquisition of this area on Aug 28 and 30, 2023 and informed all 165 PAHs of the area. Therefore, the 4.83ha is dropped from the CCSEP-Nha Trang and excluded from the uRAP. It can be summarized as follows:

**Table 1: Summary of impacts of Ngoc Hiep resettlement site**

Section	Status
6 ha	Land cleared, and infrastucture constructed. 235 plots are available. Enough to accommodate all the relocated households affected by CCSEP
2.62 ha	Land cleared and compensation paid in compliant with the Subproject’s RAP before restructuring in December 2022. However, after restructuring, the number of PAHs who need resettlement is reduced, thus this area will not be needed for relocating peoples from the CCSEP. The Province, will decide on continuing construction of infrastructure in this area as per the approved masterplan and designs
4.83 ha	No land clearance needed for CCSEP. Land holders formally adviced accordantly

28. In July 2023, an Ademdum RAP (ARAP) was prepared to address the land acquisition impacts of NT 1.5 wastewater pumping station and retention lake. This impact was not initially anticipated, and it only became apparent during implementation; hence, the original RAP did not include the 14 PAHs affected by this construction package. Therefore, package NT 1.5 is not included in this updated RAP. This updated RAP only covers the remaining of the PAHs affected by components 1 and 2 of the CCSEP-Nha Trang Subproject: 450 PAHs.

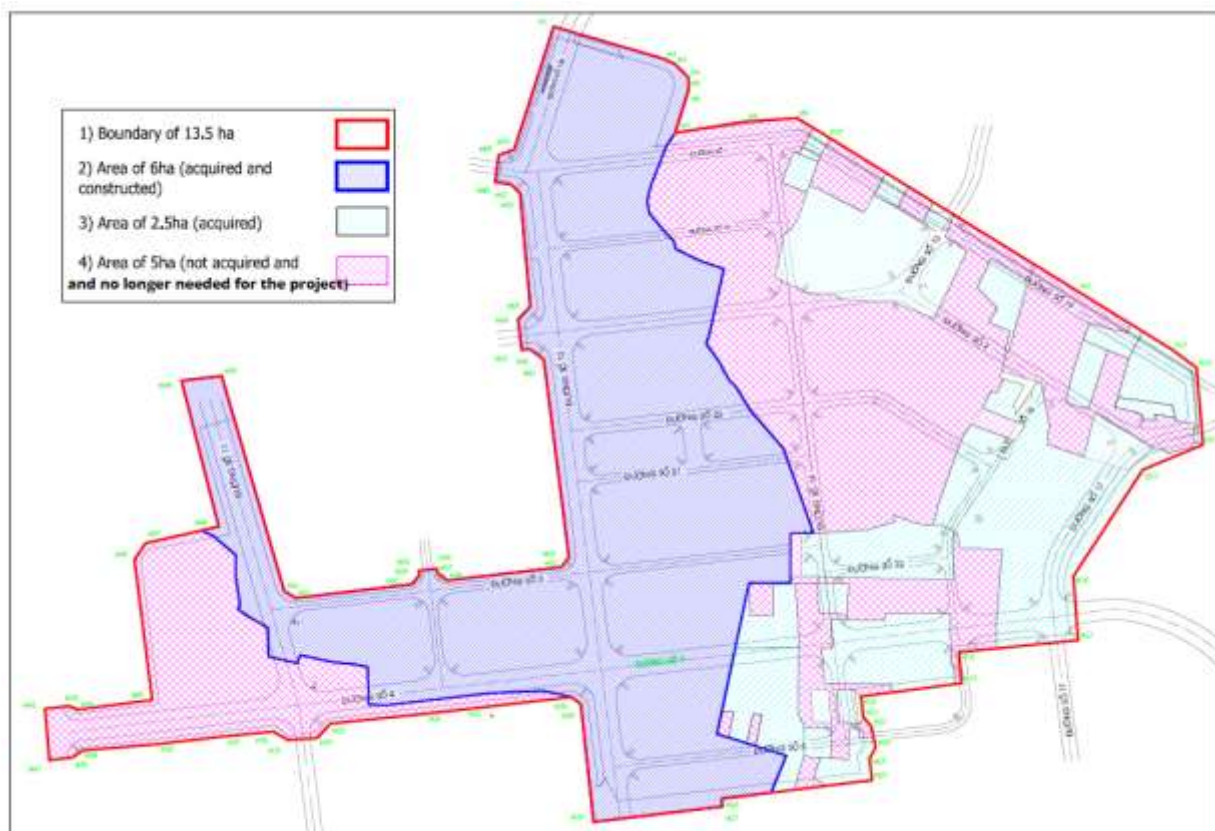
29. As of Aug 30, 2023, the progress of compensation and site clearance for the CCSEP-Nha Trang and 8.62ha NHRS has been achieved as follows:

### Site clearance progress as of August 30, 2023

No.	Investments items	No. of PAHs	Project info. disclosure	DMS	Land origin Verification	Compensation Plans/Packages				Compensation Payment (*)	Land handover
						Prepared & Endorsed	Disclosed	Appraised	Approved		
1	Storm-water PS (NT-1.6)	18	18	18	18	18	18	18	18	13 (72.2%)	13 (72.2%)
2	Northern WWTP (NT-1.7)	34	34	34	34	34	34	34	34	29 (85.3%)	29 (85.3%)
3	Southern Cai River embankment, road and landscape (NT-2.1)	290	290	290	290	290	290	290	290	45 (15.5%)	45 (15.5%)
4	Chữ Đồng Tử Road (NT-2.3)	72	72	72	72	72	72	72	72	27 (31.9%)	27 (31.9%)
5	Embankment on North bank of Cai River (NT-2.3)	36	36	36	36	36	36	36	36	4 (11.1%)	4 (11.1%)
	<b>Total</b>	<b>450</b>	<b>450</b>	<b>450</b>	<b>450</b>	<b>450</b>	<b>450</b>	<b>450</b>	<b>450</b>	<b>118 (26.2%)</b>	<b>118 (26.2%)</b>
6	8.62ha Ngọc Hiệp Resettlement Site (linked project)	222	222	222	222	222	222	222	222	222 (*) (100%)	222 (100%)



**Nha Trang Sub-project: General map of the workitems**



**Visual of site clearance of Ngoc Hiep Resettlement Site**

Section	Status
6 ha	Land cleared, and infrastructure constructed. 235 plots are available. Enough to accommodate all the relocated households affected by CCSEP
2.62 ha	Land cleared and compensation paid in compliant with the Subproject’s RAP before restructuring in December 2022. However, after restructuring, the number of PAHs who need resettlement is reduced, thus this area will not be needed for relocating peoples from the CCSEP. The Province, will decide on continuing construction of infrastructure in this area as per the approved masterplan and designs
4.83 ha	No land clearance needed for CCSEP. Land holders formally advised accordantly

## 2. LAND ACQUISITION IMPACTS

### 2.1. The sub-project's impacts

30. Among 04 components of Nha Trang subproject mentioned above, the components 1 and 2 would cause land acquisition and resettlement of the residents in project's area due to construction of river protection dyke and embankment system, stormwater and wastewater collection sewer network, wastewater pump stations and treatment plant and road. The following presents the subproject impacts after project adjustment based on result of the detailed measurement survey as of Aug 2023.

#### 2.1.1. Impact on households

31. According to results of the detailed measurement survey (DMS) which was completed in 2022, the subproject, excludes NT-1.5 package, would affect 450 households, of which 215 households have to be relocated by the CCSEP (13 PAHs for component 1 and 202 PAHs for component 2) and 24 households are vulnerable. 222 PAHs already living on the 8.62 ha of the NHRS were affected to meet the relocation needs of Component 1 and Component 2 under the CCSEP. However, none of the 222 affected households had to relocate. Among the 222, one vulnerable household was identified. Specific impacts are summarized in the table 2.

**Table 2: Impact on households**

No.	Investment items	# PAHs	# to be relocated households	#vulnerable households
1	Storm-water PS (NT-1.6)	18	6	1
2	Northern WWTP (NT-1.7)	34	7	2
3	Southern Cai River embankment, road and landscape (NT-2.1)	290	160	21
4	Chữ Đồng Tử Road (NT-2.3)	72	42	0
5	Embankment on North bank of Cai River (NT-2.3)	36		0
	<b>Total</b>	<b>450</b>	<b>215</b>	<b>24</b>
6	8.62ha Ngọc Hiệp Resettlement Site (linked project)	222	0	0

Note: The 14 PAHs included under NT 1.5 wastewater pumping station and retention lake are part of the Ademdum RAP (ARAP) prepared in July 2023. This updated RAP refers to the rest of the NTs. The ARAP sums 14 PAHs, and this updated RAP sums 450 PAHs. The total makes 464 PAHs.

#### 2.1.2. Permanent land acquisition

32. Land acquisition scope of the CCSEP – Nha Trang City Subproject (after the adjustment): permanent land acquisition of a total land area of 16.2ha of all kinds (in 5 wards/communes Vinh Hai, Vinh Phuoc, Van Thang, Ngoc Hiep and Vinh Ngoc) and 8.62ha of



agricultural land in Ngoc Hiep ward to construct the Ngoc Hiep Resettlement Area. In which, the permanently acquired land area includes 1.92ha of residential land; 8.27ha of agricultural land; and 5.99ha of others (public, traffic and irrigation land), specific impacts are presented in table 3:

**Table 3 – Summary of land acquisition for each investment item under CCSEP – Nha Trang Sub-project and 8.62ha of NHRS**

Package	Total affected area (ha)	Residential land (ha)	Agricultural land (ha)	Land of other types (ha)
NT-1.6: Storm-water PS	1.58	0.27	1.05	0.26
NT-1.7: Northern WWTP	5.98	0.04	1.92	4.02
NT-2.1: Road & Southern Cai River Embankment	7.60	1.32	5.03	1.25
NT-2.3: Chử Đồng Tử Road and northern Cai river embankment	0.72	0.2	0.21	0.31
	0.32	0.09	0.08	0.15
Total CCESP	16.2	1.92	8.27	5.99
8.62ha Ngoc Hiep resettlement site	8.62	0	8.62	0

### 2.1.3. Short-term impact during construction period

33. The implementation of sub-projects activities would not only permanent land acquisition but also the temporary occupation during construction process. Based on the proposed construction plans, the subproject will occupy temporarily approximately 11,555m<sup>2</sup> of land along road routes, treatment substation, pipe routes to collect rain water and waste water in the area of following wards/commune: Vinh Hai, Vinh Hoa, Vinh Phuoc, Vinh Ngoc and Vinh Tho. The area that is temporarily affected would mainly be public or unused land such as roads, public land, etc and would primarily be used for the construction process, material gathering.

## 2.2. Mitigation measures of resettlement impacts

34. During project preparation, many efforts has been done to minimize subproject's resettlement impacts. Various options of alignment scale of each item have been considered. There are some principles that have been thoroughly applied in the discussion between resettlement and technical team

- Priority has been given to the one having less or minor resettlement impacts, such as going through unused/ uncultivated land, agricultural land, public land where population density is low, or along the existing roads. Resettlement team has organized meetings with technical team to identify the potential alignment and discuss the ways to minimize impacts during construction, including safety construction

measures, installation of safety signs where appropriate, and a suitable construction schedule.

- At the points across residential area, technical solutions (road width reduction, design of T-junction) have been discussed and studied to minimize the number of relocated people.
- The resettlement team has consulted with households living along the road, calling for their support during the project implementation. In addition, temporary impact and community disturbance would be minimized thanks to the close collaboration between contractors and local people through the advanced disclosure of construction plan and its associated site and time specific mitigation measures.

35. Measures to minimize land acquisition through consideration of technical options and construction solutions. In addition, in order to ensure the project progress according to the planned schedule, based on the actual situation of land acquisition and site clearance progress of the subproject, the Khanh Hoa PPC has jointly agreed with World Bank's recommendations, specifically:

- Remove the investment item of construction of the branch road connecting the Ring Road 2 (under package NT-2.1);
- Drop package NT-2.2: Construction of the sewer along the Road No. 4;
- Drop 4.83ha of NHRS and 02 other resettlement sites (Dat Lanh and Hon Ro 2) as linked activities with CCSEP – Nha Trang

This has resulted in a significant reduction of the land acquisition and resettlement of the sub project.

### **3. OBJECTIVES OF THE UPDATED RESETTLEMENT PLAN**

36. The objective of this updated RAP is to provide a comprehensive resettlement package for persons affected by the Nha Trang city sub-project after the adjustments introduced in the CCSEP. The plan also further concretize provisions set forth in the project's Resettlement Policy Framework (RPF). This objective remains unchanged from the target of the approved Resettlement Action Plan and applied throughout the project implementation. Specifically, the objectives are as follows:

- Involuntary resettlement should be avoided as much areas as possible or minimized by bringing out optional measures in the process of technical design;
- Wherever involuntary resettlement is unavoidable, resettlement activities should be aware of and executed as sustainable programs, necessary to supply enough investment sources to help adversely affected persons to share project's benefits. Directly or indirectly affected persons need must be consulted and participated in the process of planning and implementing resettlement programs.
- Affected Persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-project levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

#### **4. SOCIO - ECONOMIC CONDITION OF AFFECTED HOUSEHOLDS**

37. Although land acquisition for the subproject has been carrying out but it is progressing very slowly. At time of the updating the RAP, only 26.2% of PAPs have been paid compensation and handed over land to the project so that there has not been much changes in and impacts on livelihood and economics of PAPs. Most of PAPs have still maintained their livelihood. Therefore, the uRAP will not update socio-economic information of CCSEP's PAPs.

##### **Situation of land use**

38. Most of the agricultural land area to be acquired is bare land with no cultivation because the agricultural area is within urban area without irrigation system. Most of the land lots to be acquired were planned for construction of resident area (Ngoc Hiep resettlement site) and non-agricultural purpose.

39. A certificate of land use right is a document certifying the legality of land and the assets attached to it, however, the legal status of land use right in the area to be acquired is very complicated. Many land transactions of PAPs were not registered or certified by local authorities so that land use right certificate have not been granted to these PAPs. This strongly affects the implementation of compensation and site clearance and the reason for complaints of PAPs.

#### **5. LEGAL FRAMEWORK**

40. The compensation policies applied in Nha Trang City sub-project will comply with the World Bank's OP 4.12 Involuntary Resettlement, the Resettlement Policy Framework which was approved by Prime Minister in Decision No.1078/TTg-QHQT dated 22/6/2016 of the Government, relevant laws and regulations of Vietnam and Khanh Hoa Province.

##### **5.1. LEGAL FRAMEWORK OF THE VIETNAM GOVERNMENT**

41. The legal framework with respect to land acquisition, compensation and resettlement is based on the Constitution of the Socialist Republic of Vietnam (2013), and the Land Law 2013, and other relevant decrees/guidelines. The principal legal documents applied for this RAP include the followings:

- Constitution of the Socialist Republic of Vietnam adopted on November 28, 2013.
- Land Law No. 45/2013/QH13 dated November 29, 2013 of the National Assembly on Land (effective on July 1, 2014).
- Decree No. 84/2013/ND-CP dated July 25, 2013 of the GoV on development and management of resettlement housing;
- Decree No. 43/2014/ND-CP dated May 15, 2014 of the GoV on detailing a number of articles of the Land Law.
- Decree No. 44/2014/ND-CP dated May 15, 2014 of the GoV on land prices;
- Decree No. 45/2014/ND-CP dated May 15, 2014 of the GoV on collection of land use levies.

- Decree No. 46/2014/ND-CP dated May 15, 2014 of the GoV on collection of land rent and water surface rental.
- Decree No. 47/2014/ND-CP dated May 15, 2014 of the GoV on compensation, support and resettlement upon land recovery by the State.
- Decree No. 01/2017/ND-CP dated January 6, 2017 of the Government amending and supplementing a number of Decrees detailing the implementation of the Land Law;
- Decree No. 148/2020/ND-CP dated December 18, 2020 of the Government amending and supplementing a number of Decrees detailing the implementation of the Land Law;
- Decree No. 114/2021/ND-CP dated December 16, 2021 of the Government on the management and use of official development assistance (ODA) and concessional loans of foreign donors; Circular No. No. 30/2014/TT-BTNMT dated June 2, 2014 of the Ministry of Natural Resources and Environment providing for documents on land allocation, land lease, land use purpose conversion, and land acquisition;
- Circular No.36/2014/TT-BTNMT dated 30June 2014 of Ministry of Natural Resources and Environment on land pricing method; compilation of and adjustment to land price lists; determination of specific land prices and consultancy on land pricing.
- Circular No.37/2014/TT-BTNMT the MONRE dated June 30, 2014 on compensation, support and resettlement upon land recovery by the State.
- Circular No. 33/2017/TT-BTNMT dated September 29, 2017 of the Ministry of Natural Resources and Environment detailing Decree No. 01/2017/ND-CP dated January 6, 2017 of the Government amending, supplementing a number of decrees detailing the implementation of the Land Law and amending and supplementing a number of articles of the circulars guiding the implementation of the Land Law;
- Circular No. 09/2021/TT-BTNMT dated June 30, 2021 of the Minister of Natural Resources and Environment amending and supplementing a number of articles of the circulars detailing and guiding the implementation of the Land Law ;
- Decision No.63/2015/QD-TTg of the Governmental Prime Minister dated December 10, 2015 on employment and vocational training support policies for laborers subject to agricultural land recovery.
- Decision No.1956/2009/QD-TTg of the Governmental Prime Minister dated November 17, 2009 on vocational training for rural labourers to 2020”.

42. Decisions of Khanh Hoa province relating to compensation, assistance and resettlement in Khanh Hoa Province:

- Decision No. 85/QD-UBND dated January 10, 2017 of Khanh Hoa PPC approving the plan to implement compensation, support and resettlement under CCSEP Nha Trang
- Decision No. 132/QD-UBND dated January 13, 2017 of Khanh Hoa Provincial People's Committee approving a number of contents on compensation, support and resettlement upon land acquisition by the State in Nha Trang City for implementation of CCSEP Nha Trang and Ngoc Hiep resettlement Site Infrastructure Construction Project;

- Decision No. 565/QD-UBND dated January 13, 2017 of Khanh Hoa Provincial People's Committee amending the Decision No. 132/QD-UBND dated January 13, 2017 of Khanh Hoa Provincial People's Committee;
- Decision No. 379/QD-UBND dated February 17, 2023 of Khanh Hoa Provincial People's Committee amending and supplementing a number of contents regarding compensation, support and resettlement upon land acquisition by the State in Nha Trang City for implementation of CCSEP Nha Trang and Ngoc Hiep resettlement Site Infrastructure Construction Project;
- Decision No. 10/2021/QD-UBND dated August 26, 2021 of Khanh Hoa Provincial People's Committee promulgating detailed regulations on some contents on compensation, support and resettlement upon land acquisition by the State in Khanh Hoa province;
- Decision No. 04/2022/QD-UBND dated March 9, 2022 of the People's Committee of Khanh Hoa province on amending and supplementing a number of articles in the Regulation detailing some contents on compensation, support and resettlement. settlement upon land acquisition by the State in Khanh Hoa province, promulgated together with Decision No. 10/2021/QD-UBND dated August 26, 2021 of Khanh Hoa PPC;
- Decision No. 17/2021/QD-UBND dated November 25, 2021 of Khanh Hoa PPC stipulating the price list for new construction of houses and other construction works attached to land and compensation costs for a number of works on land in Khanh Hoa province
- Decision No. 2179/QD-UBND dated August 5, 2022 of Khanh Hoa PPC promulgating the price list for compensation and support for crops grown on land to be acquired by the State in Khanh Hoa province
- Dispath No. 2483/STC-QLG dated July 1, 2022 of the Department of Finance on the rice price for calculating support for stabilizing life and production;
- Dispath No. 3520/UBND dated May 25, 2022 of the People's Committee of Nha Trang City on the application of support levels for architectural works and objects according to Point 7 Clause 7 Article 1 of Decision No. 04/2022/QD- UBND dated March 09, 2022 of Khanh Hoa PPC.

## **5.2. WORLD BANK'S INVOLUNTARY RESETTLEMENT POLICY**

43. The World Bank recognizes that involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and carried out. The Bank's Involuntary Resettlement Policy OP/BP 4.12, includes safeguards to address and mitigate the economic, social, and environmental risks arising from involuntary resettlement.

44. The Involuntary Resettlement Policy (OP/BP 4.12) is triggered when a Bank-funded investment causes:

- (i) Involuntary taking of land that results in direct social and economic impacts such as
  - Loss of shelter leading to relocation

- Loss of assets or access to assets
  - Loss of income sources or means of livelihood (whether or not the affected persons must move to another location) due to involuntary land acquisition.
- (ii) Involuntary restriction of access to legally designated parks and protected areas that result in adverse impacts on the livelihoods of affected persons.
45. The Involuntary Resettlement Policy (OP/BP 4.12) applies to all components of the project that require land acquisition, regardless of the source of financing and this is also applied in activities leading to involuntary resettlement, which assessed by the Bank as follows:
- Directly and significantly related to the Bank-financed project;
  - Necessary to achieve its objectives as set forth in the project documents; and
  - Carried out, or planned to be carried out, simultaneously with the project.
46. The objectives of the Involuntary Resettlement Policy OP/BP 4.12 are the following:
- (i) Involuntary resettlement should be avoided as much areas as possible or minimized by bringing out optional measures in the process of technical design;
- (ii) Wherever involuntary resettlement is unavoidable, resettlement activities should be aware of and executed as sustainable programs, necessary to supply enough investment sources to help adversely affected persons to share project's benefits. Directly or indirectly affected persons need must be consulted and participated in the process of planning and implementing resettlement programs.
- (iii) Affected Persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-project levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

### **5.3. SOME KEY GAPS BETWEEN VIETNAM AND WB APPROACHES IN COMPENSATION, SUPPORT AND RESETTLEMENT AND RECOMMENDED MEASURES FOR FILLING THE GAPS FOR THE SUBPROJECT**

47. There are SOME differences between the Government of Vietnam's Laws, policies, regulations related to land acquisition/resettlement, and the World Bank's OP 4.12 on Involuntary Resettlement. The following table highlights the key differences and measures recommended in order to resolve the gaps and apply for compensation, assistance and livelihood restoration support for the affected households of the subproject.

**Table 4 – Key gaps between Government’s and World Bank’s policies related to compensation, assistance and resettlement and measures for gaps**

Subjects	World Bank’s OP 4.12	Government of Vietnam	Approach/Project Measures
<b>1.Land Property</b>			
1.1.Policy objectives	APs (Project Affected Persons) should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation,	There is a provision of support to be considered by PPC to ensure they have a place to live, to stabilize their living and production. (Article 25 of Decree 47).  In case the amount of compensation/support is not enough for resettled people to buy a minimum resettlement plot/apartment, they will be financially supported to be able to buy a minimum resettlement plot/apartment (Article 86.4 of Land Law 2013 and Article 27 of Decree 47)	Livelihoods and income sources will be restored in real terms, at least, to the pre-displacement levels or to levels prevailing prior to the beginning of project implementation.
1.2.Support for affected households who have no recognizable legal right or claim to the land they are occupying	Financial assistance to all project affected persons to achieve the policy objective (to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation,	Only agricultural land used before July 1, 2004 and affected people directly produces on the land is eligible for compensation. Other cases may be considered for assistance by PPC according to article 25, Decree 47/2014/ND-CP.	Compensation as regulated by the government for eligible PAPs and financial assistance for others for restoration of livelihood until their livelihoods and standards of living restored in real terms, at least, to pre-displacement levels.  Compensation at replacement cost for all affected non-land assets on the land if

Subjects	World Bank's OP 4.12	Government of Vietnam	Approach/Project Measures
	whichever is higher)		created before the cut-off date.
1.3.Compensation for illegal structure	Compensation at full replacement cost for all affected structures regardless of legal status of the AP's land and structure if constructed before the cut-off date.	No compensation	Compensation at full replacement cost will be given for all structures affected, regardless of legal status of the land and structure, if constructed before the cut-off date
<b>2. Compensation</b>			
2.1. Methods for determining compensation rates	Compensation for lost land and non-land assets should be paid at full replacement costs at time of land acquisition.	<p>Compensation for land at specific land price;</p> <p>Compensation for house and related structures for living is at market price to construct a new house/structure with similar technical standard;</p> <p>Other house/structure is compensated with deduction and depreciation. Provincial People's Committees are granted to identify compensation prices for different categories of assets. Independent land valuator can be hired to determine specific land prices, which will be appraised by land appraisal board and approved by Provincial People's Committee.</p>	Independent appraiser identifies replacement costs for all types of land and non-land assets affected, which are appraised by land appraisal board and approved by Provincial People's Committee to ensure full replacement costs.



Subjects	World Bank's OP 4.12	Government of Vietnam	Approach/Project Measures
2.2. Compensation for loss of income sources or means of livelihood.	Loss of income sources should be compensated (whether or not the affected persons must move to another location).	Assistance in respect of income loss is given only for registered businesses. Additional financial assistance will be provided according to article 25, Decree 47/2014/ND-CP.	All income losses are to be compensated and, where necessary to achieve the objectives of the policy, development assistance in addition to compensation will be provided.
2.3. Indirect impact caused by land or structures taking	It is good practice for the borrower to undertake a social assessment and implement measures to minimize and mitigate indirect adverse economic and social impacts, particularly upon poor and vulnerable groups.	No regulation	Social assessment has been undertaken and measures identified and being implemented to minimize and mitigate indirect adverse impacts, particularly upon poor and vulnerable groups.
2.4. Livelihood restoration and assistance	Provision of livelihood restoration and assistance to achieve the policy objectives	Livelihood restoration and assistance measures are provided. No follow-up for full livelihood restoration after resettlement completion.	Provision of livelihood restoration and assistance measures to achieve the policy objectives. These will be monitored as detailed in the RAP
2.5. Consultation and disclosure	Participation in planning and implementation, specially confirming the eligibility criteria for compensation and assistance, and access to Grievances Redress Mechanisms	Focus mostly on consultation during planning (consultation on draft plan of compensation, support and resettlement and plan for training, career change and facilitating job searching); information sharing and disclosure.	Local people's consultation and participation incorporated into RAP design, along with information sharing with APs and stakeholders.

Subjects	World Bank's OP 4.12	Government of Vietnam	Approach/Project Measures
<b>3. Grievance redress mechanism</b>			
	Grievance redress mechanism should be independent	<p>The same governmental body makes decisions on compensation and resettlement, and also handles grievances at the first step.</p> <p>However, complainants can go to court at any steps as AP wishes.</p>	More effective Grievance and Redress mechanisms are to be established, built on the existing governmental system, with monitoring by an independent monitor.
<b>4. Monitoring &amp; Evaluation</b>			
	Internal and independent monitoring are required	<p>Citizens are allowed to supervise and report on breaches in land use and management on their own (or through representative organizations), including land recovery, compensation, support and resettlement (Article 199, Land Law 2013).</p> <p>There is no explicit requirements on monitoring of the resettlement works, including both internal and independent (external) monitoring</p>	<p>Both internal and external (independent) monitoring is to be regularly maintained (on a monthly basis for internal and biannual basis for independent monitoring).</p> <p>An end-of-project report will be done to confirm whether the objectives of OP 4.12 were achieved.</p>

## **6. ELIGIBILITY CRITERIA AND ENTITLEMENTS**

### **6.1. PROJECT AFFECTED PERSONS**

48. Project affected persons are ones who are directly affected by the project through the loss of land, residences, other structures, business, assets, or access to resources, specifically are:

- Persons whose agricultural land will be affected (permanently or temporarily) by the Project;
- Persons whose residential land/houses will be affected (permanently or temporarily) by the Project;
- Persons whose leased-houses will be affected (permanently or temporarily) by the Project;
- Persons whose businesses, occupations or places of work will be affected (permanently or temporarily) by the Project;
- Persons whose crops (annual and perennial)/ trees will be affected in part or in total by the Project;
- Persons whose other assets or access to those assets, will be affected in part or in total by the Project; and
- Persons whose livelihoods will be impacted (permanently or temporarily) due to restriction of access to protected areas by the Project.

### **6.2. IDENTIFICATION OF VULNERABLE GROUPS OR HOUSEHOLDS**

49. According to the definition of vulnerable groups/households in the resettlement policy framework of the project and the subjects of social protection defined in Decree No. 67/2007/ND-CP of 13 April 2007 and Decree No. 13/2010/ND-CP dated 27 February 2010 of the Government on policies to support the social protection subjects, the vulnerable groups/households of the project include:

- Women-headed HH (not married, widowed or husband incapable of working) with dependents;
- Disabled people (no longer working capacity), The elderly without supporters;
- The poor people according to the criteria of MOLISA,
- The landless people;
- People aged at 85 and older who have no pension or social insurance benefits;
- People with mental illness of all types of schizophrenia, psychosis who have been treated several times by psychiatric specialized medical agencies but no sign of recovery;
- Families and individuals adopting orphans, abandoned children;
- The household has 02 or more severely disabled, incapable of self-serving; and
  - Ethnic minorities.

50. These are special target groups likely to be affected disproportionately or be at risk of further impoverishment due to the impacts of the resettlement. Therefore, in the process of making plan of compensation, support and detailed resettlement, the Compensation Committee

and the Project Management Unit in collaboration with the ward/commune level People's Committee will investigate and update the list of vulnerable groups or households to provide special support and allowance timely and appropriately to them.

### **6.3. ELIGIBILITY**

51. The eligibility for entitlement to compensation and support is determined by legal status of asset ownership criteria:

- (i) Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country. In the consideration, it is also useful to document how long they have been using the land or the assets associated with it);
- (ii) Those who do not have formal legal rights to land at the beginning of the census but have a claim to such land or assets provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement plan;
- (iii) Those who have no recognizable legal right or claim to the land they are occupying.

52. Persons covered under item (i) and (ii) are provided compensation at replacement cost for the land and non-land assets they lose, and other assistances as regulated in resettlement policy framework. Persons covered under (iii) are provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy the project area prior to a cut-off date established by the borrower and acceptable to the World Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (i), (ii), or (iii) are provided compensation for loss of assets other than land.

53. By definition, cut-off date is the date when the Provincial PC or local authorities issues the Notification of Land Acquisition for each component before implementation of detailed measurement survey (Article 67.1 of Land Law 2013). Affected people and local communities will be delivered the notification (in written) and informed the cut-off date as well as other plans of the project, thus they can adjust their land use plan to avoid any impacts because of lacking information.

54. Agricultural land: compensation for land is provided to those who directly produce but have no formal or customary rights to affected agricultural land which was used before July 1, 2004 (the effective date of the Land Law 2003).

### **6.4. ENTITLEMENTS**

55. With respect to a particular eligibility category, entitlements are the sum of compensations and other forms of assistance provided to project affected persons (please refer to Appendix 1 for the Entitlement Matrix).

### **6.5. NEW HOUSEHOLDS AFTER THE CUT-OFF-DATE**

56. Those households splitting from the large families after the cut-off-date who meet the following conditions are recognized as affected households:

- (i) Household with multiple generations, many couples live together on a plot of land acquired and is eligible to separate household;
- (ii) Endorsement by the District authority, with verification of commune's People's Committee that the household has met conditions for splitting according to regulation of the government.

57. Newly born children, spouses of persons named in the household registration books, people who have completed military service, and people who have just returned from schools to live with the affected households from the cut-off date to the date when compensation paid will be entitled to the compensation and support measures outlined in this document.

## **7. VALUATION AND COMPENSATION FOR LOSSES**

58. As required by the Involuntary Resettlement Policy of the World Bank, replacement cost survey needs to be implemented by an independent agency at time of land acquisition to determine replacement cost for calculating compensation for all affected lands, crops, aquaculture products, assets, and structures.

59. An independent land appraiser validated the subproject's land prices through a report on land price valuation prepared in December 2022. The valuation methodology applied was the land price coefficient method as the main method, in which market survey and the comparison method were used as the supporting method to determine the coefficient for determining the reserve price of land use right auction. Results of the land appraisal showed that the compensation prices applied for compensation packages were similar than the previously assessed prices. Therefore, it was confirmed that the applied land prices were consistent with the contents of this RAP.

60. The World Bank carried out a full due diligence review of all the compensation packages of the subproject and the associated facility (8.62 hectares of Ngoc Hiep resettlement site). The review was completed on June 30, 2023, flagging that 32% of the compensation packages were not fully compliant with the RAP. The TT has been working with the local authorities to amend them to comply with the RAP fully. The process to ensure full RAP compliance of the compensation packages has yet to be finalized for Component 2.

## **8. PRINCIPLES AND POLICIES COMPENSATION, SUPPORT AND RESETTLEMENT**

### **8.1. GENERAL PRINCIPLES**

61. All projects affected people (PAP) who have non-land assets within or reside within the area of project land-take before the cut-off date are entitled to compensation for their losses. Those who have lost their income and/or subsistence will be eligible for livelihood rehabilitation assistance based on the criteria of eligibility defined by the project in consultation with the PAPs. If, by the end of the project, livelihoods have been shown not to be restored to pre-project levels, additional measures will be provided:

- (i) The compensation rates will be determined based on the results of independent appraisal of the land/crops/assets (associated with the land) in a timely and consultative manner. All fees and taxes on land and/or house transfers will be waived or otherwise included in a compensation package for land and structures/or

houses or businesses. The local authorities will ensure that PAP choosing relocation on their own, obtain, without additional costs, the necessary property titles and official certificates commensurate with similar packages provided to those who choose to move to the project resettlement sites.

- (ii) Land will be compensated “land for land”, or in cash, according to PAP’s choice whenever possible. The choice of land for land must be offered to those losing 20% or more of their productive land. If land is not available, Project Management Unit (PMU) must assure itself, that this is indeed the case. Those losing 20% or more of their land will have to be assisted to restore their livelihood. The same principles apply for the poor and vulnerable people losing 10% or more of their productive landholding.
- (iii) PAPs who prefer “land for land” will be provided with land plots with the equivalent productive capacity for lost agricultural land (if land fund available) or a combination of land (a standard land plot) in a new residential area nearby for residential land, and cash adjustment for difference between their lost residential land and the land plots provided in resettlement site. The resettlement site will be planned properly and implemented in consultation with the PAPs. All basic infrastructures, such as paved roads, sidewalks, drainage, water supply, and electricity and telephone lines, will be provided.
- (iv) PAPs who prefer “cash for land” will be compensated in cash at the full replacement cost. These PAPs will be assisted in rehabilitating their livelihoods and making their own arrangements for relocation.
- (v) Compensation for all residential, commercial, or other structures will be offered at the replacement cost, without any depreciation of the structure and without deduction for salvageable materials. Structures shall be evaluated individually. Any rates set by category of structure must use the highest value structure in that group (not the lowest).
- (vi) As for the displaced households affected with shelter (displaced from existing residential land because the remaining land area is not feasible for building house or entire land acquisition), the local resettlement board needs to conduct consultations and makes agreed solutions to assist for new shelter for affected households.
- (vii) The displaced households affected with shelter that capable of building house on the remaining land (not subject to displacement) will be applied general policies of the project in accordance with the agreed entitlement matrix.
- (viii) The PAPs will be provided with full assistance (including a transportation allowance) for transportation of personal belongings and assets, in addition to the compensation at replacement cost of their houses, lands and other properties.
- (ix) Compensation and rehabilitation assistance must be provided to each PAP within 30 days since approval of compensation plan and prior to the taking land and non-land assets. Exceptions should be made in the case of vulnerable groups who may need more time.
- (x) If, by the end of the project, livelihoods have been shown not to be restored to preproject levels, additional measures will be provided.

- (xi) Additional efforts, such as economic rehabilitation assistance, training and other forms of assistance, should be provided to PAPs losing income sources, especially to vulnerable groups, in order to enhance their future prospects toward livelihood restoration and improvement.

## **8.2. COMPENSATION POLICY FOR PERMANENT IMPACT**

### **8.2.1. FOR LOSS OF AGRICULTURAL LAND**

#### **62. Legal and/or legalizable land users:**

- (i) Compensation “land for land” if local land fund is available and PAP choose. Land compensation must meet the following principles: a) equivalent to the value of the affected land area; b) same type of soil (or equal productive capacity); c) at the location that satisfactory to the PAP; d) there is land use rights for the head of household and his/her wife/husband (if any); and e) non-payment of taxes, charges and fees for registration of land use rights. If land compensation is smaller value or lower quality, PAPs will be entitled to compensation on cash equivalent the differences. For all non-land assets on the land acquisition, PAPs will receive compensation in cash at 100% replacement cost if the affected assets were constructed before the cut-off date.
- (ii) If land is not available or the PAPs prefers to receive cash compensation. They will receive compensation in cash for loss of affected agricultural land and assets on the land acquisition at 100% replacement cost.
- (iii) If area of remaining land after acquisition is not enough to continue cultivation, the project will acquire the entire piece of land and compensation would implement in one of two forms as defined in point (i) and (ii) of this section.
- (iv) In addition to compensation in cash for land acquisition area as specified above, PAPs will receive allowances and rehabilitation assistance as referred to item 8.2.5 of this RAP.
- (v) In the case of acquired land exceeding the limit of local (except for land by inheritance, donation or transfer of land use rights) are not entitled to compensation for land but supported remaining values invested in such land. Provincial People's Committee may consider providing this support suitable to the local realities.

#### **63. Users with temporary or leased rights to use communal/public land (PAPs who rent communal or public land):**

- (i) For PAPs currently using land assigned by State-owned agricultural or forestry farms on a contractual basis for agricultural, forestry, or aquaculture purposes (excluding land under special use forests and protected forests), compensation shall be provided for investments made on the land at 100% replacement cost, but not for the land itself, and these PAPs will also receive additional support for income rehabilitation if they are directly involved in agricultural activities as per Government’s regulations.
- (ii) Where PAPs receive land on a contractual basis but are other than the individuals specified as above, they shall only receive compensation for investments made on the land at 100% replacement cost

#### **64. Land users who do not have legitimate land ownership (illegal user):**

- (i) For agricultural land which was used before July 1, 2004, of which land users are households and individuals directly engaged in agricultural production will be compensated at 100% replacement cost as per Article 77.2 of the Land Law.
- (ii) For other cases, instead of compensation for land, these PAPs will receive financial assistance of an amount corresponding to the remained investment put on the land, the amount will be determined by the Khanh Hoa PPC.
- (iii) In case of a physical impediment caused by the project, PAPs will receive additional compensation or supports if required to offset.

### **8.2.2. COMPENSATION FOR NON-AGRICULTURAL LAND**

65. Organizations, individuals whose land for non-agricultural production and business is acquired will be compensated as follows:

- (i) All affected households, individuals with LURC or legalizable: i) if local land fund is available and PAP choice, Compensation “land for land” is priority; ii) If land is not available or the PAP prefers to receive cash compensation, they will receive compensation in cash for loss of land and assets on the land acquisition at 100% replacement cost.
- (ii) Households and individuals who use leased land acquisition with annual rent payment or lump-sum rent payment but was exempted from rent will not be compensated for land but compensated equivalent to remaining values invested in such lands and assets on the land at 100% replacement cost .
- (iii) For households and individuals use land with land-attached houses before 1 July 2004 and their land originate from encroachment and illegal occupation, when the State recovers land, the State shall assign new residential land with land use levy collection or shall sell resettlement houses to them if they do not have other residence. Land use levies and sale prices of resettlement houses will be stipulated by PPC.
- (iv) Valid organizations (economic organizations, public organizations in accordance with financial autonomy) using land for non-agricultural production and business with lump-sum rent payment (rent unused the state budget) with LURC or legalizable will be compensated “land for land” if local land fund is available, if not, will be compensated in cash at 100% of replacement cost.
- (v) Valid organizations (economic organizations, public organizations in accordance with financial autonomy) using land for non-agricultural production and business with annual rent payment or lump-sum rent payment but was exempted from rent will not be compensated for land but compensated equivalent to remaining values invested in such lands and assets on the land at 100% replacement cost.

66. In addition to the compensation mentioned above, the project will provide allowances and rehabilitation assistance as mentioned in item 8.6 of this RAP.

### **8.2.3. FOR LOSS OF RESIDENTIAL LAND**

67. Loss of residential land without structures:



- (i) *For legal and/or legalizable land users:* all compensation for loss of land will be made in cash at 100% replacement cost;
- (ii) *For land users who have no recognizable land use right:* financial assistance will be provided. The amount will be determined by Khanh Hoa PPC.

68. Loss of residential land with structures built thereon, where the remaining land (non – acquired land) is adequate to rebuild the structure (reorganizing APs):

- (i) Compensation for loss of land will be made in cash at 100% replacement cost for legal and legalizable land users;
- (ii) Financial assistance will be provided to land users who do not have recognizable land use rights. The amount will be determined by Khanh Hoa PPC.
- (iii) Compensation for affected structures at 100% replacement cost without deduction of salvageable materials.
- (iv) If houses or structures are partly affected, compensation at replacement cost for the affected part, plus repairation costs as mentioned in Section 8.2.5 of this RAP.

69. Loss of residential land with structures built thereon, and the remaining land is not adequate to rebuild the structure (relocating PAP):

- (i) PAP with legal and/or legalizable rights to the affected land, can choose one of the following options:
  - If PAP chooses compensation "land for land": PAP will be compensated land plot/apartment in the project's resettlement site where infrastructure is fully invested and allocation of resettlement land plot will be made according to the provisions of Khanh Hoa PPC, depending on local land fund. PAP will be provided with a certificate of land/ apartment use right without paying any fees.
  - In case the compensation amount for land is more than the value of land plot compensation in the project's resettlement site, the difference amount will be paid in cash to PAP.
  - In case that the compensation amount for land is less than the value of a minimum plot in the project's resettlement site, PAP will be given the financial support for the difference to allow them to have the new land plot/apartment.
  - If PAP choice is not compensation "land for land", all compensation for loss of land will be made in cash at 100% replacement cost, plus relocation allowance prescribed by the province for self-relocation.
    - In the case of the remaining land is not large enough to rebuild house, but in the same plot of land there is a pond/ garden/ agricultural land, households may propose converting part of pond/ garden/agricultural land into residential according to the provisions of the PPC to be able to rebuild house on site.
- (ii) The PAPs, who do not have legal or legalizable rights to the affected land, are entitled to the followings:
  - Amount of financial assistance will be reviewed and decided by Khanh Hoa PPC.

- If the PAP has no house/residential land within Nha Trang city to move, a minimum land plot satisfactory to them will be provided in the resettlement site and they can either pay in installment or rent it for living at replacement cost.

70. In case the relocated PAPs belong to poor or vulnerable groups or households, additional assistance (in cash or in kind) will be provided to ensure that they are able to fully relocate to a new site. This amount will be considered and determined by the PPC.

#### **8.2.4. FOR LOSS OF HOUSE/ STRUCTURES**

##### **71. For Affected house/structures**

- (i) Owners whose house/structures are affected will be compensated as follows:
- Compensation in cash will be made for all affected private-owned houses/structures, at 100% of the replacement costs, regardless of whether or not they have title to the affected land or a construction permit for the affected structure if constructed before the cut-off date. The compensation amount will be sufficient to rebuild the affected house/structure of the same technical standard.
  - If the house/structure is partially affected, compensate for the affected part at replacement cost, plus costs to repair the affected house/structures to restore it to the former condition, or better;
  - If PAPs constructed house on the affected agricultural land and have to relocate but there is no another house/residential land within Nha Trang city to move, they are entitled to purchasing a minimum plot in resettlement site at replacement cost.
  - Cash compensation for house/structure will be at full replacement cost. No deductions will be made for depreciation or salvageable materials..
  - The calculation of rates will be based on the actual affected area and not the useable area.
  - Houses/structures constructed after the cut-off date will not be compensated or supported.
- (ii) Tenants of state-owned or organization-owned houses will be entitled to rent or buy a minimum plot in resettlement site; or provided a financial assistance equivalent to 60% of replacement cost of the affected land and houses. The affected structures, crops, trees created by the PAP before cut-off date will be compensated for at full replacement costs.
- (iii) Tenants who are leasing a private house for living purposes will be provided with transportation allowance for moving assets, and will be assisted in identifying alternative accommodation.

##### **72. For affected graves:**

- (i) Compensation for the removal of graves/ tombs will include the cost of excavation, relocation, reburial and other related costs which are necessary to satisfy customary requirements. The compensation amount will be determined by Khanh Hoa PPC.

- (ii) For ownerless affected graves, PMU will sign a contract with an independent unit for compensation and relocate them to new site.
- (iii) Household and individual graves are considered physical cultural resources (PCR) and even though the costs associated with their relocation will be covered in the resettlement plan, the WB OP 4.11 on Physical Cultural Resources should be triggered and relevant cross references should be made to the Environmental Management Plan or Project Implementation Manual.

### **8.2.5. FOR LOSS OF CROPS, TREES AND LIVESTOCK**

73. For trees, crops and livestock created before the project cut-off date, regardless of the legal status of the land, compensation will be paid to PAPs at full replacement cost. For plants which have not been harvested yet but can be brought to another location, the transportation cost and the actual damage due to the transportation and re-planting must be compensated.

74. For livestock (including aquatic livestock ) which are not due to be harvested at the time of land recovery, the actual damage due to the early harvest will be compensated in cash at replacement cost at the time of land acquisition. In case the livestock can be brought to another location, the transportation cost and the damage caused by the transportation must be compensated.

75. Trees/crops and livestock planted/raised after the cut-off date will not be compensated or supported.

### **8.2.6. COMPENSATION FOR LOSS OF OTHER ASSETS**

76. In the case that the PAP's are equipped with telephone system, water meter, electric meter, cable TV, internet access (subscription) and well, they shall be compensated according to the unit price of installing new units, are offered service announcement or relocation costs due to service provider's regulations.

### **8.2.7. FOR LOSS OF PUBLIC STRUCTURES**

77. In cases where community infrastructure such as schools, bridges, factories, water sources, roads, sewage systems, .... are damaged and the community wishes to reuse them, the project will ensure that these are restored or repaired as the case may be, at no cost to the community

78. Public infrastructure directly related to people's livelihoods and developmental needs, such as irrigation canals, schools, clinics, transportation road, electricity, telecommunication, cable lines (except for the structures with construction permit requiring relocation when needed) etc. will be restored/rebuilt to pre-project or higher quality levels or compensated at replacement cost.

## **8.3. COMPENSATION POLICIES FOR TEMPORARY IMPACT DURING CONSTRUCTION**

79. In the case that the project needs temporary use of land, the PMU or constructor rents the land of the owners complying with regulations stipulated by the Civil Law.

80. Compensation Policy for losses/damages of private or public structures occurring during construction execution:

- (i) Damaged property will be restored to its former condition by contractors, immediately upon completion of civil works.
- (ii) Under their contract specifications, the contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages do occur, the contractor will be required to repair the damage, if the damaged assets could not be restored compensation is required to pay to the affected families, groups, communities, or government agencies at the same compensation rates that are applied to all other assets affected by the Project.

#### **8.4. COMPENSATION FOR IMPACTS OF ASSOCIATED PROJECT**

81. This applies to those affected by development of resettlement sites. Because all PAPs of resettlement sites are likely to be affected in similar ways as primary ones, they will be entitled to compensation and rehabilitation assistance in accordance with the same respective provisions of the RAP.

#### **8.5. OTHER POSSIBLE IMPACTS DURING IMPLEMENTATION**

82. Any other impacts that may be occurred during implementation will be compensated in accordance with the principles of the RPF/RAP and World Bank OP 4.12. Any disruption of business will be compensated in accordance with the principles of the RPF/RAP.

#### **8.6. ALLOWANCES/ ASSISTANCES FOR LIVELIHOOD RECOVERY**

83. Besides the compensation for affected assets, APs will be provided with financial assistance to cover their expenses during the transition period. The assistance levels will be adjusted, taking into account inflation factor and price increase to be appropriate to the payment time. They include, but are not limited to:

##### **8.6.1. FOR IMPACTS ON RESIDENTIAL LAND**

84. Transportation Allowance to relocating PAP: For PAPs who move to new location will be provided financial assistance in cash. The amount will be determined by Khanh Hoa PPC.

85. House Renting Allowance will be provided to PAPs who may have to relocate from their original homes and are still awaiting the replacement land plots, or new house being built. The allowance amount will be determined by Khanh Hoa PPC.

86. Relocated households which eligible for resettlement, but self-accommodation: in addition to compensation for residential land acquisition at 100% replacement cost, will be provided an amount equal to the investment cost in infrastructure for a minimum land plot in the project's resettlement site. The specific level of support will be decided by provincial-level People's Committees.

87. Relocated households/individuals with house in combination with business will be provided an allowance for vocational training and job creation according to the provisions of the PPCs for households' member in working age.

88. Assistance for living rehabilitation: PAP who is relocated or rebuilt house on the remaining land area will receive substantial assistance in the transition period. The amount will be determined by provincial-level People's Committees.

### **8.6.2. FOR IMPACTS ON AGRICULTURAL LAND**

89. Allowance for living rehabilitation (during transition period) for PAPs who are directly engaged in agricultural production on the affected land: financial assistance equal 30kg rice/person/month, specifically:

- (i) PAPs losing 20 - 70% of their agricultural landholding (or 10 - 70% for the poor and vulnerable groups) will be provided with compensation of 6 months if they do not have to relocate, and 12 months in case of relocation. In some special cases, in extremely difficult areas, the compensation may be provided for a maximum of 24 months;
- (ii) PAPs losing more than 70% of their agricultural landholding will be assisted at the above rate for a period of 12 months if they do not have to relocate, and 24 months in case of relocation. In some special cases, in extremely difficult areas, the compensation may be provided up to a maximum of 36 months;
- (i) Households affected by loss of less than 20% of land, where the remaining land is rendered unviable for continued use, will be assisted with the above support plus any additional support as determined, for a period of 12 months.

90. Allowance for production rehabilitation: Households, individuals who are compensated by agricultural land will be supported production rehabilitation, including Support for plant varieties and animal breeds for agricultural production, services such as agricultural/forestry extension, plant protection, animal health, cultivation techniques, animal husbandry and professional techniques for manufacturing, business and commercial services. Form and level of specific support according to the provisions of Khanh Hoa PPC.

91. Allowance for Vocational Training and Job change/creation: The maximum support will be 05 times of agricultural land price of the same kind in the local land price list for the entire acquired area but not exceeding the limit of local agricultural land allocation.

### **8.6.3. FOR LOSS OF INCOME AND BUSINESS**

92. Allowance for production, business rehabilitation:

- (i) Businesses / households with business registration will be compensated or supported. The maximum compensation/support is 30% of after-tax income of 01 years based on their average annual of the last three years which declared the tax authorities;
- (ii) Households without business license but who have met their tax obligations will be entitled to compensation equivalent to 50% of support level for businesses/households with business registration.

93. Removal support: Organizations and PAPs that are allocated or leased land by the state or are lawfully using land and have to relocate their productive and/or business establishments are entitled to financial support for dismantling, relocating and re-installation of the

establishment. Support levels will be determined by actual costs at the time of removal, based on self-declaration of the organizations and verification by the agency in charge of compensation. This will then be submitted to the relevant authorities for approval.

94. Allowance for interrupted employment: Employees who work in affected manufacturing facilities or businesses with labor contract will receive allowance equivalent to the minimum salary as per the regulations during the transition period which can be for a maximum of 6 months as well as assistance in seeking job opportunity if needed.

#### **8.6.4. FOR LOSS OF PUBLIC LAND OF COMMUNES, WARDS OR TOWNSHIPS**

95. If land acquisition belongs to public land funds of communes, wards or townships, a financial assistance will be paid into the state budget and allocated in annual budget estimates of communes, wards or townships. The highest assistance level can equal to the compensation level. It is used to invest construction of infrastructure projects, used for public interest purposes of communes, wards and townships as stipulated in Article 24 of Decree 47/2014/ND-CP.

#### **8.6.5. ALLOWANCES/ASSISTANCE TARGETED TO VULNERABLE HOUSEHOLDS**

- (i) For landless households: Assistance through provision of a land plot in resettlement site with either payment by installment to buy it or rent it for living (at PAP's choice). Additional assistance will be considered if needed to ensure the PAP has a place to live.
- (ii) Social Policy HHs: Relocated Households which included heroic mothers, heroic armed force, heroic labor, war veterans, wounded or dead soldiers will be provided with support as regulated by Khanh Hoa PPC (to be certified by local authority).
- (iii) Poor households: apart from received allowance as regulated for the affected ones, further allowance for vulnerable groups shall also be received as follows:
  - Poor APs who have to relocate or lose more than 10% of their agricultural landholding, poor PAPs who lose less than 10% of their land but such land area is not enough to continue cultivation will be assisted in cash equal to 30kg rice/person/month for a period of 24 months or in accordance with provincial policy; whichever is higher.
  - The remaining poor households (not included in the above case) will be assisted in cash equal to 30kg rice/person/month for a period of 6 months.
- (iv) Other vulnerable groups: Female headed households with dependents, households with disabled persons, elderly without any source of support and ethnic minority households will be assisted in cash equal to 30kg rice/person/month for a period of 6 months.

#### **8.6.6. OTHER ALLOWANCES/ASSISTANCE**

96. Incentive Bonus: All APs who vacate the affected land immediately after receiving compensation and allowances will be given an incentive allowance consistent with each province.

Households, persons have had conditions for resettlement according to current law's regulations and carried out well the decision of ground handover within 10 days from the date of receipt of resettlement land, will be given a bonus by 10% of total compensation value, support; the lowest bonus is not less than 1,000,000 VND and the highest bonus is not more than 8,000,000 VND. In case of households handing over their ground ahead of schedule (when they have got compensation money or resettlement land), beside the amount of bonus mentioned above, they also received another amount of bonus (3,000,000 VND/household). If households, persons who have many land plots recovered in a project due to those land plots lying on various communes, in the event of ground handover ahead of schedule, will be given a bonus of 6,000,000VND (maximum) and this bonus does not exceed 20% of total compensation value, support of land area to be acquired.

97. APs who will lose income sources will be entitled to take part in Income Restoration Programs. Rehabilitation measures like agricultural extension services, job training and creation, credit access and/or other measures as appropriate will be given to APs losing income sources to ensure their livelihood could be restored to the pre-project level.

98. Apart from the assistances mentioned above, based on the actual situation, the Project may consider other assistances to secure life stabilization, culture, production and livelihoods of APs.

## **8.7. RESETTLEMENT AND INCOME RESTORATION STRATEGY**

99. For relocated households, they will have the options to choose between the self-arranged relocation on their existing plots or moving to a plot provided by local authorities or receiving cash compensation to self-arrange the relocation. In the case of relocated household having affected business, they will be assisted to find a new economically viable site; people in working age, depending on their need, are entitled to assistance for employment promotion and vocational training in accordance to provincial regulations.

100. For households with acquired agricultural land. Apart from the compensation and assistance foresaid, they are entitled to assistance policy for job creation and vocational training for the persons at the working age (Decision No.63/2015/QD-TTg and Decree No.47/2014/ND-CP). They will be provided free of charge:

- (i) Support for vocational training including: short-term vocational training courses (primary level and vocational training of less than 3 months) or vocational training at mid-level and college levels and the State pays tuition for one training course. The expenditure for vocational training is taken from total expenditure of the investment project or the approved plan on compensation, assistance and resettlement;
- (ii) Support for job creation in the country: providing consultation on vocational training, free introduction of jobs at the job introduction center under DOLISA. The businesses receive many labors whose agricultural land is acquired will be entitled to preferential policy on land, credit and taxes as regulated by the laws..

101. Besides, the AHs who are compensated by agricultural land will be assisted stable production, including: Assistance for plant varieties and animal breeds for agricultural production, agriculture and forestry services, plant protection services, veterinary medicine, cultivation techniques, breeding techniques and professional techniques for

production and business. Appropriate livelihood restoration programmers will be designed and implemented in consultation with the PAPs in the project implementation stage.

**8.8. VULNERABLE GROUPS AND GENDER ISSUES**

102. The Project realizes that there are certain social groups that have fewer possibilities to restore their living conditions, livelihoods, and income levels and the Project has integrated these issues in project preparation and implementation activities through application of APs participated planning and decision making. Women in villages contribute to economic development of the family and community livelihood. They will be empowered to become active members in community activities as well as in supporting project implementation and monitoring.

103. During the implementation process, the Project will pay special attention to the women and female-headed HHs as the project beneficiaries. Women will participate equally in the whole process of project implementation to enhance the project sustainability. Active participation of women will ensure that design of restoration measures suits their specific needs or concerns, e.g. groups of people without land, the poor and female householder, disables, the elders and children who have no assistance sources. An Gender Action Plan has been developed for the sub-project as part of the Social Assessment report.

**9. SELECTION AND PREPARATION OF RESETTLEMENT SITE**

**9.1. DEMANDS FOR RESETTLEMENT**

104. Before project was adjusted, it was estimated that 593 households/organizations would be affected by land acquisition, in which 291 PAHs have to be relocated. After the adjustment of the sub-project, the number of affected PAHs of the subproject is reduced to 450 households. From the total 450 PAHs, the estimated number of households to be displaced totals 215: 13 PAHs under component 1 and 202 PAHs under component 2. As of September 2023, 11 PAHs have been resettled under component 1, and none have been resettled under component 2. Since some of the PAHs will be entitled to receive more than 1 resettlement plot, the total tentative demand of resettlement plots in the resettlement site is 235 plots. Therefore, resettlement sites of Dat Lanh and Hon Ro 2 are no longer needed for the CCSEP-Nha Trang, and the area of Ngoc Hiep resettlement site (NHRS) have also reduced from 13.5ha to 8.62ha which was cleared to provide about about 235 plots: 6 hectares have been constructed infrastructure and 2.62 hectares have the site clearance completed but its infrastructure has not been constructed yet, and will be managed by the City People’s Committee and carry out technical activities for water drainage in service of the NHRS). So the 4.83 ha of NHRS is no longer be needed for the CCSEP Nha Trang sub-project. See table 5 in details.

**Table 5 – Resettlement demand of the project**

No.	Works items	No. of resettlement plots required (tentative)	Allocation status of land plots in the Ngoc Hiep RS as for September 2023
1	Northern WWTP (NT-1.7)	7	7 PAHs were allocated plots



No.	Works items	No. of resettlement plots required (tentative)	Allocation status of land plots in the Ngoc Hiep RS as for September 2023
2	Storm-water PS (NT-1.6)	6	4 PAHs were allocated plots, 02 others will be allocated after verifying eligibility
3	Road and Embankment on South bank of Cai River (NT-2.1)	180	No households allocated due to LAR has been frozen
5	Road and Embankment on North bank of Cai River and Chử Đồng Tử Road	42	No households allocated due to LAR has been frozen
6	Ngọc Hiệp RS	0	No resettlement land lot is required
	<b>Total</b>	<b>235</b>	<b>11 plots already allocated (as for September 2023)</b>

105. Due to changes in the availability of the resettlement land fund for the CCSEP Nha Trang Sub-project (within 6 hectares with completed infrastructure), the new criteria for resettlement eligibility have been approved by the Compensation, Support and Resettlement Committee, and the resettlement arrangement for the PAHs of CCSEP Nha Trang sub-project has been carried out on the basis of the new criteria.

## 9.2. CONSTRUCTION OF RESETTLEMENT SITES

106. As of Aug 30, 2023, infrastructure including drainage systems, access roads, electricity and water supply systems, trees, landscapes was constructed in 6 of 8.62ha of NHRS to provide 235 plots for CCSEP-Nha Trang.

**Table 6: Summary of impacts of Ngoc Hiep resettlement site**

Section	Status
6 ha	Land cleared, and infrastructure constructed. 235 plots are available. Enough to accommodate all the relocated households affected by CCSEP
2.62 ha	Land cleared and compensation paid in compliant with the Subproject's RAP before restructuring in December 2022. However, after restructuring, the number of PAHs who need resettlement is reduced, thus this area will not be needed for relocating peoples from the CCSEP. The Province, will decide on continuing construction of infrastructure in this area as per the approved masterplan and designs
4.83 ha	No land clearance needed for CCSEP. Land holders formally advised accordantly

## 9.3. RELOCATION ARRANGEMENT

107. All affected households who have to relocate and eligible for allocation of plots are arranged relocation in Ngoc Hiep resettlement site. For affected households whose land or house is ineligible for compensation and have to relocate but there is no another residential land/house within Nha Trang city will be entitled to purchase a plot in NHRS at replacement cost. Currently, all relocated households have selected location of plots in NHRS. Up to now, 11 households

(affected by NT-1.6 and NT-1.7 packages) have received land lots in the resettlement site (see table 5); and expectedly, the remaining household items will continue to be invited to receive resettlement land in October 2023 for construction of new houses. Land use right certificate will be granted for them soon.

108. In case the relocated HHs choose self-resettlement, addition to compensation, these households will be received a subsidy equivalent to cost of infrastructure investment of a minimum plot in resettlement site under the rules applicable at locality.

**10. LIVELIHOOD RESTORATION MEASURES**

109. The objective of livelihood recovery program (LRP) is to aid subjects-households incurring income damages due to project implementation: (i) terminated/affected production and business as a result of loss of premises, means of production and (ii) changed occupations as a result of loss of agricultural land. Incomes shall be recovered the same as those before project implementation, or incomes shall be increased further and and to ensure that the PAPs adapt to the new conditions in the shortest time.

110. Measures to restore livelihoods for the PAPs, especially the severely Affected Households and relocated households are being discussed by the PMU, Advisors, local authorities, stakeholders such as DOLISA, The Provincial Vocational Training Center, and the Local Policy Bank in order to build an adequate Income Restoration and Support Programe. The PMU in combination with the related agencies is responsible to prepare the livelihood restoration program for implementation. The independent monitoring consultant is required to monitor the implementation of the program and ensure income and livelihood of PAPs have been restored/improved after land acquisition.

**Implementation of livelihood restoration program**

111. Before implementation of livelihood restoration program, the project needs to identify severely affected households who are eligible for the LRP and conduct an assessment of demand for LRP to collect information for preparation of the LRP. From that, the LRP should prepare the list of choices/proposals of affected people for LRP activities.

*Table 7 – Arranging, organizing implemention of income restoration program*

<b>Implementing body</b>	<b>Roles/Responsibilities</b>
Khanh Hoa PPC	Khanh Hoa PPC is responsible for approval of income restoration program and in time and effective provision of budget to the income restoration program..
PMU	PMU shall be responsible to cooperate with compensation committee and related units/organization in the implementation of income restoration program. Also, PMU shall supervise the compensation committee in the implementation of income restoration program. Beside, PMU should sign the cooperation commitment with Policy bank and introduce the rules of cooperation to support affected households to borrow capital from Policy bank fast and conveniently
Compensation Committee/Council	Compensation committee is responsible to implement the income restoration program and cooperate with PMU and related units/organizations of the city. The specific role of compensation committee is as following:

Implementing body	Roles/Responsibilities
	<ul style="list-style-type: none"> <li>- On behalf of the people committee of the city to implement the income restoration program</li> <li>- Identifying the chances of good jobs in the province for affected people; including level requirements (level of education, ...); and assist affected people to meet applied conditions and quality for the job (including suitable occupation training if necessary);</li> <li>- Assist the people committee of the city to select suitable contractors of service provision or input materials for agriculture in the implementation of income restoration program.</li> <li>- Prepare and submit monthly, quarterly reports to PMU to consider and approve; and</li> <li>- Store and save all documents related to the income restoration program.</li> </ul>
Department of Labor, Invalids and Social Affairs	DOLISA cooperate with compensation committee and departments, sectors, local authorities to investigate, collect and statistic all laborers in labor age, number of people entitled social support in land acquisition area to suggest to the people committee the plan of assistance, training for changing occupation in time and effectively to help people in the project area stabilizing their lives as soon as possible..
Department Of Agriculture and Rural Development	DARD cooperates with compensation committee to determined the requirement of assistance needed to stabilize the production of affected households/individuals due to agricultural land acquisition, who are compensated with different agricultural land; directs the directly under units to prepare program, plan and to carry out technical and scientific transfer through the promotion program of agriculture, forestry and fishery to help affected people to increase the output of cultivation, breeds and maritime products and to stabilize their lives and production; support the race of plants, livestock, maritime products and promotion services of agriculture, forestry, fishery, plant protection services, veterinary services, techniques for planting, breeding livestock and growing maritime products.
The People's Committee of ward/commune	The People's Committee of ward/commune shall assists PMU and Compensation Committee in implementation of income restoration program

## 11. ROLE, RESPONSIBILITIES OF RELATED ORGANIZATIONS FOR IMPLEMENTATION OF THE URAP

112. The implementation of resettlement activities requires the involvement of agencies and organizations at the national, provincial, district and commune level. Each provincial people's committee will take general responsibility for the implementation of the general policy framework and specific resettlement plan of the sub-project of that province. Compensation, Assistance and Resettlement Committees shall be established at district/province level according to the provisions of Decree 47/2014/CP. The provisions and

policies of the RPF and the RAPs will form the legal basis for the implementation of compensation and resettlement activities in the Coastal Cities Sustainable Environment Project.

113. Detailed responsibilities of project stakeholders:

### **11.1. Provincial level**

114. Provincial People's Committee is the authority with highest competences at the provincial level. Provincial People's Committees (PPC) in each involved province is responsible or authorize city PC to set up and direct a provincial resettlement appraisal council in accordance to the needs of the project. The PPCs will take overall responsibility as follows::

- (i) Approve the Resettlement Policy Framework (if authorized by the Government);
- (ii) Inform or authorize DPCs to announce about land acquisition when the sub-project location is selected;
- (iii) Appraise and approve RAPs of their respective sub-projects after the final drafts are approved by the Bank;
- (iv) Approve or authorize DPCs to approve the land acquisition and allocation in the Project;
- (v) Make final decision and release unit prices for the compensation and assistance levels, and support policies for affected persons and vulnerable groups based on this Policy Framework and the approved RAPs;
- (vi) Direct the coordination among the concerned agencies and the provincial departments to implement the compensation, assistance and resettlement in accordance with the approved RAPs;
- (vii) Provide full budget for the resettlement activities;
- (viii) Ensure that the resettlement activities of the sub-project are in accordance with the Policy Framework and the approved RAPs. Ensure that the objectives of the RAP must be made after the deficiencies discovered through internal/ independent monitoring in the implementation of RAP.
- (ix) Consider resettlement location for the affected people if required.

### **11.2. Project Management Unit**

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

- (i) On behalf of the project owner or the city, implement and monitor all resettlement activities within the project, under the management of the PPC or the city PC. (If they are not capacity enough, they can contract to perform a number of works for site clearance and resettlement);
- (ii) To prepare plan, coordinate and monitor the RAP in general;
- (iii) To update and/or prepare RAPs in accordance with the approved Resettlement Plan and Policy Framework and submit them to the PPC/city PC and WB for approval before deploying these approved RAPs;

- (iv) To guide all RAP activities of the city and wards/communes, following the policies and guidelines of the Project Resettlement Plan;
- (v) To establish model procedures/processes regarding information campaigns and the relevant consultation organizations such as sending monthly letters to the communities on the Project activities. To coordinate with other components and other agencies involved in the RAP, implement and monitor the resettlement;
- (vi) To check and advise the PPC on the compensation prices of land and other properties, in coordination with other related government departments, agencies of the province, based on the principles of this Resettlement Policy Framework;
- (vii) To coordinate, supervise, and monitor the implementation of the RAP activities in the province;
- (viii) To advise the city People's Committee, Resettlement Council for the establishment of a professional group to help in site clearance and resettlement, carry the measurement and inventory, complete of compensation plans, preparation of compensation summaries, and setting up the compensation and resettlement plans to submit the city Resettlement Council for approval. This professional group is directly under the instruction and monitoring of PMU and the DCRCs.
- (ix) Preparation and construction of resettlement sites and procedures for land allocation for relocated households; management of resettlement sites to serve the resettlement for households and individual being relocated within the project.
- (x) To establish a contact mechanism to ensure that the technical assistance and logistics are suitable for the implementation of compensation and resettlement;
- (xi) To set up database criteria on affected persons for each component as well as for entire Project;
- (xii) To establish procedures for internal monitoring to supervise the compliance with the project policies;
- (xiii) To establish procedures for monitoring coordination between contractors and local communities and ensure quick identification and compensation for impacts on public and private properties during the construction;
- (xiv) To employ, monitor, and implement the recommendations of the independent monitoring agencies;
- (xv) To set procedures for quickly implementing necessary measures of adjustments and resolving complaints;
- (xvi) To coordinate to provide employment related to the Project for affected people (consult with the contractor on career opportunities for the locals and provide information for affected persons with opportunities and how to achieve such opportunities);
- (xvii) To take over land acquisition from households and transfer to contraction units;
- (xviii) To cooperate closely with the independent monitoring agencies; and
- (xix) To report periodically the resettlement activities to the WB.

### **11.3. City/ district level authorities**

116. City/District People’s Committees (DPCs) are responsible for:

- (i) Notification land acquisition if to be authorized by the PPC
- (ii) Approving compensation plans prepared by DCRCs and submitting to the PPC for endorsement;
- (iii) Issuing decisions on land acquisition from individuals and households;
- (iv) Settling complaints and grievances of the PAPs within jurisdiction..

117. City/District’s Compensation and Resettlement Committees/Councils (DCRCs) shall take responsibility for implementation of compensation and site clearance for works located in their respective districts, including:

- (i) Plan and implement all daily RAP activities within the city/district;
- (ii) Responsible for DMS, completion of compensation plans, review of the compensation plans to submit the PCs of provinces or cities (if authorized) for approval and coordinate with the PMU to pay compensation directly to each affected persons after receiving compensation fund;
- (iii) Preparation of land and procedures for resettlement of relocated households
- (iv) Responsible for coordinating with relevant units for conciliation and evolvement of complaints by project affected people on compensation policy and compensation rights;
- (v) Establish, if necessary, the commune/ward CRCs and direct them in implementing the RAP activities;
- (vi) Take special care to the needs and aspirations of the particular groups of people (ethnic minorities) and the vulnerable people (children, the elderly, the householders who are female/single);
- (vii) Make a list of people in the working age and in need of training, job change; and to coordinate with the DOLISA to make training plans for them basing on the law; to pay training fee for the vocational centers.
- (viii) Determine the need for support among the PAPs and PAHs with agriculture land acquisition, who are compensated with agriculture land; direct the direct subordinate units to make plans and implement science and technology transfer through agricultural, forestry and fishery programmes for labour with land acquisition; pay relevant expense for the services providers.
- (i) Coordinate closely with the independent monitoring organizations.

### **11.4. Ward/ Commune level authorities**

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

- (i) Establish ward-level working group and manage their functions, officer assignment for ward/commune staffs to assist DCRCs and the PMU preparing DMS for the project, documents for land acquisition, resettlement action plan and implementation of resettlement activities;

- (ii) Certify the origin of land use of organizations, agencies, units and individuals, households affected by the project.
- (iii) Support other units, organizations such as the PMU for information dissemination and organization of community meetings and counselling affected persons' comments;
- (iv) Support other organizations and units, including the PMU, in the demographic survey, cost/replacement price survey, detail measurement and inventory survey, and other resettlement activities;
- (v) Participate in all activities of land acquisition and allocation, resettlement, recovery support, and social development support;
- (vi) Support affected persons in all RAP activities and living standard restoration.
- (vii) Notify APs the compensation schedule and monitoring the compensation implementation and sign on contracts of compensation with APs;
- (viii) Ensure the adequate implementation of mechanisms of resolving complaints to affected persons. Take notes all complaints and keep records of document on complaints. Support and advice affected persons to quickly resolve complaints.

#### 11.5. Project Displaced Persons (DPs)

119. The DPs are responsible for:

- (i) Coordinating with survey teams in carefully checking and signing off their affected lands and other assets as well as their entitlements;
- (ii) Participating in all phases of the RAP preparation and implementation and give feedback for improving quality of the RAP and solutions for implementing the RAP smoothly; and
- (i) Moving to new sites in a timely manner after receiving full entitlements.

#### 12. COST ESTIMATION

120. Estimated costs for implementing the Resettlement Plan include:

- Compensation, support and resettlement costs: including the items described in the RAP entitlement matrix.
- Cost for organizing compensation, support and resettlement activities: including the cost of detailed survey and measurement, compensation, support and livelihood restoration, the cost of preparing land acquisition documents and the cost of independent valuation, etc. estimated at a maximum of 2% of the total cost of compensation and recovery support.

121. At the time of preparing the RAP in 2016, the total cost of implementing the Resettlement Plan is shown in the table below:

No.	Item	Amount (VND)	USD
<b>I. Component 01</b>		<b>11,370,563,426</b>	<b>509.320</b>
1	Land compensation:	3,687,820,000	165.188

No.	Item	Amount (VND)	USD
2	Compensation for houses, objects, and assets	5,482,622,626	245.583
3	Supports and bonuses	72,000,000	98.550
<b>II. Component 02</b>		<b>169,204,255,685</b>	<b>7,579,138</b>
1	Land compensation:	75,194,626,000	3,332,567
2	Compensation for houses, architecture, and property	87,954,677,485	4,463,216
3	Supports and bonuses	6,054,952,200	191.083
<b>III. (I + II)</b>		<b>180,574,819,111</b>	<b>8,088,458</b>
<b>V. Administrative expenses = 2%*(I+II)</b>		<b>3,611,496,382</b>	<b>161.769</b>
<b>Total</b>		<b>184,186,315,493</b>	<b>8,250,227</b>

122. At the time of updating the RAP, all options are being reviewed and supplemented. At the same time, because Component 2 has not yet decided the plan for site clearance work, it will be updated later.

### 13. PUBLIC CONSULTATION AND INFORMATION DISSEMINATION

#### 13.1. Objectives of public consultation and information dissemination

123. Disseminating information to people affected by the project and the involved agencies is an important part in the work of project preparation and implementation. The consultation with affected persons and ensures their active participation will reduce the potential conflict and risk of slowing the project. This allows the project to design a resettlement and rehabilitation program as a general development program, in accordance with the needs and priorities of affected people and therefore, maximizes economic and social efficiency of investment. Objectives of the information and community consultation program include:

- To ensure that local competent authorities as well as representatives of affected persons will be involved in the planning and making decision. The PPMUs will work closely with the district/commune PCs during the sub-project implementation. The participation of affected persons in implementation stage will be continued by requesting each district/commune to invite representatives of affected persons to play as members of the Council/Committee of Compensation and Resettlement of the district and participate in resettlement activities (property evaluation, compensation and resettlement and monitoring).
- To sharing fully information about planned work items and activities of the sub-project with the affected people
- To obtain information on needs and priorities of affected persons as well as receive their response information on planned policies and activities
- To ensure that affected persons can be informed fully the decisions which directly affect their income and living standard and they have the opportunity to participate in the activities and make decisions about issues directly affecting them



- To gain the cooperation and participation of affected persons and communities in the activities, which are necessary for planning and implementing the resettlement
- To ensure the transparency in all activities related to land acquisition, compensation, resettlement and restoration.

**a. Community Consultation During Project’s Preparation Stage**

124. During project’s preparation stage, public information and consultation aims to gather information for assessing project resettlement impacts and clarify recommendations on possible alternative technical options. This will reduce and/or mitigate potential negative resettlement impacts on local population and to proactively address issues or problems that may emerge during the implementation.

125. The methods of the project information and public consultation may include participatory rapid appraisals and stake holder’s consultation ones, using techniques of site and household visits, public meetings, group and focus group discussions and the household socio-economic survey.

126. Immediately in the stage of Project preparation, local government, local associations/organizations, residents in the project area and affected households/organizations were informed about the Project, objective and activities of the Project. They were consulted the opinion and participated actively into discussions about development demand and priority of their locality.

127. During the preparation stage of the Project, many consultation sessions were held in all localities where the project to be implemented. The consultation results are presented in the Resettlement Plan approved in 2017.

**b. Consultation During Project Implementation stage**

128. Information dissemination and community consultation: during the project implementation, the PMU, city level Compensation Committee with the support of the project consultants, will undertake the following tasks:

- (i) Providing information to relevant agencies at all levels throughout training workshops. Provide detail information on the project policies and implementation procedures
- (ii) Organizing information dissemination and consultation to all affected persons during the project implementation
- (iii) The DCRC carries out DMS, updates the unit prices based on the results of replacement cost survey, and reconfirm the scale of land acquisition and impacts on properties based on the results, consultation to affected persons, develop and complete property compensation plan for each affected household.
- (iv) The property compensation plan finalizes affected assets and compensation entitlements of households, which must be signed by affected persons to demonstrate their concurrence with the evaluated results. Any questions of affected persons on the content of the compensation plan must be recorded at this time.
- (v) A letter/questionnaire about resettlement options will be given to all PAPs entitled to relocation (a) to inform them about resettlement options (a clear explanation of

the consequences of choosing each option will be given), (b) to request that PAPs confirm their choice of resettlement option and their preliminary confirmation of resettlement site location, and (c) to propose the PAPs to clarify services that they are using such as education/health/market and distance of access to those services to ensure development of the future infrastructure service.

- (vi) Consulting affected people about their desire for the rehabilitation plan. This will be applied for severely affected and vulnerable people. The DCRC will notify affected persons the plan and their entitlement to receive technical assistance before requesting them to make clear their desire on the rehabilitation support.

129. Community Consultation: In the process of making detailed compensation plan / training plan, job conversion, the PMU/Compensation Committee will organize community meetings at each affected commune to provide the PAPs with additional information and give them an opportunity to participate in the open discussions on resettlement policy and procedures. Invitations will be conveyed to all affected persons before the meeting is held in such place. The purpose of this meeting is to clarify the information updated at the meeting time and create opportunities for affected people to discuss the concerned issues and clarify information. In addition to notification letters addressed to affected people, other measures of information dissemination to them and the public in general like posters in prominent places in the headquarter of communes/districts where the affected people are living by means of local radio and newspapers. Both men and women of affected households as well as community members who are interested in the Project are encouraged to participate. In the meeting, there will be explanations about the Project, rights and entitlements of households, and the meeting will be an opportunity to raise related questions. Similar meetings will be organized periodically throughout the project cycle. The consulting organization must be established record of certified CPC committee representing Vietnam Fatherland Front and communal representatives who have acquired land.

### **c. Public Meetings**

130. Prior to the beginning of the detailed design, a public meeting will be held in each ward/commune to provide PAPs with additional information and an opportunity for open discussion about resettlement policies and procedures in each affected commune. A letter of invitation will be sent to all PAPs before the meeting in their area. This meeting is intended to clarify information that has been given to date and to provide PAP with the opportunity to discuss issues of concern and obtain clarification. In addition to a letter informing the PAP, other means will be used to inform PAP and the general public such as posters in prominent locations in the communes and districts where PAP currently reside. Radio and newspapers will also be used to convey information and elicit response. These announcements and notices will advise the time and location of the meeting, and who can attend. Both men and women from affected households will be encouraged to attend, as well as other interested community members. The meeting will explain the Project, and households' rights and entitlements. There will be opportunities to ask questions. Such meetings will be conducted periodically during the Project implementation.

131. Relevant information will be given to the PAP at the meetings (verbally, graphically, and/or on printed information sheets). Extra copies of the printed information sheets will be available at township and district offices throughout the project area. The meetings are proposed to have the following format.

- (i) Explanations given verbally and in visual format, including written information and drawings of the proposed design for the different works supported by the Project.
- (ii) Adequate opportunities will be provided for PAPs to respond with questions and comments. PAPs will be encouraged to contribute their ideas for PAP rehabilitation options.
- (iii) DCRCs will establish a complete list of all PAPs present at the meetings.
- (iv) DCRCs will make a complete record of all questions, comments, opinions and decisions that arise during the information/consultation meetings, and present a report of all the meetings to the PMU.

**The following information will be given to PAPs:**

- (i) **Project components:** This includes the places where they can obtain more detailed information about the Project.
- (ii) **Impacts of the project.** Impacts on the people living and working in the affected areas of the project, including explanations about the need for land acquisition for each project.
- (iii) **PAPs rights and entitlements.** These will be defined for PAPs. A cut-off date will be announced to establish eligibility. The rights and entitlements for different impact on PAPs, including the entitlements for those losing businesses, jobs and income will be explained. Available options include for land-for-land and cash compensation, options regarding reorganizing and individual resettlement, provisions and entitlements to be provided for each PAP, entitlement to rehabilitation assistance and opportunities for project-related employment will all be discussed and explained.
- (iv) **Grievance mechanism.** PAPs will be informed that the project policies and procedures are designed to ensure their pre-project living standards are restored. PAPs will also be informed that if there is any confusion or misunderstanding about any aspect of the Project, the resettlement committee can help resolve problems. If they have complaints about any aspect of the land acquisition, compensation, resettlement, and rehabilitation process, including the compensation rates being offered for their losses, they have the right to make complaints and to have their complaints heard. PAPs will receive an explanation about how to access grievance redress procedures. They will be given information with details of which office to contact and local contact points for grievance redress..
- (v) **Right to participate and be consulted.** The PAPs will be informed about their right to participate in the planning and implementation of the resettlement process. The PAPs will be represented in District's resettlement committees, and the representative for the PAP will be present whenever commune/district/provincial committees meet so that their participation in all aspects of the project is assured.
- (vi) **Resettlement activities.** PAPs will be given an explanation regarding compensation calculations and compensation payments; monitoring procedures which will include interviews with a sample of PAPs; relocation to an individual location/self-relocation; and preliminary information about physical works procedures.

- (vii) **Government agencies and units' responsibilities.** PAPs will be informed about the organizations and levels of Government involved in resettlement and the responsibilities of each, as well as the names and positions of the government officials with phone numbers, office locations, and office hours if available.
- (viii) **Implementation schedule.** PAPs will receive the proposed schedule for the main resettlement activities and informed that physical works will start only after the completion of all resettlement activities and clearance. It will be clarified that they will be expected to move only after receiving full payment of compensation for their lost assets. Implementation schedules and charts will be provided to resettlement committees at all levels.

132. Project Leaflet. A Project Leaflet providing project information will be prepared and handed out to the PAPs in the project preparation and implementation stages to ensure that the people are well aware of the project benefits. The project leaflet will provide detail of the compensation and assistance policies mentioned in this RAP so as to propose social impact mitigation measures in case of land acquisition and site clearance by the sub-project.

133. The main consultant activities carried out by the project since early 2021 are listed below:

Stt	Date of consultation	Issues for consultation meetings
1	10/03/2021	Notification of land acquisition for Van Thang commune
2	19/03/2021	Notification of land acquisition for Ngọc Hiệp commune
3	02/07/2021	Q&A on draft compensation packages for HHs in Vĩnh Ngọc commune
4	22/07/2021	Meetings with HHs who build houses in public land in Vĩnh Ngọc commune
5	20/01/2022	Meeting to convince HHs for handing over land under NT-1.6 of Vĩnh Ngọc commune
6	27/06/2022	Meeting to convince HHs for handing over land of Vĩnh Ngọc commune
7	09/08/2022	Q&A on draft compensation packages for HHs in (Vĩnh Ngọc commune)
8	18/08/2022	Notification of land acquisition for Vĩnh Hải ward
9	25/08/2022	Update on the project implementation progress in Ngọc Hiệp ward
10	21/10/2022	Q&A on draft compensation packages for HHs Ngọc Hiệp ward
11	09/12/2022	Q&A on draft compensation packages for HHs Ngọc Hiệp ward
12	30/12/2022	Q&A on compensation packages for HHs under NT-2.1 in Vạn Thắng, Ngọc Hiệp ward
13	06/02/2023	Q&A on draft compensation packages of HHs in Vĩnh Ngọc

Stt	Date of consultation	Issues for consultation meetings
14	22/07/2023	Update on the project implementation progress in Vĩnh Ngọc

#### d. Information Disclosure

134. As per Bank's requirement, the uRAP will be disclosed in Vietnamese at local level, particularly at the office of PMU, District PCs, Ward/Commune PCs and WB website. After the uRAP was approved by the PPC, the public media, including television programs and local newspapers have widely introduced the uRAP.

### 14. GRIEVANCE MECHANISM

135. In order to ensure that all PAPs' grievances and complaints on any aspect of land acquisition, compensation and resettlement are addressed in a timely and satisfactory manner, and that all possible avenues are available to PAPs to air their grievances, a well-defined grievance redress mechanism needs to be established. All PAPs can send any questions to implementation agencies about their rights in relation with entitlement of compensation, compensation policy, rates, land acquisition and grievance redress. PAPs are not required to pay any fee during any of the procedures associated with seeking grievance redress including if resolution requires legal action to be undertaken in a court of law. This cost is included in the budget for implementation of RAP.

136. The mechanism of complaint and grievances resolution steps are as below:

**First Stage, Commune People's Committee (CPC).** An aggrieved affected household may bring his/her complaint to any member of the CPC, either through the Village Chief or directly to the CPC, in writing or verbally. The member of the CPC or the village chief must be notify the CPC about the complaint. The CPC will meet personally with the aggrieved affected household and will have 5 days following the lodging of the complaint to resolve it (in remote or mountainous areas, the complaint can be resolved within 15 days). The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles.

Upon issuance of decision of ward/commune level People's Committee, the household can make an appeal within 30 days. If the second decision has been issued and the household is still not satisfied with the decision, the household can elevate his/her complaint to the City/District People's Committee.

**Second stage, City/District People's Committee.** Upon receipt of complaint from the households, the DPC will have 15 days (or 30 days for remote or mountainous households) following the lodging of the complaint to resolve the case. The DPC is responsible for documenting and keeping file of all complaints that it handles

Upon issuance of decision of DPC, the household can make an appeal within 30 days. If the second decision has been issued and the household is still not satisfied with the decision, the household can elevate his/her complaint to the provincial governmental authority

**Third Stage, Provincial People's Committee (PPC).** Upon receipt of complaint from the household, the PPC will have 30 days (or 45 days if it is in remote or mountainous areas) following the lodging of the complaint to resolve the case. The PPC is responsible for documenting and keeping file of all complaints that have been submitted to it.

Upon issuance of decision of the PPC, the household can make an appeal within 45 days. If the second decision has been issued and the household is still not satisfied with the decision, the household can elevate his/her complaint to the court within 45 days. The PPC will then deposit the compensation payment in an escrow account.

**Final Stage, Court of Law.** Should the complainant file his/her case to the court and the court rule in favor of the complainant, then Provincial government will have to increase the compensation at a level to be decided by the court. In case the court will rule in favor of provincial governmental authority, then the amount deposited with the court is what the complainant will receive.

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

138. In order to minimize complaints to the provincial level, PMU will cooperate with the District Resettlement Committee to participate in and consult on settling complaints;

139. Personnel: The Environmental and Resettlement staff assigned by PMU will formulate and maintain a database of the PAPs' grievances related to the Project including information such as nature of the grievances, sources and dates of receipt of grievances, names and addresses of the aggrieved PAPs, actions to be taken and current status. In case of verbal claims, the reception board will record these inquiries in the grievance form at the first meeting with affected people.

140. In case of verbal claims, the reception board will record these inquiries in the grievance form at the first meeting with affected people.

141. The independent monitoring Consultant will be responsible for checking the procedures for and resolutions of grievances and complaints. The independent monitoring Consultant may recommend further measures to be taken to redress unresolved grievances. During monitoring the grievance redress procedures and reviewing the decisions, the independent monitoring agency should closely cooperate with the Vietnam Fatherland Front as well as its members responsible for supervising law enforcement related to appeals in the area;

142. The grievance redressing process for the Project, including the names and contact details of Grievance Focal Points and the Grievance Facilitation Unit (GFU), will be disseminated through information brochures and posted in the offices of the People's Committees at the communes and districts and PMU

143. At the same time, an escrow account for resettlement payments should be used when grievance is resolving to avoid excessive delay of the project while ensuring compensation payment after the grievance has been resolved.

144. To ensure that the grievance mechanism described above are practical and acceptable by PAPs, it were consulted with local authorities and communities taking into account of specific cultural attributes as well as traditional-cultural mechanisms for raising and resolving complaints and conflicting issues. The GRM was disclosed to PAPs and uploaded on the PMU’s website.

## 15. IMPLEMENTATION PLAN

145. The implementation plan for activities of recovering land of the Project for sustainable environment of coastal Cities - Sub-project of Nha Trang City is shown in the below table, including: (i) activities of preparing the Resettlement Plan were completed; (ii) activities of implementing land recovery; (iii) independent supervision activities.

Table 8 - Plan on implementing the activities of land recovery and land compensation

Activities	Timeframe
Updated RAP cleared by the WB	Oct 2023
Updated RAP submitted to the PPC for approval	Nov 2023
Updated RAP consulted with the PAPs	Oct 2023
Updated RAP is disclosed on the WB website	Nov 2023
Updated RAP is disclosed in-country	Nov 2023
Compensation packages brought to compliance (per outlined mitigation measures)	Nov 2023
Civil works are completed	June 2024
Resettlement M&E	ongoing
Resettlement Implementation Completion Report	July 2024
Project closure	30/6/2024

## 16. MONITORING AND EVALUATION

### 16.1. Monitoring

146. Monitoring is a continuous evaluation process of the project implementation which is related to the unified implementation schedule on the use of the project inputs, infrastructures and services. Monitoring provides concerned agencies with continuous reflections on the implementation status. Monitoring determines the reality, successful possibility and arising difficulties as soon as possible to facilitate the due adjustment in the project implementation

147. Monitoring includes 2 following purposes:

- Verify whether the project activities complete efficiently or not, including quantity, quality and time.

- Assess whether these activities reach the objectives and purpose of the Project or not, and how much do they reach

148. The executive agency (PMU) as well as the independent monitoring agencies which are contracted with the PMU shall monitor and supervise the RAP implementation regularly.

## **16.2. Internal Monitoring**

149. Internal monitoring of the RAP implementation of the sub-projects is the main responsibility of the implementation agency with the support of the project consultants. The implementation agency will monitor the progress of RAP preparation and implementation throughout the regular progress reports. Data on payment for each AH against the approved compensation plan and payment information needs to be prepared, updated and stored by the PMU throughout the implementation process.

150. Internal monitoring aims to:

- Ensure that compensation payment for affected households for the different types of damage are implemented according to the compensation policy agreed in the RPF and RAP.
- Ensure that resettlement activities are implemented according to the compensation policy agreed in the RPF and RAP
- Determine whether the conversion process, income restoration measures and resettlement assistance are provided on time or not.
- Evaluate whether the income restoration supports have been provided or not yet and propose corrective measures if targets of income restoration for households are not achieved.
- Dissemination of public information and consulting procedures.
- Determine whether the complaint procedure has been followed or not and there is any outstanding issue need the attention of management or not.
- Priority for interests and needs of affected people, especially poor and vulnerable households.
- Ensure transition between relocation, clearance and begin construction of civil works so smoothly and that construction area will not be handed over until affected households have been compensated, support and resettlement satisfactory.

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

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



- Number of affected persons according to types of effect and project component and the status of compensation, relocation and income recovery for each item.
- The distributed budget for the activities or for compensation payment and disbursed cost for each activity.
- List of outstanding Complaints
- Final results on addressing complaints and any outstanding issues that require management agencies at all levels to redress.
- Arisen issues in the implementation process.
- Actually updated RAP Schedule.

**b. Independent Monitoring**

153. Objectives. The general objectives of independent monitoring are to periodically supply independent monitoring and assessing results for all the subproject sites (including the NH resettlement site) on the implementation of the resettlement objectives, on the changes of living standard and jobs, PAPs income and social foundation restoration, effectiveness, compliance, impacts and sustainability of PAPs' entitlements, and on the necessity of mitigation measures (if any) in an attempt to bring about strategic lessons for making policy and planning in the future.

154. Responsible Agencies. In accordance with the World Bank requirements for consultant employment, PMU has recruited and mobilized an Independent Monitoring Agency (IMA) for the independent monitoring and evaluation of the RAP implementation. The IMA has been implementing their work as in accordance with the TOR.

155. Monitoring and Evaluation Objectives. The following indicators will be monitored and evaluated by the IMA, including but not limited to

- (i) Payment of compensation will be as follows: a) full payment to be made to all affected persons sufficiently before land acquisition; (b) adequacy of payment to replace affected assets
- (ii) Provision of assistance for DPs who have to rebuild their houses on their remaining land, or building their houses in new places as arranged by the project, or on newly assigned plots.
- (iii) Support for recovering income sources.
- (iv) Community consultation and public dissemination of compensation policy: (a) DPs should be fully informed and consulted about land acquisition, leasing and relocation activities; (b) the IMA should attend at least one community consultation meeting to monitor community consultation procedures, problems and issues that arise during the meetings, and propose solutions; (c) public awareness of the compensation policy and entitlements will be assessed among the PAPs; and (d) assessment of awareness of various options available to DPs as provided for in the RAPs.
- (v) Affected persons should be monitored regarding restoration of productive activities.

- (vi) PAPs' satisfaction on various aspects of the RAP will be monitoring and recorded. Operation of the complaint mechanism and speed of complaint settlement will be monitored.
- (vii) Through the implementation, trends on living standard will be observed and surveyed. Any potential issues in the recovering living standard are reported and suitable measures will be proposed to ensure the project objectives.

156. Appendix 6 of this RAP presents the indicators for monitoring and evaluation to be implemented by IMA and reported in periodical monitoring reports.

**c. Methodology for Independent Monitoring**

157. ***Sample Survey***

- A socio-economic survey will be required before, during and after resettlement implementation to provide a clear comparison of success/failure of the resettlement plan. Monitoring will be on a sample basis. Scale of the survey sample may cover 100% displaced households and severely affected households, and at least 20% of the remaining households.
- The surveys should include women, elderly persons, and other vulnerable target groups. It should have equal representation of male and female respondents.

158. ***Database Storage***

- The IMC will maintain a database of resettlement monitoring information. It will contain files on results of independent monitoring, HHs monitored and will be updated based on information collected in successive rounds of data collection. All databases compiled by the PMU and the WB will be fully accessible by the IMC.

159. ***Reports***

- The independent monitoring consultant must submit periodical reports every 6 months which states the findings in the monitoring process. This monitoring report will be submitted to the PMU, and then the PMU will submit to the WB in the form of appendixes of the progress report.
- The report should contain (i) a report on the progress of RAP implementation; (ii) deviations, if any, from the provisions and principles of the RAP; (iii) identification of outstanding issues and recommended solutions so that the executive agencies are informed about the ongoing situation and can resolve problems in a timely manner; and (iv) a report on progress of the follow-up of problems and issues identified in the previous report.

160. ***Follow-Up Monitoring Report***

- The monitoring reports will be discussed in a meeting between the IMA and PMU. PMUs will hold meetings immediately after receiving the report. Necessary follow-up activities will be carried out based on the problems and issues identified in the reports and follow-up discussions.

161. ***Final assessment report***

- In fact, this is the evaluation at a given point of time of the impact of resettlement and the achieved objectives. The external monitor will conduct an evaluation of the resettlement process and impacts 6 to 12 months after the completion of all resettlement activities. The survey questionnaires for evaluation are used based on the database in the project database system and the questions used in the monitoring activities.
- Ultimately, a summary of ex-post resettlement evaluation included in Project Completion Report (PCR) will be prepared before closure of the Project. The evaluation covers project impacts (number of affected households, scope of land acquired by subproject, compensation paid to PAPs, any pending issues resulting from land acquisition and provides information if the PAP's livelihood is restored, or at least maintain to pre-project implementation.
- Resettlement implementation cannot be considered complete until an ex-post evaluation and a project completion audit confirm that all the affected HHs have received fully all compensation, assistance and life restoration processes as planned.

162. **Notice:**

- Beside supervising the affected households in the sub-project Environment of coastal area in Nha Trang city, independent resettlement supervision consultant of the sub-project shall have to supervise resettlement policy compliance of the linked project Ngoc Hiep resettlement Site.
- The revised TORs of the package: independent resettlement monitoring for the Sub-project must be approved by the Bank.

**APPENDIX 1- ENTITLEMENT MATRIX**

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
<b>I - Permanent impact</b>				
<b>1.1. Agricultural land<sup>1</sup></b>	<b>1.1.1. Marginal loss (&lt;20% of land holding or &lt;10% for vulnerable group)</b> The remaining area of affected plot is still economically viable for use or meets the expected personal yield.	<i>1.1.1.1. All AHs with LURC, or legalizable</i>	For affected agricultural land: (i) Compensation “land for land” if local land fund is available and PAP choice. (ii) If land is not available or the PAP prefers to receive cash compensation, they will receive compensation for loss of land in cash at 100% replacement cost <sup>2</sup> . (iii) If area of remaining land after acquisition is not enough to continue cultivation, the project will acquire the entire piece of land and compensation would be provided in one of two forms as defined in point (i) and (ii) of this section. (iv) In the case of acquired land	<ul style="list-style-type: none"> <li>▪ Affected households to be notified at least 90 days before land recovery by the Project.</li> <li>▪ The owner of land will hand over the land within 20 days from the date District Compensation Board fully pays compensation for land.</li> <li>▪ In the case that compensation “land for land” is applied, the project will approval land compensation in the order of priority from severely affected households to marginal affected households.</li> <li>▪ Land compensation must meet the following principles: a) equivalent to the affected land</li> </ul>

<sup>1</sup> Classification of agricultural land as stipulated in Article 10 of the Land Law

<sup>2</sup>When domestic laws do not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standards.

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>exceeding the limit of local (except for land by inheritance, donation or receive transfer of land use rights) PAPs are not entitled to compensation for exceeded land area but supported the remaining values invested in such lands. Provincial People's Committee may consider to provide this support suitable to the local realities.</p> <p>Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</p> <p>Rehabilitation assistance will be provided, including: allowance for production rehabilitation; allowance for vocational training and job creation (please refer to item 3.1.1 of this entitlement matrix).</p> <p>In addition to above, for agricultural, garden and pond land adjacent to, but not included in the category of residential land, PAPs will receive assistance according to the provisions of the PPC (if any).</p>	<p>value ; b) same type of soil (or equal productive capacity); c) satisfactory to the AP; d) there is land use rights for the head of household and his/her wife/husband (if any); and e) non-payment of taxes, charges and fees for registration of land use rights. If land compensation is smaller value or lower quality, APs will be entitled to compensation on cash equivalent the differences.</p> <ul style="list-style-type: none"> <li>▪ If area of land acquisition is different between actual measured and recorded on Land Use Rights Certificate (LURC), land acquisition will be compensated according to actual measured area unless otherwise occupied.</li> </ul>
		<p><i>1.1.1.2. Land Users with temporary or</i></p>	<p>(i) For the affected families who are</p>	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
		<i>leased rights to use land.</i>	<p>using land allocated by the State for purposes of agriculture, forestry or aquaculture (excluding special-use forest, protection forest) of <u>State Forest Enterprises</u> (SFEs), APs are not compensated for land. Cash compensation at 100% replacement cost for remaining values invested in such lands and affected assets created before the cut-off date.</p> <p>(ii) Users who are leased <i>rights to use land</i> on the basis of contracts with individuals, families, or organizations, other than the cases specified in point (i) of this section shall be compensated for remaining values invested in such lands and affected assets created before the cut-off date at 100% replacement cost.</p>	
		<i>1.1.1.3. Land Users who do not have formal or customary rights or illegalizable to the affected land</i>	<ul style="list-style-type: none"> <li>▪ Agricultural land used before July 1, 2004 which land users are households and individuals directly engaged in agricultural production will be compensated at 100% of the replacement cost according to Article 77.2 of the Land Law.</li> <li>▪ Users used Agricultural land from</li> </ul>	<ul style="list-style-type: none"> <li>▪ In case the project restrict access to resources or base of local residents, they will receive compensation or necessary additional support.</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			Jul 1 <sup>st</sup> 2004 to before the project cut-off date will receive assistance equivalent to remaining values invested in such land in lieu of compensation for land. This assistance will be decided by PPC.	
	<b>1.1.2. Loss ≥20% or ≥10% for vulnerable groups</b>	<i>1.1.2.1. All AHs with LURC, or legalizable</i>	<ul style="list-style-type: none"> <li>▪ Compensation and assistances as applicable for sub-item 1.1.1.1 of this matrix, priority for compensation "land for land" if local land fund is available and PAP choice.</li> <li>▪ In addition, they will receive assistance for living rehabilitation as specified in item 3.1.2 of this matrix.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Rehabilitation assistance will be applied in case if the option "land for land" cannot be available. The forms of assistance should be consulted closely with appropriate and effective measures of agricultural encouragement to assist the poor to restore their income generating capacity and income levels.</li> </ul>
		<i>1.1.2.2. Land Users with temporary or leased rights to use land.</i>	<ul style="list-style-type: none"> <li>▪ Compensation and assistances as applicable for sub-item 1.1.1.2 of this matrix.</li> <li>▪ For the affected families are using land allocated by the State for purposes of agriculture, forestry or aquaculture (excluding special-use forest, protection forest) of <u>State Forest Enterprises (SFEs)</u> and direct participation in agricultural</li> </ul>	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			production will be receiving rehabilitation assistances as: production rehabilitation; allowance for vocational training and job creation (please refer to item 3.1.2 of this entitlement matrix).	
		<i>1.1.2.3. Land Users who do not have formal or customary rights or illegalizable to the affected land</i>	<ul style="list-style-type: none"> <li>Compensation and assistances as applicable for sub-item 1.1.1.3 of this matrix.</li> </ul>	
<b>1.2. Land for non-agricultural production and business</b>	<b>1.2.1. Marginal loss</b> <ul style="list-style-type: none"> <li>Land is still viable for use and not requiring relocation</li> </ul>	<i>Household/ individual/ organization with legal and/or legalizable, leased rights to use land</i>	<p>For affected land:</p> <ul style="list-style-type: none"> <li>(i) All affected households, individuals with LURC or legalizable: i) if local land fund is available and PAP choice, Compensation “land for land” is priority; ii) If land is not available or the PAP prefers to receive cash compensation, they will receive compensation in cash for loss of land acquisition at 100% replacement cost.</li> <li>(ii) Households and individuals who use leased land acquisition with annual rent payment or lump-sum rent payment but was exempted from rent will not be compensated</li> </ul>	<ul style="list-style-type: none"> <li>Affected persons/organizations to be notified at least 180 days before land recovery by the Project.</li> <li>The owner of land will hand over the land within 20 days from the date District Compensation Board fully pays compensation for land.</li> <li>If area of land acquisition is different between actual measured and recorded on Land Use Rights Certificate (LURC), land acquisition will be compensated according to actual measured area unless otherwise</li> </ul>



Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>for land but compensated equivalent to remaining values invested in such at 100% replacement cost .</p> <p>(iii) Valid organizations (economic organizations, public organizations in accordance with financial autonomy) using land for non-agricultural production and business with lump-sum rent payment (rent unused the state budget) with LURC or legalizable will be compensated “land for land” if local land fund is available, if not, will be compensated in cash at 100% of replacement cost.</p> <p>(iv) Valid organizations (economic organizations, public organizations in accordance with financial autonomy) using land for non-agricultural production and business with annual rent payment or lump-sum rent payment but was exempted from rent will not be compensated for land but compensated equivalent to remaining values invested in such at 100% replacement cost .</p>	occupied.

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</p> <p>In addition to the compensation mentioned above, the project will provide allowances and rehabilitation assistance (please refer to section 3.3 of this matrix).</p>	
	<b>1.2.2.Relocated APs</b>	<i>Household/ individual/ organization with legal and/or legalizable, leased rights to use land</i>	<ul style="list-style-type: none"> <li>▪ Compensation and assistances as applicable for item 1.2.1 of this matrix, priority for compensation "land for land" if local land fund is available and PAP choice.</li> <li>▪ In addition, they will receive allowances/assistances for production rehabilitation, interrupted work (please refer to section 3.3 of this matrix).</li> </ul>	<ul style="list-style-type: none"> <li>▪ The project will assist in finding alternative site with advantage about location and physical attributes similar to the land lost to access easy to customers; satisfactory to the PAP with priorities such as relocation of business to the location near highway/village street/canal near bridge or the bridge in order to maximize ability to generate profits and business opportunities where PAP accept</li> </ul>
		<i>Household/ individual/ with illegal and/or illegalizable to use land</i>	For households and individuals who use land with land-attached houses before 1 July 2004 and their land originate from encroachment and illegal occupation, shall assign new	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			residential land with land use levy collection or shall sell resettlement houses to them if they do not have other residence. Land use levies and sale prices of resettlement houses will be stipulated by PPC.	
<b>1.3. Residential land</b>	<b>1.3.1. Marginal loss</b> <ul style="list-style-type: none"> <li>▪ Loss of residential land without structures</li> </ul> Or <ul style="list-style-type: none"> <li>▪ Loss of residential land with structures built thereon, where the remaining (non-acquired) land is adequate to rebuild the structure (reorganizing PAP)</li> </ul>	<i>1.3.1.1. Legal and/or legalizable land users</i>	(i) All compensation for loss of land will be made in cash at 100% replacement cost  (ii) Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.	<ul style="list-style-type: none"> <li>▪ Affected persons/organizations to be notified at least 180 days before land recovery by the Project.</li> <li>▪ The owner of land will hand over the land within 20 days from the date District Compensation Board fully pays compensation for land.</li> <li>▪ If area of land acquisition is different between actual measured and recorded on Land Use Rights Certificate (LURC), land acquisition will be compensated according to actual measured area unless otherwise occupied.</li> </ul>
		<i>1.3.1.2. Land Users with temporary or leased rights to use land.</i>	<ul style="list-style-type: none"> <li>▪ No compensation for land. Compensation for assets created before the cut-off date on the land acquisition by the PAPs, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</li> </ul>	
		<i>1.3.1.3. PAP who have no recognizable land use right or illegalizable</i>	(i) PAP will not be compensated for land. Financial assistance will be provided corresponding to the remained investment put on the land. The amount will be determined by provincial-level	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>People’s Committees.</p> <p>(ii) Compensation for assets created before the project cut-off date on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</p>	
	<b>1.3.2. Relocated APs</b>	<i>1.3.2.1. Relocating PAPs with LURC, or legalizable</i>	<p>Relocating PAPs can opt to one of the followings:</p> <p>(i) Compensation “land for land”: PAP will be compensated land plot in the project’s resettlement site where invested fully infrastructure and allocation resettlement land plot will be made according to the provisions of provincial-level People’s Committees, dependence on local land fund. PAP will be provided with a certificate of land use without paying any fees</p> <p>Or</p> <p>(ii) Compensation for loss of land in cash at 100% replacement cost.</p> <p>AND</p> <p>Compensation for assets on the land acquisition, please refer to section 1.4,</p>	<ul style="list-style-type: none"> <li>▪ Affected persons/organizations to be notified at least 180 days before land recovery by the Project.</li> <li>▪ In case the compensation amount for land to be paid is more than the cost of land plot value in the project’s resettlement site, the difference amount will be paid in cash to AP.</li> <li>▪ In case the compensation amount for land to be paid is less than the cost of a minimum land plot value in the project’s resettlement site, PAPs will be given the support needed to allow them to have the new land plot.</li> <li>▪ In the case of the remaining land</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</p> <p>Resettlement assistance will be provided, including: Transportation allowance; Housing rental allowance; Support for self relocation:, Allowance for living rehabilitation... (please refer to item 3.2.1 of this entitlement matrix).</p>	<p>is not large enough to rebuild house, but in the same plot of land for pond/ garden/ agricultural land, households may propose converting a part of pond/ garden/agricultural land into residential according to the provisions of the PPC to be able to rebuild house on site and have to pay converting fee.</p> <ul style="list-style-type: none"> <li>▪ The specific provisions on allocation of land / apartment resettlement will be set after consultation with PAPs, the local government by DCRC and approved by PPC.</li> </ul>
		<p><i>1.3.2.2. Land Users with temporary or leased rights to use land.</i></p>	<p>(i) No compensation for land. Compensation for assets created before the project cut-off date on the land acquisition by the PAPs, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</p> <p>(ii) Compensation in cash for the residual value of land lease contract</p> <p>(iii) Resettlement allowances will be provided please refer to item 3.2.2</p>	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			of this entitlement matrix.	
		<i>1.3.2.3. PAPs who have no recognizable or illegalizable land use right</i>	<ul style="list-style-type: none"> <li>(i) No compensation for land. Amount of financial assistance for relocation will be provided and decided by provincial-level People’s Committees.</li> <li>(ii) Compensation for assets on the land acquisition, please refer to section 1.4, 1.5, 1.6, 1.7, 1.8 of this entitlement matrix.</li> <li>(iii) If the PAP has no another house/land within Nha Trang city to move, a land plot or an apartment satisfactory to them will be provided in the resettlement site and they can either pay in installment or rent it for living at replacement cost.</li> </ul>	<ul style="list-style-type: none"> <li>▪ In case the relocated PAPs belong to poor or vulnerable groups or households, additional assistance (in cash and kind) will be provided to ensure that they are able to fully relocate to a new site</li> </ul>
<b>1.4. House/structure</b>	<b>1.4.1. Partial impact</b> Unaffected portion of the house is still viable for use and could be remained from the technical viewpoints, therefore,	<i>1.4.1.1. Owners of affected structures created before the project cut-off date regardless of whether or not they have title to the</i>	(i) Compensation in cash for affected structures at 100% replacement cost. Compensation amount is enough to rebuild new structures equivalent to the exists’ technical standard. If house/structure is	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
	require no relocation.	<i>affected land or permit to build the affected structure</i>	<p>partially affected and the remaining structure is viable for continued use, the project will provide Repair costs and subsistent allowance (please refer item 3.2.1 of this entitlement matrix).</p> <p>(ii) Compensation and assistance will be paid in cash, without any depreciation of the structure and without deduction for salvageable materials.</p> <p>(iii) The compensation is calculated according to the actual area affected.</p>	
	1.4.2. <b>Full impact</b> (including house is partially acquired by the project but no longer viable for continued use or the entire structure is acquired).	<i>1.4.2.1. Owners of affected structures created before the project cut-off date regardless of whether or not they have title to the affected land or permit to build the affected structure</i>	<p>▪ Compensation and assistances as applicable for sub-item 1.4.1.1 of this matrix.</p> <p>In case the users constructed house on agricultural land and have been living there and have to relocate but they have no another house/residential land within Nha Trang city, they will be entitled to purchase a minimum plot in resettlement site at replacement cost.</p>	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
		1.4.2.2. <i>Tenants of the state or organization's houses</i>	<p>(i) Tenants of state or organization's houses will be: (i) entitled to rent or buy a minimum land plot in resettlement site; or (ii) provided an assistance at replacement cost, equal 60% of of the affected land and 60% of affected house. Any investments such as structures, trees, crops etc. created before the cut-off date on the land by the PAPs will be compensated at their full replacement cost.</p> <p>(ii) The tenants who are leasing a private house for living purposes will be provided with transportation allowance for moving their assets. They will also be assisted in identifying alternative accommodation according to the provisions of provincial-level People's Committees.</p>	
<b>1.5. Grave and tombs</b>	<i>Have to move the graves or tombs</i>	Household and individual have to move the graves or tombs <i>created before the project cut-off date</i> regardless of the legal status of the land	<ul style="list-style-type: none"> <li>Compensation for the removal of graves/ tombs will include the cost of excavation, relocation, reburial and other related costs which are necessary to satisfy customary requirements. The compensation amount will be determined by provincial-level People's</li> </ul>	<ul style="list-style-type: none"> <li>Removal grave and tomb is implemented according to local custom, so DCRC should arrange compensation payment for AHs at relevant time.</li> <li>For ownerless affected graves, PMU will sign a contract with an independent unit for</li> </ul>



Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>Committees.</p> <ul style="list-style-type: none"> <li>Family and individual graves are considered physical cultural resources (PCR) and even though the costs associated with their relocation will be covered in the resettlement plan, the WB OP 4.11 on Physical Cultural Resources should be triggered and relevant cross references should be made to the Environmental Management Plan or Project Implementation Manual.</li> </ul>	<p>compensation and relocate them to new site.</p>
<b>1.6. Crops and Trees, livestock</b>	<i>1.6.1. Loss of, or damage crops and/or trees</i>	Owners of affected crops and trees created before the project cut-off date regardless of the legal status of the land	For annual and perennial standing crops, regardless of the legal status of the land, compensation will be paid to households who cultivate on the land at replacement cost. For plants which have not been harvested yet but can be brought to another location, the transportation cost and the actual damage due to the transportation and re-planting must be compensated.	<ul style="list-style-type: none"> <li>PAPs to be notified at least 90 days before land recovery by the Project.</li> </ul>
	<i>1.6.2. Loss of, or damage livestock (animals, fish,...)</i>	Owners of affected aquatic livestock created before the project cut-off date regardless of the	For aquatic livestock which are not due to be harvested at the time of land recovery, the actual damage due to the early harvest will be compensated in	<ul style="list-style-type: none"> <li>PAPs to be notified at least 90 days before land recovery by the Project to arrange harvest them or stop breeding.</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
		legal status of the land	cash at replacement cost at the time of land acquisition. In case the aquatic livestock can be brought to another location, the transportation cost and the damage caused by the transportation must be compensated.	
<b>1.7. Other assets</b>	<b>Loss of, or damage other assets</b> <ul style="list-style-type: none"> <li>▪ Such as telephone system, water meter, electric meter, cable TV, internet access...</li> </ul>	Owners/ users affected assets created before the cut-off date regardless of the legal status of the land	In the case of the affected households is equipped with telephone system, water meter, electric meter, cable TV, internet access (subscription), well shall be compensated according to unit price of installing new units offer service announcement or relocation costs due to service providers regulations	
<b>1.8. Public structures</b>	<b>Loss of, or damage to assets</b>	Owners/ users affected assets created before the project cut-off date regardless of the legal status of the land	<ul style="list-style-type: none"> <li>▪ In cases where community infrastructure such as schools, factories, water sources, roads, sewage systems, medical centers, distribution/transmission, communication and fiber cable are damaged and the community wishes to reuse them, the PPC, PMU will ensure that these are restored or repaired as the case may be, at no cost to the community.</li> </ul> Public infrastructure directly related to	<ul style="list-style-type: none"> <li>▪ For public structures directly related to people’s livelihoods and developmental needs will be carried out by the owners prior to the start of works.</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			people's livelihoods and developmental needs, such as irrigation canals, school, clinic, etc. will be (i) compensated at replacement cost, as determined through consultation with the affected community; or (ii) restored/rebuilt to pre-project or higher quality levels.	
<b>II. Ngoc Hiep resettlement site</b>				
2.1. PAPs	Those affected by of development resettlement site	Owners/ users affected land and/or assets created before the project cut-off date regardless of the legal status of the land	<ul style="list-style-type: none"> <li>PAPs will be entitled to compensation and rehabilitation assistance in accordance with the RAP.</li> </ul>	All PAPs in 8.62 ha of NHRS will be entitled to compensation and/or assistance in accordance with regulations of the project RPF and this RAP
<b>III. Allowances and Rehabilitation Assistance</b>				
3.1. For Impacts on Agricultural Land	<p><b>3.1.1. Marginal loss (&lt;20% of land holding or &lt;10% for vulnerable group)</b></p> <p>The remaining area of affected plot is still economically viable for use or meets the expected personal yield.</p>	Land users: i) have LURC or or legalizable; and ii) contracted by the State and directly engaged in agricultural production	<ul style="list-style-type: none"> <li><u>Allowance for Vocational Training and Job Creation:</u> The maximum support will be 05 times of agricultural land price of the same kind in the local land price list for the whole acquired area but not exceeding the limit of local allocation. The level of specific support will be decided by provincial-level People's Committees.</li> </ul>	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
	<p><b>3.1.2. Loss <math>\geq 20\%</math> or <math>\geq 10\%</math> for vulnerable groups</b></p>	<p>Land users: i) have LURC or legalizable; and ii) contracted by the State and directly engaged in agricultural production</p>	<p>Compensation and assistances as applicable for item 3.1.1 of this matrix. In addition, they also receive the following allowances:</p> <p><u>Allowance for living rehabilitation</u> (during transition period): in cash equal 30kg of rice per person per month, specific:</p> <p>(i) PAPs losing 20 -70% of their agricultural landholding (or 10 - 70% for the poor and vulnerable groups) will be provided with compensation of 6 months if they do not have to relocate, and 12 months in case of relocation. In some special cases, in extremely difficult areas, the compensation may be provided for a maximum of 24 months;</p> <p>(ii) PAPs losing more than 70% of their agricultural landholding will be assisted at the above rate for a period of 12 months if they do not have to relocate, and 24 months in case of relocation. In some special cases, in extremely difficult areas, the compensation may be provided up to a maximum of 36 months;</p>	<ul style="list-style-type: none"> <li>▪ Price of rice is the market price at time of compensation</li> <li>▪ PPC based on the actual situation will decide the level of support.</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			(iii) Households affected by loss of less than 20% of land, where the remaining land is rendered unviable for continued use, will be assisted with the above support plus any additional support as determined, for a period of 12 months.	
		Land users: i) have no LURC or illegalizable;	A subsistent allowance and livelihood restoration decided by the PPC will be provided to the users to ensure they can restore their lives and livelihoods.	
3.2. For Impacts on Residential Land	<b>3.2.1. Marginal impact</b> ▪ House/structure is partially affected, the remaining can still continue to use	Owners of affected house/structure created before the project cut-off date regardless of the legal status of the land	▪ <u>Repair costs</u> : If house/structure is partially affected and the remaining structure is viable for continued use, the project will provide a repair cost to enable PAPs to restore it to former or better conditions. The level of specific support will be decided by provincial-level People's Committees.	
	<b>3.2.2. Relocated APs</b>	Households relocated to another place or rebuilt in the remaining land regardless of eligible for relocation or not.	▪ <u>Transportation Allowance</u> to relocating PAP: For PAPs who move to new location will be financial assistance in cash. The amount will be decided by provincial-level	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>People’s Committees</p> <ul style="list-style-type: none"> <li>▪ <u>House Renting Allowance</u> in cash will be provided to PAPs who may have to relocate from their original homes and are still awaiting the replacement land plots or apartments. The allowance amount will be decided by provincial-level People’s Committees at the market rent of locality.</li> <li>▪ <u>Support for self relocation:</u> Relocated households which eligible for resettlement, but self accommodation will be supported for investment in infrastructure of the new place, equal the cost invested in a minimum land plot /apartment in the project’s resettlement site. The specific level of support will be decided by provincial-level People’s Committees.</li> <li>▪ <u>Assistance for living rehabilitation:</u> PAP who is relocated or rebuilt house on the remaining land area will receive an assistance for living rehabilitation in the transition period. The amount will be decided by</li> </ul>	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			provincial-level People's Committees. <ul style="list-style-type: none"> <li>For households/individuals relocated by residential land acquisition that combines business: the project will provide an allowance for vocational training and job creation according to the provisions of the PPCs for households' members in the working age.</li> </ul>	
3.3. Loss of Income and/or business	Loss of Income and/or business because of interrupted production, business	Owners of affected production, business establishments, employees	<u>Allowance for production, business rehabilitation:</u> (i) For businesses / households with business registration will be compensated or supported. The maximum compensation/support is 30% of after-tax income of 01 years based on their average annual of the last three years which declared the tax authorities; (ii) For households without business registration but have made their tax obligations will be entitled to compensation equivalent to 50% of support level for businesses/households with business registration.  <u>Removal Support:</u> In addition to	<ul style="list-style-type: none"> <li>After-tax income is determined based on financial statement audited or approved by tax authorities; in case it has not been audited or approved by the tax authorities, the determination of after-tax income will be based on after-tax income by the unit declared in financial reports which submitted to tax authorities.</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>Allowance for production, business rehabilitation as above, organizations and PAPs that are allocated or leased land by the state or are lawfully using land and have to relocate their productive and/or business establishments are entitled to financial support for dismantling, relocating and re-installation of the establishment. Support levels will be determined by actual costs at the time of removal, based on self-declaration of the organizations and verification by the agency in charge of compensation. This will then be submitted to the relevant authorities for approval.</p> <p><u>Allowance for interrupted work:</u> Employees who work in affected production, business establishments with labor contract will receive allowance equivalent to the minimum salary as per the regulations to affected employees during the transition period which can be for a maximum of 6 months.</p>	



Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
3.4. For public land	Land acquisition of public land funds of communes, wards or townships	Communes, wards and towns manage acquired land	For land acquisition of public land funds of communes, wards or townships: no compensation for land must be made but support will be provided. The maximum support is equal compensation for land and will be determined by provincial-level People's Committees.	<ul style="list-style-type: none"> <li>Financial assistance will be included in the annual budget estimates of the CPC. It is used to invest construction of infrastructure projects, used for public interest purposes of communes, wards and townships as stipulated in Article 24 of Decree 47/2014/ND-CP.</li> </ul>
3.5. Other Allowances/Assistances	3.5.1. Allowance / Assistance targeted to Vulnerable Households	Affected vulnerable groups regardless level of impact or legal status	<ul style="list-style-type: none"> <li><b>For landless households:</b> assistance through provision of an apartment/plot in resettlement site that PAP can either pay in installment to buy or rent it for living (depending on the choice of the PAPs). Additional assistance will be considered if necessary to ensure the affected people have inhabited.</li> <li><b>Social Policy</b> Relocated Households that include heroic mothers, heroic armed force, heroic labor, war veterans, wounded or dead soldiers families will be provided with support as regulated by the PPC (to be certified by local authority)</li> <li><b>Poor households:</b> in addition to</li> </ul>	<ul style="list-style-type: none"> <li>The vulnerable groups were identified in the "GLOSSARY" part.</li> <li>Price of rice is the market price at time of compensation</li> </ul> <p>Fomulation for calculating allowances is as follows:</p> $\text{Allowance} = 30\text{kg rice} \times \text{market price of rice} \times \text{\#months} \times \text{\#eligible persons.}$

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>receiving assistance under the provisions, poor households affected will be assisted vulnerable as follows:</p> <ol style="list-style-type: none"> <li>1. Poor households who are relocated, or loss 10% or more of their agricultural landholding, or loss less than 20% of their agricultural landholding but the remaining area is not enough to cultivate will be supported by cash equivalent 30kg of rice per person per month for 24 months or according to the policy of provincial-level People’s Committees. The policy which support higher rates will apply.</li> <li>2. Other affected poor households will be supported by cash equivalent 30kg of rice per person per month for 6 months or according to the policy of provincial-level People’s Committees. The policy which support higher rates will apply.</li> </ol> <ul style="list-style-type: none"> <li>▪ <b>Other vulnerable groups:</b> female headed households with dependents, households with disabled persons, and elderly without any source of support, and ethnic minority households will get the same support given to other affected poor</li> </ul>	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			households in accordance with the provincial policy but not less than 30 kg of rice per person per month for 6 months.	
	<b>3.5.2. Incentive Bonus</b>	PAPs move out of the affected areas on time	<b><i>Incentive Bonus:</i></b> All PAPs who hand over the affected land on time after receiving compensation and allowances will be given an incentive allowance. The amount will be decided by provincial-level People’s Committees.	
	<b>3.5.3. Additional allowances/supports (if necessary)</b>		<ul style="list-style-type: none"> <li>▪ <b><i>PAPs</i></b> who will lose income sources will be entitled to take part in Income Restoration Programs. Rehabilitation measures like agricultural extension services, job training and creation, credit access and/or other measures as appropriate will be given to PAPs losing income sources to ensure their livelihood could be restored to the pre-project level.</li> <li>▪ Apart from the assistances mentioned above, based on the actual situation, the Project may consider other assistances to secure life stabilization, culture, production and</li> </ul>	<ul style="list-style-type: none"> <li>▪ Income and Livelihood Restoration Programs will be designed in combination with current programs of the locality and with the assistance of livelihoods experts.</li> <li>▪ The programs will target the needs of both men and women.</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			livelihoods of PAPs.	
<b>IV - Temporary Impact during Construction</b>				
<b>4.1. For temporary borrow/occupation of agricultural land</b>	<b>Loss of, or damage to agricultural land and/or assets on affected land</b>	Owners/ users affected land and/or assets regardless of the legal status of the land	<ul style="list-style-type: none"> <li>▪ Compensation for one harvest of crops/trees at full market prices or replacement cost;</li> <li>▪ Compensation for loss of net income from subsequent crops that cannot be planted or pay rental at market rent for the duration of project temporary use;</li> <li>▪ Restoration of land to its previous or better quality by providing measures to improve land quality in cases of land being adversely affected or acidified, and</li> <li>▪ If the duration of project's use the land exceed more than two years, then the PAPs have option to: (1) Continue using land, or, (2) "Give it to the Project and be compensated as permanent loss.</li> </ul>	<ul style="list-style-type: none"> <li>▪ If the quality of land is radically changed when returned to PAPs, requiring PAPs to change in the types of land use; then PAPs should be compensated for all envisaged cost of losses.</li> </ul>
<b>4.2. For temporary borrow/occupation of residential land</b>	<b>Loss of, or damage to residential land and/or assets on affected land</b>	Owners/ users affected land and/or assets regardless of the legal status of the land	<ul style="list-style-type: none"> <li>▪ Compensation for all damaged or lost assets, including trees, crops at full replacement cost;</li> <li>▪ Pay rental for PAPs' land at market</li> </ul>	

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			<p>rent;</p> <ul style="list-style-type: none"> <li>Restoration of land to its previous or better quality before returning to the users.</li> </ul>	
<b>4.3. For temporary impact on business</b>	<b>Temporary impact on business</b>	Owners regardless of whether or not the business license	<ul style="list-style-type: none"> <li>Compensation for loss of income no less than the net income that would have been derived from the affected property during disruption;</li> <li>Compensation for all damaged or lost assets, including trees, crops at full replacement cost</li> <li>Restoration of land to its previous or better quality.</li> </ul>	
<b>4.4. For impact arising from the construction</b>	<b>Damages caused by contractors to private or public structures</b>	Owners/ users affected assets	<ul style="list-style-type: none"> <li>Damaged property will be restored to its former condition by contractors, immediately upon completion of civil works.</li> <li>Under their contract specifications, the contractors will be required to take extreme care to avoid damaging property during their construction activities. Where damages do occur, the contractor will be required to repair the damage and may also be required to pay compensation to the affected families, groups,</li> </ul>	<ul style="list-style-type: none"> <li>In case of impacts on livelihoods of PAPs, the contractors, construction units have to agree with the households on payment for disruption of business.</li> </ul>

Type of Loss/Impacts	Application		Entitlements	Implementation Arrangements
	Level of Impact	Eligible Persons		
			communities, or government agencies at the same compensation rates that are applied to all other assets affected by the Project.	
<b>V. Unpredicted impacts</b>				
<b>5.1.Unpredicted impacts</b>	<b>Any unpredicted impacts that may be identified during implementation</b>	Individuals, organizations in the project area	<ul style="list-style-type: none"> <li>▪ Entitlements to compensation and other assistance could be provided in accordance with the compensation policy.</li> <li>▪ Impacts on production and business or PAPs isolated from access to resources temporarily have to be compensated and supported in accordance with OP4.12 of WB.</li> </ul>	

## APPENDIX 2 – INDICATORS OF MONITORING AND EVALUATION

Indicators	Information Required in Monitoring and Evaluation
Monitoring implementation of DMS	<ul style="list-style-type: none"> <li>✓ All affected land and properties must be measured accurately; the results of the DMS have been disclosed.</li> <li>✓ Complaints or questions of the affected households based on the results of the DMS shall be resolved promptly and satisfactorily.</li> </ul>
Monitoring compensation payments and cash assistance	<ul style="list-style-type: none"> <li>✓ Compensation for affected land; if compensation for loss of land for equivalent land (land for land), such as equal surface, location, productive capacity, living conditions or not; if cash compensation for loss of land, compensation is equivalent to replacement cost at time of payment or not;</li> <li>✓ Compensating for all affected works equivalent to the replacing cost of materials and labour on the basis of standards and characteristics of the works, not deducting and amortizing the old materials which were salvaged;</li> <li>✓ Compensation for affected trees/crops has been paid according to the full market price of affected trees/crops or not.</li> <li>✓ Assurances as mentioned in the RAPs have been paid fully for the affected households or not; paid once or several times.</li> </ul>
Monitoring implementation of disclosure information and public consultation	<ul style="list-style-type: none"> <li>✓ Have the project documents been provided to relevant communities (RPF, RAP, project leaflets, and other relevant documents).</li> <li>✓ Has information been disclosed in a public places (results of DMS, compensation prices, payments ...).</li> <li>✓ The affected households have been consulted fully about land acquisition, compensation policies, relocation, living rehabilitation and grievance redress procedure or not.</li> <li>✓ How were these concerns, suggestions of affected households resolved in the process of resettlement implementation</li> </ul>
Monitoring resettlement implementation of affected households	<ul style="list-style-type: none"> <li>✓ Consider living condition, income in resettlement areas such as infrastructure (road, electricity, supply water/drainage...), and their livelihoods.</li> <li>✓ Resettlement planning and implementation: residential consultant about resettlement activities resettlement plan, participate in building the relocation plan, announcement relocation plan and supports for displaced households.</li> <li>✓ Rehabilitation of living and production after resettlement: How have the project affected households been rehabilitated their living and production?</li> </ul>
Monitoring income restores and living rehabilitation	<ul style="list-style-type: none"> <li>✓ Supports for income restores have been provided adequate or not; Effectiveness of the supports (training, credit support ...).</li> <li>✓ Problems that PAHs are facing in process of their income restores and living rehabilitation.</li> </ul>

Monitoring and evaluating satisfaction level of PAHs	<ul style="list-style-type: none"> <li>✓ Satisfaction level about DMS;</li> <li>✓ Satisfaction level about information disclosure, public consultation;</li> <li>✓ Satisfaction level about compensation payments, support;</li> <li>✓ Satisfaction level about income restores and living rehabilitation activities;</li> <li>✓ Satisfaction level about resettlement sites</li> </ul>
Monitoring grievance redress Mechanism of affected households	<ul style="list-style-type: none"> <li>✓ Efficiency level of grievance redress procedure (solving time and efficiency...);</li> <li>✓ Results of resolution of complaints at different levels;</li> <li>✓ Satisfaction level about grievance redresses procedure.</li> </ul>
Coordination between activities of resettlement and construction process	<ul style="list-style-type: none"> <li>✓ The construction works are just started:</li> <li>✓ Land acquisition and resettlement activities (compensation, support and moving) for the work items have been completed;</li> <li>✓ All issues that related to project area have to be solved.</li> <li>✓ Income restoration program has been established.</li> </ul>
Issues of gender and ethnic minorities	<ul style="list-style-type: none"> <li>✓ The turn number of participation of women in land acquisition and resettlement activities; impact of land acquisition and resettlement for women's livelihood; issues of income restoration for women.</li> <li>✓ Refer opinion and announce to households of ethnic minorities and community affected; the measures have been carried out to avoid, minimize negative impacts for land acquisition of community of local ethnic minorities; complain about negative impacts and the issues of income restoration for the affected ethnic households</li> </ul>



ANNEX 3: Some minutes of consultations with PAHs during LAR implementation