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POWER COMPANY N^{0}.3

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RURAL DISTRIBUTION PROJECT

SUB – PROJECT

DUY XUYEN 110KV SUBSTATION AND THE BRANCH LINE OF QUANG NAM PROVINCE

RP606

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REPORT ON RESETTLEMENT PLAN

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DUY XUYEN 110KV SUBSTATION AND THE BRANCH LINE OF QUANG NAM PROVINCE

REPORT ON RESETTLEMENT PLAN

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Chief of the Department: *Nguyen Xuan Tu*

Da Nang, August 28th, 2007

DEPUTY DIRECTOR

Le Nam Hai

ABBREVIATION

PPC	: Provincial People's Committee
DMS	: Detail Measurement Survey
DPC	: District people's Committee
DRC	: District Resettlement Committee
DSCC	: District Site Clearance Committee
EVN	: Electricity of Vietnam
GOV	: Government of Vietnam
HHs	: Households
IDA	: International Development Association
IMA(O)	: Independent Monitoring Agencies (Organ)
LURC	: Land Use Registration Certificate
RP	: Resettlement plan
PC3	: Power Company No3
PNPMB	: Power Network Project Management Board
CCs	: Clearance Committees
RIB	: Resettlement Information Booklet
ROW	: Right of Way
T/L	: Transmission Line
USD	: United State Dollar
VND	: Vietnamese Dong
WB	: World Bank
PMU	: Project Management Unit
CPC	: Communal People's Committee
DPs	: Displaced Persons
SPB	: Social Policy Bank

SUMMARY

By the agreement of Ministry of Industry, EVN and WB, Quang Nam province took part in Rural Distribution Project and used WB loan for this Project.

The objective of the proposed project would be enable to focus on rehabilitating and increasing the capacity of existing distribution networks of 110, 22 and 22kV at rural areas to enable them to meet the growing demand more efficiently, provide better quality and quantity of electric power.

Investing in the project (a) for rehabilitating, improving and enlarging Quang Nam provincial power system in order to meet the demand of supplying the socio- economic development with electricity in 15-20 years later, up to year 2020;(b) for increasing reliability and quality of power network, mitigating energy loss on network, raising electrical business effect.

Rural Distribution Project in Quang Nam province consists of: Newly built 110kV substations and network under EVN assumption.

Land acquisition is necessary at the first stage of project implementation. However, rehabilitation and enlargement of network and substations will not cause any land acquisition and resettlement at the large scale. Resettlement plan (RP) is aimed at handling the problem of compensation for project related losses and restoring the living standards of project displaced persons at Duy Trung commune, Duy Xuyen district, Quang Nam province.

1. Entitlement policy and Waivers

Resettlement plan (RP) of Rural Distribution Project in Quang Nam province was established on the basis of policies of preparing project on compensation, resettlement and living standard rehabilitation for project displaced persons.

According to this policy, displaced persons or project-affected people with eligible title will include:

(a) those who have formal legal rights to land or other assets;

(b) those who initially do not have formal legal rights to land or other assets but have a claim to legal rights based upon the laws of the country; upon the possession of documents such as land tax receipts and residence

certificates; or upon the permission of local authorities to occupy or use the project affected plots;

(c) those who have no recognizable legal right or claim to the land they are occupying.

Persons covered under (a) and (b) are provided compensation for the land they lose, and other assistance. Persons covered under (c) 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 dates defined in RPs. Persons who encroach on the areas after the cut-off date defined in RPs are not entitled to compensation or any other form of resettlement assistance. Similar regulations will also be applied to DPs losing income.

2. Project impacts

The project will impact in:

- Permanent land acquisition for tower foundations, substations and temporary access roads.

- Permanent impacts to trees, standing crops and other assets at the locations of foundations, substations and ROW.

- Assets at the temporary access roads.

- All trees, standing crops and other assets around the locations of foundations and substations.

- Temporary land acquisition when implementing the project.

Results of collected data will be as follows:

+ No impacts caused by project to any households (both permanent and temporary impacts because of permanent land, trees and standing crops lost).

+ Both permanent and temporary land lost is managed by Industrial Complex and Tourist Area Management Boards of Duy Xuyen District.

+ Affected structures and trees are managed by Duy Trung Communal People's Committee.

+ No effects on cultural heritages, reserves, sensitive areas.

During the process of community consultations, project affected households are of one mind in choosing the procedure of cash compensation for affected assets at market price or replacement price.

3. Compensation policies

The cut-off date will be June 20th, 2007. Compensation price is based on the market price/replacement price. Compensation at the replacement price to land, houses and perennial trees; compensation at the market price to annual standing crops.

All displaced persons are provided:

(i) transportation assistance;

(ii) resettlement assistance;

(iii) training assistance and other restoration assistance.

Those who lost more than 10% of total area of landholdings are provided:

(iv) assistance to living standard restoration and/or training courses.

Up to now, according to the preliminary Feasibility Study, inspection and survey results of losses show that there are not any serious impacts to displaced persons, community and common assets so that no need to have the solution of economic restoration. However, during the stage of project implementation, if there are any serious impacts to displaced persons and community because of changing/ readjusting the design, the related partners must correspondingly be responsible for ensuring that displaced persons can achieve full restoration of income standard and productive capacity to the pre-project levels.

4. Community participation and consultations

Carrying out displaced persons participation and consultations for getting their feedback will limit contradiction and not delay the project implementation. Resettlement plan will be developed in complying with the consultative opinions of Local Authorities and displaced persons for developing to a high degree their participation in resettlement plan and resettlement implementation as well as in other socio - economic benefits. Local Authorities and displaced persons will consult and participate for the line route direction, resettlement policies, implementation of resettlement plan, institution of complaint and grievances in supervising, evaluating the living standard restoration of displaced persons after project implementation.

5. Complaint and grievances

During the process of project implementation, all complaint and grievances of displaced persons will be handled under the Law of Vietnam. All complaint and grievances will be handled fairly and will be guided by the related Agencies on procedure of complaint and grievances. The complainants will be free of charge for complaint and grievances.

Power Network Project Management Board and Local Authorities will be responsible for supervising the process of resettlement plan implementation. Besides, one Independent Consultant Office will be entrusted with independent monitoring. This Office will be chosen by Project Management Unit or Power Network Project Management Board and will sign a contract after resettlement plan had been approved and supervising activities had been carried out from the stage of starting project implementation.

This Independent Consultant Office will present the report on their results of supervising activities to World Bank.

6. Institutional Arrangements

Project Management Unit of EVN will be responsible for managing the activities on guidelines of investment and communication between Local Authorities, Power Companies, Provincial People's Committee and World Bank. The correlative Power Network Project Management Board will support Power Company No3 appointed by EVN in carrying out the duty of constructing power network system and substations, including resettlement implementation.

7. Implementation schedule

The process of implementing resettlement plan will be:

Resettlement plan consideration and approval : September, 2007.

Establishing PNPMB and Employing Independent Monitoring Agency: From May, 2008 to June, 2008.

Detail measurement survey: From May, 2008 to June, 2008.

Compensation payment and site clearance: From July, 2008 to August, 2008.

Independent and Internal monitoring: During the period of project implementation.

Commencement: September, 2008.

All activities of resettlement plan will be completed before World Bank had approved the contract for sub-projects. All changes of resettlement plan after being disbursed by World Bank must be considered by World Bank Office in Ha Noi before implementation.

8. Compensation cost estimation

Total cost estimation for compensation is about: **339,560,000VND** or **21,223USD.** In cost estimation for resettlement plan, inventory work, monitoring, management, independent and internal monitoring consists of 15% for arising cost. Total cost estimation for the whole program is about: **435,049,227VND (or 27,191USD).**

9. Information announcement

Resettlement plan draft will be informed at Quang Nam Provincial People's Committee and Vietnamese Development Information Centre belonged to World Bank Office in Ha Noi. Power Company No3 will send the copy inventory forms of entitlements to host District/Communal Authorities.

CHAPTER 1: INTRODUCTION

1.1 Entitlement policy

Rural Distribution Project (RD) presented a common entitlement policy of resettlement. This entitlement policy is based on World Bank policy for involuntary resettlement (OP4.12) and State Law on Land Acquisition of the Government.

The main objectives of entitlement policy for compensation, resettlement and living standard restoration are to ensure that all project affected households will be provided compensation for their losses at the replacement price and the solutions of living standard restoration in order to improve, or at least achieve full restoration of incomes and living standards to the pre-project levels.

Entitlement policy also presented the principles, objectives, regulation standard on displaced persons, entitlements, law entitlement policy, measures of compensation, life stability, characteristics of community participation and consultation and procedure of complaint and grievances in order to orient the compensation, resettlement and living standard restoration. Resettlement plan will be carried out on the basis of this entitlement policy.

1.2 Objectives and suggestion:

Objectives of resettlement plan are to define compensation and resettlement programs for the project on the basis of limiting as much as possible the number of project affected households and assets. Compensation and resettlement program will present the articles for compensating and helping project affected households in improving or at least preserving their living standards to the pre-project levels.

Compensation and resettlement program aims at mitigating the impacts caused by the project and giving chances to project displaced persons for restoring their living conditions.

Resettlement plan is carried out with displaced persons' participation and consultations.

Resettlement plan is approved by Vietnamese Government and World Bank.

To ensure that the objectives of project resettlement plan are met, the compensation price must be at the level of market price or replacement one. Project Management Unit, Power Network Project Management Board, Provincial People's Committee, Independent Monitoring Agency will be responsible for supervising and readjusting the price of compensation (If necessary) at the moment of carrying out resettlement plan in order to ensure that the compensation price is equal to replacement value.

1.3 Quang Nam provincial project:

+ Newly built Duy Xuyen 110kV substation with the capacity of 2 x 25 MVA (Immediately install a transformer of 1 x 25MVA).

+ Newly built 110kV line with the length of 70m.

- Starting point: at newly built connected pole between poles $N^0$159 and $N^0$160 of Da nang – Quang Ngai 110kV transmission line.
- Ending point: at the bus-bar of Duy Xuyen 110kV substation

CHAPTER 2: SOLUTIONS OF MITIGATING THE LOSSES

2.1 Solutions of mitigating the impacts at the designing stage

Solutions of mitigating the impacts at the designing stage base on: a) usage of appropriate designs; and b) consultation organization in localities.

Power network will be designed in appropriate way to mitigate impacts to land, crops and avoid highly discerning area. When surveying and designing the power line, how to avoid natural forests, residential areas, reserve areas and public projects. Power line is designed to avoid minimum getting across houses and other building projects. If getting across houses and structures, they must be treated by techniques so that they may be existed in the ROWs. These measures will increase the safety and mitigate tree cutting and relocation. The substation is located on cultivated land.

Line route is decided with the consultation of Local inhabitants and Authorities. This work is carried out at the stage of investment project establishment. However, at the technical designing stage, line route as well as design project will be readjusted to avoid houses and mitigate impacts. By consultation of local inhabitants, local authorities and line route correction, project unfavorable impacts are mitigated.

2.1.1 Substation location:

The substation is located on uncultivated land with low economic value or on public land of Local Authorities. When surveying and designing the substation, work with the efforts to avoid the market area, crowded inhabitants, villages' crossing, pagodas, and cultural heritage. The substation is designed to be located nearby the available traffic-way for shortening temporary access roads (if any).

It's necessary to prepare at least 2 or 3 alternatives of substation locations. The optimal one that causes the least impacts to environment will be chosen.

2.1.2 Selection of line route direction

The line route survey and design will be carried out in the way of avoiding market area, crowded inhabitants, villages' crossing, pagodas, protective forests, natural preservation zone, cultural heritage and will not go in parallel with or nearby the communication system, gas area, arms depot ...

For avoiding or mitigating impacts, selection of line route direction will be done so that it lies right in ROWs along the available traffic-way, or crossing agricultural land or garden land. Some of line route directions will be cornered from 30^0 to 60^0. However, if necessary, the rudder angle will be 90^0. In such way, line route direction must cross the road for many times in order to prevent from impacts to houses and structures.

Selected line location will be less than 1km far from existing traffic-way, so we can use it for construction and limit to build temporary access roads.

It's necessary to consider at least 2 or 3 alternatives of line route directions for each project and choose the optimal one.

2.1.3 Technical solutions

The average distance between towers of high voltage line will be from 150m to 250m. The positions at the wasteland will be prior to set up towers. Selecting different dimensions for the foundations so that they will be suitable with the selected positions. Foundation area will be from 30 to 100m^2 for tower foundation and 6,000m^2 for substation basement.

For mitigating impacts, temporary access roads will be constructed at the area of ROWs or along the road.

2.1.4 Community participation and consultations

At the stage of project preparation, PNPMB will carry out the work of community participation and consultations with Local Authorities and displaced persons in selecting substation location and line route direction. All valuable feedback from Local Authorities and displaced persons will be considered while designing.

2.2 Solutions of mitigating impacts at the stage of project construction

The best solution and organization for civil work were already considered. For example. The civil work will be started after the time of harvest and completed before a new cultivation crop. In order to reach to the objectives, to work in shift will be carried out in some days for shortening the period of causing impacts. Locate construction camps in non productive area or public land near Communal People's Committee, not in residential area.

At the period of project construction preparation:

Line route is decided with the consultation of Local inhabitants and Authorities. This work is carried out at the stage of investment project establishment. However, at the technical designing stage, line route as well as design project will be readjusted to avoid houses and mitigate impacts. By consultation of local inhabitants, local authorities and line route correction, project unfavorable impacts are mitigated.

At the period of project construction:

There are 4 mitigation principles At the period of project construction: 1) utilize hand clearing of vegetation and save all vegetation that are lower than minimum height according to requirements. 2) construction as fast as possible. 3) at the period of project construction agricultural activities must be considered, for example, execution should be carried out at the time of ending

the harvest and beginning a new crops. 4) finally if it 's necessary to build camps for workers, public unutilized land will be made the best of. According to report, each commune has got public land for construction camps and building materials storage yard. By this way, impacts to land and vegetation are mitigated remarkably.

At the period of operation:

Line route conservation and protection are very necessary for ensuring minimum safety distance at the period of operation. On the other hand, trees under ROWs must be cut down for ensuring safety.

2.3 Results achieved from the solutions of mitigating impacts

At the stage of project preparation, it's necessary to consider at least 2 or 3 alternatives of line route directions as well as substation locations for choosing the optimal one that causes the least impacts.

Total land area of Industrial and Traveling management Board of Duy Xuyen District is 1,114,500m2. However, the project impacts on only 6,400m2, in which 5,390m2 will be permanently acquired, it makes up about 0.48% of the total landholding area and 1,050m2 in ROWs is temporarily acquired, it makes up about 0.094%. None of households lose private land, houses or structures. No impacts to business.

There aren't any impacts on natural preservation zone, cultural heritage and pagodas.

In the sphere of impacts, losses are mostly unremarkable, all affected households select the way of cash compensation at the replacement price. Resettlement arrangement is not necessary.

CHAPTER 3: PROJECT IMPACTS

3.1 Project affected households (HHs)

DPs include the person or persons, household, firm, or a private or community institution who suffered from the project permanent or temporary impacts are the owners of land and assets; displaced persons who rent land and houses in ROWs, at the positions of tower foundations and substation basement as well as at the temporary access roads.

According to the result of survey, the project will impact:

* Total area of land affected by the project	6,440m2
* Number of project affected households	None
* Number of resettlement households	None
* Number of households lose their houses	None
* Total area of residential land	None
* Total area of agricultural land	5,390m2
* % of agricultural land lost per total area of landholding	0.48%
* Area of temporary required land (for ROWs)	1,050m2
* Other asset losses	None
* Temporarily affected productive land (rich soil)	1,050m2
* House and structure losses (in ROWs)	None
* Residential land losses (in ROWs)	None
* Impacts on business, land and other assets	None
* Impacts on the living of house renters	None
* Impacts on sensitive areas	None
* Impacts on public areas	None

Impacts on human being:

The project doesn't affect on households (both temporary and permanent impacts)

Impacts on assets:

+ Permanent effected land:
  - Residential land : 0 m2
  - Productive land : 5,390m2
+ Temporary productive land (in ROWs) : 1,050m2
+ Temporary residential land (in ROWs) : None
+ Permanent losses of houses, structures : 59 graves
+ Temporary losses of houses, structures (in ROWs): None
+ Permanent losses of standing crops : None
+ Permanent losses of trees : 15 eucalyptus trees
+ Temporary losses of standing crops : None

Main impact analysis:

Only Industrial and Traveling Management Board of Duy Xuyen District loses agricultural land for substation and pole foundations with total area of 5,390m^2, make up 0.48% of total landholding area. This is very low rate, so loss of agricultural land doesn't cause disadvantage to Industrial and Traveling Management Board of Duy Xuyen District.

Table 3.1: Total project affected households

Communes	Number of project affected households
Duy Trung Commune	0
Duy Xuyen District	**0**

It is noted that after project approval and before project implementation, a Detail Measurement Survey (DMS) will be carried out. This DMS will consider the impacts caused by power line direction change or other technical changes for loss mitigation. In this DMS, number of households will be adjust because of affected land change.

3.2 Impacts of land and assets

The total affected land area is 6,440m2, however, project will require 5,690m2 for building infrastructure that consists of substations, tower foundations, and/or warehouses, construction camps, the temporary access roads. In which, permanent land acquisition for substations and tower foundations is 5,390m2 and temporary land acquisition for ROWs is 750m2.

Table 3.2: Total area of land acquisition for project

Communes	Agricultural land (m2)	Residential land (m2)	Total (m2)
Industrial and Traveling Management Board of Duy Xuyen District	6,440	0	6,440
Duy Trung Commune - Duy Xuyen District	**6,440**	**0**	**6,440**

3.2.1. Permanent impacts of land:

Permanent land acquisition consists of:

- Land, trees and standing crops in the area of substations and tower foundations.

- All trees in the area of building tower foundations and high trees in ROWs must be cut down (the distance from the top of trees to conductors must be less than 4m and all trees outside ROWs but they are in the danger of touching conductors when trees fall down).

- All structures and trees are impacted while executing.

Table 3.2.1: Total area of permanent acquired land for building network system (m2)

Communes	Agricultural land (m2)	Residential land (m2)	Total (m2)
Industrial and Traveling Management Board of Duy Xuyen District	5,390	0	5,390
Duy Trung Commune - Duy Xuyen District	**5,390**	**0**	**5,390**

3.2.2. Temporary impacts of land:

- The land is acquired temporarily at the stage of project execution.
- Trees, standing crops around the area of tower foundations, substations and the temporary access roads.

Project impacts on assets will be listed in the following table.

Table 3.2.2: Total area of temporary land acquisition for building network system (m2)

Communes	Agricultural land (m2)	Residential land (m2)	Total (m2)
Industrial and Traveling Management Board of Duy Xuyen District	1,050	0	1,050
Duy Trung Commune - Duy Xuyen District	**1,050**	**0**	**1,050**

3.3 Impacts on houses and other structures in ROWs

According to statistics, there are not any houses or infrastructures in ROWs.

3.4 Impacts on standing crops and trees:

According to inventory, there are 15 trees have to be cut down and no impacts on standing crops. Affected standing crops and trees consist of: 1) Standing crops and trees are in scheduled area of substation and tower foundations; 2) all trees in areas of tower foundations and high trees in ROWs. Those are the trees that their tops to conductors are less than 3m and in the danger of touching conductors when they fall down.

Note that after project approval and before project implementation, a Detail Measurement Survey (DMS) will be carried out. During the period of DMS it's necessary to adjust project affected households and redefine total numbers of affected trees. This DMS will also consider the impacts that are caused by power line direction change or other technical changes for loss mitigation.

Table 3.4: Impacts on crops (m2) and trees

Communes	Gum-trees (Eucalyptus)
Duy Trung Commune	15
Duy Xuyen District	**15**

3.5 Impacts on business

The project affects on land with low rate (0.48%) per total land area of Industrial and Traveling Management Board of Duy Xuyen District and not to other business units in the Industrial Zone.

3.6 Impacts on natural preservation zone and other sensitive areas

Power network is located on uncultivated land; therefore there aren't any impacts on natural preservation zone and cultural heritage.

3.7 Impacts on Ethnic Minorities:

The project doesn't affect on Ethnic minorities

CHAPTER 4: SOCIO-ECONOMIC INFORMATION

4.1 The baseline of information

This resettlement plan is based on the results of Census and land acquisition survey of project displaced households for building power network of Duy Trung commune, Duy Xuyen district, Quang Nam province. Power Network Project Management Board of PC3 had co-ordinated with Local Authorities in counting up the affected land, assets and surveying the affected households from 19th to 20th of June 2007. Land acquisition and resettlement requirements are calculated on the basis of detail data of land use and technical design. Census and other detail measurement survey are very necessary at the stage of project implementation for defining exactly the project affected households, therefore, resettlement plan will be updated and current information will be reflected.

Socio-economic survey on project affected households aimed at defining the characteristics of affected community, evaluating the situation of population, houses, economic activities and displaced persons' living standard, ...

Detail interviews on resettlement plan of affected groups are carried out in order to select the data on: (i) demand of detail resettlement of the serious displaced persons and the vulnerable groups; (ii) care and selection of affected households, and (iii) solutions of mitigating the impacts.

4.2 Physical features:

Quang Nam Province is located in the central of Vietnam from $15^0$23'38'' to $15^0$38'43'' of the Northern latitude and from $108^0$26'16'' to $108^0$44'04'' of the Eastern longitude, its total area of natural land is 10,406.83Km2.

The geographic location is as follows:

+ The North: confined with Da Nang City.
+ The South: confined with Quang Ngai province.
+ The East: confined with Pacific Ocean.
+ The West: confined with Kon Tum province and Cambodia.

4.2.1 Terrain:

Terrain of Quang Nam province is rather complex, lowers gradually from West to East and shapes into three ecological regions: mountains, midlands and coastal plains. Big rivers all run from Truong Son mountain chain to the East Sea: Vu Gia river, Thu Bon river and Tam Ky river, having steadfast economic relationship between economy, society and ecological environment from upper reaches to coastal region.

4.2.2 Weather and climate:

Quang Nam province is located in tropical monsoon climate area and there are only two distinguished seasons: the rainfall season, the hot and dry season. Quang Nam has tropic coastal highland temperate with average temperature of 25 Centigrade degree and average annual rainfall is from 2,000 to 2,500 mm, but does not distribute equally according to space and time, rains in mountainous area are more than in lowland, rains always concentrate in September to November, account 80% of rainfall every year; rainy season coincides with stormy season, so that the rains in Central Area always cause landslide, flash flood in Tra My, Hien, Giang Districts and flood out in delta districts.

4.2.3 Natural resources and minerals:

* Land resources: Total area of natural land is 10,406.83Km2.

* Rivers and streams:

System of rivers and streams in Quang Nam province has the total length of 900Km, including the following rivers: Thu Bon, Tam Ky, Cu De ... and other many small rivers, they ensure sufficient water for irrigation, hydroelectricity and living activities.

* Forestry resources: Natural forestry area in Quang Nam province remains 477 thousand hectares with wooden reserves of about 30 million m^3 and 50million bamboo-trees and neohouzeaua. Besides wood (exploitation output may achieve 80,000m^3 /year), Quang Nam province has got variety of precious forest product such as: aloe wood, cinnamons, rattans ...

* Mineral resources: Mineral resources of Quang Nam are potential and being exploited, they are diversified and rich, bringing high economic effect to the Province. In which, coal mines in Nong Son; gold mines and mineral sand in Bong Mieu, Du Hiep, Tra Duong; Industrial white sand mines in the Northern and Northeastern parts of the province. Besides, other mineral resources such as uranium, limestone, granite, clay, titanium, tin, China clay, mica and materials for construction, crock and China, glass are allocated in many places of the province.

* Aquiculture resources: The Province that is located in the central of Vietnam has 125 km of coastline and extensive Continental shelf with rich seafood source. Besides developing of offshore fishing potentiality, developing of aquiculture potentiality in the regions of riverside, coastwise and Cu Lao Cham island needs to be attached special importance to.

4.3 Socio-economic characteristics:

4.3.1 Population

The population of Quang Nam province is about 1,500,000 persons with many Ethnic groups such as Kinh, Hoa, Co Tu, Xe Dang, Gio Trieng, Cor...

4.3.2 Economy – Commerce – Tourism:

Quang Nam province is located along the middle coastal zone of Vietnam belonging to key economic development area of Central Area that consists of Thua Thien Hue Province and Danang City, Quang Nam province, Quang Ngai Province. Quang Nam province - the first one of localities all over the country carries out the model of open-economy zone. It is appreciated to be one that pregnants with plentiful potentialities and opportunities to develop powerfully.

In 2006, industrial production value is anticipated to achieve 4,085 billion VND. Growth speed of Gross Domestic Product (GDP) achieves 10.4%, economic structure is converted to positive tendency; density of Industry - Construction increases from 25.3% (in 2000) to 36.2%, Services increase from 33.2% (in 2000) to 35.7%; density of agriculture-forestry-aquiculture achieves 41.5% (in 2000) remains 28.1%; export turn-over of the whole province is anticipated to achieve 130 million VND, in which industrial product is anticipated to achieve 105 million VND; invested capital for industrial branch development anticipated to achieve 1,890 billion VND in 2006.

Experiencing the ups and downs over the years, Quang Nam still preserves unique historical and cultural remains of the past along with rich human values. Some of the typical cultural sites include: the ancient Town of Hoi An, My Son Holy Land which are recognized by UNESCO as World Cultural Heritage. Tra Kieu old Champa Capital, Cham Towers in Khuong My and Chien Dang, Buddhist Temples of Dong Duong, which record the remains of Sa Huynh, Champa and the Dai Viet civilization. Besides, Quang Nam having tourist destinations attracts more and more visitors from all over the world coming for sightseeing and studying such as: the beaches of Cua Dai – Hoi An, Ha My – Dien Ban, Tam Thanh – Tam Ky, and Bai Rang – Nui Thanh together with hot spring of Tay Vien, Cu Lao Cham island, the lake of Phu Ninh ... and traditional trade villages, unique festivals. With these above potentialities, Quang Nam province promises opportunities and advantages for development of a diverse tourist industry.

4.3.3 Socio - Economy development plan up to year 2010:

According to the overall development plan, socio-economic development of Quang Nam province up to year 2010 has got following basic contents:

*** General objectives:**

- Ensure economic growth with fast speed, high effect and firmness for creating Quang Nam province to become a development and open economic province.

- Economic structure transfer in accordance with provincial potential and general development direction all over the Central Highlands area.

- Speed up economic development of Quang Nam province. Industrial zones, at the same time attach special importance to people's living standards, cultural standards, public investment for the poor mountainous area and beneficiary of social welfare.

- Ensure harmony between economic development with advances, democracy and social justice, protect and regenerate natural environment, improve life quality. Social - economic development closely associates with natural calamity prevention and mitigation.

*** Detail objectives:**

- Gross Domestic Product (GDP) averagely increases 14%, average GDP/person up to year 2010 achieves about 900USD.

- Industrial production value averagely increases 28%.

- Services value averagely increases 18%.

- Agriculture-forestry- aquiculture value averagely increases 5%.

- Gains from economic emergence averagely increase 20%.

- Mobilization of 44,000 billion VND from the whole society investment funds averagely increases 20%.

- Export turn-over in 5 years achieves 1,150 million USD, averagely increases 27%.

- In 5 years, Giving employment to 180,000 labors.

- Rate of labors by training makes up more than 40% in 2010.

- Rate of non-agricultural labors makes up more than 45% in 2010.

- Averagely reduce the rate of birth to 0.04%.

- Reduce the rate of poverty households to fewer than 18% in 2010.

- Reduce the rate of malnourished children to 20% in 2010.

4.4 Socio-economic situation of affected households:

Speed as well as socio-economic development situation of Duy Xuyen district in the past years is rather stable, although it is severely influenced by weather, epidemic diseases on livestock such as foot-and-mouth disease epidemic, poultry flu plague, fast fluctuation of market prices that impacts unprofitably to production and consumption. Namely: agriculture-forestry-aquiculture value increases 4.7%; industrial - handicrafts value increases 27%; services value increases 12.9%; gains from economic emergence increases 25%; total investment funds of the whole society is 195 billion VND; the rate of poverty households reduces to 25.28%; giving employment to 3,000 labors; rate of raw birth is 11.3%, reduces 0.4%; the rate of malnourished children remains 17.82%, reduces 2.04% in comparison with year 2005.

In school year 2005-2006, 100% of fifth grade-schoolers complete primary education programme; 99.4% of pupils are awarded to be graduated from primary school; rate of graduation from high school achieves 97.6%. material facilities, schools are continued to be invested and upgraded in standardization orient. Works of prophylactic hygiene, environmental sanitation, prophylactic hygiene, food safety are ensured, serious epidemic diseases do not occurred. Six projects of fresh water supply are newly built and upgraded.

Living conditions: almost of households have got stable houses, TV and motorbikes. Almost of households in the district use water from wells, some of them use water from rivers and streams. River water and irrigation water are polluted because of fertilizer and pesticide. Lack of fresh water causes more harm to people's health.

CHAPTER 5: INSTITUTIONAL AND LEGAL FRAMEWORK

5.1 Legal framework

This Resettlement Policy Framework will apply the various laws, degrees, and circular regulating use of land in Vietnam as well as the World Bank policy.

5.1.1 Policies and Legal framework of Vietnamese Government:

- The 2003 Land Law enacted by National Assembly of Vietnam on November 26th , 2003

- Decree 181/2004/ND-CP issued on October 29th, 2004 guiding the implementation of the Land Law revised 2003.

- Decree 197/2004/ND-CP issued on December 3rd, 2004 on compensation, support and resettlement when land is recovered by the state. This Decree guides the implementation of compensation for land, compensation for assets, support policies and resettlement relating to land acquisition.

- Circular No 116/2004/TT-BTC, issued on December 7th, 2004 by the Ministry of Finance provides guidelines to implement the Decree 197/2004/ND-CP.

- Decree 188/2004/NP-CP issued by Government of Vietnam on November 16th, 2004 on methods to determine land prices and assorted land price brackets. This Decree set forth the minimum and maximum prices of different types and categories of land covering the whole country. These prices have been established for the purpose of land acquisition by the Government, tax value for transfer of land use rights, leasing government land and national and community purposes.

- Circular 114/2004/TT-BTC issued by the Ministry of Finance on November 26th , 2004 guiding the implementation of the Government's decree No 188/2004/ND-CP. This Circular elaborates in details the methodologies (i.e. direct compensation method and income method) for the land price verification of different types and categories of land in different regions/areas to ensure the replacement cost.

- Decree 106/2005/ND-CP issued by Government of Vietnam on August 17th, 2005 regulates and guides in detail some articles of Electricity Law on the protection of the high voltage networks.

- Official letter No 06/TT-BCN dated September 26th, 2006 of Ministry of Industry regulates the Implementation of Ordinance of Decree 106/2005/ND-CP on the protection of the high voltage networks.

- The current compensation regulations of Quang Nam Provincial People's Committee.

+ Decision No 59/2006/QD-UBND dated December 21st 2006 of Quang Nam Provincial People's Committee regulates method of land price definition and the unit price of land categories at Quang Nam province.

+ Decision No 55/2006/QD-UBND dated December 15th 2006 of Quang Nam Provincial People's Committee regulates compensation for land, compensation for assets, support policies and resettlement all over area of Quang Nam Province when land is acquisitioned by the state .

The City land price is calculated on the basis of average price of free market. Under free market, land prices between cities, zones in the same district, between front roads and rear ones are different from each other. This point contributed to defining the price framework for the right of land use and compensation for land that is acquired by State and also defining framework of organization for compensation. Provincial People's Committee are responsible for defining compensation unit price and presenting private price framework that is in common price framework of the whole country. In private price framework of the region, People's Committee of province/City has the right of applying adjustment coefficient. People's Committee of District, People's Committee of Commune are responsible for defining the area of affected land and affected structures as well as eligibility to compensation payment.

Some essential contents in Policies and Legal framework of Vietnamese Government:

- The 2003 Land Law enacted by National Assembly of Vietnam on November 26th , 2003, provides that: " the persons with land to be recovered shall be compensated with the assignment of new land of the same use purposes; if having no land for compensation, shall be compensated with the land use right value at the time of issuance of the recovery decisions. Provincial People's Committees and Centrally-run Cities shall elaborate and execute resettlement projects before the land recovery for compensations with dwelling houses, residential land for persons having residential land recovered and having no move their places of residence. The resettlement zones must have development conditions being equal to or better than the conditions in the former places of residence. In cases of having no resettlement zones, the persons having land recovered shall be compensated with money and given

priority to purchase or lease dwelling houses under the State's ownership, for urban areas; be compensated with residential land, for rural areas. In case of recovering land of households and/or individuals, that are directly engaged in production, but having no land for compensation for continued production, apart from pecuniary compensations, the persons having land recovered shall be supported by the State to stabilize their lives, with training for change of their production and/or business lines, with the arrangement of new jobs."

5.1.2 ***World Bank policy on Involuntary Resettlement (OP 4.12), promulgated in January 1st 2002.***

According to World Bank policy on Involuntary Resettlement (OP 4.12), all the project affected households will be compensated in the way how to ensure that their living standards should be restored or improved to those conditions that prevailed prior to the Project.

All project affected households that are listed in the inventory tables will be compensated for their affected assets. Project affected households encroach on the areas after the cut-off date will be considered to be illegal and not to be compensated.

In accordance with World Bank policy on Involuntary resettlement (OP 4.12), compensation price will be: replacement price for land, houses and perennial trees; market price for annual crops.

According to WB policies, measures required to ensure that resettlement has a positive outcome include:

* Consulting with potential DPs on feasible measures for resettlement and rehabilitation;

* Providing DPs with options for resettlement and rehabilitation;

* Enabling their participation in planning and selecting these options;

* Providing compensation at full replacement cost for losses;

* Choosing relocation sites that provide, at minimum, the same benefits and services as the sites they replace;

* Providing allowances, training and income support to assist in making a smooth transition;

* Identifying vulnerable groups and providing special assistance to these groups; and,

* Establishing an institutional and organizational structure that supports this process to a successful end.

5.1.3 Required Waivers

In order to meet the requirements of the World Bank OP 4.12 on Involuntary Resettlement a number of articles in various Vietnamese laws and regulations which do not ensure compensation at replacement cost or set eligibility provisions which do not extend the right to rehabilitation and or assistance to households without proper land paper, will be waived.

The articles of law and regulations that will be waived are mentioned below:

Eligibility for compensation and/ or assistance - Decree 197

(a) Article 7 of Decree 197 *(Cases where land is recovered without compensation)* stipulates that any person whose land is recovered and who has not meet one of the conditions of Article 8 of this Decree, or who has violated the plan, or who violates the protecting corridor work, or who illegally occupies land shall not receive compensation when the state recovers the land. In case of necessity, the Provincial People's Committee shall consider and decide on a case-by-case baseline.

(b) Article 18, 19, 20 of Decree 197:

* Houses and structures on non-eligible-for-compensation land, which have not violated informed land use plans or the right of way will be assisted at 80% of replacement cost

* Houses and structures on non-eligible-for-compensation land, which have violated informed land use plans or the right of way will not be assisted. If necessary, the PPC will consider on the case by case baseline.

(c) Article 28, 29 of Decree 197: DPs losing more than 30% of productive land will be entitled to living stabilization and training/job creation assistance.

(d) To ensure that the objectives of this resettlement policy are met, a special decision of the Government waiving Article 7, 18, 19, 20, 28, 29 of Decree 197 is needed to permit assistance and rehabilitation measures for illegal users of land as proposed in the policy.

Price of Land for Calculation of Compensation

(a) Article 9 of Decree 197: The compensation rates for land shall be determined by the PPC for the type of land which has been used for at the time of land acquisition.

(b) To ensure that the objectives of the project resettlement policy are met, unit price for land compensation established by the Project Provincial People's Committees will be adjusted to meet the replacement costs.

Assistance Policy for DPs who rent State-owned dwelling houses - Decree 197

(a) Article 21 of Decree 197/2004/ND-CP states that DPs who rent State-owned dwelling houses shall be provided with monetary supports equal to 60% of the land value and 60% of the value of currently rented houses, in cases where there are no resettlement houses to be arranged for them.

Government undertaking:

(b) To ensure that the objectives of the policy are met, a special decision of the Government of Vietnam regarding waiver of Article 21 of Decree 197/2004/ND-CP is needed to permit assistance and rehabilitation measures for DPs who share State-owned dwelling houses as proposed in this policy.

(c) Article 2 of Decree 188/2004/ND-CP states that the land price shall be defined by People's Committees of Province/City directly under the central government. To ensure that the objectives of the project resettlement policy are met, unit prices for land compensation established by the Project related provincial/city People's Committees shall be adjusted to meet the replacement costs.

(d) The Item 4, Article 2 of Decree 17/2001/ND-CP dated May 04, 2001 to guide on the ODA management stipulates that " in the case of the international agreements on ODA have been signed between GOV and sponsor stipulates other contents, then that international agreements will be followed"

5.1.4 Comparison between Government of Vietnam and World Bank Approaches

There are a number of ways in which the approaches of the Vietnam Government - either in policy or practice - are compatible with World Bank guidelines. The most important compatibilities are:

* Vietnam has a process whereby most people without legal land rights may meet conditions of legalization and receive compensation for losses.

* Permanent residents are provided with options that include relocation to an improved site, or cash, or a combination of the two.

* Resettlement sites offer not only better improved infrastructure and services but represent a higher standard of living.

* Allowances are provided to help the DPs in the transition period and there is an institutional structure through which people are informed, can negotiate compensation, and can appeal.

* Differences between the approaches and measures that need to be addressed within the program also exist. However, in this context, procedures exist within national and City governments that allow the granting of waivers of domestic law on specific projects that may be in conflict with that of the funding agency.

* On the issue of land tenure and the legal right to compensation, the Government and World Bank approaches are compatible. The government has its own process in place whereby land occupied without legal documentation can be legalized; this land, however, is compensated for at a rate equal to 100% of land price minus the taxes and fee for land use right registration from 15 October 1993.

* Article 6 of Decree 197/2004/ND-CP states that any person whose land is recovered shall receive compensation in cash with value that equal to land tenure value at the time of land acquisition in accordance with current regulations. In case of compensation by new land or house allotment, if there are any differences of value, they will be payable in cash.

5.1.5 Legality of the Documents on Resettlement plan:

This project is approved by Government Prime Minister. It is requested to be financed by WB at the stage of 2007 to 2010 (Decision No 31/QD-TTg dated January, 10th 2007).

The host Provincial People's Committees will consider project resettlement plans before holding the project negotiation for carrying out the coming steps.

5.2 The Definition of eligibility and terms to compensation:

The DP's include the following persons to be identified by the baseline information collected for each Resettlement Plans (RPs):

(a) persons whose houses are in part or in total affected (temporarily or permanently) by the project;

(b) persons whose residential and premise and/or agricultural land is in part or in total affected (permanently or temporarily) by the project;

(c) persons whose crops (annual and perennial) and trees are affected in part or in total by the Project.

(d) persons whose businesses are affected in part or in total (temporarily or permanently) by the project; and

5.3 Resettlement and compensation principles:

The principles and objectives outlined in articles of Vietnam Law and the World Bank's Operational Policies 4.12 (OP 4.12) have been adopted in preparing this Policy Framework. In this regard the following principles and objectives would be applied:

(a) Acquisition of land and other assets, and resettlement of people will be minimized as much as possible.

(b) All DP's residing, working, doing business or cultivating land in right of way (ROW) of transmission line (T/L), surrounding areas of tower foundation, the substation areas, in the service roads under the project as of the date of the baseline surveys are entitled to be provided with rehabilitation measures sufficient to assist them to improve, or at least maintain their pre-project living standards and income earning capacity and production levels. *Lack of legal rights to the assets lost should be bar the DPs from entitlement to such rehabilitation measures.*

(c) The rehabilitation measures to be provided are: (i) compensation at replacement cost, without deduction for depreciation or salvage materials for houses and other structures; (ii) agricultural land for land of equal productive capacity acceptable to the DPs or in cash at replacement cost according to DP's choice; (iii) replacement of residential/premise land of equal size acceptable to the DP or in cash at replacement cost according to DP's choice; and (iv) transfer and subsistence allowances.

(d) Replacement residential and agricultural land will be as nearby as possible to the land that was lost, and acceptable to the DPs.

(e) The resettlement transition period will be minimized and the rehabilitation means will be provided to the DP's prior to the expected start-up date of works in the respective Project site.

(f) Plans for acquisition of land and other assets and provision of rehabilitation measures will be carried out in consultation with the DPs, to ensure minimal disturbance. Entitlements will be provided to the DPs prior to expected start-up of works at the respective project site.

(g) The previous level of community services and resources will be maintained or improved.

(h) Financial and physical resources for resettlement and rehabilitation will be made available and as where and when required.

(i) Institutional arrangements will ensure effective and timely design, planning, consultation and implementation of RPs.

(j) Effective and timely Supervision, monitoring and evaluation of the implementation of RPs will be carried out.

When approved by VietNam government, regulations in resettlement Policy Framework of the project will be applied as an official legal document. Local Authorities (Provincial People's Committee) will consider Resettlement Plan for project in locality in accordance with articles of Policy Framework.

5.4 Eligibility for compensation:

The displaced or project affected people eligible for compensation will include: all the project affected households or institutions that are included in the inventory lists or by other way to prove that before the cut-off date they owned, rented and used land and assets related to land of the project zone.

Besides, the displaced or project affected people eligible for compensation will include: all the project affected households or institutions whose occupations and/or business and income sources are impacted as the result of permanent or temporary acquisition of land or other assets.

The cut-off date is the last day of the survey (June 20th , 2007). The displaced or project affected people eligible for compensation and or assistance will include: (a) those who have formal legal rights to land or other assets; (b) those who initially do not have formal legal rights to land or other assets but have a claim to legal rights based upon the laws of the country; upon the possession of documents such as land tax receipts and residence

certificates; or upon the permission of local authorities to occupy or use the project affected plots; and (c) those who have no recognizable legal right or claim to the land they are occupying.

Persons covered under (a) and (b) are provided compensation for the land they lose, and other assistance. Persons covered under (c) 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 dates defined in RPs. Persons who encroach on the areas after the cut-off date defined in RPs are not entitled to compensation or any other form of resettlement assistance. Such regulations are applied for those whose incomes are impacted by the project.

5.5 Entitlement policy:

DP's will be entitled to the following types of rehabilitation and assistance measures, for instance:

(a) DP's losing agricultural/productive land and crops:

(i) if the portion of the land to be lost represents 10% or less of the total area of the landholding, and the remaining land is still viable economic holding, cash compensation, at full replacement cost for the acquired area may be provided to the DP.

(ii) if the portion of the land to be lost more than 10% of the total area of the landholding, and the remaining land is not viable then the project will acquire the entire landholding and provide "land for land" arrangements of equal productive capacity, satisfactory to the DP. However, if the DP prefers to receive cash instead of land, then cash compensation at replacement cost is applied.

(iii) DP's will be compensated for the loss of standing crops at market price, productive trees will be compensated at replacement cost.

(iv) DP's whose land is temporarily taken by the works under the project will be compensated for the loss of income, standing crops and for the cost of soil restoration and damaged infrastructure. Temporary land acquisition will be rehabilitated by Contractor and PNPMB after project construction.

(b) DP's losing residential land and house/structure:

The mechanism for compensating loss of residential land and structures will be:

(1) cash compensation reflecting full replacement cost of the residential land that is only lightly being affected and the remaining areas are still to using value.

(2) provision of replacement residential land (house site and garden) of equivalent size, satisfactory to the DP or cash compensation at replacement cost according to the DPs' choice, if the remaining areas are not sufficient for reorganizing DP's house.

(3) cash compensation reflecting full replacement cost of the house/structures, without deduction for depreciation or salvage materials or compensate in kind according to DPs' options.

(4) If residential land is only partially being affected by the project and the remaining areas are not sufficient for reorganizing DP's house then at the request of the DP, the entire residential land will be acquired at full replacement cost in the form of "land for land" that is satisfactory to the DP or cash compensation according to the DPs' choice.

(5) If house/other structure is only partially being affected by the project and the remaining areas are not convenient to using, the house/structure will be acquired at full replacement cost, without depreciation.

Tenants, who have leased a house for residential purposes will be provided with a cash grant of three months rental fee at the prevailing market price rate in the area, and will be assisted in identifying alternative accommodation.

(c) DP's losing business

The mechanism for compensating loss of business will be: (1) the provision of alternative business site of equal size and accessibility to customers, satisfactory to the DP; (2) cash compensation for lost business structure reflecting full replacement cost of the structures, without depreciation; and (3) cash compensation for the loss of income during the transition period;

- DP's will also be provided compensation at full replacement cost, without deduction for depreciation and salvage materials for any other fixed assets affected in part or in total by the project, such as tombs and water wells, etc.

- In cases where community infrastructure such as schools, factories, water sources, roads, sewage systems is damaged, Provincial People's Committee and EVN will ensure that these would be restored or repaired as the case may be, at no cost to the community.

Subsidies/allowances:

- Besides the direct compensation for the losses, DPs will also be entitled to additional assistance (subsidies/allowances) as stated in Decree 197 of Government. These allowances are as below:

- Besides the direct compensation for the losses, DPs will also be entitled to additional assistance (subsidies/allowances) as below:

(i) Transportation allowance:

All DPs relocating within the province are entitled to a minimum allowance of 1 million VND and maximum of 3 million VND. All DPs relocating out of the province are entitled to a minimum allowance of 3 million VND and maximum of 5 million VND. This subsidy allowance is for the transportation of their salvageable materials and living facilities. While waiting for relocation All DPs are entitled to: (i) temporary accommodation supply, or (ii) subsidies for temporary house rent.

(ii) Subsistence allowance for relocating:

All relocating DPs shall, for a period of six months receive a cash allowance equal to 30kg of rice of average price per month for each family member. If DPs have to be relocated to another province and the impact is severe, this subsidy period could be for one year.

(iii) Restoration allowance:

DPs, who are permanently affected more than 10% of productive land or incomes, or have to relocate, will be entitled to training or other economic restoration programs at about 1,5 million VND to 3 million VND/HH.

c) Relocation bonus:

A bonus of maximum 5 million will be awarded to DP who dismantle their houses and vacate their premises in accordance with the resettlement schedule of will get a maximum bonus of 5 million VND/HH.

5.6 Classification of impacts and Entitlement policy:

There are two main impacts on the resettlement:

5.6.1 Temporary impacts:

Those whose productive land, crops, trees and house structures are in the ROW, around the tower foundations, on the temporary access roads are temporarily affected at the stage of project construction.

Group one: Those whose productive land and garden are acquired temporarily at the stage of project construction.

Group 2: Those whose trees and crops are temporarily affected at the stage of executing, building temporary access roads or stretching conductors.

5.6.2 Permanent impacts:

All the owners whose land and assets are permanently acquired for the purpose of execution and project maintenance, including tower foundations, area of substation, permanent road for the project and those whose auxiliary construction or high trees are in the ROW must be taken down or cut down. Impacts on residential, garden, agricultural land and land in the ROW that are used for other purposes will be considered temporary impact, if can be, they are used again with the limited purposes.

Group three: All the owners whose productive land, residential land, garden land and land used for the other purposes are permanently acquired for the purpose of temporary access roads and project maintenance. Displaced persons who suffer the permanent loss of land will be divided into four groups:

For the productive land/agriculture:

(a) The acquired land is more than 10%.

(b) The acquired land is under 10%.

For the residential land:

(c) The rest area of land is under 60m2 (in the city) and 100m2 (in the countryside).

(d) The rest land is equal or more than 60m2 (in the city) and 100m2 (in the countryside).

Group 4: Those whose house structures are partially affected and this part does not impact the safety or using purpose of the whole structure (the part of taking down is under 10% of the area) and the lost part of the house can be able to rebuild nearby and also on the old part of land. Impacts on the

residential land clearance that is in the ROW will be considered to be temporary because it can be reused with the limited purposes.

Group 5: Those whose houses are partially or wholly affected and these parts impact the safety or using purpose of the whole house structure (the part of taking down is more than 10% or even under 10% of the area, but the rest part can not be in use or inconvenient for the usage), therefore, the house will be transferred and rebuilt nearby and also on the old part of land. Impacts on residential land clearance will be considered to be temporary because it can be reused with the limited purposes.

Group 6: Those whose house structures are partially or wholly affected and these parts impact the safety or using purpose of the whole structures and therefore, the house will be wholly transferred and rebuilt. However, the land owners haven't got enough land to rebuild a new house that has the same area of the old one. The residential land that is enough to rebuild a new house must be at least 60m2 (in the city) and 100m2 (in the countryside).

Group 7: Those whose business are affected

(a) Temporary impacts on business.

(b) Permanent impacts on business.

The inventory form of entitlement is stated in Annex 1

CHAPTER 6: INSTITUTIONAL ORGANIZATION

Representative of Vietnamese Government, the Ministry of Industry is the Executive Service for Rural Distribution Project. EVN is the project investment Agency. EVN is responsible for project implementation, including the implementation of RPs. Implementing Agencies closely co-ordinate with Local Authorities to ensure effective and timely implementation of RPs.

6.1 Institutional Arrangements

EVN is responsible for construction of power network and substation. The process of implementing the resettlement plan includes the following related Services and Units:

- Electricity of Vietnam
- Power Company No3.
- Power Network Project Management Board - Power Company No3.
- Provincial People's Committee of Quang Nam.
- Industrial Service of Quang Nam province, Industrial Departments of Duy Xuyen District.
- Finance Service of Quang Nam province, Finance Departments of Duy Xuyen District.
- People's Committees of Duy Xuyen District.
- District Resettlement Committee.
- People's Committee of Duy Trung commune.
- Project displaced persons

6.2 Functions, competencies and responsibilities:

In order to implement successfully the resettlement plan that requires the closing co-ordination between Electricity of Vietnam, Power Company No3, Local Authorities, Power Network Project Management Board and other Executive Agencies. One team from Power Network Project Management Board of Power Company No3 who undertake the resettlement will generally regulate all resettlement activities with the assistance of consultant staff.

6.2.1 Electricity of Vietnam

Electricity of Vietnam is a common regulation unit. Electricity of Vietnam will establish a National Steering Committee to call, if necessary, any member to discuss about the common problems that impact the project implementation. This Steering Committee consists of one high ranking officer of the Ministry of Industry or Electricity of Vietnam who will be the Chairman and Power Services as well as the host provinces will be the members. The specific tasks of resettlement are quickly in presenting the solutions of resettlement problems for the host provinces.

6.2.2. PC3 of EVN

PC3 will be responsible for resettlement activities as follows:

(i) Collect and classify the reports on the process of land acquisition and resettlement for EVN and World Bank. The approved resettlement plans of host provinces will be sent to World Bank.

(ii) Collect and classify the final balance-sheet of project and review the project audit.

(iii) Recruit and supervise the consultant personnel, including external independent organizations in supervising the resettlement.

(iv) Assist Project Implementation Units, Power Network Project Management Boards with training courses on resettlement work for carrying out detail measurement survey and other activities in resettlement plan.

6.2.3 Power Network Project Management Board of Power Company No3

Power Network Project Management Board of Power Company No3 manages the network system investment. The main responsibility of Power Network Project Management Board will be:

+ Making implementation plan, managing and supervising project resettlement program.

+ Updating the information for project resettlement plan. Implementing and co-ordinate with Local Authorities in carrying out project resettlement activities.

+ Unifying the execution with land requisition and project resettlement activities.

+ Speeding up information campaign, including information documents for the community, consultations of displaced persons in accordance with the project guidance. This work consists of responsibilities on exchange letters, forms of applications and requests and other necessary concerned documents. Co-coordinating with Local Authorities to hold the meeting with community, give forms of detail measurement survey and inventory forms of displaced persons' entitlements.

+ Co-coordinating with other services for implementing sufficiently project resettlement plan in accordance with the principles and objectives of World Bank. Ensuring the right implementation of restorative solutions and other supported activities.

+ Presenting institution of compensation payment and expenditure payment for resettlement. Preparing necessary and concerned documents.

+ Supervising, checking compensation payment, land requisition and site clearance.

+ Ensure to pay compensation in time.

+ Carrying out the work of accountancy and audit when implementing the resettlement.

+ Reporting regularly to EVN and WB on the execution progress and activities of resettlement plan.

6.2.4 Provincial People's Committee

- Quang Nam Provincial People's Committee will be responsible for resettlement policy implementation that approved by Prime Minister, satisfying the conditions of project implementation. Provincial People's Committee is also the one of highest administrative organ who is responsible for supervising project resettlement plan and presenting decisions that concern project resettlement program such as ratio of compensation and assistance for displaced persons.

- Entrusting Executive Agencies with work of resettlement for implementing the project.

- After having detail design, numbers of displaced persons and affected assets will be reviewed basing on detail measurement survey. The unit price of compensation and all the assistance for displaced persons and affected assets will be updated. Provincial People's Committee is responsible for conducting and supervising resettlement plan implementation, including the presentation of solutions on displaced persons' or Local Authorities' complaint and grievances.

6.2.5 Price-Finance Service, Construction Service, Land Department of Natural Resources and Environmental Service, Development of Agriculture and Countryside Department belongs to District People's Committees:

Provincial Price-Finance Services are responsible for studying and putting forward the unit price of compensation to Provincial People's Committee. When starting resettlement plan implementation, Price-Finance Service co-ordinates with Construction Service, Land Department of Natural Resources and Environmental Service, Development of Agriculture and

Countryside Department of People's Committees of Districts and Independent Monitoring Unit for specifying the unit price of resettlement plan as well as for putting forward to Provincial People's Committee to adjust, if necessary, in order to ensure that the unit price of compensation is in accordance with the replacement price at the timing date of payment.

6.2.6 People's Committee of District

People's Committee of District is responsible for defining land and structures, appointing members to coordinate with Power Network Project Management Board in RP implementation.

6.2.7 District compensative, assistant and resettlement Councils

According to the Decree No 197/CP, in Districts there are compensative, assistant and resettlement Councils. Members of these Units consist of Chairman/vice Chairman of District People's Committee who will be the chairman; representatives of District Departments: Construction, Planning-investment, Natural Resources and Environment, City Management Departments, members of Community, representatives of displaced persons and other members. For this project, District compensative, assistant and resettlement Council assists and co-ordinates (if necessary) with Power Network Project Management Board in carrying out the following tasks:

(i) Participate in making plan of implementation for the resettlement activities in the whole district.

(ii) Participate in informing project information to displaced persons and in consulting the community in accordance with the project guidance.

(iii) Co-ordinate with Power Network Project Management Board in carrying out detail measurement survey, applying the unit price of compensation to the loss of assets, completing inventory forms of displaced persons' compensation and payment.

(iv) Appointing inspector for handling the complaint and grievances on resettlement policies and the eligibility to compensation.

(v) Paying attention to the special groups of people (ethnic minority groups) or vulnerable people (children, old people, the households that have only husband or wife).

(vi) Co-coordinating closely with external monitoring organizations.

6.2.8 Commune People's Committee

Commune People's Committee is responsible for:

* Contributing to the census and inventory.

* Co-coordinating with Power Network Project Management Board in holding meeting with the community, announcing information, setting up a file of compensation, paying the compensation/assistance for displaced persons.

* Sending displaced persons' feedback to Power Network Project Management Board and People's Committee of District; handling the complaint and grievances at Commune level. Suggesting the solutions for the big problems (if there are).

* Helping the regional people in overcoming difficulties at the stage of project construction and in repairing affected houses. Arranging " land for land" in the case that displaced persons ask to be compensated in accordance with this way.

6.2.9 Project displaced persons

Project displaced persons are responsible for inspecting the losses of assets and their equivalent entitlements. Carrying out site clearance in time after receiving sufficiently compensation.

6.3 Courses of training and seminar:

For carrying out favorably and efficiently the resettlement plan, EVN co-ordinates with World Bank in organizing the courses of training and seminar for giving guidance on tasks, requirements in carrying out detail measurement survey, steps of implementing resettlement plan to all the Agencies/related persons of Power Companies and Power Network Project Management Boards as well as for giving guidance on supervision, evaluation, report preparation and management of database to the staff who are in charge of concerning tasks.

Subjects of training and seminar are:

- Policies and principles of project resettlement plan.

- Objectives of resettlement plan and procedures of resettlement plan preparation.

- Census and inventory survey.

- Detail measurement survey.

- Definition of entitlements, including eligibility to compensation and assistance for stabling the life.

- Management of database and finance.

- Solutions of consultation and information announcement.

- Steps of implementation, procedure and schedule.

- Complaint and grievances and institution of handling them.

- Supervision and monitoring.

CHAPTER 7: IMPLEMENTATION ARRANGEMENTS

7.1 Information disclosure

All the project displaced persons will be informed sufficiently the resettlement plan, including eligibility to compensation, policy of eligibility to compensation, measures and price of compensation, schedule, entitlements and procedure of complaint and grievances. The information file on resettlement program will be prepared by Power Network Project Management Board and will be sent to displaced persons or informed again at the consultant meeting with displaced persons at the villages, districts and will be stuck on the community places such as at administrative headquarters of village, Culture - Information Centre, market ...

Information to displaced persons will be carried out right after the Government of Vietnam and WB have approved the project. The information file on resettlement program consists of:

(i) The project base.
(ii) Project impacts and compensation policies.
(iii) Eligibility to compensation and resettlement.
(iv) Implementation arrangements of compensation and resettlement.
(v) Responsibilities of related partners for resettlement plan implementation.
(vi) Institution of complaint and grievances.

7.2 Compensation schedule

Compensation payment for agricultural land, trees, crops and all other assistance must be carried out at least one month before the date of land acquisition.

Compensation payment for residential land and house structures must be carried out at least three months before the date of land acquisition.

As from the starting of project completion, the Contractors will restore the infrastructure as it was.

7.3 Procedures of resettlement plan implementation:

The procedures of resettlement plan implementation consist of three activities as follows:

a) General activity: once before starting the project construction.

b) Separate activity: several times, once for each part of the project.

c) Continuous activity: Continuous activities for the stages of project implementation.

Activity 1: **Establishing the staves of resettlement implementation**

After the approval of WB on the loan, Power Network Project Management Board of PC3 will develop the project. Power Network Project Management Board will establish the staves who are in charge of project resettlement plan implementation and will divide the resettlement work into daily activities for the part of building high voltage network and substations.

Activity 2: **Employing the independent monitoring agency**

Power Network Project Management Board of PC3 will employ an agency that has professional level on the branches of social sciences or human culture for monitoring the whole project.

Activity 3: **Arrangement of budget for resettlement implementation**

Power Network Project Management Board of PC3 is responsible for preparing sufficient resettlement budget in order to carry out the implementation of compensation, transfer and resettlement work.

Activity 4: **Training the staves who are in charge of resettlement work**

EVN co-ordinates with WB in holding training courses for the staves of power companies and Power Network Project Management Board who are in charge of project resettlement work in order to giving them guidance for project resettlement plan implementation.

Activity 5: **Information campaign on the project**

After project approval, Power Network Project Management Board of PC3 will supply Local Authorities with detail information of project and implementation schedule. During the first months of project implementation, Power Network Project Management Board of PC3 co-ordinates with Local Authorities in carrying out an information campaign on the project at all host regions in order to announce the project impacts, plan and activities to displaced persons and communities. Displaced persons and communities will be supplied with detail information of resettlement in accordance with the schedule plan of resettlement implementation.

Activity 6: **Census, inventory and loss evaluation**

Power Network Project Management Board carries out the detail measurement survey (DMS) on affected land and assets and socio-economic situations of affected households.

With the detail measurement survey, Independent Monitoring Agency and the related Services will define the unit price that applying for resettlement plan and present to Provincial People's Committee to adjust, if

necessary, in order to ensure that the unit price of compensation is in accordance with the replacement price at the timing date of implementing the resettlement plan.

Activity 7: **Definition of displaced persons' entitlements and measures of compensation**

The results of detail measurement survey is the basis of defining displaced persons' entitlements and applying unit price of compensation for affected assets as well as solutions of resettlement assistance and the choice of compensation measures.

Activity 8: **Consulting displaced persons on the measures of compensation**

Power Network Project Management Board will supply displaced persons with the list of consultant opinions on the measures of compensation at the meeting of community consultation and agree to the measures of compensation and handle the complaint and grievances that concerned to the entitlements.

Activity 9: **Preparation for living standard restoration**

Beside compensation, the serious displaced persons are also supplied with the restorative program to restore or improve the life.

When carrying out the compensation, Power Network Project Management Board co-ordinates with Local Authorities and related Organizations in preparing the program of restoration and assistance for the serious displaced persons.

The preparation is as follows:

a. Making the list of displaced persons who are supplied with economic assistance.

b. Together with Local Authorities and displaced persons review the economic program.

c. Consulting displaced persons on the difficulties, demands and entitlements of the region and presenting the prior solutions.

d. The prior solutions consist of:

1. Preparing the objectives of solutions.

2. Reviewing the program which was carried out and are carrying out in the region.

3. Consulting displaced persons and presenting the list of people who will participate in the program.

4. The results of consulting Local Authorities, Training Centre and Departments that relate to the program.

5. Anticipating the program.

6. Implementation arrangements.

7. Costs and budget.

8. Supervision and evaluation.

Activity 10: **Compensation payment and assistance implementation**

Power Network Project Management Board of PC3 with the assistance of Local Authorities will pay compensation for displaced persons.

Displaced persons who lost more than 10% of productive land or income will be supported to living standard restoration. They will be supplied with training courses on agriculture, breeding or other program. These programs will be organized by PC3 during the period of resettlement plan implementation. These programs base on the results of consulting Local Authorities and displaced persons, these programs also consider the capacity of providing jobs after training course.

Activity 11: **Supervision and evaluation.**

During the period of project implementation, Power Network Project Management Board of PC3 and Independent Monitoring Agency will examine/supervise the activities of project resettlement implementation and program of living standard restoration.

Table7.1: **Implementation arrangements of resettlement plan**

Order	Tasks	Implementation Units	Implementation schedule	Main activities of the project
1	Establishing divisions of Power Network Project Managemen t Board	PC3, PNPMB	Within one month after starting the project implementation (June, 2007)	Investigation, survey
2	Dividing up budget for the resettlement implementa tion	PC3, PNPMB	Within one month after starting the project implementation (June, 2007)	
3	Employing consultants and Independent Monitoring Agency	PNPMB of PC3	Within two months after starting the project implementation (July, 2007)	Study, construction design: July, 2007
4	Training the staffs	The consultative staff, PNPMB	After recruiting consultative staves and Independent Monitoring Agency	
5	Information campaign on the project, Investigatio n, preliminary survey	The consultative staff, PNPMB, Local Authorities	June, 2007	Making investment project
6	Census, inventory and detail evaluation of losses	PNPMB, Local Authorities	From May,2008 to June, 2008	Bidding evaluation of the whole project

7	Definition of project displaced persons' entitlements and application of compensation measures.	PNPMB, Local Authorities	July 2008	
8	Consulting project displaced persons on the compensation measures.	PNPMB, Local Authorities	June, 2007	
9	Preparing the program of economic restoration	PNPMB, Local Authorities.	July, 2008	
10	Compensation payment and assistance implementation	PNPMB, Local Authorities	August, 2008	Hand over the whole project to the Contractor:
11	Supervision and evaluation	PC3, PNPMB, Local Authorities	Supervision report of quarterage and to carry out the evaluation from 6 to 12 months	During the period of project implementation

7. 4 Implementation schedule

One of the articles in resettlement plan is to implement in accordance with fixed schedule for ensuring security in site clearance and in conformity with project implementation.

The process of implementing the resettlement plan will be:

Order	Items	Implementation schedule
1	Resettlement plan's consideration and approval	January 2007
2	Preparation work and definition of project investment scale	From May, 2006 to July, 2006
3	Resettlement Committee of PNPMB	April, 2007
4	Detail measurement survey, DPs survey	From May, 2008 to June, 2008
5	Application of compensation unit price and solutions of improving compensation policies	July, 2008
6	Payment for compensation and Site clearance	August, 2008
7	Rehabilitation allowance	August, 2008
8	Independent and Internal monitoring	During the period of RP implementation
9	Starting execution	September, 2008

All the activities of resettlement plan must be completed before WB accepts to hand over contract to the Contractor. All changes of resettlement plan after WB's approval must be considered before starting execution by the WB Office in Ha Noi.

CHAPTER 8: ECONOMIC RESTORATION

In many cases, only with the compensation for losses, displaced persons can restore their previous living standard. Solutions of economic restoration aim at assisting the serious displaced persons, especially the poor ones in restoring their previous economic capacity and improving their life. Economic assistance programs consist of:

8.1 Agricultural development assistance

Those peasants whose land lost more than 10% of productive land will receive agricultural development assistance for increasing productivity of rest land or developing breeding. This program concerns the cultivated technology or breeding the cattle of high capacity or cross-bred. This program helps displaced persons in restoring the losses of economy, therefore, they can achieve the income level as it was in the next crop. Implementation Units-Power Network Project Management Board with the assistance of Local Authorities, Peasant Organization, Women Organization will consult displaced persons and co-ordinate with Agricultural Development Centre in preparing the plans for project and giving favorable opportunity of participating this program to the serious displaced persons. Each household will be supplied with 1,500,000VND up to 3,000, 000VND for agricultural development.

This program consists the following activities:

Activity 1: Evaluating the demand of agricultural development

After carrying out the detail measurement survey, Power Network Project Management Board and Local Authorities will draw up list of names of the affected households who will receive assistance on the program of agricultural development (if necessary). Commune Authority will help these Units in organizing the consultations with serious displaced persons about the subjects, time of training and counting up the participated people. This program can be carried out from May to June, 2008.

Activity 2: Preparing the plans for project

Basing on the number of program participated people, Power Network Project Management Board with the consultations of Local Authorities will prepare the plans for the training program and present it to PC3 as well as to Provincial People's Committee for approval and receipt of budget. The plans consist of:

1. Program objectives.
2. Program benefits.

3. Consulting displaced persons and counting up the participated people for each subject.

4. Consulting Local Authorities and Agricultural Development Centre on the program.

5. Plan for project.

6. Implementation arrangements.

7. Implementation schedule.

8. Costs and budget.

9. Supervision and evaluation.

Activity 3: Program implementation

After project plan approval, Power Network Project Management Board will send the training costs to Agricultural Development Centre for training the peasants who have registered. The program will be carried out once or several times during the period of project implementation, it 's up to the loss level and demand of displaced persons. Power Network Project Management Board, Local Authorities and Community Organizations will supervise the program implementation.

8.2 Training assistance

For displaced persons whose incomes are affected severely (lost more than 10% of productive land), including those who have to change their jobs because of resettlement, will be provided with training under the forms of professional training or cash that combines with equivalent assistance of technology (for example, technology of agricultural development). Each people at the working age participates in training course will be supplied with subsistence fee during this time. Each serious affected household will get a maximum total assistance allowance of 3,000,000VND for living restoration and professional change.

For implementing this program, the procedures that are applied for the program of agricultural development will also be applied for this program.

8.3 Work assistance relates to project

The serious displaced persons will be prior in being recruited for the work that relates to the project.

Step 1: Power Network Project Management Board of PC3 asks the Contractor prior recruits the serious displaced persons for the work that relates to the project. This step is carried out during the time of approving the project and choosing the Contractor, Quarter II, 2008.

Step 2: Local Authorities will survey the demand of job of the serious displaced persons and announce to Power Network Project Management Board. This step is carried out after completion of detail measurement survey during the time of bidding for contract.

Step 3: Contractor recruits the serious displaced persons during the period of construction.

Power Network Project Management Board, Internal Monitoring Agency and Commune Organizations will supervise the recruit of project displaced persons.

8.4 Community conservation and agricultural activity

When making the detail design must avoid isolating the community and the infrastructures such as irrigation system, drainage system, and roads. At the stage of design, the technical consultation staff will be responsible for the technical solutions in order to limit the bad impacts for the community and local infrastructures. During the period of construction, Contractors tries to mitigate the impacts to environment, community and community assets.

According to the survey results and inventories of losses, there isn't any serious impact to people, community and public assets, therefore, it is not necessary to carry out the solutions of economic restoration. However, during the period of project implementation, in case there are any impacts to people and community, the related Units must be responsible for assisting them to improve, or at least maintain their pre-project living standards and income earning capacity.

CHAPTER 9: COSTS AND BUDGET

9.1 Budget

Funds for resettlement plan implementation will be from Interior capital source of EVN.

9.2 Compensation cost estimation

Compensation cost estimation for the permanent and temporary loss of house structures, agricultural, forestry and cultivated land, trees, crops bases on:

- Decree 181/2004/ND-CP issued on October 29th, 2004 guiding the implementation of the Land Law revised 2003.

- Decree 197/2004/ND-CP issued by Government of Vietnam on December 3rd, 2004, regulates compensation, support and resettlement when land is recovered by the State. This Decree guides the implementation of compensation for land, compensation for assets, support policies and resettlement relating to land acquisition.

- Circular No 116/2004/TT-BTC, issued on December 7th, 2004 by the Ministry of Finance provides guidelines to implement the Decree 197/2004/ND-CP.

- Decree 188/2004/NP-CP issued by Government of Vietnam on November 16th, 2004 sets the methodologies for defining land prices and land price frame of various categories of land. This Decree set forth the minimum and maximum prices of different types and categories of land covering the whole country. These prices have been established for the purpose of land acquisition by the Government, tax value for transfer of land use rights, leasing government land and national and community purposes.

- Circular 114/2004/TT-BTC, issued by the Ministry of Finance on November 26th, 2004 guides implementation of the Decree 188. This Circular elaborates in details the methodologies (i.e. direct compensation method and income method) for the land price verification of different types and categories of land in different regions/areas to ensure the replacement cost.

- Decree 106/2005/ND-CP issued by Government of Vietnam on August 17th, 2005 regulates and guides in detail some articles of Electricity Law on the protection of the high voltage networks.

- Official letter No 06/TT-BCN dated September 26th, 2006 of Ministry of Industry regulates the Implementation of Ordinance of Decree 106/2005/ND-CP on the protection of the high voltage networks.

+ Decision No 59/2006/QD-UBND dated December 21st 2006 of Quang Nam Provincial People's Committee regulates method of land price definition and the unit price of land categories at Quang Nam province.

+ Decision No 55/2006/QD-UBND dated December 15th 2006 of Quang Nam Provincial People's Committee regulates compensation for land, compensation for assets, support policies and resettlement all over area of Quang Nam Province when land is acquisitioned by the state .

- Assessments of replacement price and market price for land, houses and trees are carried out by Power Network Project Management Board of PC3 and Local Authorities at the timing date of loss inventory. (From May to June, 2007).

The results of preliminary evaluation on the replacement price that were carried out by consultative staff show that compensation rate for losses issued by Quang Nam Provincial People's Committee is updated and rather lower than the present replacement price/market price. Thus, when implementing the resettlement plan, compensation price for losses must be updated to ensure that displaced persons are compensated and supported sufficiently.

9.3 Cost estimation

i) Cost estimation for resettlement plan consists of:

Preparation work:

+ All official work such as study, design, preparation of sample survey.

+ Surveyed work: census and inventory, socio-economic survey.

The surveyed work wall be carried out in two stages: preliminary stage (preparation of resettlement plan) and detail measurement survey (at the first stage of project implementation and resettlement plan).

ii) Costs for compensation and living standard restoration

Basing on the affected categories and affected rate as stated in previous chapter, costs for compensation and living standard restoration consist of:

- Compensation to permanent land acquisition.

- Compensation to affected trees, crops because of temporary or permanent losses of land.

- Assistance of living standard restoration for the peasants who lost more than 10% of land area.

- Compensation to the auxiliary constructions that lay in the ROW.

iii) Costs for controlment/management consist of:

- Costs for the staves of Power Network Project Management Board of PC3 consist of: material facilities, salary and assistance for Management Arrangements, the staves who are in charge of resettlement in full time or short time. Costs for training, seminar, information campaign ...The management costs aren't listed in detail yet. Cost for management and controlment accounts about 2% of total compensation cost.

iv) Monitoring costs

When implementing the project, Power Network Project Management Board of PC3 will sign the contract with Independent Monitoring Agency. Due to the costs for monitoring work aren't approved, the total cost of monitoring work is estimated with 3% of total cost of compensation. Independent Monitoring Agencies who pay attention to the project will prepare the documents of technology and finance for bidding, the real implementation cost will be defined by Independent Monitoring Agency who are awarded of contract.

v) Arising costs

According to previous project's experiences, arising cost is occupied about 15% of total cost of compensation and resettlement plan preparation.

9.4 Total cost for RP implementation

Total cost for compensation is about **435,049,227 VND or 27,191** USD. In which:

Components	Total value
1/ Costs for RP making	**27,577,227**
2/ Compensation and restoration	**339,560,000**
- Permanent land acquisition	129,360,000
- Trees/standing crops loss	300,000
- Structures (in the ROW) allowance	209,900,000
3/ Cost for management and controlment = 2%	**6,791,200**

of No2	
4/ Cost for independent monitoring = 3% of No2	**10,186,800**
5/ Emergency = 15% of No2	**50,934,000**
Total = (1 +2 +3 +4 +5)	**435,049,227**

Detail Cost estimation for each component part of the project will be enclosed with (see annexes)

CHAPTER 10: COMMUNITY PARTICIPATION AND CONSULTATION

10.1 Objectives of community participation and consultation

The information and community consultation aim at: (i) limiting the contradiction, (ii) mitigating the danger of delaying the project, and (iii) allowing the project to present the resettlement and restored program in accordance with the demand of displaced persons, therefore, highly exploiting the project socio-economic benefits.

Objectives of information campaign and community consultation are:

- Sharing the whole project information as well as project activities to displaced persons.

- Gathering information of displaced persons' demands and their feedback for the policies and project activities.

- Looking for the co-ordination and participation of displaced persons and community for the plan establishment and resettlement implementation.

- Ensuring the obviousness in all activities that related to land acquisition, resettlement and restoration.

Information campaign and community consultation consist of two stages:

Stage 1: During the time of resettlement plan establishment and action preparation (Already carried out).

This stage consists of line route selection, census, inventory of displaced persons and affected assets, decision of compensation measures, restoration and transfer. When implementing the census, inventory of displaced persons amount, losses of land and assets, the surveyed teams consulted Local Authorities and groups of displaced persons in the host villages and districts for gathering the opinions about the line route selection, capacity of causing impacts, unit price of land, agricultural output at the commune, rate of land changes, ... Commune Authority is also consulted about the area of community land which can be used for the compensation measure "land for land".

The draft of resettlement plan will be sent to Provincial People's Committee, concerned Departments and other Executive Agencies for consideration and assessment. PC3 and Power Network Project Management Board will ask Provincial People's Committee to consider carefully the

requirements of some articles' waiver, eligibility to compensation, policy of entitlements, cost for resettlement plan, tasks, institution of complaint and grievances and the unit price that applied in the draft of resettlement plan. The draft of resettlement plan will be submitted to the secretariat of Provincial People's Committee and the WB Office in Vietnam.

All the feedback from Local Authorities and concerned Departments will be brought in the resettlement plan.

Stage 2: During the time of resettlement plan implementation

In this stage, the periods of consultation will be organized in each commune. Implementation of resettlement activities and rehabilitation including the policies of resettlement, entitlement calculation and compensation payment, last approval for displaced persons' options on the measures of compensation, training ...

10.2 Community participation and consultation at the stage of resettlement plan establishment and preparation.

During the first stage, (preparation of resettlement plan) the following activities will be carried out :

Stage 1- Activity 1: Inform and discuss with Local Authorities on the line route direction

After studying the map and visiting the site, Designing Consultants formed the preliminary line route direction on the map of ratio 1/25,000. This map will be sent to Local Authorities where there are lines passing through. Local Authorities have agreed with the line route direction. These activities have been carried out from January to March, 2007.

Stage 1- Activity 2: Inventory of losses

Basing on approval of line route direction, Power Network Project Management Board co-ordinates with Commune Authority in making the list of displaced persons whose land and assets are impacted. Carrying out the survey on socio-economic situation of affected households. The period of implementation in June, 2007.

Stage 1 - Activity 3: Meeting displaced persons

When completing the survey, PC3 co-ordinates with Commune Authority in meeting the displaced persons. The consultations are carried out in all host communes in June, 2007. At these periods of consultations, the Consultants informs the project, purposes, activities, compositions and impacts of the project on land, crops and other assets; explains objectives of resettlement plan, informs the policies of compensation; informs displaced persons not to build new structures or not to plant trees in affected area. All

affected households are consulted about compensation policies and they all agree with payment in cash for losses of land and assets. All consulted households support project construction and are ready to suffer losses of project development. They are desired to be informed about the project implementation schedule as soon as possible.

Community participation and consultation:

CONSULTANT METHOD	DETAILS OF ACTIVITIES		CONSULTATION OUTCOMES
	Dates of notice	From 7 to 10 days	Details will be shown in annexes
	Location of notice	People's Committee of Communes and hamlets.	
	Date of announcement	June, 2007	Details will be shown in annexes
	Time of announcement	The Communal radio systems will implement	
	Date held	20/6/2007	***Summary of public opinions:*** - At the stage of ROW clearance, pay much attention to the artificial forest and perennial trees, only cut the trees in the ROW, excavate erosion prone areas during dry season. - Utilize the optimal measures to mitigate the effects on environmental sceneries. - Execution should be carried out right after the harvest. - All displaced persons agree with cash payment measure for losses of land and other assets. - Compensation must be legal, fair and reasonable. - Make the best of Local leisured manpower for unskilled labor.
	Location held	Headquarter of Communal People's Committee	
	Participants Numbers of participants: 05 Representatives of Local Administration and 02 Representatives of Communal People's Committee.	PAHs, The Communal People's Committees, Mass Organizations	
	Methods of participation	Invited by People's	

	invitation	Committee of Communes.	- Place signal boards when constructing through the traffic roads. - The construction implementation must meet the demand of technical regulations. - When completing the construction work, it needs to restore disturbed areas with native species. ***Operation stage*** - Regularly check the ROW for preventing from the breakdown especially in wet season and at storm. - Regularly cut trees in the ROW, mitigate the negative impacts on environment when putting the project into practice. - Instruct the electric safe measures as well as the fire and explosive precaution...

Stage 1 - Activity 4: Sending the draft of resettlement plan and entitlement policies to Provincial People's Committee for consideration and announcement

Power Network Project Management Board of PC3 will send draft of resettlement plan to Provincial People's Committee in August, 2007 for report. PC3 will send requirements to Provincial People's Committee and Local Authorities at various levels and ask them to consider carefully the requirements of abolishing some articles, eligibility to compensation, entitlement policies, cost of resettlement plan, tasks, institution of complaint and grievances and the unit price that applied in resettlement plan draft.

The draft of resettlement plan will be submitted to the secretariat of Provincial People's Committee and the WB Office in Vietnam in April, 2007. Power Network Project Management Board of PC3 will ask Local Authorities at various levels to consider carefully the requirements of abolishing some articles, capacity of receiving compensation, entitlement policies, cost of resettlement plan, tasks, institution of complaint and grievances, the executor and the unit price that applied in the draft of resettlement plan.

The draft of resettlement plan will be saved at secretariat of Provincial People's Committee and the WB Office in Vietnam.

9.3 Community participation and consultation at the stage of resettlement plan implementation

Stage 2 - Activity1: Holding, announcing information and training for the staves who are in charge of resettlement plan implementation:

After signing contract of loan, first activity of resettlement plan is that Power Network Project Management Board of PC3 will send government levels the reports of resettlement plan, training implementation on the matters and steps of resettlement plan implementation. Announcing information of resettlement plan to all displaced persons. This activity will be implemented in May, 2008.

Stage 2 - Activity 2: Giving inventory forms of detail measurement and the entitlements to displaced persons

Power Network Project Management Board will carry out detail measurement survey; give inventory forms of detail measurement and entitlements to displaced persons. The list of displaced persons, affected assets and their entitlements will be put up at the commune headquarters. This activity will be implemented from May to June, 2008.

Power Network Project Management Board will calculate the compensation costs and give inventory forms of compensation to all displaced persons. This inventory form will be put up at the commune headquarters. This activity will be implemented in July, 2008.

After each time of distributing information booklet of resettlement plan and entitlement inventory forms, Power Network Project Management Board co-ordinates with Local Authorities will hold a meeting in each commune for clarifying thoroughly the policy of resettlement plan for displaced persons. In these meetings, displaced persons will raise their worries on the problems of resettlement plan.

Stage 2 - Activity 3: Consulting with displaced persons on compensation

After having got the data of the project losses of assets, Power Network Project Management Board and Commune People's Committee will announce the unit price of compensation for all categories of impacted assets in accordance with regulations of Provincial People's Committee to displaced persons. The price list of compensation will be put up at the headquarters of Commune People's Committee.

At the meeting, displaced persons can express their opinions on the compensation price. DP's feedback will be noted down for consideration.

Displaced persons who agree with the compensation price will sign their names in the price list of compensation. DP's feedback will be noted down in the minutes of meeting and inform to Executive Agencies.

Displaced persons will be informed the time, place, procedure of compensation payment. All the meetings will be hold in August, 2008.

Stage 2 - Activity 4: Announcing the period of implementation to Local Authorities

Power Network Project Management Board of PC3 will inform the period and schedule of execution as well as the period of resettlement implementation to Commune Authorities and displaced persons.

Commune Authorities closely co-ordinate with Power Network Project Management Board to ensure that all displaced persons will be fully informed of compensation and the period of project implementation as well as resettlement plan implementation.

10.4 Resettlement information booklet (RIB)

To ensure that all displaced persons, their representatives and Local Authorities of the affected area understand thoroughly the detail of resettlement plan, Power Network Project Management Board will prepare the resettlement information booklet and distribute to all host project displaced persons at the first term of implementation stage.

The resettlement information booklet consists of the following contents:

* Project description.
* Objectives of project design.
* Project impacts.
* Displaced persons' eligibility to compensation, restoration and policy of entitlements.
* The Services are responsible for resettlement work.
* Information announcement and displaced persons' consultation.
* Implementation schedule.
* Complaint and grievances.
* Supervision and evaluation for resettlement implementation.

CHAPTER 11: COMPLAINT AND GRIEVANCES

To ensure that all complaint and grievances of displaced persons on compensation and resettlement will be handled, the project brought out the procedure of handling complaint and grievances. The project objective is quickly and clearly to handle the complaint and grievances of displaced persons. When complaint and grievances are handled, the progress of project will be more reliable.

The procedures of complaint and grievances are as follows:

Stage 1: The complaint and grievances of displaced persons on resettlement program and discounted losses, first of all, they can lodge an oral or written grievance within Commune People's Committee. The complaint and grievances will be noted down and treated by Commune People's Committee. Commune People's Committee will be responsible for resolving the issue within fifteen days from the date it receives the complaint.

Stage 2: If any aggrieved person is not satisfied with the decision or does not receive any replies from Commune People's Committee within 15 days from the date of bringing out the complaint and grievances. Displaced persons can bring the complaint and grievances to the District People's Committee and Power Network Project Management Board. District People's Committee and Power Network Project Management Board will reach a decision on the complaint within one month from the date it receives the complaint.

Stage 3: If displaced persons are still not satisfied with the decision at district level or do not receive any replies from Power Network Project Management Board, displaced persons can appeal to Provincial People's Committee. Provincial People's Committee and the representatives of Power Network Project Management Board will reach a decision on the complaint within 30 days from the date it receives the complaint.

Stage 4: If displaced persons are still not satisfied with the decision of Provincial People's Committee or do not receive any replies from Provincial People's Committee in the defined time, at last, the case may be submitted for consideration by equivalent civilian Court, in accordance with the Code of Civil Procedure.

Displaced persons can make the complaint and grievances on any items of resettlement and rehabilitation programs, including the unit price of compensation.

The detail procedure of handling complaint and grievances will be informed publicly to displaced persons at the periods of consultations and also be put up at the headquarters of Commune People's Committee. This information is also written down in resettlement information booklet for distributing to displaced persons before starting resettlement plan implementation.

CHAPTER 12: SUPERVISION AND MONITORING

Implementation of RPs will be frequently supervised and monitored by Power Network Project Management Board in a close coordination with Local Authorities.

An Independent Monitoring Agency will be entrusted with external monitoring task. The selection of this agency will be approved by Power Network Project Management Board of PC3.

Power Network Project Management Board will sign the contract with Independent Monitoring Agency right after resettlement plan approval and the activities of supervision and monitoring will be started at the beginning times of resettlement plan implementation.

11.1 Supervision, Monitoring and Evaluation

Implementation of RPs will be periodically supervised and monitored by the EVN PNPMB in a close coordination with the respective People's Committees at different administrative units and independent monitoring agencies. The findings will be recorded in quarterly reports to be furnished to EVN.

Internal monitoring and supervision will:

(a) Verify that the baseline information of all DP's has been carried out and that the valuation of assets lost or damaged, and the provision of compensation, resettlement and other rehabilitation entitlements has been carried out in accordance with the provisions of this Policy Framework and the respective RP.

(b) Oversee that the RPs is implemented as designed and approved.

(c) Verify that funds for implementing the RPs are provided to the respective PNPMB in a timely manner and in amounts sufficient for their purposes, and that such funds are used by the respective PMB's in accordance with the provisions of the RP and policy framework.

(d) Record all grievances and their resolution and ensure that complaints are dealt with in a timely manner.

11.2 Independent Monitoring:

An independent agency or agencies or individual consultant will be retained by EVN PNPMB to periodically carry out external monitoring and evaluation of the implementation of RPs. The independent agencies will be academic or research institutions, non-Governmental Organization (NGO) or independent consulting firms, all with qualified and experienced staff and terms of reference acceptable to the World Bank.

In addition to verifying the information furnished in the internal supervision and monitoring reports of the respective PNPMB, the external monitoring agency will visit a sample of 20% of household DPs in each relevant province six months after each implementation to:

(a) Determine whether the procedures for DPs participation and delivery of compensation and other rehabilitation entitlements has been done in accordance with this Policy Framework; and

(b) Assess if the Policy Framework objective of enhancement or at least restoration of living standards and income levels of DPs have been met.

(c) Gather qualitative indications of the social and economic impact of Project implementation on the DPs.

(d) Suggest modification in the implementation procedures of resettlement plan, as the case may be, to achieve the principles and objectives of this Policy Framework..

The report consists of (i) the report on the progress of resettlement plan implementation, the combination between the implementation of resettlement plan and the executive activities, (ii) the differences, if there are, about the articles and principles of resettlement plan, (iii) raising the questions and proposals of solution so that all the agencies carry out in accordance with these information and can solve the problems in time, and (iv) the report on the progress of the problems stated in the previous report.

Basing on the experiences of resettlement plan implementation which are of recapitulative report to propose the solution of strengthening the present resettlement plan and improving the resettlement plan in future.

The Power Network Project Management Board of PC3 will bring out the reference articles, these articles will show obviously the tasks of the resettlement plan and will be sent to WB for approval before employing the Independent Monitoring Agency.

ANNEXES

Annex 1: Entitlement Matrix

Annex 2: Inventory of total Project Displaced Persons

Annex 3: Entitlements Inventory of Project Displaced Persons

Annex 4: Socio-Economic data sheet of Project Displaced Persons

Annex 5: Cost estimation of survey, assets inventory and community consultation for making resettlement plan.

Enclosed Annexes:

- Minutes of community consultation, survey and inventory of all host project displaced persons

ANNEX 1

ENTITLEMENT MATRIX

Survey No	Type of loss	Application	Definition of entitled DPs	Compensation Policy	Implementation Issues
1	Temporary acquisition of productive land in ROW	All DPs have trees, crops, other assets in ROW	DPs with/without land certificate included in the inventory or able to prove land occupancy prior to cut-off date.	- Cash compensation for affected trees at the replacement cost plus cost for cutting trees, crops at market price. Number of crop patterns to be compensated based on the time of temporarily acquired of land. - No compensation for land. - Rehabilitate land after the project construction by Contractors.	- Trees have to be cut are regulated by Article 5 of Decree 106/2005/ND-CP issued by Government of Vietnam on August 17th, 2005 that regulates and guides in detail some articles of Electricity Law on the protection of the high voltage networks. - PNPMB and local authorities determine and ensure that compensation for trees will be at the replacement cost and for crops at the market price. If DP is requested for cutting affected trees, PNPMB will pay money for this work. DP has right for using salvageable trees. - Full compensation at least 01 month before land clearance.

	reorganizing (not less than 60m^2)			affected rooms at the replacement cost and cost for demolishing an affected room. - Allowance to conversion of residential land tenure in the ROW. - Rehabilitate land after the project construction by Contractors. **Tree and fruit tree:** - Compensation for affected trees and fruit trees at the replacement cost. **Allowances:** - Relocating allowance of 30 kg of rice equivalent per person per month in six months.	replacement cost at the time of payment. - DPs will demolish the impacted areas and reconstruct/or improve their houses themselves. - Full compensation for trees and fruit trees to DPs at least 01 month before land clearance. DP has right for using salvageable trees. - Full compensation payment for impacted house and allowances to DPs at least 03 months before land clearance. - Payment to DPs will be delivered by PNPMB and Local Authorities. - Land in ROW could be used with restricted purposes. - Finance available for compensation and well information disclose/disseminate to DPs and all key stakeholders.
5	Temporary impact on	All DPs have house/	- do-	DPs can opt for one of the followings:	- House and building have to be demolished or could be

	residential or garden land in ROW. Full or partial house/building impacted and land outside of is not sufficient for reorganizing (not less than $60m^2$)	building and trees/fruit trees in ROW		i) Remain their houses or building in ROW with the conditions regulated by Article 6 of Decree 106/2005/ND-CP issued by Government of Vietnam on August 17th, 2005 that regulates and guides in detail some articles of Electricity Law on the protection of the high voltage networks. Subsidy allowance for fireproof materials and lightning arrestors for the existing house/building; or ii) Cash compensation for the whole residential area which DP occupied (not only for the impacted areas) and properties associated with occupied land at replacement cost. Impacted land will be obtained by local authorities; or ii) "Land for land" with the same area which DP occupied and cash at replacement cost. for the affected assets associated with	existed are regulated by Article 6 of Decree 106/2005/ND-CP issued by Government of Vietnam on August 17th, 2005 that regulates and guides in detail some articles of Electricity Law on the protection of the high voltage networks. - Consultation for DP's options on remain their house in ROW or move out of ROW. - PNPMB and local authorities determine and ensure that compensation will be at the replacement cost at the time of payment. - Replacement land, and resettlement sites development. - DPs receive compensation will demolish the impacted house areas and reconstruct/or improve their houses themselves. - Full compensation payment for trees and fruit trees to DPs at least 01 month before land

				land. Land occupied by DP will be obtained by local authorities. - Compensation for affected trees and fruit trees at the replacement cost. **Allowances:** - Relocating allowance of 30 kg of rice equivalent per person per month in six months. - Transportation allowance for relocating DP according to the Compensation Decree 197/2004/ND-CP. - Rehabilitation assistance if DPs permanently losing business or more than 25% of their incomes. - A bonus of maximum 5 million will be awarded to DP who dismantle their houses and vacate their premises in accordance with the resettlement schedule of will get a maximum bonus of 5 million VND/HH.	clearance. If DP is requested for cutting affected trees, PNPMB will pay money for this work. DP has right for using salvageable trees. - Full compensation for impacted house and allowances to DPs at least 05 months before land clearance. - Payment to DPs will be delivered by PNPMB and Local Authorities. - Land in ROW could be used with restricted purposes. - Finance available for compensation and well information disclose/disseminate to DPs and all key stakeholders. - PNPMB and local authorities will consult with DP who are eligible to restoration programs for their options and prepare proposal for restoration programs in the period of RP implementation.

6	Permanent acquisition of land for tower foundations, substation and access roads etc.	All DPs occupied land and properties associated with land permanently impacted by towers, foundations, substation and access roads	- do-	***For DP losing productive land:*** *a. Land loss less than 10% of their total landholdings:* - Cash compensation for the lost area if the remaining plot is still economically viable. - Cash compensation for the whole impacted plot if the remaining plot is not economically viable. - Cash compensation properties associated with land. *b. Land loss equal or more than 10% of their total landholdings:* DPs can opt for the followings: i) "Land for land" with the same area and productive of impacted area if the remaining plots are still economically viable and for the whole impacted plots if the remaining plots are not economically viable. ii) Cash for land at the replacement cost. - Compensation for trees and affected fruit trees at the	- Consultation for DP's options on land compensation. - PNPMB and local authorities determine and ensure that compensation will be at replacement cost at the time of payment. - Replacement land, and resettlement sites development. - DPs receiving compensation will demolish the impacted areas and reconstruct/or improve their houses themselves. - Full compensation payment for trees and fruit trees to DPs at least 01 month before land clearance. If DP is requested for cutting affected trees, PNPMB will pay money for this work. DP has right for using salvageable trees. - Full compensation for impacted house and allowances to DPs at least 03 months before land clearance. - No award civil work contract

					Payment to DPs will be delivered by PNPMB. - Affected land in ROW will be rehabilitated by Contractors after the project construction and land in ROW could be used with the restricted purposes. - Finance available for compensation and well information disclose/disseminate to DPs and key stakeholders.
2	Temporary acquisition of residential and garden land in ROW without house or structures in ROW	All DPs with orchards or trees in ROW	- do-	- Cash compensation for affected fruit trees and trees at the replacement cost. - No compensation for land - Rehabilitate land after the project construction by Contractors.	- Trees have to be cut are regulated by Article 5 of Decree 106/2005/ND-CP issued by Government of Vietnam on August 17th, 2005 that regulates and guides in detail some articles of Electricity Law on the protection of the high voltage networks. - PNPMB and local authorities determine and ensure that compensation for trees will be

					at the replacement cost. If DP is requested for cutting affected trees, PNPMB will pay money for this work. DP has right for using salvageable trees. - Full compensation to DPs at least 01 month before land clearance. Affected land in ROW will be rehabilitated by the Contractors after the project construction - Payment to DPs will be delivered by PNPMB and Local Authorities. - Finance available for compensation and well information disclose/disseminate to DPs and key stakeholders.
3	Temporary impact on residential and garden land. Partial house/building	All DPs have house/ building and trees/fruit trees in ROW	- do-	**House/building:** - DP can opt for: i) Remain their houses or building in ROW with the conditions regulated by Article 6 of Decree 106/2005/ND-CP issued	- House and building have to be demolished or could be existed are regulated by Article 6 of Decree 106/2005/ND-CP issued by Government of Vietnam on

	within ROW (area in ROW less than 10% of total area) and the demolished area does not impact to the remaining house/building. Residential land and garden land outside of ROW is sufficient for reorganizing (not less than $60m^2$)			by Government of Vietnam on August 17th, 2005 that regulates and guides in detail some articles of Electricity Law on the protection of the high voltage networks. Subsidy allowance for fireproof materials and lightning arrestors for the existing house/building; or ii) Cash compensation for directly affected rooms at the replacement cost and cost for demolishing an affected room. - Allowance to conversion of residential land tenure in the ROW. - Rehabilitate land after the project construction by Contractors. **Tree and fruit tree:** - Compensation for affected trees and fruit trees at the replacement cost. **Allowances:** - Relocating allowance of 30 kg of rice equivalent per person	August 17th, 2005 that regulates and guides in detail some articles of Electricity Law on the protection of the high voltage networks. - PNPMB and local authorities determine and ensure that compensation will be paid at the replacement cost, without deduction for salvageable materials. - DPs will demolish the impacted part/room and reconstruct/or improve their houses themselves. - Full compensation for trees and fruit trees at least 01 month before land clearance. If DP is requested for cutting affected trees, PNPMB will pay money for this work. DP has right for using salvageable trees. - Full entitlement payment to DPs impacted on house/building at least 03 month before land clearance.

				per month in six months.	- Payment to DPs will be delivered by PNPMB and Local Authorities. - Land in ROW could be used with restricted purposes. - Finance available for compensation and well information disclose/disseminate to DPs and all key stakeholders.
4	Temporary impact on residential and garden land. Impact more than 10% of total house/building area but the demolished area will impact to the remaining of house/structure . Land outside of ROW is sufficient for	All DPs have house/ building and trees/fruit trees in ROW	- do-	**House/building:** - DP can opt for: i) Remain their houses or building in ROW with the conditions regulated by Article 6 of Decree 106/2005/ND-CP issued by Government of Vietnam on August 17th, 2005 that regulates and guides in detail some articles of Electricity Law on the protection of the high voltage networks. Subsidy allowance for fireproof materials and lightning arrestors for the existing house/building; or ii) Cash compensation for directly	- House and building have to be demolished or could be existed are regulated by Article 6 of Decree 106/2005/ND-CP issued by Government of Vietnam on August 17th, 2005 that regulates and guides in detail some articles of Electricity Law on the protection of the high voltage networks. - Consultation for DP's options on remains their house in ROW or move out of ROW. - PNPMB and local authorities determine and ensure that compensation will be at the

	reorganizing (not less than 60m^2)			affected rooms at the replacement cost and cost for demolishing an affected room. - Allowance to conversion of residential land tenure in the ROW. - Rehabilitate land after the project construction by Contractors. **Tree and fruit tree:** - Compensation for affected trees and fruit trees at the replacement cost. **Allowances:** - Relocating allowance of 30 kg of rice equivalent per person per month in six months.	replacement cost at the time of payment. - DPs will demolish the impacted areas and reconstruct/or improve their houses themselves. - Full compensation for trees and fruit trees to DPs at least 01 month before land clearance. DP has right for using salvageable trees. - Full compensation payment for impacted house and allowances to DPs at least 03 months before land clearance. - Payment to DPs will be delivered by PNPMB and Local Authorities. - Land in ROW could be used with restricted purposes. - Finance available for compensation and well information disclose/disseminate to DPs and all key stakeholders.
5	Temporary impact on	All DPs have house/	- do-	DPs can opt for one of the followings:	- House and building have to be demolished or could be

	residential or garden land in ROW. Full or partial house/building impacted and land outside of is not sufficient for reorganizing (not less than $60m^2$)	building and trees/fruit trees in ROW		i) Remain their houses or building in ROW with the conditions regulated by Article 6 of Decree 106/2005/ND-CP issued by Government of Vietnam on August 17th, 2005 that regulates and guides in detail some articles of Electricity Law on the protection of the high voltage networks. Subsidy allowance for fireproof materials and lightning arrestors for the existing house/building; or ii) Cash compensation for the whole residential area which DP occupied (not only for the impacted areas) and properties associated with occupied land at replacement cost. Impacted land will be obtained by local authorities; or ii) "Land for land" with the same area which DP occupied and cash at replacement cost. for the affected assets associated with	existed are regulated by Article 6 of Decree 106/2005/ND-CP issued by Government of Vietnam on August 17th, 2005 that regulates and guides in detail some articles of Electricity Law on the protection of the high voltage networks. - Consultation for DP's options on remain their house in ROW or move out of ROW. - PNPMB and local authorities determine and ensure that compensation will be at the replacement cost at the time of payment. - Replacement land, and resettlement sites development. - DPs receive compensation will demolish the impacted house areas and reconstruct/or improve their houses themselves. - Full compensation payment for trees and fruit trees to DPs at least 01 month before land

				land. Land occupied by DP will be obtained by local authorities. - Compensation for affected trees and fruit trees at the replacement cost. **Allowances:** - Relocating allowance of 30 kg of rice equivalent per person per month in six months. - Transportation allowance for relocating DP according to the Compensation Decree 197/2004/ND-CP. - Rehabilitation assistance if DPs permanently losing business or more than 25% of their incomes. - A bonus of maximum 5 million will be awarded to DP who dismantle their houses and vacate their premises in accordance with the resettlement schedule of will get a maximum bonus of 5 million VND/HH.	clearance. If DP is requested for cutting affected trees, PNPMB will pay money for this work. DP has right for using salvageable trees. - Full compensation for impacted house and allowances to DPs at least 05 months before land clearance. - Payment to DPs will be delivered by PNPMB and Local Authorities. - Land in ROW could be used with restricted purposes. - Finance available for compensation and well information disclose/disseminate to DPs and all key stakeholders. - PNPMB and local authorities will consult with DP who are eligible to restoration programs for their options and prepare proposal for restoration programs in the period of RP implementation.

6	Permanent acquisition of land for tower foundations, substation and access roads etc.	All DPs occupied land and properties associated with land permanently impacted by towers, foundations, substation and access roads	- do-	***For DP losing productive land:*** *a. Land loss less than 10% of their total landholdings:* - Cash compensation for the lost area if the remaining plot is still economically viable. - Cash compensation for the whole impacted plot if the remaining plot is not economically viable. - Cash compensation properties associated with land. *b. Land loss equal or more than 10% of their total landholdings:* DPs can opt for the followings: i) "Land for land" with the same area and productive of impacted area if the remaining plots are still economically viable and for the whole impacted plots if the remaining plots are not economically viable. ii) Cash for land at the replacement cost. - Compensation for trees and affected fruit trees at the	- Consultation for DP's options on land compensation. - PNPMB and local authorities determine and ensure that compensation will be at replacement cost at the time of payment. - Replacement land, and resettlement sites development. - DPs receiving compensation will demolish the impacted areas and reconstruct/or improve their houses themselves. - Full compensation payment for trees and fruit trees to DPs at least 01 month before land clearance. If DP is requested for cutting affected trees, PNPMB will pay money for this work. DP has right for using salvageable trees. - Full compensation for impacted house and allowances to DPs at least 03 months before land clearance. - No award civil work contract

				replacement cost. - Rehabilitation assistance. ***For DP losing Residential and garden land:*** - If remaining land is sufficient for reorganizing (not less than $60m^2$): Cash compensation for the lost area and assets associated with land. - If remaining land is not sufficient for reorganizing: DP can opt for i) Cash compensation at the replacement cost for land and assets on land, or ii) "Land for land" compensation for the whole residential area which DP occupied (not only for the impacted areas) and properties associated with occupied land. For affected house and building, the same entitlement to DP of categories 3 or 4 or 5.	before completion of compensation and reorganizing houses or relocation. - Payment to DPs will be delivered by PNPMB and Local Authorities. - Finance available for compensation and well information disclose/disseminate to DPs and all key stakeholders. - PNPMB and local authorities will consult with DP who are eligible to restoration programs for their options and prepare proposal for restoration programs in the period of RP implementation. - DP will be granted with Land Use Right Certificate without payment of administrative fees.
7	DP impacted on business or	All DPs impacted on	- do -	(a) Temporary impact on business or other services.	- Full compensation for incomes lost to DPs at least 01

	other services	business or other services.		Compensation for income lost in the affected time. (b) Permanent impact on business or other services. Rehabilitation assistance.	month before land clearance. - PMUs and local authorities will consult with DP who are eligible to rehabilitation for their options and prepare proposal for rehabilitation programs in the period of RP implementation.
8	Public Works				
	- Temporary impacts	All impacted institutional DPs (who directly manage and operate such impacted public works systems).	All impacted institutional DPs shall be approached in advance for cooperation in impact mitigation measures as well as measures for maintaining the normal functioning of their impacted systems by the	- Alternative measures to maintain the normal functioning of the public works (i.e. roads, water supply, drainage systems, telephone lines etc). - Reinstatement after the project construction. - All expenses on alternative measures to maintain the normal functioning of the impacted systems shall be born by Contractor(s).	- Contract(s) with Contractor(s) should bear one article on this specific responsibility of the Contractor(s): - Approach the institutional DPs for cooperation; - Arrange and pay for the expenses of the alternative measures to maintain the normal functioning of the impacted systems to the satisfaction of the institutional DPs.

			Contractor(s).		
	- Permanent impacts	- do -	- do -	- Alternative measures to maintain the normal functioning of the public works (i.e. roads, water supply, drainage systems, telephone lines etc). - All expenses on alternative measures to maintain the normal functioning of the impacted systems shall be born by Contractor(s).	- do - - Complete the works for 'alternative solutions' prior to the commencement of the project works.

ANNEX 2

PLAN OF ACTION FOR ECONOMIC RESTORATION PROGRAMME

Survey No	Programme	Plan of action	Responsibility	Budget	Implementation schedule
1	Training/retraining on income restoration for serious DPs	Action 1: Assessment of training demand. - List the DPs who are eligible for training. - Meet and consult serious affected peasants and discuss about the priority to training. - Identify capable Agencies and Companies for training implementation.	PNPMB; People's Committee of Districts/ Communes	PC3	These activities must be completed at least 01 month before site clearance.
		Action 2: Project preparation for employment training. Project preparation for training programme on employment.	PNPMB; People's Committee of Districts/ Communes	PC3	
		Action 3: Implementation of training programme on employment. - Forward training budget to Agencies that is under contract for training implementation. - Training programme implementation - Training programme supervision.	- PNPMB; People's Committee of Districts/ Communes - Agency is under contract - Inhabitants	PC3	During the period of RP implementation or at least 03 months before site clearance.

2	Agricultural encouragement training	Action 2.1: Assessment of agricultural encouragement demand. - Consult inhabitants about subjects and period of agricultural encouragement training	- PNPMB; People's Committee of Districts/ Communes - Agricultural Encourage Centre of Province and District - Peasant Organization, Women Organization	PC3	Agricultural encouragement activities can be carried out at many times during the period of project implementation, according to construction schedule. Project schedule must base on the project affected people's opinions for meeting the demand and conformable schedule.
		Action 2.2: Project preparation for agricultural encouragement training. - Base on the project affected people's opinions by means of meetings, PNPMB, People's Committees of Districts/Communes, Agricultural Encourage Centre will establish project for training programme on agricultural encouragement.	- PNPMB; People's Committee of Districts/ Communes, Agricultural Encourage Centres	PC3	

		Action 2.3: Implementation of agricultural encouragement programme These activities will be carried out during the period of RP implementation.	Agricultural Encourage Centres with Local Authorities assistance		
3	Professional conversion and work assistance to serious project affected people	Action 3: Identify numbers of households need professional conversion and work assistance	- PNPMB; People's Committee of Districts/ Communes,	PC3	When implementing RP June, 2008

Annex 3 (phu luc 3)

Inventory of affected household (Kiểm Kê Hộ Ảnh Hưởng)

(A) Householder details (Chi tiết hộ gia đình)

Survey No.	Name of the head of household	No of persons in household	Total landholding of household (m2)	Losses of lands (m2)					% area land acquisition per total landholdings	Losses of crops and farm produce		Losses of houses and structures (m2)				Temporary losses of land and crops					
										Perennial and standing crops											
				forestry lands	Agricultual lands	Rich soil	Perennial lands	Desidential lands		Eucalyptus trees	Rice and standing crops	Houses	Warehouse, kitchen	Tombs by land	Masonry tombs	Residential lands	Forestry lands	Agricultual lands	Rich soil	Perennial lands	Eucalyptus trees
A	**Duy Xuyen district**																				
I	**Duy Trung commune**	-	**1,114,500**	-	-	**5,390.0**	-	-	-	**15.**	-	-			**35.0**	-	-	-	-	-	-
1	Industrial Complex and Tourist Area Management Boards of Duy Xuyen District	-	1,114,500	-	-	5,390.0	-	-	-	-	-	-			-	-	-	-	-	-	-
2	People's Committee of Duy Trung Communue	-	-	-	-	-	-	-		15	-	-		24.0	35.0	-	-	-	-	-	-
	Total:	-	**1,114,500**	-	-	**5,390**	-	-	-	**15**	-	-	-	**24**	**35**	-	-	-	-	-	-

(B) Commune/District details

I	**Duy Xuyen district**		**1,114,500**	-	-	**5,390**	-	-	-	**15**	-	-	-	**24**	**35**	-	-	-	-	-	-
1	Duy Trung commune	-	1,114,500	-	-	5,390	-	-	-	15	-	-		24	35	-	-	-	-	-	-
	Total	-	**1,114,500**	-	-	**5,390**	-	-	-	**15**	-	-	-	**24**	**35**	-	-	-	-	-	-

(C) District details

I	**Duy Xuyen district**		**1,114,500**	-	-	**5,390**	-	-	-	**15**	-	-	-	**24**	**35**	-	-	-	-	-	-
	Total	-	**1,114,500**	-	-	**5,390**	-	-	-	**15**	-	-		**24**	**35**	-	-	-	-	-	-

Annex4 (Phu luc 4)
Affected household's interests (Chi tiết Quyền l

A1) Householder details (Chi tiết hộ gia đình)

Survey No.	Name of the head of household	Assistance to houses and land in the ROW													Total (VND)
		Agricultual lands			tchen	Residential lands			Tombs by land			Masonry tombs			
		quantity (m2)	Unit price	Costs (VND)	Costs (VND)	Quantity (m2)	Unit price	Costs (VND)	Quantity (m2)	Unit price	Costs (VND)	Quantity (m2)	Unit price	Costs (VND)	
A	Duy Xuyen district														
I	Duy Trung commune	-	-												
1	Industrial Complex and Tourist Area Management Boards of Duy Xuyen District	-	-		-	-	-	-	-	3,350,000	-	-	3,700,000	-	129,360,000
2	People's Committee of Duy Trung	-			-	-	-	-	24	3,350,000	80,400,000	35	3,700,000	129,500,000	210,200,000
	Total:				-	-	-	-	**24**		**80,400,000**	**35**		**129,500,000**	**339,560,000**

(B) Commune/District details

A	**Duy Xuyen district**	-	-		-	-	-	-	**24**	-	**80,400,000**	**35**	-	**129,500,000**	**339,560,000**
I	**Duy Trung commune**	-	-		-	-	-	-	24	3,350,000	80,400,000	35	3,700,000	129,500,000	**339,560,000**
	Total	-	-		-	-	-	-	**24**	-	**80,400,000**	**35**	-	**129,500,000**	**339,560,000**

(C) District details

A	**Duy Xuyen district**	-	-		-	-	-	-	**24**	**3,350,000**	**80,400,000**	**35**	**3,700,000**	**129,500,000**	**339,560,000**
	Total	-	-		-	-	-	-	**24**	**3,350,000**	**80,400,000**	**35**	**3,700,000**	**129,500,000**	**339,560,000**

Annex 5 (Phụ lục 5)

Socio - Economic data sheet of project affected households (Thông tin kinh tế xã hội)

Survey No	Household	Residence of household (hamlet)	Sex	Age	Ethnic group	Education	Occupation	Employment	Estimated total income per year
A	**Duy Xuyen district**								
I	**Duy Trung commune**								
1	Industrial Complex and Tourist Area Management Boards of Duy Xuyen District.	-	-	-	-	-	-	-	-
2	People's Committee of Duy Trung Communue	-	-	-	-	-	-	-	-

COST ESTIMATION OF SURVEY, ASSETS INVENTORY AND COMMUNITY CONSULTATION

For making RP of Duy Xuyen 110KV substation and its branch line

Survey No	Content of works	Calculation analysis				Costs (VND)
		Number of persons	Number of days	Performed amount	Unit price (VND/m2)	
	Survey costs for making RP (I + II + ... VI)					**27,577,227**
I	**Costs holding meeting for announcement and consultation with host project people (a meeting)**					**3,546,880**
1	Holding meeting for announcement to Provincial People's Committee, District People's Committee and related services (a meeting)			1	500,000	500,000
2	Holding meeting for announcement to Project affected households at the preliminary stage (for 01meetings at 01 commune)			1	500,000	500,000
3	Mission traveling expenses (two mission travelings for 2 meetings): 1 car x 40Km x 2 turns x 0.24litre/Km x 12,000VND/litre x 1,1 x 1 round trip					506,880
4	Business and stay fees (for leaders + two consultant staves)	3	2	2	170,000	2,040,000
II	**Survey costs for survey and report making**					**5,432,492**
1	**Consultant staves' salary for data survey and report making (at two preliminary and detailed stages), a survey team of four persons**	4	3	1	172,589	2,071,068
2	Data collection for RP and report writing	4	1	1	172,589	690,356
3	Agreement of RP with Communes	4	1	1	172,589	690,356
4	Agreement of RP with 02 Districts	4	1	1	172,589	690,356
5	Agreement of RP with Province	4	1	1	172,589	690,356
6	Transportation costs at the time of survey and report making: 200,000VND/day x 3 days					600,000
III	**Implementation costs**					**4,586,880**
1	Mission traveling expenses: 1 car x 40Km x 2 turns x 0.24litre/Km x 12 000VND/litre x 1,1 x 1 round trip					506,880
2	Business and stay fees (for four staves)	4	3	2	170,000	4,080,000
IV	**Costs for office supplies and documents**					**5,000,000**
	Costs for office supplies, telephone, photo of forms serving survey work (Estimated)					3,000,000
	Procurements of documents for survey work, map and other expenditures (Estimated)					2,000,000
V	**Costs for document perfection**					**7,450,000**
1	Costs for copy, binding and print of documents: 100 pages x 01volume x 14 sets (9 in English and 5 in Vietnamese) x 500VND/page					700,000
2	Costs for translating into English: 100pages x 50,000VND/page x 01 volume					5,000,000
3	Costs for test and adjustment of translated documents (35% of 2)					1,750,000
VI	**Taxable income in advanced calculation (temporary calculation equal to civil work) 6% of (I + II + III + IV+V)**					**1,560,975**

CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập - Tự do - Hạnh phúc
-----oOo-----

BIÊN BẢN THAM VẤN CỘNG ĐỒNG
KẾ HOẠCH ĐỀN BÙ VÀ TÁI ĐỊNH CƯ

I. Thành phần tham dự

1. Đại diện chủ đầu tư

Ông/Bà : Nguyễn Trường Minh ... Chức vụ: Trưởng Ban QLDA Thủy Điện ...
Ông/Bà : ..... Chức vụ: .....

2. Đại diện đơn vị tư vấn

Ông/~~Bà~~ : Nguyễn Duy Cần ..... Chức vụ: P. Trưởng phòng .....

3. Đại diện UBND xã (phường)

Ông/~~Bà~~ : Phạm Tảo Đức ..... Chức vụ: Chủ Tịch xã Dang Trung ...

4. Đại diện các hội đoàn thể địa phương

a-Ông/~~Bà~~ Nguyễn Thanh Minh ... Chức vụ: Bí thư đoàn thanh niên
b-Ông/~~Bà~~: Phạm Tấn Phương ... Chức vụ: Chủ Tịch hội người cao tuổi
c-Ông/~~Bà~~: Hoàng Tấn Đăng ... Chức vụ: Chủ Tịch hội nông dân
d-~~Ông~~/Bà: Hoàng Thị Loan ... Chức vụ: Chủ Tịch hội phụ nữ
e-Ông/Bà: ..... Chức vụ: .....
f. Ông/Bà: ..... Chức vụ: .....

5. Đại diện các tổ chức khác: ..... 01 ..... người, trong đó số người dân tộc thiểu số: Không .

II. Nội dung tham vấn:

1. Đơn vị tư vấn thông báo về:

- Nội dung dự án (Lý do đầu tư, qui mô công trình, vị trí hướng tuyến...)
- Chính sách đền bù tái định cư, chính sách về môi trường, chính sách của WB và của chính phủ Việt Nam đối với người dân tộc thiểu số.
- Mục tiêu của kế hoạch đền bù, tái định cư (RP) là: Lấy ý kiến tư vấn của người dân và cộng đồng, đề xuất các giải pháp giảm thiểu các tác động tiêu cực đối với những người bị ảnh hưởng bởi dự án và hỗ trợ cho họ khôi phục đời sống ít nhất là bằng hoặc hơn trước khi bị ảnh hưởng bởi dự án.

2. Ý kiến tham vấn của cộng đồng:

b.1. Người dân trong vùng có đồng ý tham gia thực hiện dự án không? có: ... X ... không: ..... Nếu không, vì sao? .....

b.2. Tham vấn của cộng đồng về những tác động tích cực của dự án đối với đời sống, sinh hoạt, các hoạt động kinh tế, văn hoá - xã hội và môi trường

+ Trong khi xây dựng:

- Tảo Dụng Đất Màu Tại Chỗ, theo đó, giảm Ô nhiễm ...

Thực hiện các chính sách về đền bù tại tỉnh Cao, đảm bảo quyền lợi cho người bị ảnh hưởng. Giáo dục các nhà thầu trong quá trình thi công.

+ Sau khi xây dựng xong:

Đảm bảo nâng cao đời sống kinh tế, văn hóa xã hội, lưu thông các dự án, tạo điều kiện cho các ngành nghề phát triển.

Mở rộng giao lưu kinh tế, xã hội giữa các vùng.

b.3. Tham vấn của cộng đồng về những tác động tiêu cực tiềm tàng (có thể xảy ra) gây ra bởi dự án (chiếm dụng đất đai, nhà cửa, công trình, cây cối hoa màu) phải di dời tái định cư và các biện pháp giảm thiểu:

+ Trong khi xây dựng:

Đất: Chiếm dụng vĩnh viễn diện tích đất không đáng kể. Xây dựng trong tm đất.

Nhà cửa, công trình: Hạn chế tối đa nhà, vật kiến trúc bị ảnh hưởng.

Cây cối, hoa màu: Có ảnh hưởng khi phát quang hành lang tuyến, hạn chế tối đa thiệt hại cây cối, hoa màu.

+ Sau khi xây dựng xong:

Đất: Hạn chế tối đa diện tích đất chiếm tạm thời.

Nhà cửa, công trình: Đảm bảo các yêu cầu kỹ thuật đối nhà, vật kiến trúc. Có thể tồn tại trong hành lang tuyến (nếu có)

Cây cối, hoa màu: Phát quang đảm bảo an toàn hành lang tuyến.

b.4. Các hộ bị bị ảnh hưởng có đồng ý các hình thức chi trả tiền đền bù nào sau đây:

- Đền bù bằng tiền mặt hoặc vật tư: Tiền mặt
- Hình thức đất đổi đất (Chiếm dụng vĩnh viễn):
- Kết hợp đền bù cả hai hình thức trên:

b.5. Đối với các hộ có nhà ở, công trình trong hành lang tuyến, nếu kỹ thuật cho phép, có đồng ý sử dụng các biện pháp hỗ trợ phòng chống cháy nổ thay thế cho các giải pháp di dời hay không? Có:.....; không: .....Nếu không, vì sao?.....

b.6. Người dân và cộng đồng trong vùng có dự án có đồng ý tham gia công tác giảm thiểu tác động tiêu cực gây ra bởi dự án (do chiếm dụng đất đai, nhà cửa phải di dời...) như:

1. Thực hiện đúng qui trình kiểm kê, đền bù, GPMB và tái định cư
2. Thực hiện đúng qui trình khiếu nại
3. Cam kết thực hiện đúng các qui định về hành lang an toàn điện (như không được trồng cây lâu năm hay xây dựng công trình...)

b.7. Người dân và cộng đồng trong vùng có dự án đồng ý tham gia:

1. Thực hiện công tác giám sát quá trình đền bù, tái định cư.

2. Giám sát quá trình thi công công trình đối với chủ thầu trong toàn bộ quá trình thực hiện dự án (trong khi xây dựng và sau khi hoàn thành công trình)? Có:.....; không:..... Nếu không, vì sao?:.....

b.8. Các ý kiến tham vấn khác của người dân và cộng đồng:

- Triển khai thi công ngay sau khi mua vẹ thu hoạch, giảm thiểu thiệt hại tài sản.
- Thực hiện đầy đủ các chỉ sách của nhà nước về thu TDC.
- Dưới dân cộng công dân cư, các biện pháp an toàn về điện.

Duy Trung, ngày 20 tháng 6 năm 2007

ĐẠI DIỆN CHỦ ĐẦU TƯ

NGUYỄN LƯƠNG MINH

ĐẠI DIỆN ĐƠN VỊ TƯ VẤN

Nguyễn Duy Cúc

ĐẠI DIỆN ĐỊA PHƯƠNG

PHẠM TẤN ĐỨC

ĐẠI DIỆN CÁC HỘI ĐOÀN THỂ ĐỊA PHƯƠNG

ĐOÀN THANH NIÊN BT

Nguyễn Thanh Minh

Phạm Tấn Phương

Huỳnh Tấn Đồng

Hoàng T. Loan

ĐẠI DIỆN NGƯỜI ĐỨNG ĐẦU CÁC HỘ BAH

Đại diện UBND Xã Duy Trung

Lê Đình Thu