Livestock Waste Management in East Asia Project

POLICY FRAMEWORK FOR RESETTLEMENT OF PROJECT DISPLACED PERSONS IN VIETNAM

Project preparation under GEF PDF-B grant

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<td>ARP</td>
<td>Abbreviated Resettlement Plan</td>
</tr>
<tr>
<td>CP</td>
<td>Chinh Phu, the Government</td>
</tr>
<tr>
<td>DRC</td>
<td>District Resettlement Committee</td>
</tr>
<tr>
<td>DEC</td>
<td>District Executive Committee</td>
</tr>
<tr>
<td>DP</td>
<td>Displaced Person</td>
</tr>
<tr>
<td>DPC</td>
<td>District People’s Committee</td>
</tr>
<tr>
<td>GOV</td>
<td>Government</td>
</tr>
<tr>
<td>IA</td>
<td>Implementing Agency</td>
</tr>
<tr>
<td>ND – CP</td>
<td>Nghi Dinh Chinh Phu, Government Decree</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-Government Organization</td>
</tr>
<tr>
<td>NSC</td>
<td>National Steering Committee</td>
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<tr>
<td>OP</td>
<td>Operational Policies</td>
</tr>
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<td>PMU</td>
<td>Project Management Unit</td>
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<tr>
<td>PPC</td>
<td>Provincial People’s Committee</td>
</tr>
<tr>
<td>PRC</td>
<td>Provincial Resettlement Committee</td>
</tr>
<tr>
<td>RP</td>
<td>Resettlement Plan</td>
</tr>
<tr>
<td>TT-BTC</td>
<td>Thong Tu Bo Tai Chanh, Circular of Ministry of Finance</td>
</tr>
<tr>
<td>VND</td>
<td>Vietnamese Dong (unit of currency)</td>
</tr>
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<td></td>
<td>(US$ 1 # VND 15,750 in August, 2004)</td>
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SECTION 1
INTRODUCTION

A. The Project

1. This project would address one of the most significant and rapidly growing causes of land-based pollution of the South China Sea – environmentally unsustainable industrial-scale livestock production. The overall objectives of the project is to reduce the negative local and global environmental impacts of rapidly increasing livestock production in selected demonstration areas in China, Thailand, and Vietnam that drain into the South China Sea and Gulf of Thailand. Specifically, the proposed project and its replication would lead to a reduction of land-based pollution from livestock production in the country and, consequently, in the international waterways of the South China Sea.

2. The proposed project consists of four components: (i) Component 1: Conducive Policy Framework; (ii) Component 2: Demonstration of Livestock Waste Management; (iii) Component 3: Development of Decision Support Tools and Regional Co-ordination; and (iv) Component 4: Project Management and Monitoring. The first component is expected to lead to the development and implementation of policies for both livestock production and waste management with strengthened and better-enforced regulations, more effective institutions and financial incentives. The outcome of the second component would be demonstrations in micro-watersheds with improved livestock waste management including the establishment of improved nutrient-balances in surrounding agricultural land. The third component would develop common decision support tools for policy makers and promote the exchange of experiences and lessons learned amongst the three participating countries directly involved in the Project as well as those bordering the South China Sea. The last component would result in efficient project management and effective monitoring of the political/institutional and environmental changes brought about by the Project.

3. The focus of the proposed project is centered on the implementation of cost-effective livestock waste management in selection watershed sites in Thailand, Vietnam and in one province of China bordering the South China Sea (Guangdong).

4. In Vietnam, the project sites selected for the second component, i.e., Demonstration of Livestock Waste Management, are in two (2) provinces namely: Dong Nai and Ha Tay. Specifically, the demonstration sites for livestock waste management would be in Bien Hoa city of Dong Nai province and in Thuong Tin District of Ha Tay province.

3. To implement this second component, land acquisition/rental or land exchange may be required for establishing common waste treatment system. However, the land area needed for establishing livestock waste treatment system in the demonstration sites would not cause large scale of land acquisition and resettlement. For the ownership and implementation arrangements, two (02) separate resettlement plans (RPs) will be prepared prior to the appraisal for the 2 (two) project provinces.

B. Policy Framework

4. This resettlement policy framework prepared based on the OP 4.12 of the World Bank on involuntary resettlement issued in December 2001. The principle objectives of the Policy Framework are to ensure that: (i) involuntary resettlement should be avoided where feasible,
or minimized, exploring all viable alternative project designs; and (ii) where it is not feasible to avoid resettlement, displaced persons (DPs) should be meaningfully consulted and should be assisted in their efforts to improve their livelihoods and living standards or at least to restore them to pre-project levels.

5. The Policy Framework lays down the principles and objectives, eligibility criteria of DPs, entitlements, legal and institutional framework, modes of compensation and rehabilitation, peoples participation features and grievances procedures that will guide the compensation, resettlement and rehabilitation of the DPs.

C. The Displaced Persons (DP’s)

6. The DP’s include the following persons to be identified by the baseline information collected for each of the Resettlement Plans (RP’s):

(a) Persons whose houses are in part or in total affected (temporarily or permanently) by the project;
(b) Persons whose premise and/or agricultural land is in part or in total affected (permanently or temporarily) by the project;
(c) Persons whose businesses are affected in part or in total (temporarily or permanently) by the project; and
(d) Persons whose crops (annual and perennial) and trees are affected in part or in total by the project.

D. Principles and Objectives

7. The principles outlined in the OP 4.12 of the World Bank on involuntary resettlement 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 communal waste management plants, transmission infrastructure (pipelines, channels, etc.) and access roads, etc. 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, income earning capacity and production levels. *Lack of legal rights to the assets lost will not bar the DP’s from entitlement to such rehabilitation measures.*
(c) The rehabilitation measures to be provided are: (1) compensation at replacement cost without deduction for depreciation or salvage materials for houses and other structures; (2) agricultural land for land of equal productive capacity acceptable to the DP’s; (3) replacement of premise land of equal size acceptable to the DP’s; (4) transfer and subsistence allowances.
(d) Replacement premise and agricultural land will be as nearby as possible to the land that was lost, and acceptable to the DP’s.
(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 DP’s, to ensure minimal disturbance. Entitlements will be provided by DP’s 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 the Inventories and RP's.

(j) Effective and timely supervision, monitoring and evaluation of the implementation of the RP's will be carried out.

E. Resettlement Plan (RP)
8. Based on the Annex A of OP 4.12, the elements of a resettlement and an abbreviated resettlement are described as following.

Resettlement Plan
9. In the case of more than 200 people of each of the two (2) provinces selected for demonstration component affected by the project, a RP for each demonstration site will be prepared by the Project Management Unit (PMU) in close collaboration with Provincial People Committee and District Executive Committee as well as the Implementing Agency. The RP will be furnished by PMU under National Steering Committee to the World Bank for its concurrence.

10. Each RP covers the below elements, as relevant:
   (1) Description of the project;
   (2) Potential impacts of the project;
   (3) Objectives of the resettlement program;
   (4) Socio-economic studies: the findings of socio-economic studies to be conducted in the early stages of project preparation and with the involvement of potentially DP;
   (5) Legal framework;
   (6) Institutional framework;
   (7) Eligibility of DP’s;
   (8) Valuation of and compensation for losses;
   (9) Resettlement measures;
   (10) Site selection, site preparation and relocation;
   (11) Housing, infrastructure, and social services;
   (12) Environmental protection and management;
   (13) Participation and consultation;
   (14) Integration with host populations;
   (15) Grievances procedures;
   (16) Organizational responsibilities;
   (17) Implementation schedule;
   (18) Cost and budget; and,
   (19) Monitoring and evaluation.

11. Each RP will be completed no later than six months prior to the estimated date for commencement of the works. Each RP will be furnished to the World Bank for consideration no later than three months prior to the actual initiation of the works under the Project. Compensation, resettlement and rehabilitation activities will only commence after the World Bank has found acceptable the respective RP and the project NSC and the Provincial People Committee have approved it. The compensation, resettlement and rehabilitation activities will be completed before awarding contracts of civil works for each demonstration site.
Abbreviated Resettlement Plan (ARP)

12. In the case that the entire number of DPs is less than 200 people for each selected demonstration site, an ARP will be prepared by the Project Management Unit (PMU) in close collaboration with Provincial People Committee and District Executive Committee as well as the Implementing Agency. The RP will be furnished by PMU under National Steering Committee to the World Bank for its concurrence.

13. Each ARP covers the following elements:
   - (1) A census survey of displaced persons and valuation of assets;
   - (2) Description of compensation and other resettlement assistance to be provided;
   - (3) Consultation with displaced people about acceptable alternatives;
   - (4) Institutional responsibility for implementation and procedures for grievances redress;
   - (5) Arrangements for monitoring and implementation; and
   - (6) A timetable and budget

14. The ARP will be completed no later than four months prior to the estimated date for commencement of the works under the project. Each ARP will be furnished to the World Bank for consideration no later than three months prior to the actual initiation of the works under the Project. Compensation, resettlement and rehabilitation activities will only commence after the World Bank has found acceptable the respective ARP and the NSC and Provincial People Committee have approved it. The compensation, resettlement and rehabilitation activities will be completed before awarding the contracts of civil works for each demonstration site.

SECTION 2
INSTITUTIONAL AND LEGAL FRAMEWORK

A. Institutional Framework

15. The responsibility for preparing and implementing the Policy Framework and RP’s are as follows:
   a) The overall responsibility for enforcement of the Policy Framework and for planning and implementing RP’s rests with PMU under NSC; the project Provincial People Committees and their relevant Departments/Institutions. PMU is responsible for preparing RP’s and for the day-to-day implementation thereof within their respective jurisdiction. The peoples committees at the district and commune levels will actively involve in the preparation and implementation of RP’s. In order to have RP’s acceptable to the World Bank to implement RP smoothly, PMU under NSC is responsible for: (i) hiring qualified consultants to prepare RP’s; (ii) appointing qualified social safeguard staff for PMU and DECs.
   b) Funds for implementing RP’s will be from counterpart funds based on budgetary requirements established by local governments (provincial, district and commune peoples committees) in consultation with the DP’s.

B. Legal Framework

16. The legal framework governing the implementation of RP’s are OP 4.12 on Involuntary
Resettlement of the World Bank and Vietnamese legal framework and policies.

17. The Vietnamese legal framework and policies that have let the preparation of this RP Framework and warrant its legality are:
   • The Land Law issued on 15 October 1993, revised and adopted by the National Assembly and reissued in 2001 and 2003.
   • The Government Decree 60/CP issued on 5 July 1994 regulates property ownership and land use rights in urban areas.
   • The Government Decree 61/CP issued on 15 July 1994 regulates dwelling house purchases, sales and business.
   • The Government Decree No 64/CP issued on 2 September 1993 on the long-term distribution of agricultural land to the households for agricultural purpose.
   • The Government Decree No 87/ CP of August 17th, 1994 on price framework for land in the whole country.
   • The Government Decree 45/CP issued on 3 August 1996 regulates the Amendment of Article 10 of Decree 60/CP (5 July 1994).

18. Article 29 of the Government Decree 17/2001/ND-CP issued on 4 May 2001 on the stipulation of procedure of management and using ODA states that compensation, land clearance, resettlement for the ODA programs to be implemented according to the laws of Government. *In the case of international Agreement signed by State of Viet Nam or GOV which policy on land clearance, resettlement differ from Viet Nam policy, the policy set forth in the Agreement will be followed.*

19. Therefore, in approving this Framework (before the negotiation of the project), the Government grants the above-mentioned required waivers and authorizes NSC, PMU and project provinces to provide: (a) compensation at replacement cost without deduction for depreciation and salvage materials, for land, houses and other assets taken by the project; and (b) to provide compensation and resettlement assistance in lieu of compensation all affected persons regardless of without title to the assets lost.

20. In submitting RP to the World Bank for clearance, letters of Chairs of Project Provincial People’s Committees on agreements in implementing the policy set forth in RP are required.

SECTION 3
ENTITLEMENT POLICY

21. DP’s will be entitled to the following types of rehabilitation and assistance measures:
   (a) DP’s losing agricultural and productive land and crops
   (i) The general mechanism for compensation of lost agricultural land will be through provision of "land for land" arrangements of equal productive capacity, satisfactory to the DP’s.
   (ii) However, if the DP prefers to receive cash compensation then the
following applies:

- if the portion of the land to be lost represents 25% or less of the total area of the landholding, and the remaining land is still a viable economic holding, cash compensation, at full replacement cost, may be provided to the DP’s; or
- if the portion of the land to be lost more than 25% of the total area of a land holding and the remaining holding is not viable then the Project will acquire the entire landholding and provide cash compensation at full replacement cost

(iii) DP will be compensated for the loss of standing crops and fruit or industrial trees 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 their loss of income, standing crops and for the cost of soil restoration and damaged infrastructure. Land will be rehabilitated after the project construction by PMU.

(b) DP’s losing residential land and household/structure

(i) The mechanism for compensating loss of residential land and structures will be: (1) the provision of replacement residential land (house site and garden of equivalent size, satisfactory to the DP or cash compensation at replacement cost according to DPs’ choice; and (2) cash compensation reflecting full replacement cost of the house/structures, without deduction for depreciation or salvage materials or compensate in kind according to DPs’ choice.

(ii) 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, without depreciation.

(iii) 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.

(iv) Tenants, who have leased a house for residential purposes will be provided with a cash grant of six months rental fee at the prevailing market 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.

(d) 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.

22. In cases where community infrastructure such as schools, factories, water sources, roads, sewage systems is damaged, PMU under NSC and PPC will ensure that these would be
restored or repaired as the case may be, at no cost to the community.

23. Besides the direct compensation for the losses, DPs also will be entitled to subsidies/allowances as stipulated in the Decree No.22 of GOV. These subsidies/ allowances are as below:
   a) Transportation allowance.
      According to the Article 17 of Decree 22/1998 CP, 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.
   b) Subsistence allowance.
      According to Article 25 of Decree 22/1998 CP, all relocating DP’s shall, for a period of six months, receive a cash allowance equal to 30 kg of rice of average price per month for family member. If DP’s have to be relocated to another province and the impact is severely, this subsidy period could be for one year.
   c) Rehabilitation allowance.
      DPs, who are permanently affected more than 25% of productive land or incomes, will be entitled to trainings or other economic rehabilitation programs of about 1,500,000 VND per household.
   d) Relocation bonus.
      According to Article 26 of Decree 22/1998 CP, a bonus of 5 million VND per household will be awarded to DP who dismantle their houses and vacate their premises in accordance with the resettlement schedule of RP.

24. Given the nature of project impacts, the losses affecting DPs have been classified into 7 categories. The entitlement matrix is attached (see Annex 1)

SECTION 4
PEOPLE’S PARTICIPATION

25. The local authorities and its relevant organizations, DPs and host communities will participate throughout the various stages of the planning and implementation of RPs. Prior to the preparation of RPs, the DPs will be fully informed of the provisions of this Policy Framework at public meetings held by the respective NSC, its PMU and local authorities.

26. Each DP will be fully informed and consulted by the relevant District Peoples’ Committee and/or Commune Peoples’ Committees of their entitlements and rehabilitation choices under the respective RP.

SECTION 5
BASELINE INFORMATION

A. Census and Inventory
27. The baseline information will include the following information for each household:
   (a) number of persons and names;
   (b) number, type, and area of the houses lost;
(c) number and area of all the residential plots lost;
(d) number, category and area of agricultural land lost;
(e) quantity and types of crops and trees lost;
(f) businesses lost including structures, land and other fixed assets;
(g) productive assets lost as a percentage of total productive assets;
(h) quantity and category of other fixed assets affected by the project; and
(i) temporary damage to productive assets.

The inventory form is attached (see Annex 2)

28. The entitlements of assets and land affected are calculated based on the above information in an “Entitlement Form” (see Annex 3).

B. Resettlement Plan
29. The baseline information for a RP will include: a) a Census and Inventory (see above); and b) a detailed socioeconomic survey of all DP's describing their age, sex, ethnicity, education, occupation, sources of income, and total household income. The form for socioeconomic is attached (see Annex 4)

SECTION 6
IMPLEMENTATION ARRANGEMENTS

A. Implementation Schedule
30. A detailed implementation schedule of the various activities to be undertaken will be included in each RP. The RP implementation schedule must be developed based on the linkage to the civil work implementation schedule.

31. Payment of compensation and furnishing of other restoration/assistance entitlements (in cash or in kind), and relocation if that be the case, will be completed prior awarding contracts for civil works

B. Institutional Arrangement
32. The PMU and PPCs will arrange adequate and experienced staff to make sure that PR will be implemented smoothly as approved schedules.

C. Complaints and Grievances
33. Complaints and grievances related to any aspect of RP implementation, including the determined area and price of the lost assets, will be handled as follows:

First step
If any person is aggrieved by any aspect of the resettlement and rehabilitation program, he/she can lodge an oral or written grievance with commune authorities. Commune People's Committee will resolve the issue within fifteen days from the date it receive the complaint.

Second step
If any aggrieved person is not satisfied with the decision in stage 1, he/she can bring the complaint to the District People's Committee (DPC) or District Resettlement Committee
(DRC) within fifteen days from the date of the receipt of the decision in stage 1. The District People’s Committee (DPC) or District Resettlement Committee (DRC) will reach a decision on the complaint within fifteen days.

**Third step**
If the DP is still not satisfied with the decision at the district level, he/she can appeal to the Provincial People’s Committee (PCC) or Provincial Resettlement Committee (PRC) within 15 days of receiving the decision of the DPC or DRC. The Provincial People’s Committee (PRC) or Provincial Resettlement Committee (PRC) will reach a decision on the complaint within fifteen days.

**Fourth step**
If the DP is not satisfied with the decision of the Provincial level, the case may be submitted for consideration by the District Court within 15 days of receiving the decision of the PCC or PRC.

34. DP’s will be exempted from all administrative and legal fees.

**D. Supervision, Monitoring and Evaluation**
35. Implementation of RPs will be regularly supervised and monitored by the PMU in coordination with the respective District and Commune Peoples’ Committees. The findings will be recorded in quarterly reports to be furnished to NSC and project PPCs.

36. 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 RP’s are implemented as designed and approved.
   (c) Verify that funds for implementing the RP’s are provided to the PMU in a timely manner and in amounts sufficient for their purposes, and that such funds are used by the PMU in accordance with the provisions of RP.
   (d) Record all grievances and their resolution and ensure that complaints are dealt with in a timely manner.

37. Independent Monitoring: An independent agency or agencies or individual consultant will be retained by the PMU to periodically carry out external monitoring and evaluation of the implementation of RPs. The independent agencies will be academic or research institutions, Non-Governmental Organizations (NGOs) or independent consulting firms, all with qualified and experienced staff and terms of reference acceptable to the World Bank.

38. In addition to verifying the information furnished in the internal supervision and monitoring reports of the PMU, the external monitoring agency will visit a sample of 20% of household DPs in each project province six months after each RP implementation to:
   (a) Determine whether the procedures for DPs participation and delivery of compensation and other rehabilitation entitlements have been done in accordance with this Policy Framework and RP.
   (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 on the implementation procedures of RPs, as the case may be, to achieve the principles and objectives of this Policy Framework.

SECTION 7
COSTS AND BUDGET

39. Each RP will include detailed cost of compensation and other restoration/assistance entitlements and relocation of DPs, if that be the case, with a breakdown by agricultural land, residential land, business land, houses, businesses and other assets. The cost estimates will make adequate provision for contingencies.

40. Sources of funding for the various RP activities will be clearly specified in the cost tables. For Livestock Waste Management in East Asia project, funds for implementing RP’s will be from counterpart funds based on budgetary requirements established by local governments (district and commune peoples committees) in consultation with the DP’s.
**Annex 1**

## Entitlement Matrix

<table>
<thead>
<tr>
<th>Nº</th>
<th>Type of loss</th>
<th>Application</th>
<th>Definition of entitled DPs</th>
<th>Compensation Policy</th>
<th>Implementation Issues</th>
</tr>
</thead>
</table>
| 1  | Temporary acquisition of productive land                                     | All DPs who have trees, crops, other assets temporarily required for construction of common waste treatment systems | 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.                                                                                           | - DECs 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, DECs or project provinces will pay money for this work. DP has right for using salvageable trees.  
- Full compensation at least 01 month before land clearance. Payment to DPs will be delivered by DECs/District Resettlement Committees (DRCs).  
- Affected land will be rehabilitated by contractors after the project construction and land could subsequently be used  
- Finance available for compensation and well information disclose/disseminate to DPs and key stakeholders.                                                                                           |
| 2  | Temporary acquisition of residential and garden land without house or structures affected by construction of common waste treatment systems | All DPs with orchards or trees temporarily required for construction of common waste treatment systems | Same as above                                                                                         | - Cash compensation for affected fruit trees and trees at replacement cost.  
- No compensation for land  
- Rehabilitate land after the project construction.                                                                                           | - DECs 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, DECs or project provinces will pay money for this work. DP has right for using salvageable trees.  
- Full compensation at least 01 month before land clearance. Payment to DPs will be delivered by DECs/District Resettlement Committees (DRCs).  
- Affected land will be rehabilitated by contractors after the project construction and land could subsequently be used  
- Finance available for compensation and well information disclose/disseminate to DPs and key stakeholders.                                                                                           |
| 3  | Temporary impact on residential and garden land. Affected area less than 10% of total area and the demolished area does not impact to the remaining house/building. Residential land and garden land not affected                                         | All DPs who have house / building and trees/fruit trees temporarily required for construction of common waste treatment systems | Same as above                                                                                         | House/ building:  
- DP can opt for: i) Maintain their houses or building; or ii) Cash compensation for the directly affected rooms at the replacement cost and cost for demolishing an affected room.  
- No compensation for land.  
- Rehabilitate land after the project construction by contractors. Tree and fruit tree                                                                 | - DECs 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, DECs or project provinces will pay money for this work. DP has right for using salvageable trees.                                                                                           |
<table>
<thead>
<tr>
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<th>Type of loss</th>
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</tr>
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<tbody>
<tr>
<td>4</td>
<td>Temporary impact on residential and or garden land. Impact more than 10% or less than 10% of total house/building area but the demolished area will impact the remaining house / structure. Land not affected is sufficient for reorganizing (not less than 60 m²).</td>
<td>All DPs who have house / buildings or /fruit trees temporarily required for construction of common waste treatment systems</td>
<td>Same as above</td>
<td><strong>House/ building:</strong> - DP can opt for: i) Maintain their houses or building; or ii) Cash compensation at replacement cost for full areas of impacted house/building and demolish DP’s house - No compensation for land. - Rehabilitate land after the project construction by contractors.</td>
<td>- Consultation for DP’s options on remain their house or move out. - DEC and local authorities determine and ensure that compensation will be replacement cost at the time of payment. - DP will demolish the impacted areas and reconstruct/improve their houses themselves. - Full compensation for trees and fruit trees to DPs at least 01 month before land clearance. If DP is requested for cutting affected trees, DECs or project provinces will pay money for this work. 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 DECs/DRCs - Cleared residential could be reused with other restricted purposes. - Finance available for compensation/ rehabilitation and well information disclose/ disseminate</td>
</tr>
</tbody>
</table>
| 5  | Temporary impact on residential and or garden land from construction of common waste treatment systems. Full or partial house/building impacted and land outside of is not sufficient for reorganizing (less than 60 m²). | All DPs who have house / building and trees, fruit trees temporarily required for construction of common waste treatment systems | Same as above              | **Tree and fruit tree** - Compensation for affected trees and fruit trees at the replacement cost. **Allowances:** - Relocation allowance of 30 kg of rice equivalent per person per month in six months. | - Consultation for DP’s options on remain their house or move out. - PMU and local authorities determine and ensure that compensation will be at replacement cost at the time of payment. - Replacement land. and resettlement sites development. - DP receive compensation will demolish the impacted house areas and reconstruct/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, DECs or project provinces will pay }
<table>
<thead>
<tr>
<th>No</th>
<th>Type of loss</th>
<th>Application</th>
<th>Definition of entitled DPs</th>
<th>Compensation Policy</th>
<th>Implementation Issues</th>
</tr>
</thead>
</table>
| 60 m2) | | | - 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 22/1998 CP dated April 22, 1998 of GOV.  
- Rehabilitation assistance if DPs permanently losing business or more than 25% of their incomes.  
- Incentive for relocating in a timely manner: maximum 5,000,000 VND/HH | 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 DECs/ DRCs  
- Cleared residential could be used with other restricted purposes.  
- Finance/ land available for rehabilitation and restoration and well information disclose/ disseminate to DPs and key stakeholders.  
- DECs 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 RAP implementation. |
| 6 Permanent acquisition of land for building of common waste treatment systems. | All DPs with land and property permanently impacted by construction of common waste treatment systems. | Same as above | **For DP losing productive land:**  
a. Land loss less than 25% 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 for properties associated with land  
b. Land loss equal or more than 25% of their total landholdings:  
DP can opt for the followings:  
i) "Land for land" with the same area and productive of impacted area if the remaining plots are still economic viable and for the whole impacted plots if the remaining plots are not economic viable.  
ii) Cash for land at the replacement cost.  
- Compensation for trees and affected fruit trees at the replacement cost.  
- Rehabilitation assistance. | - Consultation for DP’s options on land compensation.  
- PMU 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 for trees and fruit trees to DPs at least 01 month before land clearance. If DP is requested for cutting affected trees, DECs or project provinces 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.  
- No award civil work contract before completion of compensation and reorganizing houses or relocation.  
- Payment to DPs will be delivered by DECs/ DRCs  
- Finance/ land available for compensation/ rehabilitation and well information disclose/ disseminate.  
- DECs and local authorities will consult with DP who are eligible to restoration for their options and prepare proposal for restoration programs in the period of RAP implementation. |
<table>
<thead>
<tr>
<th>№</th>
<th>Type of loss</th>
<th>Application</th>
<th>Definition of entitled DPs</th>
<th>Compensation Policy</th>
<th>Implementation Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>No Type of loss Application</td>
<td>Definition of entitled DPs</td>
<td>For DP losing residential and garden land:</td>
<td>- If remaining land is sufficient for reorganizing (not less than 60 m2): Cash compensation for lost area and assets associated with land.</td>
<td>- DPs will be granted with Land Use Right Certificate without payment of administrative fees.</td>
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<td>- If remaining land is not sufficient for reorganizing:</td>
<td>DP can opt for i) cash compensation at 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.</td>
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<td>2</td>
<td>DP impacted on business or other services</td>
<td>All DPs impacted on business and other services by construction of common waste treatment systems</td>
<td>Same as above</td>
<td>(a) Temporary impact on business or other services.</td>
<td>- Full compensation for incomes lost to DPs at least 01 month before land clearance.</td>
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<td>Compensation for income lost in the affected time</td>
<td>(b) Permanent impact on business or other services.</td>
<td>- DECs 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.</td>
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<td>7</td>
<td>DP impacted on business or other services</td>
<td>All DPs impacted on business and other services by construction of common waste treatment systems</td>
<td>Same as above</td>
<td>(a) Temporary impact on business or other services.</td>
<td></td>
</tr>
</tbody>
</table>
## Annex 2

**Inventory of Displaced People**

Province: __________________________

District: __________________________

Commune: __________________________

<table>
<thead>
<tr>
<th>Survey No.</th>
<th>Name of Head of Household</th>
<th>No. of persons in HH</th>
<th>Total landholding of HH in m²</th>
<th>Land to be acquired in m² by Type</th>
<th>Loss as % of total</th>
<th>Loss of Assets</th>
<th>Loss of Crops</th>
<th>Loss of Other assets</th>
<th>Other Losses</th>
<th>Temporary Losses (specify)</th>
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<tbody>
<tr>
<td></td>
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<td>Number and type of lost structures</td>
<td>Structures permanent (m²)</td>
<td>Structures temporary (m²)</td>
<td>Area of residential land lost (m²)</td>
<td>Fruit trees lost Type and Number</td>
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</tbody>
</table>
## Annex 3

### Entitlements of DPs

Province: __________________________
District: __________________________
Commune: _________________________

<table>
<thead>
<tr>
<th>Survey No.</th>
<th>Name of Head of HH</th>
<th>Compensation for Land</th>
<th>Compensation for Structures</th>
<th>Compensation for Crops &amp; Trees</th>
<th>Compensation for Other Assets (wells,Tombs, etc.)</th>
<th>Total in Dong</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Quantity Sq. Meters</td>
<td>Unit Price Sq. Meters</td>
<td>Entitlement in Dong</td>
<td>Quantity Sq. Meters</td>
<td>Unit Price in Dong</td>
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Annex 4

Socio-Economic Household Data Sheet of Project Affected People

Province: ___________________  District: ___________________
Commune: ___________________

<table>
<thead>
<tr>
<th>Survey No.</th>
<th>Address of Household</th>
<th>Name of Household Member</th>
<th>Sex</th>
<th>Age</th>
<th>Ethnic Group</th>
<th>Education</th>
<th>Occupation and Sources of Income</th>
<th>Employment</th>
<th>Estimated Total Income per Year (VND)</th>
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