

Resettlement Plan

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Prepared by EnviroSolutions & Consulting Pte Ltd. for Thu Dau Mot Water Joint Stock Company and Asian Development Bank (ADB).

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RESETTLEMENT PLAN

THU DAU MOT WATER EXPANSION PROJECT, VIETNAM - CONSTRUCTION OF D1500 RAW WATER PIPELINE

Prepared for Thu Dau Mot Water Joint Stock
Company and Asian Development Bank

Nov 2024



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LIST OF ABBREVIATIONS

ADB	Asian Development Bank
AHs	Affected Household(s)
APs	Affected Person(s)
BIWASE	Binh Duong Water Environment Joint Stock Company
BIWELCO	BIWASE Construction – Electricity Joint Stock Company
CPC	Commune People’s Committee
CSO	Civil Society Organization
DMS	Detailed Measurement Survey
DPC	District People’s Committee
E&S	Environmental and Social
EIA	Environmental Impact Assessment
EPC	Engineering, Procurement, and Construction
ESC	EnviroSolutions & Consulting Pte Ltd.
EVN	Vietnam Electricity
GOV	Government of Vietnam
GRM	Grievance Redress Mechanism
HH	Household
IESE	Initial Environmental and Social Examination
JICA	Japan International Cooperation Agency
km	Kilometre
kV	Kilovolt
LDC	Land Development Center
LURC	Land Use Rights Certificate
m ²	Square meter
PC	People’s Committee
PIB	Project Information Brochure
PPC	Provincial People’s Committee
RP	Resettlement Plan
SPS	Safeguard Policy Statement
SR	Safeguard Requirements
SR2	Safeguard Requirements 2
TDM	Thu Dau Mot Water Joint Stock Company
TL	Transmission line
TPC	Town People's Committee
USD	US Dollar
VND	Vietnam Dong (Vietnamese Currency)
WTP	Water Treatment Plant

1. EXECUTIVE SUMMARY

Background

The Asian Development Bank (ADB) and the Japan International Cooperation Agency (JICA) (Lenders) are processing potential corporate loans to Thu Dau Mot Water Joint Stock Company ("TDM"), a water utility company based in Binh Duong province, Vietnam for Bau Bang Water Treatment Plant (WTP) expansion project. The project includes the expansion of Bau Bang Water Treatment Plant (WTP) and the installation of a new 8.3 kilometre (km) raw water transmission pipeline (hereafter refer to as "the Project").¹

The Bau Bang WTP is situated in Cay San residential area, Lai Uyen commune-level town, Bau Bang district, Binh Duong province. The raw water pump station and transmission pipeline span across Tru Van Tho commune and Lai Uyen town, Bau Bang district. The capacity expansion of the Bau Bang WTP will not require additional land acquisition, as additional facilities for the expansion will be located within the perimeter of existing property of TDM. The construction of the pipeline will entail temporary involuntary resettlement impacts due to project's temporary access to land used for agriculture; thus, ADB's Safeguards Requirement 2 (involuntary resettlement) is triggered. This Resettlement Plan (RP) has been prepared for this pipeline component by EnviroSolutions & Consulting Pte Ltd (ESC), as the social safeguards document required for the approval of the TDM's Bau Bang WTP expansion project.

This RP was prepared based on the available information at this stage of project planning, the preliminary survey and inventory of losses or affected assets by TDM, the census with affected households (AHs), and observations during the site visits. It contains the policies, guidelines, and administrative processes and procedures that TDM will adhere to in the temporary access to land and compensation for involuntary resettlement impacts in relation to the installation of the pipeline.

This RP is consistent with relevant legislation being enforced by the government of Vietnam (GOV), and the 2009 Safeguard Policy Statement (SPS), as well as the other cross-cutting social policy themes of ADB. At the time of finalization of the RP, the detailed measurement survey (DMS) and inventory of losses were already conducted for nine households affected by the pipeline, as well as the compensation payment was completed to seven affected households. ADB conducted a preliminary audit of the temporary land access acquisition and compensation for damaged assets reported in Appendix A of this document.

Legal Framework

TDM has reconciled the requirements from Safeguard Requirements 2 (SR2) of the 2009 ADB's SPS and other cross-cutting policy themes of ADB, and the relevant laws of the GOV, upon which the legal and policy framework for the compensation and assistance to APs is committed to following.

Scope of Temporary Land Access and Impacts

To prepare this RP, the census, the initial inventory of potential losses, information from three site walkthroughs conducted in mid-August 2023, early-May 2024, and end-May 2024, and other secondary sources were used for the preliminary social impact assessment. The Project will not require acquisition of land. Based on these sets of information, the scope of this involuntary resettlement impacts includes temporary disruption on access to land (19 households), temporary economic displacement (18 households), temporary impacts on structures (one household), and

¹ Subsequent to the final alignment determined immediately prior to the commencement of construction activities, the pipeline length was reduced to 8.0km.

temporary access restriction (nine households). There is no physical displacement. Impacts on Indigenous Peoples and cultural heritage are not applicable to the Project.

As the alignment has subsequently been changed in the final alignment. The impacts based on the final alignment which was determined immediately prior to the start of the construction activities are discussed in Appendix A.

Socio-economic Information and Profile

A total of 20 AHs were interviewed, including 17 households having cultivated land affected, two households having rented land affected, and one household only cultivating on the land affected of another AH. Among interviewed AHs, one AH was identified as vulnerable, accounting for 5%.

Approximately 68.2% of the surveyed APs were engaged in various activities for income generation, such as cultivation and husbandry, small businesses, public employment, day labour, and company jobs. The average monthly incomes per household and per capita of the 19 AHs were about VND 25 million and VND 5.8 million, respectively, which were higher than the average monthly expenditures per household (nearly VND 18.5 million) and per capita (VND 4.2 million). Around 68.4% of the surveyed AHs had an average annual household income exceeding the average annual expenditure.

About 90% of AHs had residential houses in good conditions, with good sanitary conditions. All households had access to the national grid and utilized gas and electricity for cooking. They mainly accessed borewells and the centralized piped water system for domestic use. All surveyed AHs had residential and gardening land. About 95% (19 out of 20 AHs) had agricultural production land plots including the plots of production land to be temporarily affected by the Project.

Approximately 95% of AHs have heard about the Project. Surveyed households believed that the Project would have positive effects on clean water supply, job opportunities, and investment prospects. Survey results indicated overall support for the Project among the households. However, some negative impacts related to the Project were identified, including temporary loss of land (95% of AHs), loss of crops and trees and temporary livelihoods (90%), temporary access restriction (45%), and others concerns (i.e., soil degradation and erosion post excavation and challenges in reestablishing perennial trees after the pipeline construction).

The socio-economic surveys in May 2024 were also carried out with 20 households; however, the number of affected households identified in the final alignment was nine, which was described in Appendix A.

Information Disclosure, Consultation, and Participation

Primary stakeholders of the Project include (i) directly APs/organisations impacted by the Project's temporary access to land during construction (including landowners and land users); (ii) indirectly APs living in Tru Van Tho commune and Lai Uyen town; (iii) partner organisations (Binh Duong Water Environment Corporation Joint Stock Company - BIWASE and Vietnam Electricity Company - EVN); (iv) governmental agencies; (v) TDM's Construction Contractor and subcontractors (if any); and (vi) civil society organisations (i.e., local Farmers' Unions).

Stakeholders were consulted during the regulatory Environmental Impact Assessment (EIA) process. Engagement during the RP preparation process were conducted through meetings with Tru Van Tho Commune People's Committee (CPC) and Lai Uyen Town People's Committee (TPC), surveys with 20 AHs, and a public meeting with affected households in Tru Van Tho commune on 30 August 2024.

TDM and its Construction Contractor will promote the active participation of the Project-based stakeholders and ensure meaningful consultations during the updated RP development and throughout the Project cycle. Engagement activities will be recorded and documented comprehensively, including participants lists, photographs, and minutes of the key issues addressed,

agreements reached, observations made in the field, and outstanding issues that need to be addressed.

Grievance Redress Mechanism

TDM will ensure that all grievances and complaints on any aspect of temporary land access and compensation are addressed in a timely and satisfactory manner. All possible avenues will be made available to affected people to air their grievances by establishing a well-defined grievance redress mechanism (GRM). APs can send their complaints or grievances related to compensation policy, entitlement, temporary land access process, payments and allowances, and income restoration activities, for example. The complainants will not be charged of any fee during the resolution of their grievances and complaints. Five (5) stages in the GRM are prescribed in this report. The GRM will be disclosed to APs during RP preparation and will be continuously disseminated to people during RP implementation.

Entitlements, Assistance, and Benefits

This RP presents the matrix of entitlements for all APs, based on the prevailing laws and ADB SPS SR 2. One key policy objective is to replace or compensate for lost assets based on the principle of replacement cost. Compensation and assistance, including income restoration assistance for AHs, vulnerable AHs, and AHs that will require period of time to re-establish perennial trees affected by the Project, will be provided before the pipeline construction. The cut-off date for eligibility to Project entitlements will be based on the start of the DMS of affected assets during RP implementation. The cut-off date will be disseminated to all APs two weeks before the survey and, ideally, throughout the Project area in a general meeting with the local authority present and displayed or announced in public media and locations accessible to others who may not have been identified by survey. No construction activities will commence prior to completion of compensation payments.

As planned by TDM, cut off dates for land compensation and public announcement before construction commencement are as follows:

- 30-45 days before construction commencement: TDM will notify AHs and land users on the construction works and will carry out negotiation and compensation. Negotiation and compensation will be done in two weeks duration.
- Two (2) weeks before construction commencement: TDM will notify Commune People's Committee (CPC)/Town People's Committee (TPC), households and land users about the date of construction commencement.

Affected Structure and Income Restoration

Based on current survey data and field observations, there will be no household physically displaced or relocated. As such, an allowance for relocated households is not applicable to the Project. However, compensation for one AH with an affected chicken cage is applicable for the project.

For significantly APs, defined as those losing 10% or more of productive land, income or other productive assets, AHs who have other identified vulnerabilities as a result of the Project activities, and AHs that will require period of time to re-establish affected perennial trees, livelihood restoration measures will be applied to restore their livelihoods and incomes.

Resettlement Budget and Financing Plan

Funds for temporary access of land during construction and implementation of this RP are part of the Project budget. The initial estimated budget for RP implementation was approximately USD 326,285. However, the actual cost of compensating the nine affected households was only between USD 40,000 to 45,000, as detailed in Appendix A. TDM will bear the full cost of all compensation activities and ensure that funds for compensation of lost assets are sufficient and are available on a timely manner.

The Project will also ensure that funds for entitlements under the RP are fully disbursed among APs prior to the commencement of civil work for every construction segment.

Institutional Arrangements

TDM is the executing agency for the Project and has the overall responsibility for implementation of the RP. TDM assigned its Deputy General Director to oversee the implementation of the pipeline installation (including RP). TDM plans to assign the Construction Contractor to lead in the implementation of the RP and TDM will be known as the responsible entity and bears the reputational risk for its Construction Contractor implementing this RP. The Construction Contractor will be the implementing agency, responsible for executing the RP on the ground, and monitoring together with TDM in accordance with ADB's SPS and government requirements.

Since the responsibility of implementing the RP is designated to the Construction Contractor, the provision of capacity building for the Contractor's staff implementing the RP will be integrated into the contractual arrangement between TDM and the Construction Contractor.

As updated in TDM in September 2024, TDM assigned its Construction Contractor to implement the pipeline construction and RP implementation. Details are described in Appendix A.

Implementation Schedule

Based on the proposed timeframe of the Project implementation, the RP implementation is expected to be carried out from Quarter 3 of 2024 to Quarter 3 of 2025. The construction activities are scheduled to be completed by August 2025.

Monitoring and Reporting

For the Project, TDM and Construction Contractor are the internal monitoring bodies. With assistance from the Construction Contractor, TDM will prepare semi-annual safeguards and social monitoring reports to be submitted to ADB, including the records of final inventory of losses, compensation agreement with APs, and payment records per segment. Upon completion of the compensation for temporary involuntary resettlement impacts, TDM will submit the temporary land access impact and compensation completion report, and engage an independent auditor for external evaluation of the temporary land access impacts and compensation for economic displacement impacts. The independent consultant will submit a post-evaluation of resettlement to TDM, ADB, and JICA.

2. PROJECT DESCRIPTION

2.1. Project Background

The Asian Development Bank (ADB) and the Japan International Cooperation Agency (JICA) (Lenders) are processing potential corporate loans to Thu Dau Mot Water Joint Stock Company ("TDM"), a water utility company based in Binh Duong province, Vietnam for Bau Bang Water Treatment Plant (WTP) expansion project. The project includes the expansion of Bau Bang WTP and the installation of a new 8.3 kilometre (km) raw water transmission pipeline² (hereafter refer to as "the Project").

The Bau Bang WTP is situated in Cay San residential area, Lai Uyen commune-level town, Bau Bang district, Binh Duong province. The raw water pump station and transmission pipeline span across Tru Van Tho commune and Lai Uyen town, Bau Bang district. The Bau Bang WTP has a current capacity of 30,000m³/day, but further upgrade is required given the growing water demand from industries and households, which is expected to reach around 80,000m³/day by 2025 (50,000 m³/day increase for Phase 1 funded by ADB and JICA in 2025, and another 50,000 m³/day increase for Phase 2 in 2028). To address this increased demand, an additional 8.3km pressurized raw water pipeline (mostly parallel with the existing one) with a diameter of 1,500m (D1500) connecting Tru Van Tho Pumping Station to Bau Bang WTP is needed to allow the transmission capacity to increase from 30,000m³/day to 350,000m³/day (allocated for further future expansion). The pipeline will be located along Bau Long stream safety corridor, crossing under provincial and commune-level roads, along an existing 110kV transmission line (TL) corridor (approximately 6.5km), traverse a rubber tree farm along its drainage trench (around 1.4km), and 0.2 to 0.3km planted rubber trees within Bau Bang WTP boundary (see further Section 2.2). As the alignment has subsequently been changed prior to the start of the construction activities, details are discussed in Appendix A. Both the pipeline together with the Bau Bang WTP Expansion Project (Phase 1) will be loaned by ADB and JICA; however, resettlement plan (RP) is only required for the pipeline.

The capacity expansion of the Bau Bang WTP will not require additional land acquisition, as additional facilities for the expansion will be located within the perimeter of existing property of TDM. However, the construction of the pipeline will require temporary access to land that will result in temporary economic displacement impacts. Since the pipeline will be installed along the existing TL, through an agreement between TDM and Vietnam Electricity Company (EVN), affected farmers or owner of structures have no right to refuse the Project's temporary land access during construction. ADB's Safeguards Requirement 2 (involuntary resettlement) is triggered; thus, this Resettlement Plan (RP) has been prepared for this pipeline component. EnviroSolutions & Consulting Pte Ltd (ESC) has been engaged by ADB to undertake the RP for the pipeline, which is the social safeguards document required for the approval of the TDM's Bau Bang WTP expansion project.

This RP was prepared based on the available information at this stage of Project planning, the preliminary survey and inventory of losses by TDM, the census with affected households (AHs), and observations during the site visits. It contains the policies, guidelines, and administrative processes and procedures that TDM will adhere for temporary land access and compensation for involuntary resettlement impacts in relation to the installation of the pipeline.

This RP is consistent with relevant legislation being enforced by the government of Vietnam (GOV), and the 2009 Safeguard Policy Statement (SPS), as well as the other cross-cutting social policy themes of ADB.

² Subsequent to the final alignment determined immediately prior to the commencement of construction activities, the pipeline length was reduced to 8.0km. Details are discussed in Appendix A.

2.2. Description of the Pipeline

The pipeline is proposed to be constructed underground to support the coming expansion of the Bau Bang WTP from 30,000m³/day to 80,000m³/day, located in Bau Bang district, Binh Duong province, Vietnam. The existing Bau Bang WTP and facilities include (1) intake at Phuoc Hoa - Dau Tieng canal, existing D1800 (in operation) and D2500 (which was constructed but not in operation and has been reserved for future expansion) pipelines connecting from the intake to the Tru Van Tho Pumping Station, (2) an existing D800 pipeline from Tru Van Tho Pumping Station to the Bau Bang WTP, and (3) the existing Bau Bang WTP with operation capacity of 30,000m³/day.

The pipeline will be connecting from Tru Van Tho Pumping Station to the Bau Bang WTP, with a diameter of 1,500mm and 8.3km in length, which was later reduced to 8.0km in the final alignment (see Appendix A). The pipeline will be constructed underground by open cut construction method with its top level to be 1.5m below the existing ground (as specified in Document No. 4364 on the pipeline alignment, September 2023). This Project is implemented in Tru Van Tho commune and Lai Uyen town, Bau Bang district, Binh Duong province, Vietnam. The details of the existing facilities and the Project are provided in Table 1 and Figure 1.

Table 1: Existing Facilities and The Pipeline’s Location and Type of Operation

Facility	Location	Type of Operation
Existing Intake gates from Phuoc Hoa - Dau Tieng channel	Tru Van Tho commune, Bau Bang district, Binh Duong province, Vietnam	Extract water from Phuoc Hoa – Dau Tieng channel
Existing intake water pipelines	Span along the length of approximately 1km in Tru Van Tho commune, Bau Bang district, Binh Duong province, Vietnam	Supply raw water by gravity flow from intake gate to Tru Van Tho Pumping Station through two pipelines: D1800 and D2500
Existing Tru Van Tho Pumping Station	Tru Van Tho commune, Bau Bang district, Binh Duong province, Vietnam	Water storage by an equalization basin and pump to Bau Bang WTP
Existing raw water transmission pipeline	Span along the length of approximately 8.3km through Tru Van Tho commune and Lai Uyen town, Bau Bang district, Binh Duong province, Vietnam. The segment travels under 110kV TL owned by Southern Electricity Vietnam (a subsidiary of EVN)	Supply water from Tru Van Tho Pumping Station to Bau Bang WTP through D800 pipeline.
Existing Bau Bang WTP	Lai Uyen town, Bau Bang district, Binh Duong province, Vietnam	Water treatment and storage before distribution to the domestic water system. Main auxiliaries within the WTP including: <ul style="list-style-type: none"> - Raw water storage reservoir - Raw water pump station - Mixing tank - Rapid Filtration Tank - Clean Water Pump Station - Clean Water Storage Tank - Scada Control Room and Chlorine Room - Transformer Station and Power Generator

Facility	Location	Type of Operation
		- Chemical Warehouse - Sludge Drying Field.
The pipeline (additional raw water transmission pipeline)	Span along the length of approximately 8.3km, which was later reduced to 8.0km, through Tru Van Tho commune and Lai Uyen town, Bau Bang district, Binh Duong province, Vietnam	Supply water from Tru Van Tho Pumping Station to Bau Bang WTP through D1500 pipeline for expansion of the Bau Bang WTP.

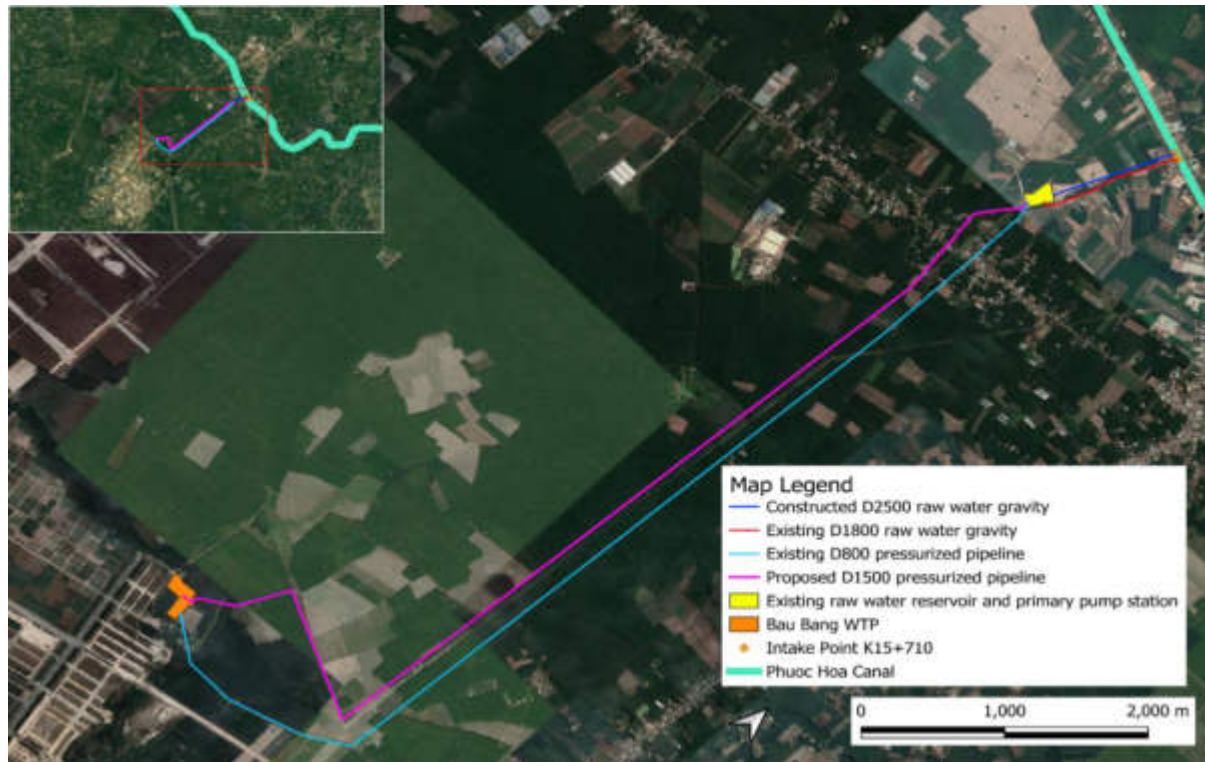


Figure 1: Locations of Bau Bang WTP, the proposed 8.3km pipeline, and associated facilities

Source: ESC 2024

The pipeline connecting Tru Van Tho Pumping Station to Bau Bang WTP is under preparation to be constructed in 2024. The pipeline will span along 8.3km, including three segments (as updated in September 2024):

- Segment 1: Tru Van Tho commune segment with a length of approximately 1.73km. The starting point is at Tru Van Tho pumping station and traverses along Bau Long stream safety corridor (about 551m in length), spanning along the TVT.39 road (about 196m in length), crossing under DT750 provincial road, traversing along the TVT.40 road (about 582m in length) before traveling below the existing 110kV TL to the boundary line of Tru Van Tho commune and Lai Uyen town. This segment is planned to be parallel with the existing D800 pipeline (constructed in 2017) in the last 400m of Segment 1. TDM preliminarily identified about 10 households with land (bare land, garden land, and production land) and non-land assets (i.e., crops and rubber trees) temporarily affected by the pipeline construction in Segment 1
- Segment 2: Lai Uyen town segment with a length of approximately 4.85km. This segment will span under the 110kV TL for about 5km before having a perpendicular turn to Segment 3. This segment is designed to be parallel with the existing D800 pipeline. Agricultural areas under 110kV TL are mainly used for growing short-term crops due to height restriction (i.e., cassava).

TDM preliminarily identified about 11 households having their land, non-land assets (i.e., chicken cage), and/or crops affected by the pipeline construction in Segment 2.

- Segment 3: The final segment in Lai Uyen town, with a 1.7km length, will traverse along a drainage ditch and cross an area mostly covered by rubber trees, then run through rubber plantation within Bau Bang WTP boundary. Part of the pipeline is within the rubber tree areas built within the Bau Bang WTP compound that belongs to TDM. TDM preliminarily identified one household with a rubber plantation affected by the pipeline construction; however, these rubber trees were immature for tapping at the survey time. Regardless maturity status, some rubber trees along the pipeline alignment and construction area need to be felled in Segment 3.

The development status of this pipeline is partially dependent on the agreement between TDM and EVN (owner of land under the 110kV TL safety corridor). Binh Duong Electricity Company (a subsidiary of EVN) has issued an official letter (No. 4364/PCBD-AN dated 8 September 2023) allowing the establishment of Segment 1 and Segment 2. The construction arrangements will be discussed between both parties as EVN will implement upgrading of TL foundations under Segment 1 of the pipeline in 2024. At this stage, the detailed pipeline alignment for Segment 1 was finalised by TDM's Decision No. 130/QD-CPTNTDM dated 21 May 2024 and TDM submitted an official document No. 131/CPNTDM-KHKT dated 22 May 2024 to Tru Van Tho Commune People's Committees (CPC) for approving the final alignment of Segment 1. Tru Van Tho CPC approved the final alignment of this Segment on 8 July 2024 via the document No.72/CV-UBND. For the pipeline sections located in Lai Uyen town (Segment 3), TDM received the approval from Lai Uyen Town People's Committee (TPC) on the pipeline installation (according to the document No. 158/UBND-KT by Lai Uyen TPC dated 11 June 2024). The pipeline segments presented in this section are based on information from May and July 2024, with updates incorporated in September 2024. However, the final segments of the pipeline, which was reduced from 8.3km to 8.0km, are detailed in Appendix A.

2.3. Objective of Resettlement Plan

The main objective of the RP is to document plans to compensate all eligible affected persons (APs) for temporary land access and livelihood impacts, in compliance with ADB SPS requirements and GOV laws and regulations. The RP also serves to document the Project's efforts at avoidance and/or minimization of any adverse involuntary economic displacement and to put in place appropriate commitments and plans regarding entitlement and compensation as mitigation measures for impacts that cannot be avoided.

The RP has been prepared with the following sections:

- Section 2 - Legal Framework: Presentation of the legal and policy framework for land acquisition and resettlement.
- Section 3 - Scope of Temporary Land Access and Impacts: Summary of the Project's potential impacts, the scope of temporary land requirements, and the key effects in terms of assets loss and displaced persons.
- Section 4 - Socio-economic Information and Profile: Summary of the socio-economic conditions in the Project areas and among APs.
- Section 5 - Information Disclosure, Consultation, and Participation: Policies, procedures, and project activities regarding disclosure of information to and consultation with APs.
- Section 6 - Grievance Redress Mechanism: Mechanisms to receive and facilitate the resolution of APs' concerns and grievances.

- Section 7 - Entitlements, Assistance, and Benefits: Eligibility of APs for compensation and assistance and entitlement matrix for compensation and assistance.
- Section 8 - Affected Structures and Income Restoration: Description of livelihood risks related to temporary economic displacement impacts.
- Section 9 - Resettlement Budget and Financing Plan: Procedures for financing and disbursement of funds for temporary land access; summary of the costs for compensation and allowances; and administration of resettlement program.
- Section 10 - Institutional Arrangements: Description of the institutional arrangement responsibilities and mechanism for temporary land access and compensation.
- Section 11 - Implementation Schedule: Schedules for activities to prepare and implement the RP.
- Section 12 - Monitoring and Reporting: Procedures for internal and external monitoring of resettlement plan activities.

2.4. Limitations

The RP has been undertaken using the regulations and laws as they stand at the time of the assessment, along with site observations and socio-economic surveys carried out in August 2023 and May 2024 that Option 2 of segment 1 was adopted. Subsequently, there had been a slight change at Segment 1 from Option 2 to the Final Alignment which was finalized prior to the start of construction activities. Baseline and impact changes are not covered in this report due to cut-off date of the Project details. Discussions on the final alignment and its impacts are detailed in Appendix A.

3. LEGAL FRAMEWORK

TDM has reconciled the requirements from Safeguard Requirements 2 (SR2) of the 2009 ADB's SPS and other cross-cutting policy themes of ADB, and the relevant laws of the GOV, from where the legal and policy framework for the compensation and assistance of APs are formulated.

3.1. ADB Policies

ADB's main environmental and social requirements for its financing are embodied in the Safeguard Policy Statement (SPS) (ADB, 2009). The SPS contains Safeguard Requirements (SR), which the ADB has adopted as requirements that borrowers should meet in addressing environmental and social impacts and risks. The ADB SPS of 2009 consolidates three existing safeguard policies: environment, involuntary resettlement (IR), and Indigenous Peoples (IP).

Given the scope and nature of the Project, A7DB's SPS SR2 on involuntary resettlement is triggered. The objectives of ADB's SPS (2009) with regard to involuntary resettlement are: (i) to avoid involuntary resettlement wherever possible; (ii) to minimize involuntary resettlement by exploring Project and design alternatives; (iii) to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and (iv) to improve the standards of living of the displaced poor and other vulnerable groups.

ADB's SPS (2009) covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) because of: (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers displaced persons whether such losses and involuntary restrictions are full or partial, permanent, or temporary.

The three important elements of ADB's SPS (2009) are: (i) compensation at replacement cost for lost assets, livelihood, and income prior to displacement; (ii) assistance for relocation, including provision of relocation sites with appropriate facilities and services; and (iii) assistance for rehabilitation to achieve at least the same level of well-being with the project as without it. The SPS gives special attention to poor and vulnerable households to ensure their improved well-being as a result of Project interventions.

The ADB Policy on Gender and Development (2006) adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate in, and that their needs are explicitly addressed in the decision-making process for, development activities. The new safeguard policy also reiterates the importance of including gender issues in the preparation of safeguard documents at all stages to ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This includes special attention to guaranteeing women's assets, property, and land-use rights and restoration or improvement of their living standards; and ensuring that women will receive project benefits.

Other policies of the ADB that have bearing on resettlement planning and implementation are Access to Information Policy (2018) and Accountability Mechanism (2012).

- The Access to Information Policy of ADB recognizes that transparency and accountability are essential to development effectiveness. The policy aims to enhance stakeholders' trust in and ability to engage with ADB, thereby enhancing the development impact of ADB's operations. The fundamentals of the policy include proactive disclosure, the presumption in favour of disclosure, right to access and impart information and ideas, country ownership, and limited exceptions.
- The Accountability Mechanism (2012) reflects ADB's philosophy that problem prevention and compliance should be maximized in its operations, and that once problems and

noncompliance occur, they should be addressed promptly at the project and operational levels. The Accountability Mechanism is the “last resort” for dealing with problems and noncompliance that were not prevented or solved at the project and operational levels through audits, evaluations, and learning systems. The Accountability Mechanism complements these systems by serving as a focused mechanism for project-affected people, enhancing ADB’s development effectiveness.

3.2. Compensation and Resettlement Policy of the Government of Vietnam

The Constitution of the Socialist Republic of Vietnam (2013) confirms that ownership and protection of ownership of citizens of their houses. However, because land in Vietnam belongs to the population as a whole and is administered by the state on the public’s behalf, citizens and organizations rely upon land-use rights, but do not own land.

Tenure rights in Vietnam are essentially usufruct rights, meaning that right holders may use land, but cannot own it. Use rights include the right to a state-issued land-use right certificate (LURC), which entitles holders to sell, rent, exchange, mortgage and bequeath their use rights, and to exclude others from the land. The state may grant use rights, and users may also legally acquire use rights through lease, inheritance or grant from a family member and purchase. LURCs are necessary for formal state recognition of a user’s rights and for secured tenure, formal land transactions, access to formal credit and legal protection of land-use rights. The law allows the state to acquire land used by citizens for a wide range of purposes, including national defence and security, national interest, public interest, and economic development.

Several categories of legal entities may acquire land-use rights. The state can grant use rights either through allocation or lease, and some rights may require the user to pay fees or rent. By law, categories of “land users” include:

- Domestic organizations (e.g., political organizations and units of the People’s Armed Forces), which are allocated land by, lease land from or have land-use rights recognized by the state;
- Economic organizations that receive land-use rights by transfer;
- Communities of citizens whose use rights are allocated or recognized by the state;
- Domestic households and individuals, who are allocated land by the state, lease land from the state, have land-use rights recognized by the state or receive a transfer of such rights;
- Religious establishments, which receive land-use rights through state allocation or recognition;
- Foreign organizations with diplomatic functions, to which the state may lease land;
- Certain Vietnamese residing overseas, to whom the state may allocate or lease land; and
- Foreign organizations and individuals investing in Vietnam, to whom the state may lease land.

The Government has issued several laws, decrees, and regulations to form the legal framework for land acquisition, assistance, compensation, and resettlement. Primary documents include:

- Land Law 2013 (No. 45/2013/QH13), effective on 1 July 2014
- Law on Public Investment 2014 (No. 49/2014/QH13), effective on 1 January 2014
- Decree No. 01/2017/ND-CP dated 1 June 2017 on amendment and supplement some contents of the decrees guiding the implementation of Land Law
- Decree No. 43/2014/ND-CP dated 15 May 2014 of GOV on detailing a few articles of the Land Law No. 45/2013/QH13, effective on 1 July 2014
- Decree No. 44/2014/ND-CP dated 15 May 2014 of GOV on land prices

- Decree No. 46/2014/ND-CP dated 15 May 2014 of GOV on collection of land rent and water surface rental
- Decree No. 47/2014/ND-CP dated 15 May 2014 of GOV on compensation, support and resettlement upon land recovery by the State
- Decree No. 136/2015/ND-CP dated 31 December 2015 of the GOV on guidelines for implementation of a number of Articles of the Law on Public Investment
- Decree No. 01/2017/ND-CP dated 6 January 2017 on amendment and supplement of a number of Articles of the Decree detailing regulations on implementation of the Land Law
- Decree No. 14/2014/ND-CP dated 26 February 2014 on detailed regulations on implementation of the Electricity Law on electricity safety
- Decree No. 43/2015/ND-CP dated 6 May 2015 on management and establishment of water source protection corridors.
- Circular No. 30/2014/TT-BTNMT dated 2 June 2014 of the Ministry of Natural Resources and Environment (MONRE) regulating profiles for land allocation, land lease, land use purpose transfer, and land acquisition
- Circular No. 36/2014/TT-BTNMT dated 30 June 2014 of MONRE on land pricing method; compilation of and adjustment to land price lists; determination of specific land prices and consultancy on land pricing
- Circular No. 37/2014/TT-BTNMT of MONRE dated 30 June 2014 on compensation, support and resettlement upon land recovery by the State
- Circular No. 02/2015/TT-BTNMT dated 27 January 2015 regulating aspects of Decree No. 43/2014/ND-CP and Decree No. 44/2014/ND-CP dated 15 May 2014

Decrees relating to protection and preservation of cultural property include Decree No. 98/2010/ND-CP dated 21 September 2010 on detailed regulations for implementation of some articles of the Law on Cultural Heritage and the Law on editing and supplementing some articles of the Law on Cultural Heritage requiring that sites currently recognized as cultural and historical vestiges, should be kept intact according to current legal regulations.

Documents relating to complaints and complaint redress mechanisms include Complaints Law 02/2011/QH13 dated 11 November 2011; and Decree No. 75/2012/ND-CP dated 3 October 2012 on specific provisions some articles of the Complaints Law.

In addition, there are some other regulations applied to the Project, promulgated by Binh Duong Province People's Committee (PPC), such as:

- Decision No. 51/2014/QD-UBND dated 18 December 2014 by Binh Duong PPC on promulgating compensation, assistance, and resettlement policy when land is acquired by the State in Binh Duong province.
- Decision No. 04/2017/QD-UBND dated 17 February 2017 of Binh Duong PPC on adjusting the price unit for types of land in the territory of Binh Duong province. This Decision takes effect from 3 March 2017 and replaces Decision No. 66/2015/QD-UBND dated 23 December 2015.
- Decision No. 03/2018/QD-UBND dated 9 February 2018 of Binh Duong PPC on amending and supplementary some articles of Decision No. 25/2015 dated 22 July 2015 on promulgating price units for compensation and assistance for affected assets on land in the territory of Binh Duong province.

- Decision No. 36/2019/QĐ-UBND dated 20 December 2019 of Binh Duong PPC on land price sheet in Binh Duong province, applicable to the five-year period (2020 - 2024). This Decision takes effect from 1 January 2020 and replaces Decision No. 32/2018/QĐ-UBND dated 20 December 2018.
- Decision No. 02/2023/QĐ-UBND dated 19 January 2023 of Binh Duong PPC on regulating the land price adjustment coefficient in 2023 in Binh Duong province. This Decision takes effect from 1 February 2023.
- Decision No. 09/2023/QĐ-UBND dated 13 April 2023 of Binh Duong PPC on regulating the unit price of compensation and assistance for affected assets when land is acquired by the State in Binh Duong province. This Decision takes effect from 1 May 2023 and replaces Decision No. 38/2019/QĐ-UBND dated 20 December 2019.

3.3. Gaps Analysis between ADB's SPS and National Policies

The resettlement and compensation policies applied for the Project are to be in accordance with the ADB's requirements and laws of the GOV. Under the ADB policy, it is a condition of funding that the Bank's requirements are met in relation to resettlement, compensation and rehabilitation to all AHs as defined in SPS SR2. The GOV's policies and practices both in resettlement and compensation are mostly compatible with the ADB's policy on involuntary resettlement. The most compatible domains are as follows:

- The GOV has procedures that allow compensation for losses of land without legal land use rights but possibly satisfy conditions of land legalization.
- There will be mechanism to assist APs during the transition period and keep people informed so that they can negotiate for compensation and voice their grievances.
- For the Project APs who are not entitled to the compensation, the GOV has support policies in accordance with the ADB policy to help them restore their livelihood.

Besides the compatible points, there are several differences between the GOV's regulations and ADB's policies in terms of compensation, assistance resettlement, and livelihood rehabilitation for APs. Some key differences remain:

- SPS requires conducting meaningful consultation with APs, host communities and concerned non-governmental organisation during the resettlement and compensation process. There is no specific requirement on consultation with host communities by the government regulations.
- SPS requires that displaced persons without titles (legal rights) to land be provided with resettlement assistance and compensated for loss of non-land assets (constructed before the cut-off date). On the other hand, the Land Law does not allow compensation of land-attached assets that are illegally established (Article 92, Land Law 2013). Moreover, structures (land-attached assets) are not compensated based on the value of a new structure, except for structures used for residential purposes (Article 89.2, Land Law 2013).
- SPS requires conducting social impact assessment to identify poor and other vulnerable groups who may be disadvantaged and disproportionately affected by land acquisition for the purpose of implementing measures to assist them. The Land Law does not clearly require projects to identify displaced poor and other vulnerable groups that are impacted by a development project and to implement measures to assist them.
- SPS requires the conduct and disclosure of monitoring and evaluation of resettlement activities. For projects with significant involuntary resettlement impacts, the project is

required to hire an independent external monitoring agency. In the Land Law, monitoring and evaluation is required in a more general term and includes all aspects of the implementation of the Land Law (Article 200, Land Law 2013). There is also no requirement for independent monitoring for projects with significant involuntary resettlement impacts.

The summary of differences between the two policies and a proposed harmonizing policy to be approved for basic principles of compensation and assistance and resettlement for this project, is presented in Table 2.

Table 2: Comparison of the GOV and ADB’s Policies related to Compensation, Support, and Resettlement

No	Issues	SPS 2009	Land Law 2013 and Relevant Regulations	Gaps	Notes (Regulations in Vietnamese Laws)	Project Measures
Screening						
1	Screening	Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks (Principle 1, Involuntary Resettlement Safeguards)	There is no regulation on screening the project early on to identify past, present, and future involuntary resettlement impacts and risks	No screening of projects in terms of significance of involuntary resettlement impacts, with corresponding requirements for degree of preparation, implementation, and monitoring.	The areas and locations of the land to be recovered to implement socioeconomic development projects should be assessed in the district annual land use plan (Article 40, Clause 4, Item c, Land Law 2013).	The Project shall be screened and categorized according to the degree of involuntary resettlement impacts.
2	Information disclosure	Disclose monitoring reports (Principle 12, Involuntary Resettlement Safeguards)	No requirement on disclosure of monitoring reports.	Disclosure of monitoring reports is not required by the Government regulations.	Other requirements of disclosing information on land acquisition planning and detailed compensation plan is equivalent to these for disclosing Project Information Brochure (PIB)/RP in the SPS	<p>Disclose the RP including documentation of the consultation process in a timely manner in an accessible place and a form and language(s) understandable to APs and other stakeholders.</p> <p>Disclose the final RP and its updates to APs and other stakeholders.</p> <p>Disclose monitoring and evaluation of resettlement activities.</p>

No	Issues	SPS 2009	Land Law 2013 and Relevant Regulations	Gaps	Notes (Regulations in Vietnamese Laws)	Project Measures
3	Public consultation	Carry out meaningful consultation with the APs, host communities and concerned non-government organizations. Support the social and cultural institutions of displaced persons and their host population. (Principle 2, Involuntary Resettlement Safeguards)	There is no requirement on consultation with host communities and support to their social and cultural institutions by the Government regulations.	There is no requirement on consultation with host communities and support to their social and cultural institutions by the Government regulations.	<p>Public consultation (including affected land users) starts with the preparation of the district-level land use plan (Article 43 of Land Law 2013).</p> <p>The organisation in charge of compensation and ground clearance shall coordinate with the commune-level People's Committee in the locality to conduct consultations on the plans for compensation, support, and resettlement in the forms of meetings with land users living in the recovered area (Clause 2, Article 69 Land Law 2013 and Article 28, Decree No. 47/2014/ND-CP).</p> <p>Other requirements of consultation with AHs are equivalent to these for meaningful consultation in the SPS</p>	Participatory consultations will include non-government organizations, host communities and civic organizations. The Project will provide PIB written in language largely understand by APs.
4	Participation	Paying particular attention to the vulnerable groups and ensure their participation in consultations (Principle 2, Involuntary Resettlement Safeguards)	No requirement	<p>There is no requirement on paying particular attention to the vulnerable groups and ensure their participation in consultations under the Vietnamese Laws.</p> <p>Households headed by females with young dependents; households headed by disabled, children, or elderly; and ethnic minority are not considered as vulnerable under the Government regulations.</p> <p>In case of land recovery, there is no explicit requirement to identify vulnerable groups and to propose and implement targeted measures to assist them.</p>	Other requirements of having participation of AHs and communities are equivalent to these for meaningful consultation in the SPS	<p>The Project shall include participation of vulnerable groups in consultations.</p> <p>Vulnerable group includes female headed households with dependents, disabled household heads, households falling under the generally accepted indicator for poverty, children and the elderly households who are landless and with no other means of support, landless households, and Indigenous Peoples or ethnic minorities.</p>

No	Issues	SPS 2009	Land Law 2013 and Relevant Regulations	Gaps	Notes (Regulations in Vietnamese Laws)	Project Measures
Implementation						
5	Compensation for agricultural land: Compensation principle	Adequate and appropriate replacement land OR compensation at full replacement cost for the affected area (Paragraph 8, Appendix 2).	The compensation must be made in the form of allocating new land with the same land use purpose with the recovered land. If there is no land available for compensation, the land users shall receive compensation in cash calculated according to the specific land price (Article 74 of Land Law 2013). Deduction of areas or amounts owed to the State by the land users for land levies, land rent, and water surface rent from the compensation for land and remaining land-related investment expense (Article 30, Decree 47/2014/ND-CP).	Deduction of areas or amounts owed to the State by the land users for land levies, land rent, and water surface rent from the compensation for land and remaining land-related investment expense - while the ADB SPS does not make any specific statement regarding the deduction of taxes and rents, the deductions can make it difficult for (i) the compensation rate to be replacement cost; and for (ii) project affected households and individuals to restore livelihoods of APs to pre-project levels which is one of the objectives of the ADB SPS on Involuntary Resettlement Safeguards.		The Project shall perform adequate and appropriate replacement land or compensation at full replacement cost for the affected area.
	Agricultural land without land use right certificates (LURC) or ineligible for LURC	No compensation for the affected land Non-land assets shall be compensated at replacement cost. (Paragraph 7 and Paragraph 8, Appendix 2)	For agricultural land which has been using before 1 July 2004 (without LURC or ineligible for LURC) compensation for the land area which is actually used and does not exceed the agricultural land allocation quota (Clause 2, Article 77 of Land Law 2013).	In Vietnamese Laws, compensation is made for agricultural land which has been using before 1 July 2004 (without LURC or ineligible for LURC).		The absence of legal rights of APs on the acquired land is not a hindrance to receiving compensation for other assets and for rehabilitation assistance.

No	Issues	SPS 2009	Land Law 2013 and Relevant Regulations	Gaps	Notes (Regulations in Vietnamese Laws)	Project Measures
6	Compensation for residential land	Compensation at full replacement cost for the affected area (Paragraph 10, Appendix 2).	<p>Compensation at specific land price. PPC determines specific land price. Provincial level land agency is entitled to hire organizations having consultancy functions for advising on the determination of specific land prices.</p> <p>The determination of specific land price must be based on the investigation, collection of information about land parcels, market land prices and information on land price in land database; based on suitable valuation methods (Clause 3, Article 114 of Land Law 2013).</p> <p>Deduction of areas or amounts owed to the State by the land users for land levies, land rent from the compensation for land and remaining land-related investment expense (Article 30, Decree 47/2014/ND-CP)</p>	<p>Deduction of areas or amounts owed to the State by the land users for land levies and land rent, the compensation for land and remaining land-related investment expense - while the ADB SPS does not make any specific statement regarding the deduction of taxes and rents, the deductions can make difficult for (i) the compensation rate to be replacement cost; and for (ii) project affected households and individuals to restore livelihoods of APs to pre-project levels which is one of the objectives of the ADB SPS on Involuntary Resettlement Safeguards</p>		Compensation at full replacement cost for the affected area

No	Issues	SPS 2009	Land Law 2013 and Relevant Regulations	Gaps	Notes (Regulations in Vietnamese Laws)	Project Measures
7	Compensation for houses and other structures	Compensation at full replacement cost for the affected portion and depreciation of structures and assets should not be taken into account (Paragraph 10, Appendix 2)	Compensation for actual damage equal to the value of newly constructed area. (Article 89 of Land Law 2013) Depreciation of structures and assets is taken into account (Article 9 of Decree 47/2014/ND-CP)	The use of depreciation in compensating land-linked houses and construction works in Article 9 of Decree No. 47/2014/ND-CP - among the requirements of the ADB SPS SR2 Policy Principle 3 is prompt compensation at full replacement cost for assets that cannot be restored. Replacement cost is a method of valuation that does not take into account of depreciation (ADB SPS, Appendix 2, Paragraph 10).		Compensation at full replacement cost for the affected portion and depreciation of structures and assets should not be taken into account

No	Issues	SPS 2009	Land Law 2013 and Relevant Regulations	Gaps	Notes (Regulations in Vietnamese Laws)	Project Measures
	Illegally constructed houses/structures affected	Illegally constructed houses/structures that exist prior to the cut-off date are eligible for compensation at replacement cost (Paragraph 8, Appendix 2).	No compensation for assets which are illegally created or created after the notice of land recovery is issued (Clause 2, Article 92, Land Law 2013).	Articles 92 and 65 of the Land Law list houses and land-attached built facilities or construction works as ineligible for compensation. The owners of these houses and construction workers violated the Land Law by not using the land for purposes for which it has been allocated or leased and have continued to do so even after administratively sanctioned by the State; have intentionally damaged the land; have transferred or donated the land when transfer or donated; or have allowed land allocated by the State for their management to be encroached or occupied. Meanwhile, according to SPS's requirements, illegally constructed houses/structures that exist prior to the cut-off date are eligible for compensation at replacement cost.		Illegally constructed houses/structures that exist prior to the cut-off date are eligible for compensation at replacement cost

No	Issues	SPS 2009	Land Law 2013 and Relevant Regulations	Gaps	Notes (Regulations in Vietnamese Laws)	Project Measures
8	Compensation and assistance for affected production and business	Affected business owners are entitled to: (i) the costs of reestablishing commercial activities elsewhere; (ii) the net income lost during the transition period; and (iii) the costs of transferring and reinstalling plant, machinery, or other equipment. (Paragraph 12, Appendix 2)	There is no provision for compensating unregistered businesses for income losses due to business disruption under the Government's regulations	There is no provision for compensating unregistered businesses for income losses due to business disruption under the Government's regulations.	Cash assistance for production stabilization is no more than 30% of one-year's after-tax incomes, calculated according to the average level of the last three years. (Clause 4, Article 19, Decree No. 47/2014) Compensation for damage caused by production and business disruption (Article 88, Land Law 2013) Assistance for job disruption for labourers under labour contracts (Clause 6, Article 19, Decree No. 47/2014) The damage caused during the process of dismantlement, transportation and installation must also be compensated. PPC shall prescribe specific support levels, duration, periodic support payments to suit the local realities (Article 91, Land Law 2013 and Clause 7, Article 19, Decree No. 47/2014).	The Project shall apply the 2009 ADB SPS requirements on compensation and assistance for affected business owners, including: (i) the costs of reestablishing commercial activities elsewhere; (ii) the net income lost during the transition period; and (iii) the costs of transferring and reinstalling plant, machinery, or other equipment.
9	Loss of employment	Compensation for loss of income and assistance to restore income-earning capacity (Paragraph 12, Appendix 2)	Assistance for job disruption for labourers under labour contracts (Decree No. 47/2014 Article 19 Clause 6)	In the SPS, it requires "compensation for loss of income and assistance to restore income earning capacity", while the Government's regulations just require "assistance" for the job-disruption.	PPC shall specify the level of assistance for labourers who have labour contract.	The Project shall apply the 2009 ADB SPS requirements on compensation for loss of income and assistance to restore income-earning capacity.

No	Issues	SPS 2009	Land Law 2013 and Relevant Regulations	Gaps	Notes (Regulations in Vietnamese Laws)	Project Measures
10	Assistance for vulnerable households	Vulnerable groups include households below the poverty line, the landless, the elderly, female headed households, women and children, Indigenous Peoples, and those without legal title to land (Paragraph 28, Appendix 2)	There is no provision on definition of “vulnerable groups” and paying particular attention on the groups.	There is no provision on definition of “vulnerable groups” and require projects to identify displaced poor and other vulnerable groups. The SPS has a broader description of vulnerability and requirement to improve their living standards.		Vulnerable group includes female headed households with dependents, disabled household heads, households falling under the generally accepted indicator for poverty, children and the elderly households who are landless and with no other means of support, landless households, and Indigenous Peoples or ethnic minorities. The Project will pay particular attention to the need of vulnerable groups during consultations and impacts on vulnerable groups will be paid attention when establishing grievance redress mechanism.
		The need of vulnerable HHs will be paid particular attention during consultations (Paragraph 28, Appendix 2) and impacts on vulnerable groups will be paid attention when establishing grievance redress mechanism. (Paragraph 29, Appendix 2)	No requirement for paying attention to vulnerable groups			Livelihood assistance/support for vulnerable AHs will be implemented through the Project's livelihood restoration program.

No	Issues	SPS 2009	Land Law 2013 and Relevant Regulations	Gaps	Notes (Regulations in Vietnamese Laws)	Project Measures
11	Gender	During the identification of the impacts of resettlement and resettlement planning, and implementation, gender concerns will be paid adequate attention, including specific measures addressing the need of female headed households, gender-inclusive consultation, information disclosure, and grievance mechanisms, to ensure that both men and women receive adequate and appropriate compensation for their lost property and resettlement assistance, if required, as well as assistance to restore and improve their incomes and living standards (Paragraph 18, Appendix 2)	There is no specific requirement for gender issues during the implementation of land acquisition, compensation, assistance, and resettlement under the Government's regulations.	There is no specific requirement for gender issues during the implementation of land acquisition, compensation, assistance, and resettlement under the Government's regulations.	Full names of both husband and wife must be specified in LURC if the land is under the mutual ownership (Clause 4, Article 98, Land Law 2013)	The Project shall apply the 2009 ADB SPS requirements on considering gender concerns during the identification of the impacts of resettlement and resettlement planning.

12	Grievance redress	A mechanism will be established to receive and facilitate the resolution of APs' concerns and grievances about physical and economic displacement and other project impacts, paying particular attention to the impacts on vulnerable groups. (Paragraph 29, Appendix 2)	There is no provision on project's level grievance redress mechanism (GRM).	No regulation of Vietnamese Laws on Project Level GRM, particularly "inform to APs on the GRM".	<p>Steps, procedures for grievance redress that related to land and administrative decisions shall follow the steps and procedures regulated by the Law on Grievance (Article 204, the Land Law 2013)</p> <p>Grievances against staff of land management agencies on land management, including land acquisition - may be sent to the competent agencies depending on the nature of grievances and administrative level that the staff works for (Clause 1, Article 209 of Land Law 2013).</p> <p>Within 30 days after receiving a grievance, chairperson of the People's Committee or the head of the land administration agency shall settle the grievance and respond to the complainant (Clause 2, Article 209 of Land Law 2013).</p> <p>If does not agree with the administration decisions (for example, decision on land recovery, decision on compensation, assistance, and resettlement), complainant can lodge first grievance directly to the person who made that decision or send the grievance to the court (Article 7 of Law on Grievances).</p> <p>Within 10 days of receiving the grievance, the person or agency who made the decision shall acknowledge of receiving the grievance. Within 30 days (or 45 days for the complex cases), response/decision shall be made to the complainant (Articles 27 and 28 of Law on Grievances).</p>	<p>An effective GRM in compliant with the Complaint Law will be established and disseminated to the stakeholders. Complaint fees are the responsibilities of the Project owner. The grievance mechanism may include the following:</p> <ul style="list-style-type: none"> - Different ways in which users can submit their grievances, which may include submissions in person, by phone, text message, mail, e-mail or via a web site. - A logbook where grievances are registered in writing and maintained as a database. - Publicly advertised procedures, setting out the length of time users can expect to wait for acknowledgment, response, and resolution of their grievances. - Transparency about the grievance procedure, governing structure, and decision makers.
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					<p>If the complaint is not satisfied with response/decision or the person/ agency does not respond within the provided time period; within 30 days counting the date that the person/agency must respond but not respond - complaints can lodge the second grievance directly to the head of the person/agency who made the decision or send the grievant to the court (Article 7 of Law on Grievances).</p> <p>Within 10 days of receiving the grievance, the head of the person or agency who made the decision shall acknowledge of receiving the grievance. Within 45 days (or 60 days for the complex cases), response/decision shall be made to the complainant by the head of the person/agency who made the decision (Articles 27, 28, 33, 37 of Law on Grievances).</p> <p>If the complaint is not satisfied with response/decision or the head of the person/ agency does not respond within the provided time period, the complainant can lodge the case to the court.</p> <p>In case the decision made by the chairman of PPC, the first grievance shall be sent directly to the chairman of the PPC or sent to the court. The chairman of PPC has 30 days to respond. If the complainant is not satisfied with the respond or the chairman of PPC does not respond to the case, complainant can lodge the second grievance to the Minister of relevant sectors or send to the court. The Minister has 45 days to</p>	
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No	Issues	SPS 2009	Land Law 2013 and Relevant Regulations	Gaps	Notes (Regulations in Vietnamese Laws)	Project Measures
					respond to the case (Articles 7 and 38 of Law on Grievances).	
		APs will be informed about the mechanism. (Para. 29, Appendix 2)	No provision			
13	Monitoring	Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved (Principle 12, Involuntary Resettlement Safeguards).	There is no specific requirement to monitor and evaluate the resettlement outcomes and impacts on the standards of living of displaced persons under the Government's regulations.	There is no specific requirement to monitor and evaluate the resettlement outcomes and impacts on the standards of living of displaced persons under the Government's regulations.	Monitoring and evaluation are required in a more general term and includes all aspects of the implementation of the Land Law (Article 33 of Decree No. 47/2014/NĐ-CP) Develop a system for monitoring and evaluation on land management and land use including land pricing, land recovery, settlement of disputes, etc. to be sent periodically to the government and the National Assembly (Article 200 of Land Law 2013).	Mechanism for resettlement monitoring and evaluation shall be established. An internal monitoring mechanism engaged to implement monitoring activities of the Project and an external expert will be engaged to audit the completion of the RP implementation.
		For projects with significant involuntary resettlement impacts, external experts or NGOs are required to conduct monitoring on RP implementation (Paragraph 30, Appendix 2).	No requirement for independent monitoring for projects with significant involuntary resettlement impacts.	For projects with significant impacts, there is also no requirement for engaging an external expert to monitor.		

No	Issues	SPS 2009	Land Law 2013 and Relevant Regulations	Gaps	Notes (Regulations in Vietnamese Laws)	Project Measures
		Monitoring indicators will be specified in the RP for internal and external monitoring and reporting (Paragraph 31, Appendix 2).	No monitoring indicators indicated	There is no mention in Vietnamese Laws on monitoring indicators		

3.4. TDM's Land Acquisition Policy

TDM developed and issued a Land Acquisition Policy on 11 November 2023, setting out regulations for land acquisition and resettlement as follows:

- Avoid or minimize the need for land acquisition, or any effects on other assets and resettlement of residents;
- All residents' living, working, conducting business, or cultivating within the project area will be provided with comprehensive measures to restore their livelihoods, ensuring support to improve or maintain their living standards and income generation capabilities as before the project. The lack of legal documents regarding the affected assets will not hinder the residents from receiving these measures to restore their livelihoods;
- The land acquisition plan, compensation, and support plan must be implemented with the consultation and participation of APs and local communities to minimize disruptions. The rights and benefits should be provided to the APs prior to impact in each respective project area;
- Existing public services must be maintained or improved to a higher standard;
- Financial and material resources for resettlement need to be prepared and readily available to meet the requirements;
- The implementing organization will ensure effective and timely design, planning, consultation, and implementation of the resettlement action plan;
- Timely and effective monitoring, supervision, and evaluation of the implementation of the resettlement action plan will be conducted;
- All individuals affected by the project who have assets or reside in the area subject to land acquisition for the project, before the survey closure date, have the right to compensation or assistance for their losses. Those who have lost income and/or livelihoods will receive support for livelihood restoration based on reasonable criteria set by the project, taking into account the opinions of AHS. If the livelihoods of AHs have not been fully restored to pre-project levels by the end of the project, additional measures will be considered;
- TDM will aim to prioritise "willing-seller willing-buyer" or negotiated settlement with AHs. In cases where negotiated settlement could result in expropriation if negotiations fail, TDM should make best efforts to supplement the government-led land acquisition process to achieve compensation for loss of assets at full replacement value and the creation of livelihood programs which ensure that displaced persons are able to restore livelihoods to pre-displacement levels following any impacts from TDM's developments;
- Agricultural land or land that supports livelihoods will be compensated through either a "land-for-land" method or cash compensation, depending on the choice of APs and the availability of land funds in the local area. The option of "land-for-land" must prioritize those who have lost 10% or more of their agricultural land (including vulnerable households). Loss of assets should be replaced with access to assets of equal or higher value or compensated at full replacement costs;
- The affected individuals must be provided with resettlement arrangements for their housing, as prescribed. Land-affected households will be compensated in cash based on the full replacement value of the acquired land;

- Compensation will be provided for all residential, commercial, or other affected structures at the full replacement value, for the entire affected houses/buildings;
- APs will receive relocation assistance i.e. support for the transportation of personal belongings and assets to their new place of residence, in addition to compensation for full replacement costs of housing, land, and other assets;
- The decision to acquire land will be communicated to the APs by the competent state authority, with at least notification period of 90 days for agricultural land and 180 days for non-agricultural land. The notification will include details of the land acquisition plan, investigation, surveying, measuring, counting, etc;
- The handover of the land will be carried out within 30 days from the date the APs receive full compensation or support for their affected assets;
- Community services and resources in the resettlement areas will be maintained or improved better compared to the pre-relocation level;
- Temporary resettlement: Efforts should be made to avoid multiple relocations for APs as it would double or even further impact them and delay their livelihood recovery. If multiple relocations occur, the APs should be considered for additional support equivalent to multiple moves. Temporary resettlement, if any, should only be carried out in cases where the project management board verifies that temporary resettlement is unavoidable due to the following reasons:
 - APs have been relocated to the city's resettlement area before the handover of land for the project, but the resettlement area is not yet completed.
 - APs have houses that need to be reconstructed or repaired, requiring temporary resettlement during the construction/repair period.
 - APs voluntarily choose temporary resettlement while searching for new housing.

3.5. Project Resettlement Policy

Based on TDM's existing land acquisition policy, a Project-specific resettlement policy has been developed to extend benefits to all APs and address the discrepancies between ADB SPS and relevant GOV regulations as described in the gaps analysis above.

- Involuntary resettlement and impacts on land, structures, and other fixed assets will be avoided where feasible or minimized by identifying among possible alternative project designs and solutions that have the least adverse impacts on the population in the Project area.
- Meaningful consultation will be carried out with APs and concerned groups and ensure participation from planning up to implementation. Particular attention is paid to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, Indigenous Peoples, and those without legal title to land, and their participation in consultations will be ensured. The comments and suggestions of APs and communities will be considered.
- The compensation will be made as per the full replacement cost of the lost non-land assets. This includes fair market value, transaction costs, interest accrued, transitional and restoration costs, and any other applicable payments, if any. Depreciation of assets and structures will not be taken into account for replacement cost. All compensation will be fully paid to APs prior to the beginning of civil works or any impact.
- Negotiated settlement with AHs will be prioritised during temporary land access. TDM will let the farmers harvest the crops before starting the construction in the specific site, but in the event that the crops are not mature to be harvested and farmers will experience involuntary

economic displacement, TDM will compensate based on replacement cost. TDM should ensure to compensate for the loss of assets at full replacement value and the creation of livelihood programs that ensure that significantly impacted and vulnerable APs and AHs that will require period of time to re-establish the perennial trees affected by the Project are able to restore livelihoods to pre-displacement levels following any impacts from TDM's developments.

- Financial and other assistance will be provided for significantly affected and vulnerable APs to help them restore socio-economic conditions. Significantly affected APs are those that lose 10% or more of business income or other productive assets; and those that must relocate to new residential or commercial land. Vulnerable APs include those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples. Vulnerable APs will be subject to analysis of census results and consultation with the affected parties.
- Notification is required 30-45 days before construction commencement.
- Damaged assets will be promptly restored to pre-project conditions by the contractor to ensure the safety of AHs.
- Resettlement identification, planning, and management will ensure that gender concerns are incorporated.
- A GRM with representation of all stakeholders will be established and functional.
- Appropriate reporting, monitoring, and evaluation mechanisms will be identified and set in place as part of the RP.

4. SCOPE OF TEMPORARY LAND ACCESS AND IMPACTS

In this section, the potential social impacts resulting from the Project interventions are presented. It is confirmed that there is no physical displacement. No impacts on cultural heritage and Indigenous Peoples are identified. The impacts on the APs caused by the Project include temporary impacts on land access, livelihoods (trees and crops), structures, and access restrictions. Details of the land and other assets lost in the Project are comprehensively considered and included in the updated RP upon the completion of DMS.

4.1. Measures to Minimize Land Acquisition

Minimizing resettlement impacts is highly emphasized by TDM. As specified in the land acquisition policy by TDM (see ANNEX 4), measures to reduce negative impacts are implemented through feasibility studies, design options, and mitigation measure implementation.

According to the feasibility study for the Bau Bang Water Supply System with an upgraded capacity of 350,000m³/day (TDM, 2023), the pipeline was initially designed with three segments, to be constructed along the existing D800 connecting from Tru Van Tho Pumping Station to the Bau Bang WTP and along an existing 110kV TL corridor (6.3km) before traversing a rubber tree farm along its drainage trench (2km). The construction of the pipeline Segment 1 would directly affect at least five households with residential lands and temporary structures (according to the TDM report 14/BC-CPNTDM-KHKT dated 1 December 2023) and approximately 19 households with affected land and assets within the 110kV TL safety corridor.

To minimize the impacts of land acquisition on local people and the environment, TDM changed the alignment for Segment 1 by the Decision No. 130/QD-CPTNTDM dated 21 May 2024 (Option 2). Accordingly, the pipeline is designed to be constructed along Bau Long stream safety corridor before diverting to the commune road TVT.37, the provincial road DT750, and the commune road TVT.38. As updated by TDM in September 2024, the pipeline alignment was slightly different, crossing the roads: TVT.39 and TVT.40, instead of TVT.37 and TVT.38. The pipeline will then be installed along an existing 110kV TL corridor in the last 400m of Segment 1. Table 3 and Figure 2 depicts two alternative alignments for Segment 1 of D1500 route: Option 1 and Option 2.

Subsequently, there had been a slight change at Segment 1 from Option 2 to the final alignment which was finalized prior to the start of construction activities. Discussions on the final alignment and its impacts are detailed in Appendix A. The comparison between Option 2 and final alignment are detailed in Appendix A.

Table 3: Comparison between D1500 Pipeline Alignment Options

Segment	Option 1: Feasibility Study (2023)			Option 2 : Decision No. 130/QD-CPTNTDM (21 May 2024) ³		
	Alignment	Length (m)	No. of estimated AHs	Alignment	Length (m)	No. of estimated AHs
Segment 1: Pumping Station - Benchmark No.36						
Sub-segment 1.1	Under 110kV TL	6,300	At least five (05) households with residential land and temporary structures	The pipeline will be installed along the safety corridor of the	551	Five (05) households affected by temporary land access

³ As updated by TDM in September 2024, the latest pipeline alignment will be implemented onsite slightly different from the routes settled by Decision No. 130/QD-CPTNTDM dated 21 May 2024. In other words, the pipeline alignment will cross the roads: TVT.39 and TVT.40, instead of TVT.37 and TVT.38 as specified in the Decision No. 130/QD-CPTNTDM.

Segment	Option 1: Feasibility Study (2023)			Option 2 : Decision No. 130/QD-CPTNTDM (21 May 2024) ³		
	Alignment	Length (m)	No. of estimated AHs	Alignment	Length (m)	No. of estimated AHs
			in the first 600 meters from Tru Van Tho Pumping Station before crossing DT750 (following TDM's report No. 14/BC-CPNTDM-KHKT dated 1 December 2023) In addition, 19 households were identified by TDM as having land and assets within the 110kV TL safety corridor based on the agreement between TDM and AHs.	Bau Long stream to one local household (Hamlet 2 of Tru Van Tho commune).		
Sub-segment 1.2				The pipeline will run from one local household, along the centre of TVT.39 road to DT750.	196	This is a public road, and no household is affected by temporary land access.
Sub-segment 1.3				From DT750, the pipeline will extend along the road centre to the end of TVT.40.	582	No household affected by temporary land access.
Sub-segment 1.4				The pipeline will be installed in parallel with the existing pipeline D800 under the 110kV TL.	400	Five (05) households affected by temporary land access
Segment 2: Benchmark No.36 - No.144	Under 110kV TL		No information on AHs available	The pipeline will be installed under 110kV TL.	4,852	11 households affected by temporary land access
Segment 3: Benchmark No.144 to Bau Bang WTP	Traverse along drainage ditch and rubber trees	2,000	No information on AHs available	The pipeline traverses along drainage ditch (550m in length) and rubber plantation (1,000m in length)	1,417	One (01) household affected by temporary land access

Segment	Option 1: Feasibility Study (2023)			Option 2 : Decision No. 130/QD-CPTNTDM (21 May 2024) ³		
	Alignment	Length (m)	No. of estimated AHs	Alignment	Length (m)	No. of estimated AHs
Segment 3: Bau Bang WTP				The pipeline will run through rubber plantation within Bau Bang WTP boundary	200-300	Bau Bang WTP boundary

Source: TDM's documents (2023-2024) and socio-economic survey conducted by ESC (May 2024)

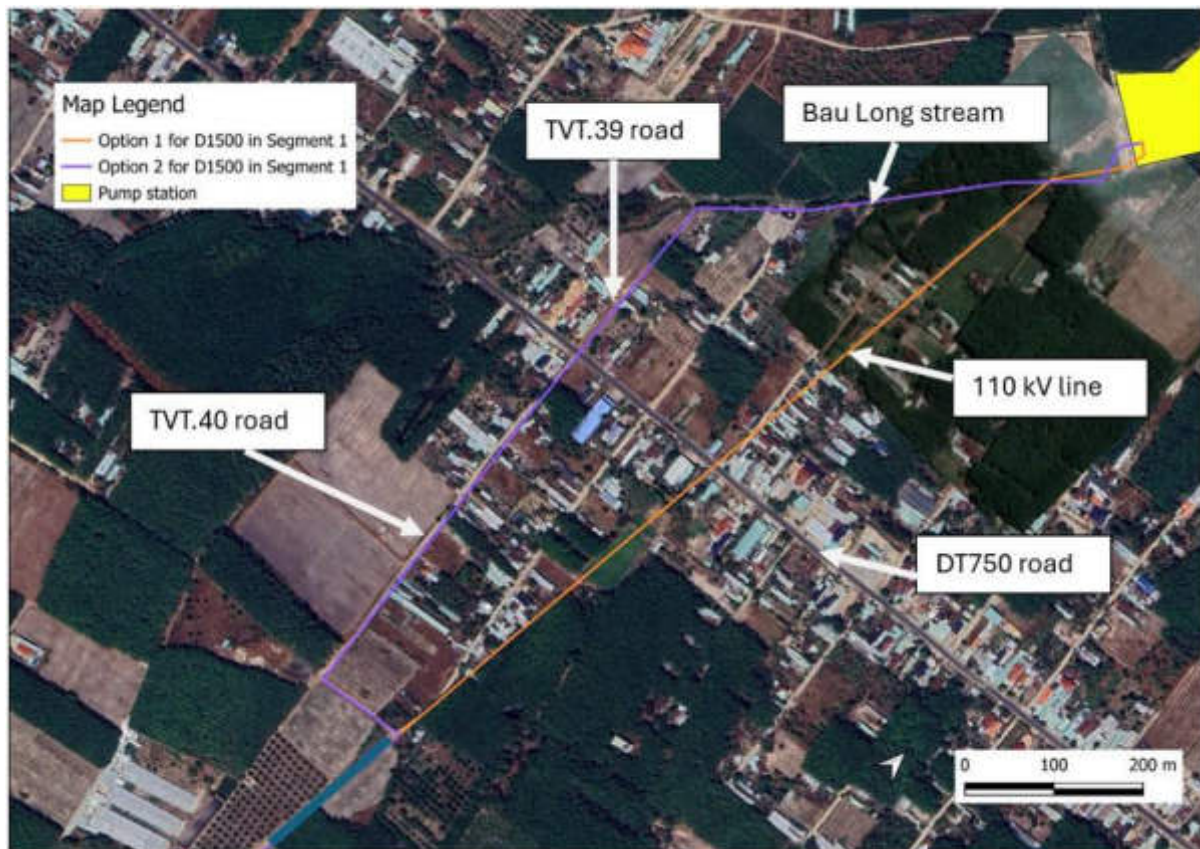


Figure 2: Alternative D1500 Alignments of Segment 1

Source: ESC 2024

The construction of the pipeline within the stream safety corridor (within 5m from the stream edge) reduces the impact of households. The proposed location for the pipeline installation is 2-3m away from the edge of the stream (the side of the pumping station), with a width of 2.5m and a depth of 2.5-2.8m.

The installation of the pipeline in the safety corridor of the 110kV TL reduces negative impacts on the communities, particularly in the farming activities adjacent to the TL. During the site visit in August 2023, TDM explained that the safety corridor for the 110kV is 7 meters from the centre of each side, totalling 14 meters. The distance from the centre of the TL to the edge is 1.9 meters, and the location of the pipeline is 2 meters from the edge of the TL. The pipeline is within 3.9 meters of one side of the TL. As the existing D800mm pipeline was installed on the right side of the TL (from Tru Van Tho commune to Lai Uyen town direction), the final alignment for the pipeline D1500mm under 110kV TL (from benchmark No. 36 to benchmark No. 144) is on the left side of the power line (see Figure 3).

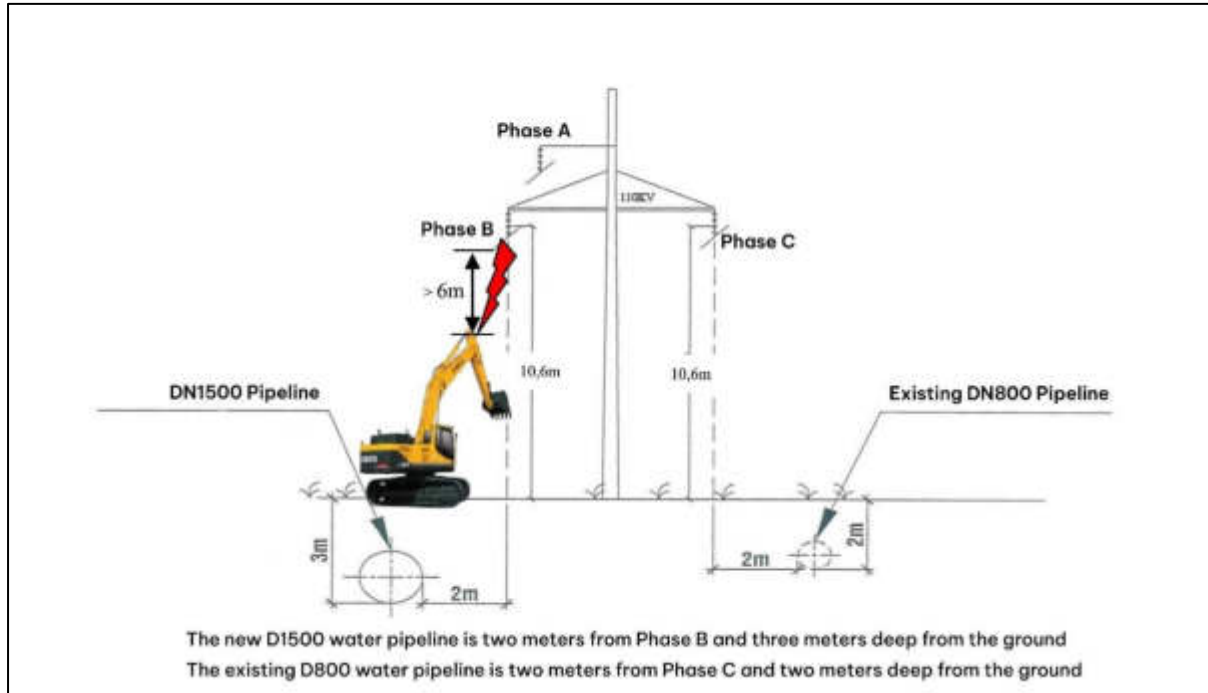


Figure 3: 110kV Electricity Safety Corridor and Transmittal Pipelines

Source: TDM's document (2023)

4.2. Potential Impacts

To prepare this RP, the census, the initial inventory of losses, information from three site walkthroughs conducted in mid-August 2023, early-May 2024, and end-May 2024, and other secondary sources were used for the preliminary social impact assessment, based on the alignment as of May 2024, which is Option 2 for Segment 1. As the alignment has subsequently been changed from Option 2 to the final alignment in September 2024 after the socio-economic surveys. The affected households based on the final alignment were included in the socio-economic surveys conducted in May 2024. The potential impacts discussed in this section was based on Project information available as of May 2024. The impacts based on the final alignment which was determined immediately prior to the start of the construction activities are discussed in Appendix A.

The Project will not require acquisition of land. Based on the available information, the scope of involuntary resettlement impacts includes the temporary disruption on access to land by 19 households for the pipeline construction and temporary economic displacement of 18 households (cassava crops and rubber trees) since two of the households' land plots are a bare land and a garden land. There is no physical displacement. Impacts on Indigenous Peoples and cultural heritage are not applicable to this project.

At the time of developing the RP, the census with AHs was conducted in May 2024 based on the number of AHs identified during the TDM's preliminary survey results and inventory of losses. However, detailed information related to land acquisition (i.e., affected land area and assets, level of impacts, and compensation) was not obtained from the census as the land acquisition process had not yet commenced.

4.2.1. Impacts on Land

Based on the census findings with 20 AHs, the pipeline installation will temporarily disrupt access to land of **19 households**⁴. However, the actual DMS was conducted in September 2024 and details are discussed in Appendix A.

- Segment 1 (Option 2): Ten (10) households along Option 2 have land that will be temporarily affected by the pipeline constructing, including (i) one household with bare land within the stream safety corridor, (ii) three households with rubber planting land within the stream safety corridor, (iii) one household with garden land for planting vegetables and some newly planted fruit trees, and (iii) five households with production land along the 110kV TL.

According to Article 15, Decree No. 43/2015/ND-CP on management and establishment of water source protection corridors, residents are allowed to use land in the stream safety corridor area. As per the field assessments in August 2023 and May 2024 and the information provided by TDM in early December 2023, local farmers are allowed to plant along the 110kV TL safety corridor and are not considered encroachers by EVN. The affected land due to temporary access within the stream safety corridor and under 110kV TL is mainly for perennial tree cultivation (i.e., acacia and rubber trees) and short-term crop (cassava), respectively.

- Segment 2 (Option 2): Eight (08) households have land that will be temporarily affected by the pipeline construction, including two (02) households with rented lands for cassava growing and six (06) households leaving their production land vacant, but planning to grow crops and perennial trees soon (i.e., cassava, cashew, jackfruit, and rubber trees). It is noted that one out of these households had a chicken cage, which might be affected by the pipeline construction (see further 4.2.3).
- Segment 3 (Option 2): The pipeline installation will affect one household with a rubber plantation in Segment 3 of the pipeline (approximately 1,000m in length).

Additional land will be temporarily occupied for the Project, through leasing land, to facilitate construction activities. As per TDM's experience when installing the existing pipeline, the Project will lease the land temporarily during construction. The land lease duration is short, about five days, and the affected land will be reinstated after construction completion. Lease agreements and payment of lease rent should be completed prior to use of land.

4.2.2. Impacts on Livelihoods

Field observations and the census findings with 20 AHs have shown that the Project has potential temporary impacts on livelihood or source of income of APs due to temporary disruption of land planted with short-term crops that are not mature to be harvested prior to starting construction, as well as perennial trees. Among 20 interviewed AHs, **18 households** may experience temporary economic displacement by the pipeline construction. The remaining two (2) households do not derive income from their land, including one household leaving their land abandoned and no planning to cultivate on and another using their land for planting vegetables and fruit trees for household consumption, which is not considered income-generating. However, the actual DMS was conducted in September 2024 prior to the start of constructions activities and details regarding the impacts on livelihoods are discussed in Appendix A.

- Segment 1 (Option 2): **Nine (9) households** may experience temporary disruption to their livelihood due to loss of crops (i.e., cassava) and perennial trees (i.e., acacia and rubber trees). Five out of nine households are expected to have an income from rubber trees this year as their trees are in harvest time (June - December 2024). As shared by TDM's representative,

⁴ There are two households cultivating on the same affected land.

AHs could replant their rubber trees or short-term crops on the temporarily affected areas since the top of the pipeline after installation is 1-1.5m away from the existing ground. AHs should follow height restrictions of crops and trees grown in the TL safety corridor, as regulated by EVN. There has been a slight change on this segment in the final alignment. The impacts on the livelihood of the affected households based on the final pipeline alignment are discussed in Appendix A.

- Segment 2 (Option 2): **Eight (8) households** with land affected by the pipeline construction may experience temporary economic displacement, including:
 - Two households are growing cassava on the rented land and their crops will be harvested soon (September- October 2024).
 - Six households leaving their land vacant, but planning to grow cassava, jackfruit, rubber, and cashew in the upcoming rainy months (June - December 2024).
- Segment 3 (Option 2): **One (01) household** is identified as having a rubber plantation affected by the pipeline. Their rubber trees have been grown for two years, not ready for harvesting. It is noted that the pipeline will cross TDM's rubber plantation area; however, as consulted with the TDM representative, rubber trees are mainly kept for land retainment and harvesting rubber latex stopped since 2023.

The census findings related to AHs revealed that on the affected land plots, cassava is commonly planted as a short-term crop along with rubber trees (see Figure 4).

- Cassava: Based on field observation, cassava is planted under the 110kV TL due to height restriction. Cassava is usually harvested after one year of planting and only once of a year. The crop is intercropped with rubber or cultivated standalone. The investment cost per crop is about VND 30-40 million per hectare. Cassava is normally harvested in September every year and sold at VND 2,000 - 3,200 per kilogram. The estimated productivity is about three tons per hectare. The next planting season will be in the rainy season, normally October or November; however, soil preparation time for replanting cassava varies, depending on planting area.
- Rubber trees: The planting of rubber trees follows a strict schedule, usually taking place during the rainy season from May to August to ensure ample water availability for the young trees. After about six to seven years, the trees mature and can be tapped for latex. Once mature, a single rubber tree can be tapped daily or every two days for latex over several years. However, to ensure sustained latex production, farmers typically implement a tapping season of 8-9 months, allowing the trees to rest and recover for the remaining 3-4 months each year. Rubber trees are planted in a grid pattern with a standard distance of 3m between each tree and 5m between each line to optimize sunlight exposure, which is crucial for healthy growth and latex production. On average, a hectare of arable land can support approximately 550 rubber trees, potentially yielding around 1.2 tons of latex per month. Although the price of rubber fluctuates, it generally stays around VND 3,500 per kilogram.

The livelihood impacts may only occur when these areas need to be harvested and temporarily unreachable while the pipeline construction works are ongoing at that section which is short time. Farmers of these short-term crops (mainly cassava) will see a temporary reduction of their income during the construction phase of the project, which is expected that each kilometre length likely to be installed in about 2-4 weeks.



Mature rubber trees on the affected land



Cassava and rubber intercropping on the affected land



Newly planted cassava crop on the affected land



Affected rubber trees within the stream safety corridor

Figure 4: Cassava Crops and Rubber Trees Potentially Affected by the Project in Segment 1

Source: Socio-economic survey conducted by ESC, May 2024

4.2.3. Impacts on Structures

Based on the census findings, the Project does also not impact any main structures of the households along the alignment; thus, no APs will be required to dislocate from their housing. However, one AH mentioned that their chicken cage might be affected by the pipeline construction. They raised chicken for household consumption. According to the TDM representative, the Project impact on this structure (by the construction of the pipeline Segment 2) has not been finalised. Nevertheless, the Project will make efforts to avoid affecting this structure during construction and provide compensation if applicable. Further updates will be provided upon the completion of the DMS.

4.2.4. Impacts on Temporary Access to Land and Properties

The pipeline construction will have temporary impacts on access to land, structures (i.e., house gates and residential houses), and common property resources (i.e., provincial and commune roads and production roads). About 45% of the interviewed AHs (nine AHs) stated that they may be temporarily restricted to access their production land during the pipeline construction. The proportion of areas affected by access restriction will account for 2.5% to 16.3% of the land plot affected by project's temporary land access.

Based on field observations, other households (including those travelling on public roads affected during the pipeline construction and those having production land near the pipeline installation location) may experience temporary access restriction when the pipeline is installed in Tru Van Tho

commune and Lai Uyen town (see Table 4). As discussed in the IESE report, construction works will be carried out by segment, duration for each segment of 1km construction is likely to be about 2-4 weeks. With the planned approach, the impact on temporary access to land and properties will be minor.

Table 4: Impacts on Temporary Access Restriction to Land and Properties

Impacts	Segment	Description
Access to structures	Segment 1 (Option 2)	About ten households residing on the TVT.37 road (about 230m in length) and about 30 households residing on the TVT.38 road (about 470m in length) will be restricted in accessing their houses or other structures during pipeline construction. However, for residents of TVT.38, an alternative route is available through a nearby connecting alley. The impacts based on the IESE would be minimal and measures to minimize are incorporated in the ESMP.
Access to public roads	Segments 1, 2, 3 (Option 2)	The pipeline will cross by the provincial road DT750 (about 12m in width) and commune roads (i.e., TVT.37 and TVT.38 in Tru Van Tho and D45 and D50 in Lai Uyen) affecting local traffic during the construction. The impacts based on the IESE would be minimal and measures to minimize are incorporated in the ESMP.
Access to land and production area	Segments 1, 2, 3 (Option 2)	AHs and other households having production land near the pipeline installation location will be restricted in accessing their land or production areas. The impacts based on the IESE would be minimal and measures to minimize are incorporated in the ESMP.

Source: Socio-economic survey conducted by ESC, May 2024

While the detailed construction plan is still being developed, the TDM representative has outlined a proposed construction approach to road sections when the pipeline crosses by. They plan to divide the pipeline construction into manageable sections, completing each section within a single day. This means excavation and pipe installation will occur simultaneously. At the end of the day, the excavated area will be temporarily levelled to minimise disruption to local traffic. Once construction is complete in a section, TDM will restore the road surface with concrete. This approach will be applied to routes where the pipeline crosses by.

Specifically, the construction will impact common property resources, such as the TVT.37 road (about 230m), the DT750 provincial road (12m across the road), and the TVT.38 road (470m) in Tru Van Tho commune. The construction work will occupy on one side of the TVT.37 and TVT.38 roads and cross the DT750 road, which is anticipated to hinder local people’s traveling. TDM will work only one side of the road at a time, allowing passage on the other side. Additionally, for residents of TVT.38, an alternative route is available through a nearby connecting alley.

For the DT750 road, which is 12m wide, TDM will divide the road into two 6m sections. The excavation and installation will occur on one side to another. Once the first half of the installation is completed, the road will be levelled temporarily using materials such as soil, sand, gravels, and concrete. TDM will pave the road with asphalt once the road condition is stable.

4.2.5. Impact on Vulnerable Groups

Vulnerable groups refer to distinct groups of people who may suffer disproportionately from resettlement impacts. This may include people living below the poverty line, the elderly, those without legal title to assets, landless, women, children, and Indigenous Peoples.

According to the census survey, one out of 20 interviewed AHs is categorised as vulnerable (accounting for 5% of the surveyed sample). This household is headed by a female with two school-age children. None of the interviewed AHs are considered Indigenous Peoples (see Section 4.2.8 for further details).

4.2.6. Impact Severity

Significantly affected persons are defined as those that (i) lose 10% or more of their productive land, income, or other productive assets and/or (ii) must relocate and rebuild their house and/or shop on new land. In addition to compensation payments affected assets, they are also entitled to additional assistance to restore incomes for a defined period.

At this stage, the estimated length of the land area affected per each household was provided and the estimated width of the land area affected will be fluctuated within **2.5-6m**. Based on information provided by 18 interviewed AHs⁵ and the estimated figures on the length and width of affected land provided by TDM as at May 2024, particularly for Option 2 of Segment 1, the percentage of production land loss was estimated with two scenarios (see further Section 5.3.12).

- Scenario 1: If the projects temporary land access is at least 2.5m wide, all interviewed AHs will temporarily lose less than 10% of their production land. No household is considered significantly affected by the Project.
- Scenario 2: If the temporary land access is up to 6m wide, three AHs with 10 members (16.7% of the surveyed AHs) will temporarily lose more than 10% of their production land, ranging from 10.5% to 13.5%. Three households will be classified as significantly affected by the Project. None of these households were classified as vulnerable.

Though the Project intends to avoid significant impact on the farmland and crops, the number of APs who stand to lose 10% or more of their income generating resources will be clearly identified upon completing the DMS before the start of construction activity, especially along Segment 1 where Option 2 has been changed based on the final alignment. The severity of impacts based on the final alignment is discussed in Appendix A.

4.2.7. Impacts on Cultural Heritage (Not Applicable)

As per the site observation, consultations with TDM representatives and local authorities in August 2023 and May 2024, and the Initial Environment and Social Examination (IESE) report, no cultural heritage sites or physical or cultural resources were identified along the proposed 8.3km alignment. Bau Bang WTP project footprint, including the existing Bau Bang WTP and the existing pipeline alignments, as well as the expansion of Bau Bang WTP and the proposed 8.3km pipeline, do not reside within any protected areas.

The pipeline installation will involve earthworks, which will be managed by the Chance Find Procedure. TDM has established and issued a Chance Find Procedure in November 2023 to handle any unexpected discoveries during the construction phase. As outlined in the Chance Find Procedure, the following steps will be taken if historical or archaeological deposits are encountered:

- Work that poses a high risk to historical or archaeological deposits will be stopped until an appropriate plan to manage the deposits is in place or advice is received from a government-recognized expert or relevant agency.
- Areas with historical or archaeological deposits will be cordoned off with barriers, adhesive tapes, and a 30m buffer zone.
- TDM staff, contractors, and subcontractors must notify TDM's person-in-charge or project manager when encountering historical or archaeological deposits and cease work until guidance is received from TDM, without assessing the value of the deposits.

⁵ In this analysis, data was based on information provided by 18 households having their production land affected. The remaining two households include one co-cultivating on one AH's land, and one having garden land with some vegetable and young fruit trees, which are deemed not to generate household income.

- TDM's Safety, Environment, and Social Committee will notify the relevant government agency responsible for culture, sports, and tourism, and TDM will follow the agency's guidance in managing historical or archaeological deposits.
- If there is no guidance from the relevant agency, TDM will request an expert to conduct a field inspection within seven days of the encounter with historical or archaeological deposits.
- The assigned expert will conduct a rapid assessment of the historical or archaeological deposits to propose appropriate strategies.
- TDM's Safety, Environment, and Social Committee will inform its staff, contractors, and subcontractors of the strategies or guidance provided by the expert or the authority.
- Work will only resume when chance find management solutions are in place, the expert's advice is available, or permission is granted by the authority officially notified by TDM's Safety, Environment, and Social Committee or Project Management.

4.2.8. Impacts on Indigenous Peoples (Not Applicable)

The field observations, desk-based review, consultations with TDM representatives and local authorities in August 2023 and May 2024, and the findings from the Project's Environmental and Social Compliance Audit and IESE reports did not indicate the presence of any Indigenous Peoples in the Project areas as described in ADB's SPS 3 (Indigenous Peoples). Additionally, the census results showed that no APs were identified as Indigenous Peoples.

No people in the Project areas were found to self-identify as members of a distinct indigenous cultural group or be recognised as such by others, or to have collective attachment to geographically distinct habitats or ancestral territories in the Project area, to the natural resources in these territories. The local populations do not have customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture. As Indigenous Peoples have not been found living anywhere in the Project area, ADB's Indigenous Peoples policy is not applicable to the Project.

5. SOCIO-ECONOMIC INFORMATION AND PROFILE

This section presents an overview of the socio-economic information of the Project areas and APs. The key socio-economic indicators are demography, income sources, levels and patterns, employment, and access to infrastructure and services. The main objectives of this section of the RP are:

- to analyse socio-economic and cultural characteristics of the APs of the Project areas,
- to identify any impacts associated with temporary land acquisition, and
- to understand the perceptions and concerns of APs on resettlement and livelihood restoration.

The main findings reported are based on a review of socio-economic conditions collected during two site visits from 9 to 11 May 2024 and from 31 May to 1 June 2024. This section will include the following levels of analysis: district, commune, village, and household levels. In addition, cross-cutting issues are integrated, including vulnerability and gender.

5.1. Overview of Socio-Economic Survey

5.1.1. Data Collection

The socio-economic data collection was designed to gather information at the provincial, district, commune, village, and household levels. The socio-economic survey adopted a multiple-method approach to capture the multidimensional realities and fuller picture of the subject under investigation. The task includes secondary and primary socio-economic baseline data collection. Data for the provincial, district, and commune levels are from secondary data sources and desk-based research. In contrast, data for the village and household levels are based on secondary and primary data sources.

5.1.1.1. Secondary data collection

The study collected secondary data sources, such as socio-economic statistical data and published reports from reliable sources at the provincial, district, and commune levels. In addition, socio-economic reports were collected from local authorities at the provincial, district, and commune levels. The main secondary data sources used in the report included:

- Provincial level: Vietnam Statistical Yearbook 2022, Binh Duong Statistical Yearbook 2022, Report on the implementation results of Binh Duong province's socio-economic development and defence security situation in 2023 (with an orientation in 2024).
- District level: Report on the implementation results of Bau Bang district's socio-economic development and defence security in 2022 and the general report on Bau Bang district's land use plan in 2023.
- Commune level: Report on the implementation results of Tru Van Tho commune's new rural development program and the report on the implementation results of Lai Uyen town's socio-economic development and defence security in 2023.

5.1.1.2. Primary data collection

The study undertook the primary data collection with a multilayer approach to socio-economic analysis using mixed methods that combine qualitative and quantitative methods, including semi-structured interviews with local authorities, household interviews, and field observations.

5.1.2. Consultation with local authorities

Using semi-structured interviews, ESC collected updated information on the socio-economic conditions of the Project areas and perceptions of local authorities about the Project. The consultation

process also aimed to inform stakeholders about the Project information, while assessing awareness at different levels and identifying some of the community’s key issues and concerns related to the land acquisition (see Table 5).

Table 5: Consultations with Local Authorities

Organisation	No. of Participants	Date of consultation	Topics Covered in the Consultation
Lai Uyen Commune-Level Town People’s Committee (TPC)	3 males (including the vice chairman of Lai Uyen TPC, cadastral officer of Lai Uyen TPC, and Head of Cay San residential area)	9 May 2024	- Update the organisation about the Project development progress. - Obtain up to date socio-economic data about demography, infrastructure and public services, health, livelihoods and employment, ethnic minority, and cultural sites in the locality.
Tru Van Tho Commune People’s Committee (CPC)	3 males (including the chairman of Tru Van Tho CPC, cadastral officer of Tru Van Tho CPC, and Head of Hamlet 2)	10 May 2024	- Obtain inputs on impacts that the Project may have on local communities. - Gain feedback or perceptions on the Project development.

Source: Socio-economic survey conducted by ESC, May 2024

5.1.3. Household Interviews

The survey sampling was designed to include the census for all households affected by the Project. The list provided by TDM included 23 households along the alignment as of May 2024, particularly Option 2 for Segment 1 which has been subsequently changed based on the final alignment in September 2024. The finalisation of household interviews are as follows (see Table 6):

- After reviewing the AHs by deducting the number of duplicated households, 22 households were finalised for interviews.
- Nineteen (19) out of the 22 households were successfully approached and interviewed. Of the 19, seven (7) households were interviewed during the site visit from 9-11 May and 12 households were interviewed during the site visit from 31 May to 1 June 2024. It is noted that one out of 19 interviewed households confirmed that they did not own the land but only assigned to manage the affected land plot and let another household to cultivate on the land. ESC team interviewed the household cultivating on the affected land instead of the household specified in the list.
- One additional household (not in the list provided by TDM) was identified as being affected by the Project during the survey, as they have cultivated on the land plot affected by land acquisition. This household was interviewed, making the total number of interviewed households **20**.
- Three (3) households have not been successfully approached due to various reasons given that the survey team has adopted different approaches and information channels. One AH refused to participate in the survey, citing concerns about disclosing their household’s information and two could not be approached despite multiple attempts to contact them via phone and/or in-person visits.

A total of 20 AHs were interviewed, including 17 households having land affected, two households having rented land affected, and one household only cultivating on the land affected. By interview methods, 15 households were face-to-face interviewed, and five households were interviewed via telephone due to their absence at the locality during the survey time. The household interviews were organised in collaboration with TDM representatives. The point of contact for interviews at the

household level was any appropriate adult household member. The household surveys were conducted in the village community houses or at households' houses (see Table 6 and Figure 5).

Table 6: Finalisation of AHs for Interviews

Segment	No. of AHs/Receptors by TDM	No. of duplicated AHs/Receptors	No. of finalised AHs	AHs interviewed	AHs not interviewed	Additional AHs interviewed	Total AHs interviewed
	(a)	(b)	(c=a-b)	(d)	(e)	(f)	(g=d+f)
Segment 1	10	0	10	10	0	1	11
Segment 2	12	1	11 ⁶	8	3	0	8
Segment 3	1	0	1	1	0	0	1
Total	23	1	22	19	3	1	20

Source: Socio-economic survey conducted by ESC, May 2024

The survey used the household questionnaire method, whereby a set of data was collected at the household level using structured questionnaires. The questionnaire for the household interview (see ANNEX 5) was designed to capture the following data and information:

- Family status and demographics (i.e. population, residency, household size, age, religion, and marital status),
- Vulnerability profile (i.e. gender, ethnicity, age, physical or mental disability, and economic disadvantage may be more adversely affected by the Project development),
- Education background (i.e. education level of members in the surveyed households),
- Occupation, livelihood, and working status (employed or self-employed, no work or unpaid work),
- Housing, household assets, and land holdings,
- Health conditions of the household being interviewed,
- Economic conditions (i.e. income and expenditure),
- Current conditions of local public services and infrastructure including road, electricity and water supply, waste management, market, education, and healthcare,
- Engagement in community organisations and social support,
- Gender relations,
- Land access impacts, and
- Local perception about the Project.

⁶ This includes 11 households and one organization (BECAMEX Bau Bang IP) having land affected by the pipeline. It is noted that BECAMEX leases its land to a household for growing cassava. This household was included in the survey. In addition, one AH has managed the land affected, which is owned by a local church, but not cultivated on it. They let another household to rent the affected land for growing cassava. The land renter was interviewed and considered to be economically displaced.



Household survey on 9 May 2024



Household survey on 31 May 2024

Figure 5: Photos of Household Interviews

Source: Socio-economic survey conducted by ESC, May 2024

5.1.4. Field Observations

Field observations were carried out during three site visits in mid-August 2023, early-May 2024, and end-May 2024, at the village and household levels, covering local infrastructure and public services, housing conditions, and community use of natural resources and livelihood in the Project areas.

5.1.5. Data Analysis

The data collected was systematically transcribed and thematically analysed. The method for identifying, analysing, and reporting themes from data transcripts was applied. Narrative development, network analysis, and community asset mapping were also used to highlight different aspects of the research issues.

Data collected from the paper-based questionnaires of the household surveys was entered using Microsoft Excel. Before the analysis however, multiple checking processes were conducted to identify potential errors. Some of the answers were cross-checked to make sure of the consistency of the data. The final databases for the surveys were then analysed using Excel to provide different frequency and percentage tables.

5.1.6. Limitations

Every effort was made to achieve the best database and sample size; however, the research team recognises that the fundamental limitation to this study is dependent to the quality and extent of available information provided by statistical and governmental organisations. This study relied on the most recent reports and the statistical information available at the time of writing (i.e., statistical data 2022 for some socio-economic indicators), which may accurately reflect current social and economic conditions on an annual basis. The socio-economic surveys were also carried out along Option 2 alignment of Segment 1, which was subsequently be changed based on the final alignment (see Appendix A). The affected households identified in the final alignment were included in the surveys conducted for Option 2. In addition, the levels of data availability and coverage, and the statistical quality were not standardised, particularly in the commune contexts (Tru Van Tho commune and Lai Uyen town). Some socio-economic indicators among these surveyed communities could not be comprehensively compared, making for less unified analysis.

Data about local opinions to the Project's land access to farmland and compensation have not been collected comprehensively as the Project's access to land had not yet been started. The estimated information on the land area affected due to the pipeline installation were mainly based on data provided by the Project. The actual land area and assets affected are detailed in Appendix A.

5.2. Socio-Economic Baseline: Local Context

The Project is in Tru Van Tho commune and Lai Uyen commune-level town, Bau Bang district, Binh Duong province. Socio-economic profiles for the Project area (Bau Bang district, Tru Van Tho commune, Lai Uyen town, and affected communities) are presented below, while an overview of the provincial level (Binh Duong) is included in ANNEX 1. Secondary sources on project conditions were used for data on population and employment, economy, and access to public services (see further 5.1.1.1).

5.2.1. District Level

Bau Bang district is in the North of Binh Duong province along National Road 13, about 35km from Thu Dau Mot city to the North and 70km from Ho Chi Minh city in the direction of National Road 13. The district has borders with Chon Thanh district (Binh Phuoc province) to the North, Ben Cat district-level town to the South, Phu Giao district to the East, and Dau Tieng district to the West⁷. The district's location is described as the Binh Duong' gate connecting the key economic areas in the south of the province to Binh Phuoc province⁸.

- Demographic Profile

The district's natural landmass is about 340.02km², covering six communes (Tru Van Tho, Cay Truong II, Tan Hung, Long Nguyen, Hung Hoa, and Lai Hung) and one commune-level town (Lai Uyen)⁹ (see Figure 6). In 2022, the average population of Bau Bang district was 117,370, with a population density of 345 people/km². Bau Bang was one of Binh Duong's four districts recording the lowest population density (including Dau Tieng, Phu Giao, and Bac Tan Uyen)¹⁰. The district's population was divided almost equally between male (51.4%) and female (48.6%). The demographic distribution was notably divided between rural and urban populations, with 63.6% residing in rural areas and 36.4% in urban settings¹¹.

Ethnic minorities were recorded from 111 households, with 266 people, including Khmer, Muong, Hoa, Thai, Tay, Tho, San Diu, Cham, Nung, Sa Rieng, and Sieng Tieng.

⁷ Bau Bang DPC Portal (2020)

⁸ Bau Bang DPC (2022b)

⁹ Bau Bang DPC Portal (2020)

¹⁰ Binh Duong Province Statistics Office (2023)

¹¹ Binh Duong Province Statistics Office (2023)

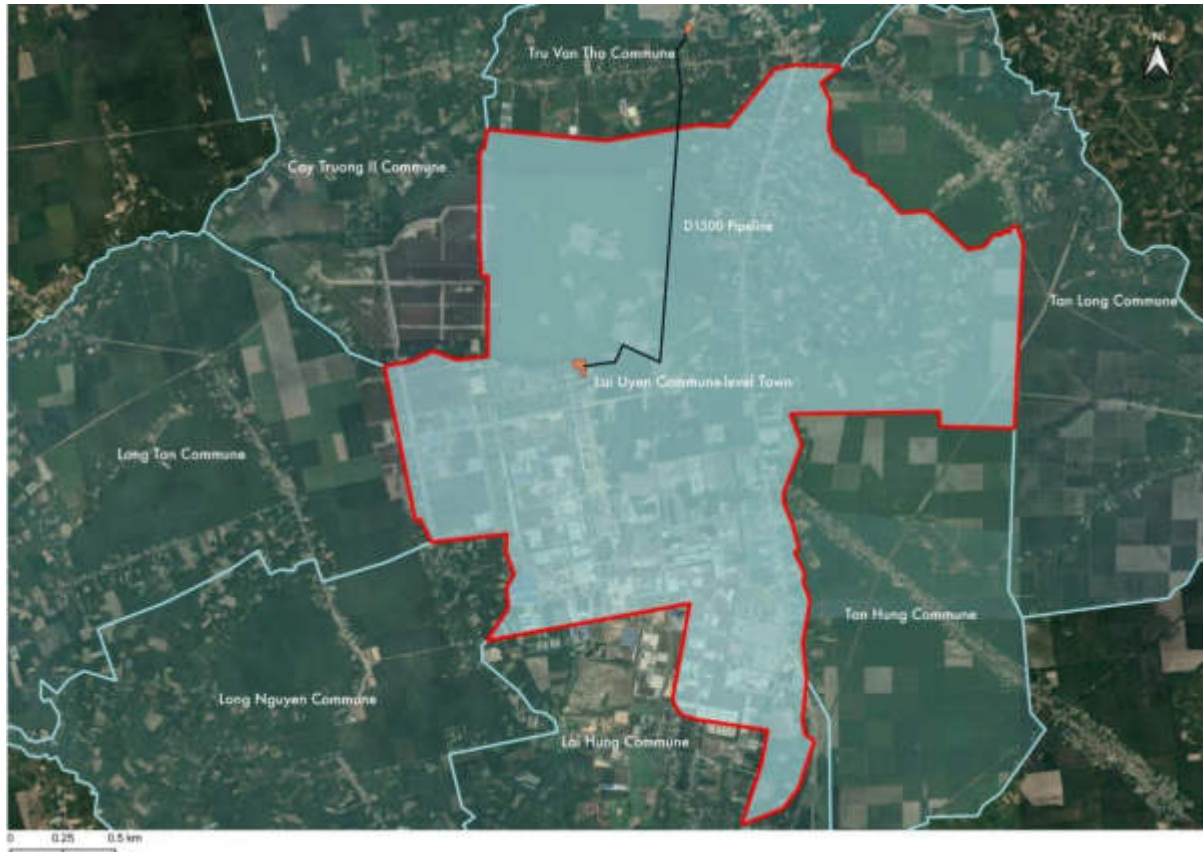


Figure 6: Locations of Bau Bang District and Administrative Units

Source: QGIS

- Economic Development

The district's economic pillar is the industrial sector. In 2022, the production value in industry - investment, trade - service, and agriculture was estimated at VND 29,264.6 billion, VND 7,918.8 billion, and VND 2,232.6 billion, respectively¹². The trade - service sector had the highest growth rate (24.3%), followed by the industry - investment sector (20.2%), while agriculture experienced a modest growth rate at 4.3%. This tendency complied with promoting industry and services sectors in the district's economic structure¹³.

Aligned with the policy of promoting industrial development to the North of Binh Duong province, Bau Bang district is one of the province's top localities in terms of industrial growth. The district strives to become one of the province's northern industrial and urban centres. Bau Bang Urban - Industrial Park (IP) had an area of 3,200 ha, including 1,000ha of industrial land, 1,200ha for residence and services, and 1,000ha of the expanded Bau Bang IP. The current area was a significant increase from an initial area of 1,000ha which was approved by the Prime Minister in 2007¹⁴. It is noted that the expanded Bau Bang IP is in the construction progress. The IP was invested and constructed synchronously by BECAMEX IDC Corporation with the following complete infrastructure, creating strong development:

- Transportation system: Bau Bang IP is situated along major transportation arteries, including National Road 13 and the My Phuoc - Tan Van route linking to National Road 51. This connectivity streamlines the transportation of goods and provides convenient access to key economic hubs like Thu Dau Mot city (30km away), Ho Chi Minh city (60km away), and adjacent provinces.

¹² Bau Bang DPC (2022)

¹³ Bau Bang DPC (2022b)

¹⁴ Binh Duong Industrial Zones Authority (2016)

- Waste treatment system: For effective operation, Bau Bang IP implements policies concerning waste management systems to ensure environmental protection standards, including solid waste disposal treatment, emissions treatment, and recycling and resource utilization.
- Wastewater treatment system: Bau Bang IP invested and built a modern wastewater treatment plant with a capacity of 4,000m³/day. The IP's wastewater treatment unit commits to receiving and treating 100% of wastewater from businesses within its vicinity, ensuring compliance with the quality standards mandated by the State before releasing wastewater into the environment.
- Clean water system: Bau Bang IP's water supply meets the standards of the World Health Organisation (WHO), guaranteeing users' access to clean, hygienic, and safe water. The water system has been invested and guaranteed to operate stably, providing a significant amount of water up to 10,000m³/day. In addition, water is provided to each plot of land, facilitating convenience and cost savings for businesses in production and daily activities.
- Electricity and telecommunication systems: Bau Bang IP is equipped with a 110/22kV national grid system, ensuring stable electricity supply to every area within its boundaries, meeting all production and operational needs reliably. The IP also established a fully modernized telecommunications infrastructure, incorporating the leased line technology and supporting the fast data transmission at a high bandwidth, fulfilling the connectivity needs of businesses within the IP's area.

In addition, other prominent IPs were newly developed in Bau Bang district, including Tan Binh IP (352.5ha), Cay Truong IP (700ha), and Lai Hung IP (600ha), increasing the district's total area of additional industrial land for development to 1,687.38ha¹⁵.

Bau Bang District People's Committee (DPC) completed the master plan for the district's socio-economic development to 2025, which was approved by Binh Duong PPC in 2017. Accordingly, worker housing areas were constructed with over 932,792m² and more than 31,080 rooms, meeting the housing needs of more than 93,240 people. The DPC developed Lai Uyen town into a class-V urban area, with the vision to develop it into a class-IV urban area and two class-V urban areas, including Lai Hung commune and Long Nguyen commune¹⁶.

- Local Infrastructure and Public Services

Bau Bang's transportation was invested synchronously and distributed evenly in the district area with the developed system of provincial and district roads¹⁷. Transportation in Bau Bang is very convenient, with a complete road system, facilitating travel needs and goods circulation. Binh Duong Avenue (National Highway 13) is a backbone road with six lanes and 28m road surface. Roads in Bau Bang IP have been completely invested. Other routes, such as provincial roads (DT750, DT749a, DT741b, and DT749c) and district roads, have been asphalted. In the future, additional routes, including Ho Chi Minh Road (passing North of the district), My Phuoc - Tan Van Road extending to Bau Bang IP - Urban Area and connecting Ho Chi Minh Street, and the metro line connecting from Binh Duong new city centre to Bau Bang will be invested and developed.

The district's commercial electricity output stably met the local demands in living and production. The consumed output was estimated at 944.88 million KWh. The district's rate of households accessing electricity reached 99.99% in 2022. The rate of households using hygienic water in rural areas reached 100%. The rate of households using clean water in urban areas reached 65.1% in 2022¹⁸.

¹⁵ Phuong Le & Ha Khanh (2022)

¹⁶ Phuong Le & Ha Khanh (2022)

¹⁷ Bau Bang DPC (2022b)

¹⁸ Bau Bang DPC (2022)

The district's drainage system has not been invested in or built in an integrated manner. The wastewater and surface water collection system were only concentrated in Bau Bang IP - Urban Area and partly along Highway 13 in the district. Sewers to collect wastewater for treatment were not available in residential areas outside Bau Bang IP - Urban Area¹⁹.

The district has 34 schools from kindergarten to upper secondary levels, including 29 public schools and five private schools. Notably, 89.7% of public schools in the district were recognised as meeting national standards²⁰. Regarding healthcare, Bau Bang district had nine medical establishments, including one hospital, one regional polyclinic, and seven medical service units in precincts, offices, and enterprises, with 70 patient beds and 261 medical and pharmaceutical staff. The rate of communes having doctors and midwives was 100%. All communes met national health standards²¹. In 2022, the rate of population participating in insurance programs was estimated at 92.4%²².

- Vulnerability Status

By 2023, Bau Bang district had 169 poor households, accounting for 0.79% (139 poor households under the poverty reduction target, accounting for 0.65% and 30 poor households under social protection policies, accounting for 0.14%) and 70 near-poor households, accounting for 0.33%²³.

- Socio-economic Development Plan

In 2024, Bau Bang DPC strives to increase the industrial production value by 20 - 22%, increase total retail sales and consumer service revenue by 23 - 25%, and increase the agricultural production value by 4 - 5%. The total State budget revenue and total budget expenditure in the district are expected to increase by 8 - 10% and 8 - 9% compared to 2023, respectively²⁴. The rate of multi-dimensional poor households according to the province's standards is below 1%²⁵.

5.2.2. Commune Level

5.2.2.1. Overview of Tru Van Tho Commune

Tru Van Tho commune is located 13km from Bau Bang centre to the north. The commune borders Thanh Tam commune (Chon Thanh district, Binh Phuoc province) to the north, Lai Uyen town to the south, Cay Truong II commune to the west, and Tan Long commune (Phu Giao district) to the east. The commune's total landmass was 27.8km², covering four hamlets (Hamlet 1, Hamlet 2, Hamlet 3, and Hamlet 4).

Tru Van Tho commune's population 2023 was 13,267 (equivalent to 4,586 households), of which 69.8% was permanent residents and the remaining was temporary residents. Kinh ethnicity occupied the largest proportion of the commune's population (99%), and the insignificant remaining was of seven minority ethnic groups (i.e., Tay, Thai, Nung, Khmer, Muong, Hoa, and Stieng). About 4.4% of the commune's inhabitants (807 people) practiced five recognised religions, namely Catholicism, Protestantism, Buddhism, Hoa Hao Buddhism, and Cao Daiism²⁶. The number of poor households decreased to 0.2% (ten households) in 2023²⁷.

The working-age population was recorded at 9,286 people (accounting for 70% of the commune's population), of which 86% was trained labourers. The average annual income per capita of Tru Van

¹⁹ Bau Bang DPC (2022b)

²⁰ Bau Bang DPC (2022)

²¹ Bau Bang Statistics Office (2023)

²² Bau Bang DPC (2022)

²³ Hong Phuong (2023)

²⁴ Tien Hanh - Phu Hao (2024)

²⁵ Tien Hanh - Phu Hao (2024)

²⁶ Tru Van Tho CPC (2023)

²⁷ Tru Van Tho CPC (2023)

Tho reached VND 82.9 million in 2023, 0.3 times higher than the statistic in 2018 (VND 62.3 million/person/year)²⁸.

Tru Van Tho commune had a favourable location to develop the local socio-economic conditions with the invested transport system of National Road 13 (2km), Provincial Road 750 (6.87km), and district roads (7km). All six inter-hamlet roads were asphalted, and all 142 intra-hamlet roads were hardened and concreted in 2023.

In 2023, the proportion of households accessing clean water reached 78.1% and all households accessed electricity. Tru Van Tho commune did not have irrigation and canal system. Agricultural production mainly used underground water from dug wells and local streams. The rate of domestic and non-hazardous solid waste in the commune collected and processed reached 99%.

There were six educational establishments in Tru Van Tho commune, including three public schools (one kindergarten, one primary, and one lower secondary schools) and three non-public schools (two kindergartens and one primary - lower secondary school). The commune's health station had six medical personnel, including two doctors, two physicians, one nurse, and one pharmacist. The rate of residents participating in health insurance program reached 95.6% in 2023. The commune had developed commercial infrastructure with two official markets, a mini supermarket, and many stores, adequately meeting the local demands.

Tru Van Tho commune featured the economic structure of agriculture - service - handicraft, with cultivation and husbandry making the most significant contribution to its economic composition. This correlates with the commune's land use plan as the agricultural land occupied the predominant proportion in the commune's landmass (80.5%). Local main crops included rubber and fruit trees, occupying 82% of the commune's agricultural land. There were 42 husbandry farms (mainly cattle, pig, and poultry farms), one transportation cooperative, one bamboo shoot cultivation cooperative, one guava cultivation cooperative, one cattle raising cooperative, and one fruit tree cooperative in Tru Van Tho commune in 2023.

5.2.2.2. Overview of Lai Uyen Town

Lai Uyen town is Bau Bang district's commune-level administrative unit, established in 2018 based on the area and population of the initial Lai Uyen commune according to Resolution No. 535/NQ-UBTVQH14 dated 11 July 2018 by the National Assembly. The town's total landmass was 88.36km², covering eight residential areas (Bau Bang, Bau Hot, Bau Long, Ben Lon, Cay San, Dong Cheo, Dong So, and Xa Mach). The town's population was 39,688 in 2021²⁹, reaching a population density of 449 people/km².

Lai Uyen town is in the centre of the Bau Bang district. The town borders Tru Van Tho and Cay Truong II communes to the north, Long Nguyen and Tan Hung communes to the south, Long Tan (Dau Tieng district) to the west, and Tan Long commune (Phu Giao district) and Tan Hung commune to the east.

Lai Uyen is the industrial centre of Bau Bang district, with the role of promoting socio-economic development in neighbouring communes in Bau Bang, Dau Tieng, and Phu Giao districts through the socio-economic exchange activities.

Binh Duong PPC approved the general planning project of Lai Uyen urban area until 2030 as the centre of trade, services, and agricultural goods in the northern region of Binh Duong province. Accordingly, the town's economic structure has shifted positively towards increasing the proportion of trade - service and industry - construction sectors, while reducing the proportion of agriculture sector³⁰. As of 2023, 114 enterprises operated in the town in different fields, such as construction, commercial

²⁸ Tru Van Tho CPC (2023)

²⁹ Binh Duong Province's Department of Health (2021)

³⁰ Vietnam Government (2018)

services, wood manufacture, and steel manufacture. In addition to the industry, the town's trade and service sector was also strongly developed, with over 1,291 establishments registered to operate and two large markets (Lai Uyen and Bau Bang markets)³¹.

Agriculture was not identified as the town's economic strength although the agricultural land occupied around 60% of the town's land mass (5,247.73ha) in 2023. The primary crop in the locality was rubber, and the main livestock was pigs and chickens. The number of pig farms in the town was recorded at 32 in 2023³².

In 2023, Lai Uyen town had four kindergartens, one primary school, and one lower secondary school. The percentage of 6-year-old pupils entering class 1 reached 100%. The rate of local people participating in health insurance programs reached 95.7% in 2023, increasing 4.7% over 2022³³ (see Figure 7).

³¹ Vietnam Government (2018)

³² Lai Uyen Town People's Committee (2023)

³³ Lai Uyen Town People's Committee (2023)



Health station in Tru Van Tho commune



Health station in Lai Uyen town



Religious establishment in Tru Van Tho commune



Religious establishment in Lai Uyen town

Figure 7: Infrastructure in Tru Van Tho and Lai Uyen

Source: Socio-economic survey conducted by ESC, May 2024

5.2.3. Village Level

The pipeline runs from Hamlet 2 of Tru Van Tho commune to Cay San residential area of Lai Uyen town. Four project affected hamlets and residential areas are identified, including Hamlet 2 of Tru Van Tho commune (affected by the pipeline Segment 1), Bau Hot and Bau Long residential areas of Lai Uyen town (affected by the pipeline Segment 2), and Cay San residential area of Lai Uyen town (affected by the pipeline Segment 2 and Segment 3).

The socio-economic profiles of Hamlet 2 and Cay San residential area were collected based on the consultations with local authorities.

- Hamlet 2 in Tru Van Tho commune has around 758 households, including 450 households with permanent residency and 308 households with temporary residency. There are approximately 20 poor and difficult households and ten ethnic minority households, primarily the Muong ethnic group, who migrated from Ha Tay, Ha Giang, and Nghe An provinces. The residents are involved in various livelihoods for income, including agricultural production, company employment, and small businesses, showing a diversified economy beyond agriculture. There are no significant cultural or historical landmarks within the Project area. A provincial-level relic, Bot Cay Truong, is located approximately 1km away from Hamlet 2's centre.
- Cay San residential area consists of 647 households with a population of 2,720. Additionally, there are 2,485 households with 3,170 temporary residents in the locality. There are 12 households classified as poor, and no ethnic minority groups are recorded. Main religions practiced are Protestantism and Buddhism. Local households primarily use bore water, and a

piped water system is only available on the main route. The main livelihoods in the area are agricultural production (e.g., rubber planting), company employment in the Bau Bang IP, and small businesses. There is a gradual occupational shift from agricultural production to waged employment. No cultural heritage within the Project area is identified. Lai Uyen town only has one provincial-level cultural site - Bau Bang victory monument, about 5km from Cay San residential area.

5.3. Socio-Economic Baseline: Household Level Data Analysis

The census of AHs was conducted, with key elements of baseline data including demographic details of AHs, their employment, ownership of land and assets, income and expenditure, health conditions, access to public services, and vulnerability status. This section is presented based on data collected from 20 AHs interviewed.

5.3.1. Demographic Profile of Sampled Affected Households

A total of 87 people, including 47 males and 40 females, were affected across 20 surveyed households. Most of the affected individuals identified themselves as Kinh ethnicity and had no religious affiliation, accounting for 54% and 46% respectively (see Table 7). Notably, two household heads were identified as part of the Muong ethnicity group through consultations with local authorities, although they self-identified as Kinh people during interviews. These individuals had been married to Kinh spouses since 1980 and settled in the area for a long period.

The interviewed households were located in Bau Bang district: Tru Van Tho commune (ten households or 50%), Lai Uyen commune-level town (seven households or 35%), Tan Hung commune (one household or 5%), and Cay Truong commune (one household or 5%), and Thuan Giao ward of Thuan An city (one household or 5%).

Table 7: Surveyed Population by Residence and Gender

City/District	Town/Commune	Surveyed AHs (N=20)		Surveyed APs (N=87)	Surveyed APs by Gender			
		N	%		Males (N=47)		Females (N=40)	
		N	%	N	N	%	N	%
Bau Bang	Tru Van Tho	10	50.00	35	23	65.71	12	34.29
	Lai Uyen	7	35.00	34	16	47.06	18	52.94
	Tan Hung	1	5.00	10	4	40.00	6	60.00
	Cay Truong	1	5.00	4	2	50.00	2	50.00
Thuan An	Thuan Giao	1	5.00	4	2	50.00	2	50.00
Total		20	100.00	87	47	54.02	40	45.98

Source: Socio-economic survey conducted by ESC, May 2024

Among the 63 individuals of marriageable age³⁴, 73% were married, 20.6% were single, 4.8% were widowed, and 1.6% was one single mother. Most of the population, around 58.6% fell within the 15-60 age bracket, 24.2% were under 15 years old, and 17.2% were over 60 years old. The average household size for the AHs was 4.4 members, with a range of two to ten members.

The literacy rate was found to be high at 98.7%³⁵, with only one illiterate female (1.3%) recorded during the interviews. Among the literate individuals from 6 to 18 years old, 47.1% were attending

³⁴ The 2014 Marriage and Family Law of Vietnam regulates the marriage age of 18 years or older for females and 20 years or older for males.

³⁵ Among 87 surveyed people, nine were excluded from the literacy analysis as they were under schooling age (six years old) at the survey time.

primary school, 23.5% were in lower secondary education, 23.5% were in upper secondary education, and 5.9% had stopped studying at the lower secondary level and supported their family in cultivation (one 16-year-old individual). In the over-18 age literate group, 11.7% had completed primary education, 36.7% had completed lower secondary education, 26.6% had completed upper secondary education, and 25% had completed or attended university level.

Approximately 26.4% of the surveyed APs experienced health issues, including prevalent diseases such as flu, diabetes, hypertension, and bone-related diseases. Most households sought medical check-ups and treatment at provincial and district-level health establishments, with 63.1% and 57.9% respectively. Traditional health treatments and collecting food from nature were not practiced among the surveyed AHs.

5.3.2. Vulnerability Status

Vulnerable groups refer to distinct groups of people who may suffer disproportionately from resettlement effects. This may include female headed households with dependents, disabled household heads, households falling under the generally accepted indicator for poverty, children and the elderly households who are landless and with no other means of support, landless households, and Indigenous Peoples or ethnic minorities.

The survey revealed that one AH was identified as vulnerable, accounting for 5% of the surveyed AHs. This vulnerable household, led by a middle-aged woman with two school-age children, earns its income from agricultural production. This household would face economic displacement induced by the Project as they cultivate on the affected land despite not owning it.

5.3.3. Employment

The total number of individuals aged 15 and over who were able to work was 66. Among them, 44 were economically active³⁶ (68.2%), and 22 were economically inactive (31.8%). The economically inactive individuals included ten students aged 15 and over, six people doing unpaid housework, and six people unable to work due to old age.

All 44 economically active individuals were employed. The employed individuals, consisting of 34 working-age and ten over-working-age people, were involved in various activities such as cultivation and husbandry (45.4%), small businesses (20.5%), public employment (15.9%), day labour (9.1%), and company jobs (9.1%) (see Table 8).

There was a balance in gender distribution among those engaged in income-generating activities. In terms of occupation, men predominantly held wage-based employment (e.g., day labourers), while women outnumbered men in small businesses. Both men and women were equally involved in cultivation and husbandry, as well as public employment.

Table 8: Primary Occupations of The Surveyed Working Population

Livelihood Categories		Surveyed Working Population (N=44)	
		N	%
Land-based livelihoods	Cultivation and husbandry	20	45.45
	Wage-based livelihoods		
	Company employment	4	9.09
	Public employment	7	15.92

³⁶ Economically active population: The labour force or workforce or economically active population, also shortened to active population, includes both employed (employees and self-employed) and unemployed people, but not the economically inactive, such as students, unpaid labourers, and elderly people not engaged in income generation work.

Livelihood Categories		Surveyed Working Population (N=44)	
		N	%
	Day labour	4	9.09
Enterprise-based livelihood	Small business	9	20.45
Total		44	100.00

Source: Socio-economic survey conducted by ESC, May 2024

5.3.4. Household Finance

In the household finance data analysis, one household refused to disclose their income and expenditure, so they were excluded from the household finance analysis. The average monthly income per household of the 19 AHs was about VND 25 million (see Table 9). The lowest recorded income was VND 4 million from a two-member elderly household engaged in agricultural production. The highest income was nearly VND 100 from a household involved in selling bonsai trees and running an eatery business. Enterprise-based livelihoods contributed the most to the average monthly household income structure at 33%, followed by land-based activities (32.4%), wage-based livelihoods (27.8%), and other sources (6.8%) such as pension and support from family members.

The average monthly income per capita was VND 5,820,281, which is lower than the figures for Binh Duong province (VND 14.3 million per person per month) and Tru Van Tho commune (VND 6.9 million per person per month) in 2023. None of the surveyed AHs were identified as poor or near poor.

The average monthly expenditures per household and per capita in the surveyed AHs were nearly VND 18.5 million and VND 4.2 million, respectively, which were much lower than the income indicators. The majority of the average monthly household expenditure was allocated to spending on food and daily necessities (46.8%), followed by other demands such as education, clothing, debt payment, and daily expenses.

Around 68.4% of the surveyed AHs had an average annual household income exceeding the average annual expenditure, with a positive gap of over VND 6.8 million. This aligns with the data analysis showing that 94.7% of the surveyed AHs had sufficient financial status in the past three years. It is noted that despite having enough income to cover their expenditure over the past three years, seven households (36.8% of the surveyed sample) recorded taking loans from commercial banks. These households paid an average of VND 10 million per month in loan interest.

Table 9: Surveyed AHs' Income and Expenditure

Indicators	Surveyed AHs (N=19)	
	Monthly Household Income	Monthly Household Expenditure
Average value per household (VND)	25,425,439	18,546,930
Average value per capita (VND)	5,820,281	4,245,683
Minimum value (VND)	4,000,000	5,130,000
Maximum value (VND)	99,666,667	46,300,000

Source: Socio-economic survey conducted by ESC, May 2024

5.3.5. Household Assets

In the surveyed areas, about 90% of AHs had residential houses in good conditions, with good sanitary conditions such as flush toilets. The houses also had adequate home appliances including TVs, fridges, gas stoves, mobile phones, beds, cabinets, air conditioners, and kettles. There was one household residing in their friend's accommodation, and another household rented a house despite owning one.

Regarding transportation, motorbikes were the primary means of commuting, and 35% of the surveyed AHs owned cars. All households had access to the national grid and utilized gas and electricity for cooking. For domestic water use, the primary sources were borewells (75%) and the centralized piped water system (40%).

5.3.6. Land Holding

All surveyed AHs had residential and gardening land measuring a total of 127,248m², with an average area of 6,362m² per household. They had a land use rights certificate (LURC) for their residential and gardening land (see Table 10).

It was found that 95% (19 out of 20 AHs) also had agricultural production land plots including the plots of production land to be temporarily affected by the Project, with a total area of 716,300m² and an average area of 37,700m² per household. Almost 84.2% of 19 AHs with production land had LURCs, while 15.8% rented production land for cultivation. The surveyed households were found to be growing cassava or rubber trees on production land.

Table 10: Surveyed AHs' Land Holding

Land Types	All Surveyed AHs (N=20)					
	No. of households	%	Total area (m ²)	Average area (m ²)	Smallest area (m ²)	Largest area (m ²)
Residential and gardening land	20	100.00	127,248	6,362.4	100	80,000
Agricultural production land	19	95	716,300	37,700	1,600	150,000

Source: Socio-economic survey conducted by ESC, May 2024

5.3.7. Social Support and Engagement

About 75.9% of the 87 surveyed individuals (66 people) could participate in local social organizations³⁷. However, only 20.7% engaged in social organisations. The most common social organizations participants engaged in were Elderly Association (38.9%), Farmers' Union (33.3%), and Women's Union (33.3%). Village Management Boards, Party Cells, Veterans' Associations, and Red Cross organizations had lower engagement rates.

When households need help in terms of finance, information, and spiritual support, family was the primary source of support for emotional and practical encouragement (68.4%), followed by neighbours (10.5%) and friends (5.3%). Two households reported that they did not have any support sources to rely on.

5.3.8. Gender Relations

Gender differences were evident in levels of participation in reproduction, production, and community activities³⁸. Women were more involved than men in all reproduction activities, such as caring for children and the elderly (63.9%), preparing food and cooking (63.9%), and doing household chores (63.9%). Meanwhile, men played more prominent roles in production (an average of 64.5%) and community activities (an average of 61.7%). Statistics also indicated that in 88.9% of households, both the husband and wife claimed to have equal decision-making rights in household matters with the final decision being made after discussion between them. The remaining households (11.1%) reported that while discussions took place, the husband was the ultimate decision maker.

³⁷ Vietnamese citizen aged from 16 and over are eligible to participate in civic organisations.

³⁸ 18 out of 20 surveyed AHs were included in the gender relations analysis as the remaining two AHs were widowed or female headed.

5.3.9. Perception of Infrastructure and Public Services

All households have expressed satisfaction with the current conditions of local infrastructure and public services. This includes electricity supply, water supply, road system, education, health care, waste collection services, internet and telecommunications, and markets (see

Figure 8). There were no recorded complaints or negative assessments regarding these categories, which may indicate convenient living conditions in the surveyed areas.

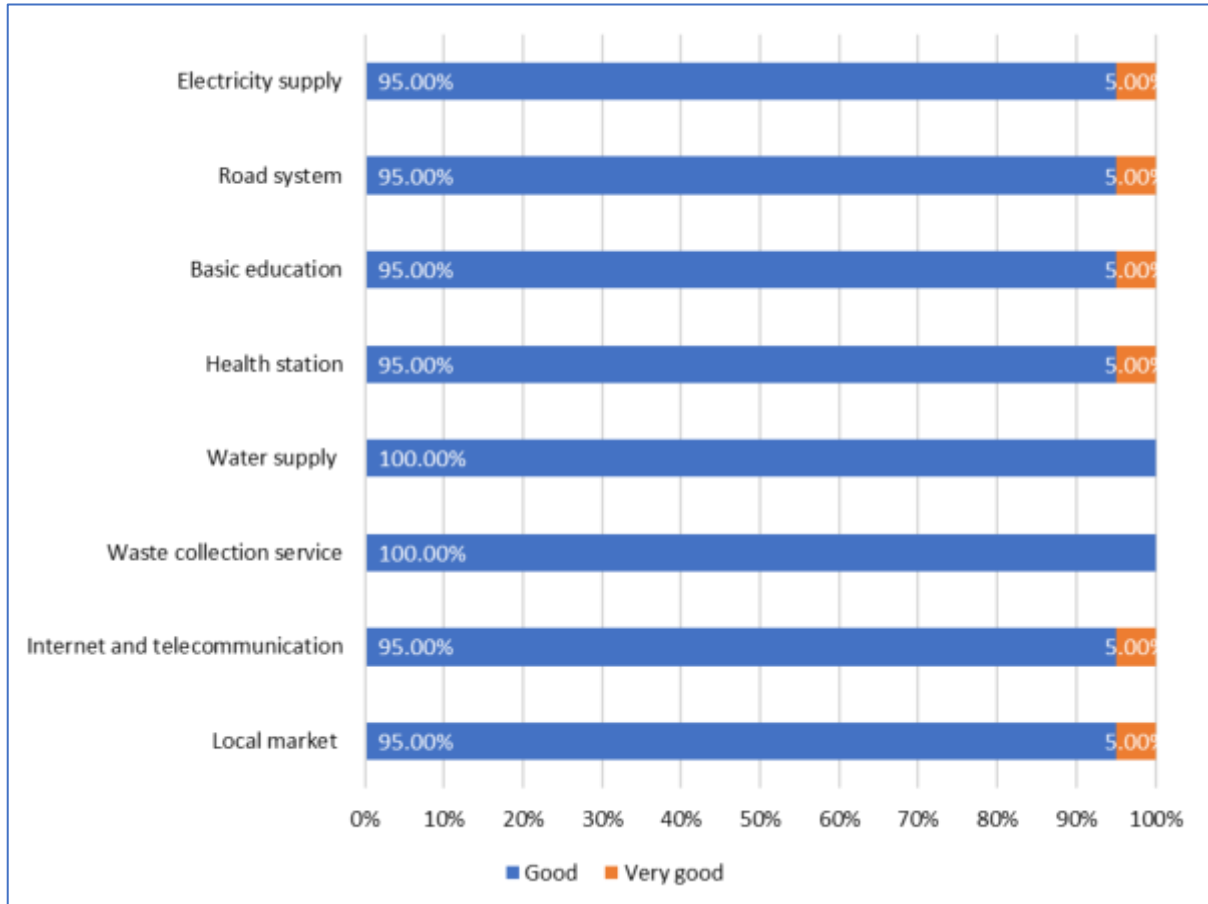


Figure 8: Surveyed AHs' Evaluation on Infrastructure and Public Services

Source: Socio-economic survey conducted by ESC, May 2024

5.3.10. Knowledge of the Project

Survey results show that approximately 95% of respondents have heard about the Project. Specifically, 47.4% have learned about the Project in less than six months, while 21.1% have become aware of it over a period longer than six months, mainly through the Project representatives. Additionally, 31.5% of respondents received information about the Project for the first time through public meetings. Most households expressed a need for further information about the Project, with 75% wanting to know the Project's commencement date and 55% seeking information about the compensation price for affected land and non-land assets. These households preferred to receive this information through public consultations (75%) or in-person meetings (35%).

Furthermore, the survey found that 70% of the surveyed households were unaware of the Project's grievance mechanism. However, 30% indicated that they would contact TDM's representative in case of grievances. No grievances related to the Project were recorded during the survey.

5.3.11. Perception of Project Impacts

Surveyed households believed that the Project would have positive effects on clean water supply, job opportunities, and investment prospects. To maximize these positive impacts, it is recommended that the Project adequately communicates its information and progress to residents and holds consultations with both the local people and authorities during the construction and operation phases.

Survey results indicated overall support for the Project among the households. However, some negative impacts related to the Project were identified, including (see Table 11):

- Temporary loss of land: 95% (19 households) mentioned that they would experience temporary land loss, while the remaining household is cultivating on the same land plot with another AH.
- Loss of crops and trees and temporary livelihoods: 90% (18 households) said that their livelihoods would be temporarily affected due to loss of their income from crops or trees cultivated in the affected areas. Most of these households planted rubber trees between six and 19 years old on the affected land, which are ready for harvesting. However, they did not identify the loss value from rubber harvesting, which depends on the number of affected rubber trees and the Project construction time. Only three AHs mentioned that they will lose from 7 to 41 rubber trees. Even though only a small number of rubber trees being affected, impacts on livelihood are obvious to them as their mature rubber trees would be a stable source of income for many years to come.
- Temporary access restriction: 45% would be affected by temporarily restricted access to their land and production areas. However, many others believed that this restriction would not significantly impact their access to the production area, as they can traverse through alternative routes or through adjacent plantations. This impact is deemed insignificant as the construction period is short and would not disrupt traffic significantly.
- Additionally, there are concerns about the post-excavation soil quality, including soil degradation and erosion. Some were worried that planting perennial trees on the shallow soil surface will be challenging because their roots may have difficulty penetrating deep into the soil due to the pipeline obstruction.

Table 11: Potential Impacts Perceived by AHs

Potential Impacts		AHs by Segment 1 (N=11)		AHs by Segment 2 (N=8)		AHs by Segment 3 (N=1)		All Surveyed AHs (N=20)	
		N	%	N	%	N	%	N	%
Temporary loss of land		10	90.91	8	100.00	1	100.00	19	95.00
Loss of crops and trees and temporary impacts on household livelihoods	Perennial trees (rubber)	8	72.73	6	75.00	1	100.00	15	75.00
	Short-term crops (cassava)	0	0.00	2	25.00	0	0.00	2	10.00
	Intercropped crops and perennial trees	1	9.09	0	0.00	0	0.00	1	5.00
Temporary access restriction		7	63.64	1	12.5	1	100.00	9	45.00

Source: Socio-economic survey conducted by ESC, May 2024

To minimize negative impacts by the Project development, 89.5% of surveyed households recommended the Project to implement the following measures:

- Disclosing the Project information and progress to local people (80%)
- Providing reasonable compensation scheme (65%),
- Allowing AHs to harvest their crops and trees before the construction commences (45%)
- Consulting local people and authorities about their concerns during construction (30%)
- Reconstructing or restoring affected land and/or structures (25%)
- Providing temporary access routes during construction (20%)
- Promptly addressing all questions and complaints from residents (20%)
- Installing warning signs along the access road to the Project area (20%)
- Restoring degraded agricultural land after the construction (15%)

5.3.12. Percentage of Temporary Production Land Loss

The survey confirmed that the land access and compensation process had not occurred at the time of the survey. As a result, AHs were unable to provide sufficient or detailed information about their impacted land area, exact location, number of affected trees or crops, and the estimated value of the loss. They only knew that the pipeline would cross their land, and they believed that the affected land area might make up a small proportion of their total production land, which was not expected to have significant impacts on their land use.

Consultations with TDM’s representative indicated that, at this stage, the Project only estimated the length of the land that would be affected by the pipeline construction. The width of the affected land is estimated to be 2.5-6m, which will be accurately determined when the DMS is conducted. DMS was conducted prior to start of construction activities in September 2024, discussions in Appendix A.

Based on information provided by 18 interviewed AHs³⁹ and the estimated figures on the length and width of affected land provided by TDM, the percentage of production land loss was estimated with two scenarios, as shown in Table 12.

- Scenario 1: If the land that the project will access is at least 2.5m wide, all interviewed AHs will temporarily lose less than 10% of their production land. No household is considered significantly affected by the Project.
- Scenario 2: If the land that the project will access is up to 6m wide, three AHs (16.7%) will temporarily lose more than 10% of their production land, ranging from 10.5% to 13.5%. Three households will be classified as significantly affected by the Project.

Table 12: Estimated Percentage of Temporary Production Land Loss

Percentage of Temporary Production Land Loss	Scenario 1 2.5m wide * affected length		Scenario 2 6m wide * affected length	
	N	%	N	%
Below 1%	4	22.22	0	0.00
From 1% to below 5%	13	72.22	11	61.11
From 5% to below 10%	1	5.56	4	22.22
10% and over	0	0.00	3	16.67
Total	18	100.00	18	100.00

³⁹ In this analysis, data was based on information provided by 18 households having their production land affected. The remaining two households include one co-cultivating on one AH’s land, and one having garden land with some vegetable and young fruit trees, which are deemed not to generate household income.

Source: Socio-economic survey conducted by ESC, May 2024

6. INFORMATION DISCLOSURE, CONSULTATION, AND PARTICIPATION

This section on information disclosure, consultation and participation identifies main stakeholders of the Project and gives a record of consultation and engagement activities undertaken to date, as well as TDM's plans on maintaining information disclosure and consultation during the RP implementation.

Meaningful consultation is a process that: (i) begins early in the Project preparation stage and is carried out on an ongoing basis throughout the Project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to AHs; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of APs and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

Disclosure of information and consultations occur during the preparation and implementation of the project to ensure that APs and other stakeholders have timely information about project's land access, compensation, and resettlement, and opportunities to participate in and express their preferences and concerns regarding the resettlement program.

6.1. Project Stakeholders

A stakeholder is defined as any individual or group who is potentially affected by a project or who is interested in, or capable of influencing the outcome of the proposed development and its impacts. They can be all individuals, local communities, organisations, and governmental authorities. In compliance with the 2013 Land Law (Article 48, Article 67, and Article 69) and the ADB's SPS, the views and suggestions of stakeholders will be incorporated in this RP. Primary stakeholders of this Project include:

- Directly APs/organisations by project's temporary land access (including landowners and land users)
- Indirectly APs living in Tru Van Tho commune and Lai Uyen town
- Partner organisations: Binh Duong Water Environment Joint Stock Company (BIWASE as the collector of TDM's treated bulk water for supplying potable water to households and industrial parks) and EVN (the owner of land under 110kV TL safety corridor).
- Governmental agencies: People's Committees of Binh Duong province, Bau Bang district, Tru Van Tho commune, and Lai Uyen commune-level town
- Construction Contractor and subcontractors (if any)
- Civil society organisations (CSOs): Farmers' Unions of Tru Van Tho commune and Lai Uyen town

Stakeholders will be continuously updated throughout the Project development process (see Table 13). A Stakeholder Engagement Plan will be developed as part of the Project's environmental and social management plan.

Table 13: Stakeholder Matrix

Category	Stakeholder	Description	Influence	Interest
Directly APs/organisations by project's temporary land access	Landowners	Individuals or organisations have land affected by the pipeline installation.	High	High
	Land users	Individual users of land and non-land assets affected by the pipeline installation.	High	High
Indirectly APs	Local people not affected by project's temporary land access residing in Tru Van Tho commune and Lai Uyen town	Local households residing and/or having production land near the pipeline installation location in Tru Van Tho commune and Lai Uyen town.	Low	Medium
Partner organisations	BIWASE	TDM provides treated bulk water supply to BIWASE, Binh Duong's monopoly water distributor, for potable water supply to both households and industrial parks in Thu Dau Mot city, Binh Duong province.	Medium	High
	EVN	EVN is the owner of land under 110kV TL safety corridor. The development status of this pipeline is partially dependent on the agreement between TDM and EVN	High	High
Governmental agencies	People's Committee (PC) of Binh Duong province	Province-level management authority	High	Medium
	PC of Bau Bang district	District-level management authority	High	Medium
	PC of Tru Van Tho commune	The local authority will approve and inspect the pipeline construction in Tru Van Tho commune.	High	High
	PC of Lai Uyen commune-level town	The local authority will approve and inspect the pipeline construction in Lai Uyen town.	High	High
Contractors and subcontractors	Construction Contractor and subcontractors (if any)	The Construction Contractor will cooperate with TDM to undertake the land access process, implement the RP, and conduct the pipeline construction.	High	High
Civil society organisations (CSOs)	Farmers' Unions of Tru Van Tho commune and Lai Uyen town	Farmers' Unions are responsible for supporting farmers' livelihoods in the Project areas.	Low	Low

6.2. Consultation with Stakeholders to Date

6.2.1. Engagement during the Regulatory EIA Process

On 26 March 2024, TDM received responses from Tru Van Tho CPC and Fatherland Front Committee of Tru Van Tho commune regarding the Project's EIA report through official documents. Some recommendations included: reducing air pollution and dust caused by material transportation, managing workers during construction, prioritising recruitment of local people for construction work, ensuring local security, occupational health and safety, and fire prevention during construction, and implementation a compensation plan for AHs.

On 29 March 2024, TDM organised a public consultation session in Cay San residential area's office, Lai Uyen town with the participation of Lai Uyen TPC representatives and 15 local households. The purpose was to inform the Project information, present its project impacts and mitigation measures, and gather public opinions on the Project implementation. Overall, the local authorities and communities showed their support for the Project development and recommended the installation of

signage boards, reduction of air pollution and dust from material transportation, and proper treatment of waste and wastewater during construction.

On 5 April 2024, TDM received a response from Binh Duong Electricity Company and Southern Irrigation Management One Member Limited Liability Company regarding the Project’s EIA report through official documents. Binh Duong Electricity Company committed to ensuring a stable electricity supply for the Project as specified in the EIA. Southern Irrigation Management Company requested TDM to increase the capacity of the intermediary lake from 60,000m³/day and night to 350,000m³/day and night to ensure a minimum amount of raw water reserved for one day in case the water source is not guaranteed or the Phuoc Hoa - Dau Tieng canal has a problem and requires water to be cut off for maintenance and repair.

On 9-10 May 2024, TDM and its EIA consultant organized two public consultation sessions as part of the requirements on the local EIA process. The meetings were held at the community house of Hamlet 2 in Tru Van Tho commune and at Lai Uyen TPC’s office, with participation of local authorities, TDM representatives, EIA consultants, and affected residential communities in the Project areas. Generally, the community was looking forward to the development of the Project and recommended that TDM implements proposed environmental and social mitigation measures. All the opinions from these public consultations will be recorded in the final EIA report.

6.2.2. Engagement during the RP Development Process

- Meeting with Authorities

Two meetings were held with Tru Van Tho CPC and Lai Uyen TPC. A summary of discussions, concerns and recommendations from the meetings with authorities for the RP process is presented in Table 14.

Table 14: Engagement with Local Authorities during the RP process

Organisation	No. of Participants	Date of consultation	Topics Covered in the Consultation	Concerns/Perceptions/Recommendations
Lai Uyen TPC	3 (including the vice chairman of Lai Uyen TPC, cadastral officer of Lai Uyen TPC, and Head of Cay San residential area)	9 May 2024	<ul style="list-style-type: none"> - Update the organisation about the Project development progress. - Obtain up to date socio-economic data about demography, infrastructure and public services, health, livelihoods and employment, ethnic minority, and cultural sites in the locality. - Obtain inputs on impacts that the Project may have on local communities. - Gain feedback or perceptions on the Project development. 	<p>The Project development will contribute to the local socio-economic development, increasing the clean water coverage in the locality and investment opportunities.</p> <p>The local representatives did not show any major concerns regarding the project’s land access for the pipeline construction as the pipeline mainly traverses under the safety corridor of the 110kV TL, which will not incur to permanent land acquisition. It will not have any prominent impacts on local people’s employment and any significant turbulence on local living.</p> <p>The pipeline construction may cause disruptions to access local production land. Soil excavation could lead to soil runoff into adjacent fields, potentially disrupting cultivation activities.</p> <p>The Project is recommended to:</p> <ul style="list-style-type: none"> • Conduct the consultation with EVN during the pipeline construction • Perform environmental and social mitigation measures

Organisation	No. of Participants	Date of consultation	Topics Covered in the Consultation	Concerns/Perceptions/Recommendations
				<ul style="list-style-type: none"> Announce local people about the commencement date of the pipeline construction Compensate affected crops, Restore the land's original condition, and Minimizing any soil spillage during excavation.
Tru Van Tho CPC	3 (including chairman of Tru Van Tho CPC, cadastral officer of Tru Van Tho CPC, and Head of Hamlet 2)	10 May 2024		<p>The local community has shown a strong support for the Project due to its positive impacts on socio-economic development. The Project will contribute to provide water for irrigation and domestic use, aligning with the commune development plan that aims to build Tru Van Tho as a commune-level town of the Bau Bang district by 2030.</p> <p>The Project has minimal impacts on local households, as it requires a small land area for the pipeline construction and has a short construction duration, minimizing negative effects on local living and livelihoods. The Project's impacts on land and crops under the 110kV TL are not significant.</p> <p>The main concerns regarding the Project construction include limited traffic during the construction time and potential land subsidence due to land excavation and filling, which may negatively affect the local environment in terms of dust, noise, and waste pollution.</p> <p>The Project is recommended to:</p> <ul style="list-style-type: none"> Implement environmental and social mitigation measures Announce local people about the commencement date of the pipeline construction Develop and implement a mutually beneficial compensation plan Work directly with local households regarding land acquisition and compensation, with the support of local authorities Restore the land to its original status after construction.

Source: Socio-economic survey conducted by ESC, May 2024

- Consultations with Communities

Simultaneously with authority meetings, TDM organised multiple engagement activities at commune level to collect the latest socio-economic baseline data as well as concerns of local communities on the pipeline construction. The consultations were done in the form of household surveys. Twenty (20) households whose land would be temporarily acquired for the pipeline construction were already engaged via interviews in May and June 2024. Outcomes of the household surveys are also referenced in the report and presented in Table 15.

As updated by TDM in September 2024, a public meeting was organized on 30 August 2024, with the participation of AHs and local representatives in Tru Van Tho commune to disclose the pipeline implementation plan in Tru Van Tho commune and TDM’s compensation schemes for AHs.

Table 15: Engagement with Local Communities during the RP process

Stakeholder	No. of AHs	Date of consultation	Topics Covered in the Consultation	Concerns/Perceptions/Recommendations
AHs by the pipeline construction	20	9 May – 1 June 2024	<ul style="list-style-type: none"> • Disclosure of the pipeline construction information • Obtaining information on demographics, source of assets, financial resources, socio-economic status of AHs, and level of satisfaction with local infrastructure and public services • Assessment of potential impacts on local households. • Concerns or perceptions about the pipeline construction 	<p>Most AHs support the development of the pipeline since it will ensure adequate water supply for local people.</p> <p>Some concerns include restricted access to production land along the pipeline alignment, potential soil erosion and degradation due to earth work, potential impacts on crop calendar, and loss of income from perennial trees.</p> <p>The Project is recommended to</p> <ul style="list-style-type: none"> • Send early announcements of the pipeline construction commencement, • Conduct a detailed inventory of loss and detailed measurement survey with the participation of AHs, • Offer reasonable compensation for affected land and non-land assets, • Ensure the construction activities within the planned duration, • Avoid construction activities in the rainy season, and • Restore the land to its original status after construction.
Nine AHs by the pipeline construction and five representatives from TDM, Tru Van Tho CPC, and Hamlet 2	9	30 August 2024	<ul style="list-style-type: none"> • Disclosure of the pipeline installation implementation in Tru Van Tho commune • Disclosure of TDM’s compensation schemes for AHs 	<p>The Project is recommended to</p> <ul style="list-style-type: none"> • Cooperate with AHs to conduct land measurement and inventory of losses, and • Consider the pipeline alignment on public roads and under the TL to minimise local losses.

Source: Socio-economic survey conducted by ESC, May 2024

6.3. Stakeholder Engagement and Information Disclosure during the RP Implementation

During the RP implementation, TDM will promote engagement activities of the Project-based stakeholders. Engagement activities will be recorded and documented comprehensively, including participants lists, photographs, and minutes of the key issues addressed, agreements reached, observations made in the field, and outstanding issues that need to be addressed.

For transparency in the RP implementation process and further active involvement of APs or AHs and other stakeholders, information will be disseminated through the disclosure of RP document (see Table 16). The following steps will be undertaken for disclosure of RP:

- Copies of the approved RP in Vietnamese language will be made available at TPC/CPC offices and disclosed to APs. The RP will be uploaded on the TDM and ADB websites for disclosure purposes, as ADB’s SPS 2009 requires that all reports are made available to project APs and other stakeholders and the public at large;
- Copies of the PIB in Vietnamese language will be distributed to the APs or AHs; and
- Social monitoring reports on RP implementation will also be made available at the TPC/CPC offices and will be uploaded on the ADB website.

Details of proposed engagement activities during the RP implementation are presented below.

Table 16: Proposed Engagement Activities during the RP Implementation

Engagement Activity	Stakeholders	Description	Forms of communication
Disclosure of the RP	Directly APs Indirectly APs Partner organisations Governmental agencies Construction Contractor and subcontractors (if any) Civil society organisations	The RP will be disclosed as soon as these versions get approved. The final RP disclosure will be on-going throughout the RP implementation phase. A PIB for all APs in Vietnamese language will be prepared for disclosure activities. The PIB will include concise information on all the key aspects of the resettlement process, such as (i) a description of the Project; (ii) adverse social impacts of the Project; (iii) measures to avoid impacts, including entitlements of APs/AHs; (iii) consultation and grievance redress procedures; (iv) implementation schedule of resettlement activities; and (v) names community liaison officials.	Meetings will be organised with local authorities and APs (i.e., face-to-face, small group meetings, and phone calls), and PIB will be delivered in the meetings and displaced at local public areas. Records of PIB disclosure to AHs are required.
Consultations with stakeholders	Directly APs Indirectly APs Partner organisations Governmental agencies Construction Contractor and subcontractors (if any) Civil society organisations	Continuous consultations shall be carried out by TDM during the RP implementation stage to update APs/AHs and ensure that they receive their due entitlements and benefits.	Correspondence (i.e., face-to-face, meetings, phone calls, documents, emails, or letters)

Engagement Activity	Stakeholders	Description	Forms of communication
Disclosure of social monitoring reports on RP implementation	Directly APs Indirectly APs Partner organisations Governmental agencies Construction Contractor and subcontractors (if any) Civil society organisations	Social monitoring reports will be prepared and shared with stakeholders, especially to CPC/TPC, during the RP implementation and upon completing the RP implementation.	Official documents with reports enclosed

7. GRIEVANCE REDRESS MECHANISM

APs will have the right to file complaints and/or grievance on any aspect of land acquisition, compensation, and resettlement such as inventories, valuation, and entitlements. Any APs who have their land or non-land assets or livelihoods affected and believe that they are not compensated or assisted in compliance with their entitlements will be able to express their grievances through a Grievance Redress Mechanism (GRM) that has been instituted under this RP. The GRM enhances the Project responsiveness and accountability to affected communities by ensuring that grievances are promptly received and facilitated resolution.

The mechanism is designed to promptly address APs' concerns and complaints, using an understandable and transparent process that is gender-sensitive, culturally appropriate, and readily accessible to all affected people. The grievance mechanism includes provisions to protect complainants from retaliation and to remain anonymous if requested (refer to Article 6, Complaints Law 2011). Complaints are made in written or verbal (refer to Article 8, Complaints Law 2011). The GRM is explained and disclosed to APs and communities prior and during consultations that precede the approval of the RP and will be socialised during the RP implementation. TDM will designate personnel responsible for monitoring and addressing grievances and complaints raised by APs until they are resolved.

To ensure that all APs have avenues for redressing their grievances related to any aspect of project's land access and compensation of losses, detailed procedures for the redress of grievances have been established for the Project, with references to national regulations on grievance resolution procedures (Section 2, Complaints Law 2011), which are as follows:

Step 1: Receive and Acknowledge Grievance

APs may submit an oral or written complaint to TDM or the Construction Contractor, who will send it back to TDM's staff in charge (the Deputy General Director as the Project coordinator). The TDM will log the complaint and relevant details in the Grievance Log within one (01) working day. APs can directly approach TDM or the Construction Contractor. Upon receipt of the written or verbal grievance, TDM will assign a unique number to each grievance for easy tracking. Grievances for highly sensitive cases, and as requested by complainants, will be filed anonymously, which is essential for capturing any grievances that may arise concerning gender-based violence and sexual exploitation and abuse. In the case of grievances raised anonymously, TDM will accept and register the grievance.

TDM will provide the complainant with a verbal acknowledgment of the receipt of the complaint (phone call or a meeting) and a written acknowledgment within three (3) days (email, text messages, or letter). The acknowledgment will include the grievance number so the complainant can use it as a reference to track their complaint's status. If the grievance is not well understood or additional information is required, the complainant should seek clarification during this step.

Step 2: Screen and Assess Grievance

Grievance is screened and assessed within three (3) working days of receipt by the TDM as follows:

- If it is decided that a grievance is invalid, the grievance will be dismissed, and advice on the decision and the reasons for dismissal will be provided to the complainant in writing (and in person if required). For anonymous grievances, the updated information shall be posted on notice boards for anonymous grievant(s). Where applicable, TDM will refer the complainant to a government department, organisations, or judicial committee within the local government;
- If the grievance is valid, it will proceed with the next steps.

Step 3: Investigate and Propose Resolution

TDM will investigate the grievance and propose a resolution or as soon as possible but no later than 15 working days after screening and assessing the grievance. TDM's responsible staff shall seek input from local authorities, project personnel, and contractors, as necessary.

TDM staff will discuss the outcomes of the investigation and proposed resolution with the complainant. The response can be communicated in several ways depending on the complainant's preference (e.g., face-to-face, email, letter, or phone call). They will ask the complainant for written acceptance of the resolution (or verbal if the complainant has difficulty reading or writing).

For anonymous grievances, solutions will be taken without consultation with grievant(s). The updated information shall be posted on notice boards for grievant(s).

Step 4: Implement the Resolution

- If the complainant does not accept the proposed resolution, TDM shall consult with the complainant to obtain further detailed clarification on the issues and negotiate a mutual solution. Minutes of consultation sessions shall be kept in the Grievance Log. If a mutual solution cannot be obtained through consultation, third parties could be asked to be involved. The third party can provide advice or facilitation in an acceptable way to all parties. Where mediation is desired, local institutions may be sought to mediate between the Project and stakeholder groups.
- If the complainant accepts the proposed solution, the solution will be implemented within five (05) working days. TDM member shall inform the complainant once the resolution or corrective actions are implemented and confirm that the complainant is satisfied.

Step 5: Grievance Close Out and Documentation

TDM will monitor, document the grievance resolution process, and close the grievance within five (05) working days. If further attention is required, TDM should return to Step 2 to re-assess the grievance. All correspondence related to the grievance must be documented in the Grievance Log for monitoring, reporting, and learning.

The above GRM will be disclosed to APs before and during the RP implementation to ensure they understand the process. Any expenses related to the procedures associated with seeking grievance redress will be borne by the Project.

8. ENTITLEMENTS, ASSISTANCE AND BENEFITS

8.1. Eligibility

This section sets out the entitlements, assistance and benefits available to people and households affected by project activities. People eligible for compensation and livelihood assistance entitlements are the persons who were on the project site prior to the cut-off date and who are physically and/or economically displaced due to permanent or temporary loss of land, structures and/or livelihood, whether full or partial, as a consequence of project execution.

Based on Section 4.2 on potential impacts of the pipeline construction and Section 5.3 on socio-economic profiles of APs. APs for the purpose of this RP include the following:

- Persons or households whose agricultural or garden land is in part or in total displaced temporarily by the Project;
- Persons or households whose structures are in part or in total displaced temporarily by the Project;
- Persons or households whose crops and trees are displaced by the Project; and
- Persons or households whose other assets are in part or fully displaced temporarily by the Project.

8.2. Cut-Off Date

The cut-off will establish the displaced persons who are eligible to receive compensation and assistance from the Project. The cut-off date coincides with the date of the DMS completion. The Project will adopt the rolling cut-off date approach, of which the cut-off date is specific to each segment. Considering the context of the Project, it is advised that the cut-off date should be set before the very start of the construction activity and the announcement of the cut off will be two weeks before the DMS starts (tentatively Quarter 3 of 2024). This is to ensure that farmers will be informed that no new crops will be planted along the TL after the cut-off date to avoid eligibility and compensation problems later. The cut-off date will be disseminated to all APs and, ideally, throughout the Project area in a general meeting with the local authority present and displayed or announced in public media and locations accessible to others who may not have been identified by survey.

As updated by TDM in September 2024, the cut-off dates that were declared related to the inventory of losses to nine households affected by Segment 1 in Tru Van Tho commune were 4 September 2024 (four AHs) and 5 September 2024 (four AHs). Details are discussed in Appendix A.

As planned by TDM, cut-off dates for land compensation and public announcement before construction commencement are as follows:

- 30-45 days before construction commencement: TDM will notify AHs and land users on the construction works and will carry out negotiation and compensation. Negotiation and compensation will be done in two weeks duration.
- Two (2) weeks before construction commencement: TDM will notify CPCs, households and land users about the date of construction commencement.

8.3. Detailed Measurement Survey (DMS)

In May 2024, TDM conducted a preliminary survey to identify the location of land affected, landowners, and types of crops and trees. The census of AHs was conducted by ESC right after TDM's preliminary survey. Detailed information on Project's land access and compensation were not obtained as the land access process had not been started.

The final DMS will be done prior to the start of the construction activities per segment to confirm the actual impacts and compensation and allowing local farmers to harvest the identified crops and trees. DMS will be mainly conducted by TDM's Construction Contractor once the detailed engineering design is finalized and approved.

For the affected assets, the DMS of foreseen damages will be conducted by the owner and the Construction Contractor, with the presence of TDM representative. These parties will confirm the inventory of affected assets. For affected structures, the reconstruction or restoration plan will be discussed by all parties. Incidental damages or impacts incurred during construction period will be compensated on the full replacement cost.

As updated by TDM in September 2024, DMS and inventory of losses were already undertaken for nine households affected by Segment 1 (sub-segment 1.1 and sub-segment 1.4) in Tru Van Tho commune. The smallest cultivation area affected was 95m² and the largest area affected was 367.5m². These households had their rubber trees, acacia trees, and cassava crops affected by the pipeline construction. Details are in Appendix A.

8.4. Replacement Cost Calculation

A replacement cost calculation will be conducted to determine the prevailing market rates of lands, structures, crops, and trees in the Project area on the principle of replacement cost. The pipeline will be constructed in 24 months and in segments. The replacement cost should be determined prior to impact, agreed with the effected households and based on market rate. Replacement cost is the amount calculated before displacement that is needed to replace an affected asset without deduction for taxes and/or transaction costs.

The replacement costs will be evaluated based on information collected from both desk research and field work including surveys and data collection from people in the affected and adjacent areas, both those affected and those not affected. Desk research focuses on relevant publications and decisions of Government authorities at national, provincial, and district levels. However, these materials play at a supporting role only. As the work aims to obtain reasonable replacement costs for different types of affected assets, market evidence are the factors that most strongly base the formulation of these costs. Surveys with people in the affected area, both those whose assets are affected by the Project and those whose assets are not, produce reliable data for assessing the real market value of the assets affected. The compensation amounts for affected assets will be estimated using the unit costs and multiplying these unit costs with quantities of the affected assets.

8.5. Entitlement Matrix

An Entitlement Matrix has been developed, which recognizes and lists various types of losses and impacts resulting from the Project and provides the basic tools and guidelines for preparation of compensation and resettlement packages as shown in Table 17.

Table 17: Entitlement Matrix

Type of Loss	Type and Level of Impact	Entitled Persons	No. of AHs based on the census	Compensation Policy	Implementation Issues
Temporary loss of structure	Residential or commercial structure and other assets	Owners with legal title or legalizable title	1	<ul style="list-style-type: none"> Reconstruction or restoration of the affected structure based on the replacement value, within the period agreed with APs Includes option to be compensated for entire structure if remaining structure is no longer viable Includes right to salvage materials from structure Provision of all taxes, registration costs, and other fees incurred for replacement structure Transfer and subsistence allowance Additional compensation for vulnerable households 	Vulnerable households, including those headed by women, to be identified during the census of AHs.
Loss of crops and perennial trees	Standing crops and trees	Owners with legal title or legalizable title, tenants, leaseholders	18 (including 12 having crops and perennial trees grown on affected land plots and six leaving their land vacant, but planning to grow trees during June - December 2024)	<ul style="list-style-type: none"> Provision of a notice of 30-45 days before construction commencement to harvest standing seasonal crops. If harvest is not possible, cash compensation for crops (or share of crops) equivalent to prevailing market price. Cash compensation for perennial crops (i.e., rubber trees) and fruit bearing trees based on full replacement cost, which includes not only of the production of the crop over one year, but also the cost of reestablishing the crop (seedlings, soil preparation, fertilizer, pest control, etc.), as well as the lost income during the period needed to re-establish the crop or for the tree to achieve the same productive level. Livelihood restoration measure developed and implemented for significantly AHs, vulnerable AHs, and AHs that will require period of time to re-establish the perennial trees affected by the Project. 	<ul style="list-style-type: none"> Work schedule to allow harvesting prior to construction and avoid harvest season Market value to be determined based on survey from the nearest local market

Type of Loss	Type and Level of Impact	Entitled Persons	No. of AHs based on the census	Compensation Policy	Implementation Issues
Impacts on vulnerable displaced persons	All impacts	Vulnerable displaced persons	1	<ul style="list-style-type: none"> • Additional allowance for loss of assets, access, and income • Vulnerable households will have priority in any employment required for the Project or alternative option/benefit for vulnerable households could be identified in consultation with them. The Project will disclose recruitment information (if any) to local authorities and AHs. 	<ul style="list-style-type: none"> • Vulnerable households, including those headed by women, to be identified during the census of AHs
Temporary loss of land	Land temporarily acquired for the Project, include borrowing land to facilitate construction activities	Owners with legal title or legalizable title, tenants, leaseholders, encroachers, and squatters	19	<ul style="list-style-type: none"> • Provision of a notice of 30-45 days before construction commencement • Provision of land rental value during the duration of temporary acquisition • Cash compensation for crops and perennial trees based on full replacement cost • Restoration of affected land 	
Temporary loss of land	Temporary loss of access to land, structure, utilities, and common property resource	Owners with legal title or legalizable title, tenants, leaseholders, encroachers, and squatters	9	<ul style="list-style-type: none"> • Provision of a notice of two weeks before construction commencement • Provision of temporary access • Restoration or enhancement of affected land and/or structure 	
Any other loss not identified				Unanticipated involuntary impacts shall be documented and mitigated based on the principles provided in ADB's involuntary resettlement policy.	

8.6. Strategy to Address Gender Issues

The Project includes the following specific actions to address gender issues during resettlement planning and implementation:

- During the updating and implementation of this RP, both men and women will participate with equal opportunity and special measures to engage women in public meetings and in the DMS. Women from the AHs will be consulted regarding compensation, assistance, and benefits or opportunities related to the RP.
- For married APs, both husband and wife will be present to receive the couple's compensation and allowances for their affected assets and income sources.
- Women will be given equal chance in getting hired for unskilled labour and to receive equal remuneration for the same work as the men.

8.7. Strategy to Assist Vulnerable Households and Significantly Affected Households

Vulnerable APs include the following households headed by women with dependents, household heads with disabilities, poor households, children and elderly households with no other means of support, landless APs, Indigenous Peoples or ethnic minorities. Significantly AHs refer to AHs who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the Project.

Based on the census findings, one out of 20 interviewed AHs is considered vulnerable. This household is headed by a female with two school-age children (see Section 5.3.2). It is estimated that three households would be significantly affected by the Project (see Section 5.3.12). The Project will deliver additional assistance to vulnerable and significantly AHs or find acceptable alternative benefits for them.

8.8. Unforeseen impacts

New APs or AHs that will emerge due to changes in the Project design or alignment prior to or even during construction works are entitled to the same entitlements as those of the other APs or AHs. Project entitlements will not apply to new occupants of the right of way after the cut-off date.

9. AFFECTED STRUCTURES AND INCOME RESTORATION

9.1. Structure Restoration Strategies

As per the site walk along the pipeline in August 2023, no household is identified as likely to be needing to be physically displaced or relocated. Allowances for relocated households is not applicable to the Project.

According to the census findings in May 2024, one chicken cage might be temporarily affected due to the construction activities for the pipeline Segment 2. The compensation policy for temporary loss of structure is mentioned in the entitlement matrix (see further 8.5).

9.2. Livelihood Restoration Strategies

For significantly APs that lose 10% or more of productive land, income or other productive assets, vulnerable AHs, and AHs who will require period of time to re-establish affected perennial trees, livelihood restoration measures will be applied to restore livelihoods and incomes.

As presented in Section 5.3.2 and 5.3.12, one AH is classified as vulnerable and about three households may be significantly affected by the temporary land acquisition for the pipeline construction in the event that the Project will temporarily acquire up to 6m wide on the land affected. During consultation with these households, they did not propose any specific measure to support them in restoring their livelihood, but only suggested a reasonable compensation for their affected assets and livelihoods.

Based on the entitlement matrix and result of consultation with the AHs on this RP, livelihood restoration measures need to be developed before the pipeline construction, and implemented for these significantly affected APs, vulnerable AHs, and AHs who will require period of time to re-establish affected perennial trees.

10. RESETTLEMENT BUDGET AND FINANCING PLAN

Funds for land acquisition and implementation of resettlement are part of the Project budget. Detailed costs will be updated upon the completion of the DMS and the replacement cost calculation, which has been started from Quarter 3 of 2024.

10.1. Procedures for the Flow of Funds

TDM will bear the full cost of resettlement. It is responsible for ensuring that funds for resettlement are sufficient and are available on a timely manner. The Project will also ensure that funds for entitlements under the RP are fully disbursed among APs prior to the commencement of civil work.

TDM assigns the Construction Contractor to negotiate with APs to construct the pipeline, compensate APs for affected assets, and restore or reconstruct the damaged structure and TDM will be present in all consultations or discussions with APs and monitor the Contractor's activities. The Construction Contractor will deliver compensation and allowance to the AHs with the presence of TDM and the commune-level authorities. AHs will be notified at least one week about the date, time, and place as well as documentation required, for payment of compensation and allowances. At least one week's notice is given to APs; notification is made by posting an announcement at commune office. At the time of payment, the head of AP household signs a compensation document to acknowledge the amount and receipt of payment. Representatives of TDM and commune witness the payment.

10.2. Cost Estimates and Inflation Adjustment

TDM and Construction Contractor, in collaboration with the CPC/TPC will ensure that adjustments are made to compensation rates and to other cash entitlements to reflect current market rates when payment of compensation and allowance is not done within the year of the conduct of the RCS.

10.3. Implementation, Administration, and Contingency Costs

Implementation costs cover payment of allowances and per diem of concerned TDM staff members and consultants involved in the updating and implementation of the RP. Administrative costs and contingencies amounting to 10% per each will be added on top of the cost of resettlement. Likewise, an indicative amount equivalent to 2% of the direct cost of resettlement is set aside to cover the cost of external monitoring.

10.4. Estimated Cost of Resettlement

The details of the land and non-land assets identified for replacement or compensation cannot be provided at the moment as the DMS has not been completed. TDM already completed the preliminary survey of the land plots affected. Table 18 provides an estimated budget for RP implementation (USD 326,285) based on the consultation of TDM representative and the socio-economic survey results (May 2024). However, the actual cost of compensating nine affected households was only between USD 40,00 to 45,000 as detailed in Appendix A. It is important to acknowledge that some items may be subject to removal, addition, or adjustment based on the final provisions outlined in the RP. The identification of resettlement budget will be reported through an update in the RP.

Table 18: Estimated Budget for Resettlement Plan Implementation

No.	Cost Items	Unit	Quantity	Price Unit (USD)	Amount (USD)
A	Compensation (land, structure, crops, trees, and livelihood)				236,447
1	Compensation for temporary loss of land (6,000m in length * 2.5m in width)	m ²	15,000	11	164,764
2	Compensation for temporary loss of structure (1 chicken cage)	Structure	1	2,000	2,000

No.	Cost Items	Unit	Quantity	Price Unit (USD)	Amount (USD)
3	Compensation for loss of crops (cassava crop)	Ha	4	3,319	13,276
	Compensation for perennial trees (averagely 27 trees per HH * 18 HHs)	Tree	486	109	52,807
4	Compensation for temporary loss of livelihood	# HHs	18	200	3,600
B	Additional Financial Assistance				800
1	Support for significantly AHs	# HHs	3	200	600
2	Support for vulnerable AHs	# HHs	1	200	200
C	Livelihood Restoration Activities				3,200
1	Support for production activities	# HHs	4	800	3,200
D	RP IMPLEMENTATION				27,000
1	RP implementation team hires (Construction Contractor)	Duration of contract (months)	12	2,000	24,000
2	Training for the Construction Contractor on RP implementation	Package	1	3,000	3,000
SUB-TOTAL					267,447
E	Cost contingencies (10% of direct cost)				26,745
F	Administrative cost (10% of direct cost)				26,745
G	External monitoring (2% of direct cost)				5,349
GRANT TOTAL (USD)					326,285

11. INSTITUTIONAL ARRANGEMENTS

TDM has the overall responsibility for implementation of the RP, with provided additional support through contractors, and consultants in project management and safeguard monitoring.

11.1. Institutional Arrangement

TDM is the executing agency for the Project. TDM is planned to assign the Construction Contractor to implement the RP, but TDM will be ultimately responsible for all RP activities and involved in and monitor the Contractor's works. The Construction Contractor will be the implementing agency, responsible for managing and ensuring safeguard due diligence and disclosure requirements and monitoring in accordance with ADB's SPS and government requirements (see Table 19).

Table 19: Role and Responsibilities in Resettlement Plan Implementation

No.	Institution	Role and Responsibilities
1	TDM	TDM is the executing agency for the Project and will take the main responsibility for the RP implementation in accordance with ADB's SPS and government requirements.
2	Construction Contractor	Construction Contractor is the implementing party-in charge for the Project, responsible for ensuring safeguarding due diligence and disclosure requirements are in accordance with ADB's SPS and government requirements. The Contractor is responsible for the construction works.
3	Community	Local community is the affected party but also the beneficiary of the Project. The community is responsible for resolving social conflicts and safeguarding their rights.
4	Independent Consultant	Independent Consultant is responsible for conducting an evaluation to assess the completion of RP activities in compliance with the ADB SPS.

- TDM is the executing agency and is mandated to:
 - Provide overall management,
 - Conduct the preliminary DMS and the census of AHs,
 - Actively participate in RP updating and implementation activities in collaboration with Construction Contractor and concerned organisations at the commune level,
 - Ensure that Construction Contractor adheres to the principles, processes, and procedures prescribed in the RP. The responsibility of the Construction Contractor in the implementation of the RP should be documented in the contract agreement,
 - Take the lead in the public disclosure of Project RP in coordination with concerned People's Committees and participate in project information dissemination and holding of consultation meetings with AHs and other stakeholders,
 - Monitor grievances related to the Project,
 - Design and implement an internal monitoring system that will capture the overall progress in RP updating and implementation,
 - Report to ADB the RP implementation. Consolidate Project progress reports on land acquisition and resettlement and submit completion report to ADB, and
 - Engage qualified external auditor to conduct independent monitoring/audit of RP implementation.
- Construction Contractor: TDM assigns the Construction Contractor to implement the RP. Their scope of work will include but not be limited to the following:
 - Conduct detailed measurement surveys, valuation of damaged assets, and restoration/reconstruction.
 - Support TDM to conduct the community consultation and disclosure process throughout the Project cycle.

- Negotiate with APs to construct the pipeline and restore or reconstruct the damaged structure after construction.
 - Prepare the database of all AHs and review their eligibility and entitlement based on the final RP.
 - Disburse compensation to ensure that APs are compensated as per the RP before the commencement of civil works.
 - Distribute the notices to the entitled APs regarding their payment of compensation.
 - Provide proper guidance to APs for the submission of their requests for compensation as per eligibility and entitlement.
 - Facilitate APs in terms of resolving the legal and administrative impediments for the compensation payment.
 - Help APs to put their complaints or grievances.
 - Assist TDM in the preparation of progress and monitoring reports.
 - Review, monitor, and evaluate the effectiveness with which the RP is implemented, and recommend necessary corrective actions to be taken. Advise on corrective measures where necessary to TDM.
- Community: Local community is the affected and the beneficiary of the Project. The community is responsible for resolving social conflicts and safeguarding their rights.
 - Independent consultant/auditor: An independent consultant/auditor will be engaged by TDM to conduct external audit of the RP implementation based on the RP completion report prepared by TDM.

As updated in TDM in September 2024, TDM assigned its Construction Contractor to implement the pipeline construction and RP implementation. Details are described in Appendix A.

11.2. Staff Training and Capacity Building

To implement the RP, TDM shall ensure that resettlement activities are implemented in compliance with all applicable laws and regulations of Vietnam and ADB's SPS. TDM should plan and budget for staff development and training for its staff members and Construction Contractor personnel assigned to implement the RP. This is to ensure they gain knowledge and skills to undertake the resettlement operations, such as conducting detailed measurement surveys, valuation of damaged assets, restoration or reconstruction, RP policy, and ADB's SPS requirement. Since the responsibility of implementing the RP is designated to the Construction Contractor, the provision of capacity building for the Contractor's staff implementing the RP should be integrated into the contractual arrangement between TDM and the Construction Contractor.

12. IMPLEMENTATION SCHEDULE

The implementation schedule has been formulated to accommodate different activities of the Project. Social preparation, particularly information dissemination and maintaining a constant dialogue with the APs, will continue by TDM and Construction Contractor till the completion of the Project.

TDM and the Construction Contractor shall conduct the inventory of loss and DMS. Prior to the conduct of the DMS, TDM and local authorities shall hold public meetings or consultations with AHs to discuss the approved Project and the DMS activities that will be carried out in Quarter 3 of 2024. TDM and Construction Contractor shall carry out a replacement cost calculation, which may be based on the data from the local agriculture office and selling price of specific crops at the nearest market. Following the conduct of the DMS, TDM, with assistance from commune-level authorities, shall hold disclosure meetings or consultations with the AHs to discuss the results of the DMS, the Project resettlement policy and entitlements, and to solicit the views and suggestion of the AHs regarding their resettlement.

12.1. Resettlement Plan Implementation

TDM, through its Construction Contractor, will implement the RP upon receipt of official approval from ADB. It will only award the civil works contract to the civil works contractor after the RP is updated based on DMS and such RP has been reviewed and deemed satisfactory by ADB. The notice to proceed with the actual civil works will be given only after compensation at full replacement cost has been paid to the APs and no pending complaints and grievances are left unresolved.

The Project will provide adequate notification to APs so that they are able to move or give up their assets without undue hardship before the commencement of civil works and after receiving the compensation. TDM and the Construction Contractor will adopt the rolling approach to inform, consult, and compensate APs in correspondence to each segment of the pipeline one month before the segment construction. As mentioned, it is the responsibility of TDM to ensure that the RP is successfully implemented. TDM will co-ordinate these efforts to ensure that RP implementation and phasing is appropriately sequenced with designs and civil works.

As updated by TDM (September 2024), the key timeline for the Project implementation is as follows:

- Investigation and preparation of the feasibility study, design, and appraisal and construction permit application: nine (09) months;
- Selecting the Construction Contractor: two (02) months;
- Installing the pipeline: 12 months (from Quarter 3/2024 to Quarter 3/2025). The construction commenced on 30 September 2024, with an expected completion date of August 2025 (see Appendix A).

Given on the proposed timeframe of the Project implementation and the rolling approach practice to AHs, the RP implementation will be from Quarter 3/2024 to Quarter 3/2025. Table 20 presents a preliminary project resettlement implementation schedule from Quarter 3/2024 to Quarter 3/2025, indicating relevant tasks, responsible parties, and corresponding timelines. The presented implementation schedule needs to be adapted and adjusted based on relevant project information becoming available and monitored closely. The final project resettlement implementation schedule will be developed as part of the final RP.

Table 20: Resettlement Implementation Schedule by Activity and Time Period

No.	Activities	Responsible parties	2024				2025				
			Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
A	Prepare Resettlement Plan										
1	Final draft RP to be submitted to ADB and shared to TDM for public dissemination	TDM, ESC, and ADB									
2	Distribution of PIB to AHs and posting of the RP in relevant government offices and on ADB website	TDM, ESC, and ADB									
3	Conduct of DMS, replacement cost review, and census	TDM, Main Contractor, ESC, and other TDM's consultants									
4	Training for TDM's staff and contractor personnel assigned to implement the RP, if needed.	TDM and its consultants									
B	Implement Resettlement Plan										
1	Issue public notification for starting RP	TDM and Main Contractor									
2	Disburse compensation payments for land, structures, crops, trees, and livelihood	TDM and Main Contractor in collaboration with local authorities									
C	Monitoring and Evaluation										
1	Internal monitoring	TDM and Main Contractor									
2	External monitoring on the RP implementation by segment (End RP evaluation/completion audit)	External Auditor									

13. MONITORING AND REPORTING

The implementation of resettlement will be monitored regularly to help ensure that the RP is implemented as planned and that mitigating measures designed to address adverse social impacts are adequate and effective. Monitoring apparatus is crucial mechanism for measuring the Project performance and fulfilment of the Project objectives. The objectives of monitoring are: (1) to ensure that the standard of living of APs is restored or improved; (2) to monitor whether the timelines are being met; (3) to assess if compensation, rehabilitation, replacement measures are sufficient; (4) to identify problems or potential problems; and (5) to identify methods of responding immediately to mitigate hardships. Towards this end, resettlement monitoring will be done by an internal body and by an external auditor.

TDM will be responsible for the submission of semi-annual safeguards and social monitoring report to ADB, as well as the preparation and submission of the RP completion report by segment. The completion report will provide details on the involuntary resettlement and compensation of AHs.

13.1. Internal Monitoring

For the Project, TDM and its Construction Contractor will collaborate to carry out internal monitoring of resettlement planning and implementation activities. The scope of internal monitoring (i) assesses compliance with the resettlement policies and procedures; (ii) evaluates the availability and efficient use of personnel, material, and financial resources; and (iii) identifies the need for remedial actions to correct any problems that arise. Internal monitoring will cover the following:

- Public information dissemination, consultation procedures and timeline;
- Status of compensation payment for the land and non-land assets like structures, crops, and trees;
- Payment for the resettlement and livelihood restoration;
- Payment of compensation to all APs in various categories, according to the compensation policy described in the RP;

Preparation of Compensation Completion Report to be submitted by TDM to ADB and JICA, which will be shared with the external auditor as basis for Compensation Completion and Resettlement Plan Implementation Audit;

- Adherence to grievance procedures, including recording, reporting, processing, and redress of grievances, and outstanding issues;
- Ensure the gender mitigation measures are adhered to during the internal monitoring and reporting process, and
- Coordination and completion of resettlement activities and award of civil works contract.

13.2. External Monitoring and Evaluation

The key objectives of external monitoring and evaluation are to (i) assess whether resettlement objectives have been met, specifically the restoration of livelihoods and the enhancement of affected persons' living standards; (ii) assess resettlement efficiency, effectiveness, impact, and sustainability; and (iii) identify further mitigation measures as needed.

TDM will appoint an independent auditor for external evaluation to ensure the complete and objective information. The independent consultant will submit Resettlement Plan Implementation and Compensation Payment Completion Audit to TDM, ADB, and JICA. External consultant will investigate the following:

- The completion of the compensation payment based on replacement cost and fair market value, prior to any land clearing or construction activities being undertaken.

- Capacity of APs to restore livelihoods and living standards: This will include an assessment of the effectiveness and/or adequacy of technical assistance, allowances, and other measures, and to what extent APs have maintained their livelihoods and living standards to pre-project levels;
- Public consultation and awareness of resettlement plan policies: The independent consultant will validate if APs have been fully informed and consulted about land acquisition activities. It will also inquire APs and other stakeholders if they are aware of the compensation and entitlements policies and various options available to APs. The independent consultant will validate the process of how the public consultations are conducted, the problems and issues raised during the meeting and the solutions proposed by APs and/or stakeholders;
- Level of APs' satisfaction: The independent consultant will assess the APs' level of satisfaction with compensation, allowances and assistance received and on resettlement plan implementation, and the degree of efficiency and equity in handling grievances and resolution of complaints; and
- Change in living standards, some indicators in the performance evaluation of resettlement plan implementation are very useful in assessing the living standards of the affected persons. From the indicators, the independent consultant will compare and assess the progress of affected persons in coping with restoring their livelihoods that define their living standards. Special attention to disparities between their pre-project and post-resettlement social conditions will be analysed and disaggregated by gender and per capita income levels. Any factors or issues relevant to the restoration of the APs' living standards will be disclosed in the social impact evaluation report. The independent consultant will discuss its findings with the ADB and advise follow-up actions, where appropriate, to bring to closure the social issues arising from land acquisition and resettlement.

The following will be considered as the basis for indicators in external evaluation of the Project:

- Socio-economic conditions of APs in the post-resettlement period;
- Communications and reactions from APs on entitlements, compensation, options, and alternative developments;
- Quality and frequency of consultation and disclosure;
- Changes in income levels;
- Rehabilitation of significantly affected people, and different vulnerable groups;
- Valuation of property and ability to replace lost assets;
- Disbursement of compensation and other entitlements; and
- Grievance procedures, including recording, reporting, processing, and redressing grievances.

Based on the external auditor's report, if non-compliance is identified, a corrective action plan (CAP) will be prepared, reviewed, and approved by ADB and disclosed to APs. However, internal and external monitoring and reporting will continue until all resettlement activities have been completed.

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ANNEX 1

Overview of Binh Duong Province

Binh Duong province is located in the Southeast region of Vietnam and occupies a natural area of 2,694.43 square kilometres (km²), covering four cities (Thu Dau Mot, Di An, Tan Uyen, and Thuan An), four districts (Bac Tan Uyen, Dau Tieng, Phu Giao, and Bau Bang), and one town (Ben Cat) with 91 commune-level administrative units (comprising 45 wards, five commune-level town, and 41 communes)⁴⁰ (see Figure 9). The province has a border with Binh Phuoc province to the North, Ho Chi Minh city to the South and the Southwest, Dong Nai province to the East, and Tay Ninh province to the West.

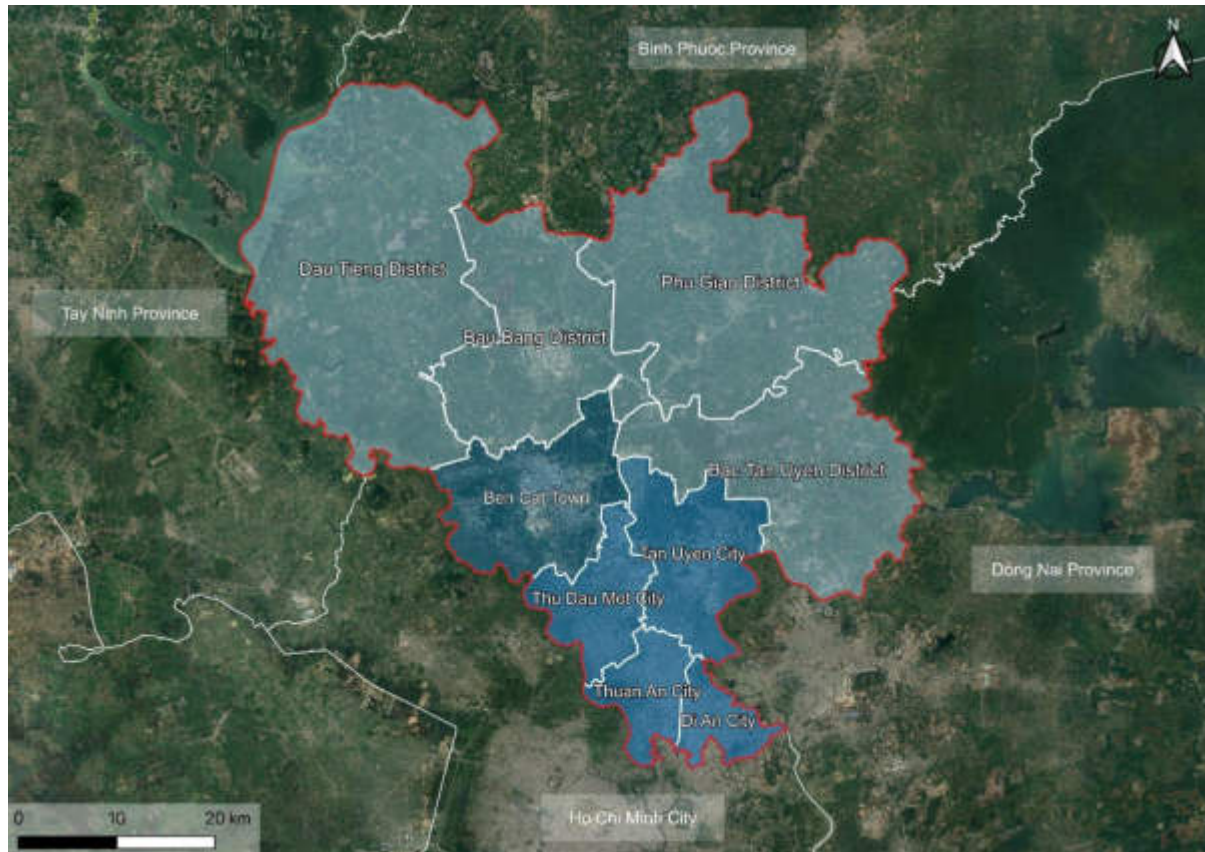


Figure 9: Locations of Binh Duong Province and Administrative Units

Source: QGIS

- Demographic Profile

The population of Binh Duong province was 2,763.1 thousand people in 2022, with a population density of about 1,025 people/km², the second highest figure in the Southeast region after Ho Chi Minh city. In 2022, Binh Duong province is one of the two provinces with the highest in-migration rate (26.4%)⁴¹.

In 2022, the province's labour force aged 15 and over was 1,782,806 people, an increase of 4.2%, with 72,449 people compared to that in 2021, of which the male and female labour force accounted for 50.94% and 49.06%, respectively. Labor division was unevenly distributed between rural and urban areas, with 14.3% and 85.7%, respectively. The unemployment rate of the labour force in working age

⁴⁰ Binh Duong Province Portal (n.d.)

⁴¹ GSO (2023)

in 2022 was 1.31%, of which the rate of the urban area was 1.23% and the rate of the rural areas was 1.80%⁴².

Binh Duong province was home to 30 ethnic minorities, with a population of 32,000 (8,203 households in 2022). Most of the ethnic minority communities lived intermingled with the Kinh people across the province. Strikingly, three ethnic groups who lived in relatively concentrated areas included Cham people in Hoa Loc village (Minh Hoa commune, Dau Tieng district); Chinese community in Thu Dau Mot city, Thuan An city, Tan Uyen town, and Dau Tieng district; and Khmer people in An Binh commune (Phu Giao district)⁴³.

- Land Use

As of December 2022, Binh Duong province's total landmass of 269,464ha was predominantly classified as agricultural (75.7%), which mostly comprised of agricultural production land (71.1%) and forestry production land (3.9%). Non-agricultural purposes accounted for lower proportions, 65,548ha or 24.33⁴⁴. Of which, specially used land (for offices, security and defence, non-agricultural production and business, and public purposes) shared the highest proportion (16.1%). This was followed by homestead land (5.5%), river and specialised water surfaces (2.2%), cemetery land (0.4%), and religious land (0.1%) (see Figure 10).

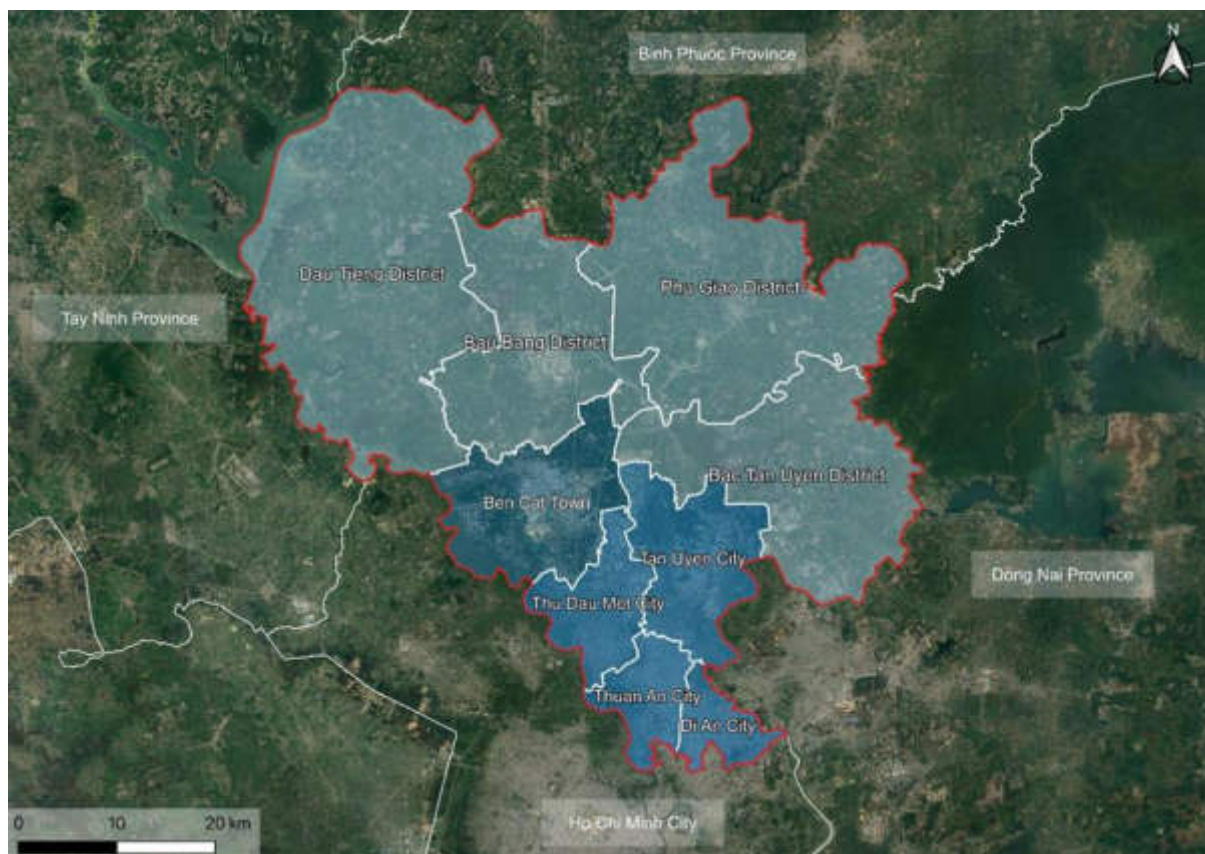


Figure 10: Binh Duong Province's Land Use Structure 2022

Source: Binh Duong Province Statistics Office (2023)

⁴² Binh Duong Statistics Office (2023)

⁴³ Minh Khue (2022)

⁴⁴ Binh Duong Province Statistics Office (2023)

- Economic Development

Binh Duong's GRDP in 2023 increased by 5.97%, with GRDP per capita of VND 172 million per year. The province's economic structure is industry - service - agriculture - product tax minus product subsidies with the corresponding proportions of 66.3% - 23.7% - 2.6% - 7.4%.

The industry is identified as the province's key economic sector, with the highlight given to manufacturing⁴⁵. Binh Duong has 29 industrial parks, with a total area of 12,600ha and an occupancy rate of 91%. The province plans to develop 15 more industrial parks, with a total area of 10,200 ha, which will meet the requirements of attracting and arranging investment projects. Currently, Binh Duong has 64,333 domestic enterprises with a total registered capital of VND 699,000 billion and 4,176 foreign-invested projects with a total registered capital of more than USD 40 billion⁴⁶. However, the province's industry faced numerous challenges in 2023 despite a 4.9% increase in its industrial production index (IIP) over that in 2022⁴⁷.

Agriculture, forestry, and fishery production in Binh Duong province is not identified as its strength, yet the sector showed relative stability in 2023, with the restructure orientation towards the development of ecological agriculture and organic farming. Local agriculture experienced a shift from small-scale to farm-based production, incorporating technology into the production process. The province's value of agricultural production increased by 3.3% (compared to 2010 constant price), forestry grew by 2.7%, and aquaculture increased by 1.7%. By 2023, Binh Duong had 147 chicken farms, 262 pig farms, 56 duck farms, and one dairy farm. All establishments applied high technology in production. The forested area also increased by 1.9% compared to the same period, maintaining a greenery coverage rate of 57.5%⁴⁸.

- Local Infrastructure and Public Services

Binh Duong has no airport and seaport, causing the consideration of Binh Duong as localities group without advantages in transporting imported and exported goods. However, Binh Duong is located adjacent to Ho Chi Minh city, which creates favourable conditions for transporting goods from industrial parks of Binh Duong, Binh Phuoc, Tay Ninh, Central Highlands to seaports, river ports, and international airports in Ho Chi Minh city through the North-South Road traffic system. Binh Duong PPC developed Program No. 42-CTr/TU dated 2 August 2021 on developing transportation infrastructure towards urbanization, building a smart city in Binh Duong for the period 2021-2025, orientation to 2030, vision to 2045. Thereby, Tan Van - My Phuoc - Bau Bang road, provincial road 743 section from Ong Cu temple to Song Than overpass, Thu Bien-Dat Cuoc Road (phase 1), roads and bridges connecting Binh Duong province and Tay Ninh province projects operate effectively. In addition, Binh Duong PPC officially started the Project of upgrading and expanding National Road 13 from the border with Ho Chi Minh City to Thu Dau Mot City, which is expected to improve traffic situation, increase trade, create investment flow into industrial parks, real estate in the province⁴⁹.

Binh Duong province's electricity is provided from the national grid with high voltage TLs and substations of 110kV, 220kV, and 500kV. Binh Duong province provides enough electricity for industrial zones and households' usage. All province households accessed electricity in 2022⁵⁰. The province's commercial electricity output reached 15 billion KWh in 2023, a decrease of 3.1% compared to that in 2022⁵¹.

⁴⁵ Binh Duong PPC (2023)

⁴⁶ Ban Mai (2023)

⁴⁷ Binh Duong PPC (2023)

⁴⁸ Binh Duong PPC (2023)

⁴⁹ Phuong Le - Hoang Phong (2023)

⁵⁰ GSO (2023)

⁵¹ Binh Duong PPC (2023)

As of 2020, the domestic water supply system in the province has been provided according to the approved water supply plan, and the scope of clean water supply to the urban areas has been expanding. In 2022, the province's rate of population supplied with hygienic water reached 100%, the percentage of the urban population provided with clean water by a centralized water supply system was 72.3%, and the percentage of households using hygienic toilets was 99.91%⁵².

As of December 2023, the province had ceased landfill operations as before, instead handling waste through recycling, incineration, and composting methods. Among these, Binh Duong Water - Environment Corporation - Joint Stock Company (BIWASE) had a processing capacity of 2,520 tons per day. Additionally, in recent years, the province also invested over VND 12,100 billion in deploying drainage and solid waste treatment projects to address the local waste issue⁵³.

In 2022, the province had 438 preschools, 159 primary schools, 81 lower secondary schools, 27 upper secondary schools, six primary and secondary schools, and 12 lower and upper secondary schools. Regarding healthcare, the number of medical examination and treatment facilities in the province was 141, including 28 hospitals, 19 regional polyclinics, and 91 health stations in communes, wards, and townships. All communes have health stations meeting national standards, with an average of two doctors and two nurses for each. The number of patient beds was 5,537 beds. The average number of patient beds managed by state medical facilities per ten thousand people was 19.7. The average number of doctors per ten thousand people was 7.51 people. Total number of medical and pharmaceutical staff was 10,287 people⁵⁴.

- Vulnerability Status

By early 2023, the rate of poor households in Binh Duong decreased to 1.54%, and the rate of near-poor households was 0.47%⁵⁵. The total number of poor households was 5,971 out of the province's 387,342 households. The program strives to reduce the poverty rate by at least 0.3% each year, and by the end of 2025, the poverty rate in the province will be below 1%⁵⁶.

- Socio-economic Development Plan

Binh Duong is setting its sights on robust socio-economic development in 2024, aiming to enhance growth drivers through a comprehensive strategy that bolsters internal capabilities, advances digital transformation, and fosters international cooperation. The main goals⁵⁷ include increasing a GRDP growth rate from 8% to 8.5%; increasing the service sector's share (24.4%) and continuing industrial development (65.9%); and achieving Industrial Production Index (IIP) over 8.7%. In addition, the province approved the Ho Chi Minh City - Thu Dau Mot - Chon Thanh Expressway Project under the public-private partnership (PPP) model with a total investment of approximately VND 17,408.39 billion, planned to be constructed from 2023 to 2027. The expressway will have a total length of about 45.7km, starting from Thu Dau Mot City (Binh Duong) to the boundary of Binh Phuoc province, designed for 100km/h speeds.

⁵² Binh Duong Statistics Office (2023)

⁵³ Duong Chi Tuong (2023)

⁵⁴ Binh Duong Statistics Office (2023)

⁵⁵ Tran Khanh (2023)

⁵⁶ Doan Trang (2023)

⁵⁷ V. Le (2023)

ANNEX 2

List of Interviewed AHs

No.	HHs	Residence	Date of interview	Estimated Length of affected area – Option 2 (m)	Note
1	[REDACTED]	Hamlet 2, Tru Van Tho	11 May 2024	130	[REDACTED]
2	[REDACTED]	Hamlet 2, Tru Van Tho	31 May 2024	133	[REDACTED]
3	[REDACTED]	Hamlet 2, Tru Van Tho	31 May 2024	48	[REDACTED]
4	[REDACTED]	Hamlet 2, Tru Van Tho	31 May 2024	31	
5	[REDACTED]	Hamlet 2, Tru Van Tho	11 May 2024	75	
6	[REDACTED]	Hamlet 2, Tru Van Tho	10 May 2024	114	
7	[REDACTED]	Hamlet 2, Tru Van Tho	10 May 2024	66	
8	[REDACTED]	Hamlet 2, Tru Van Tho	10 May 2024	125	
9	[REDACTED]	Thuan Giao, Thuan An	1 June 2024	36	
10	[REDACTED]	Ben Lon, Lai Uyen	5 June 2024		This household has an income from rubber planting and harvesting on the affected land owned by [REDACTED]
11	[REDACTED]	Hamlet 2, Tru Van Tho	10 May 2024	51	[REDACTED]
12	[REDACTED]	Ba Tu, Cay Truong	12 June 2024	2,574	This household rents the affected land for growing cassava, which belongs to BECAMEX organisation.
13	[REDACTED]	Bau Long, Lai Uyen	31 May 2024	67	
14	[REDACTED]	Bau Long, Lai Uyen	31 May 2024	123	
15	[REDACTED]	Hamlet 1, Tru Van Tho	31 May 2024	76	
16	[REDACTED]	Lai Uyen	5 June 2024	114	This household rents the affected land for growing cassava, which belongs to a local church and is under [REDACTED]
17	[REDACTED]	Cay San, Lai Uyen	1 June 2024	348	
18	[REDACTED]	Cay San, Lai Uyen	1 June 2024	427	

No.	HHs	Residence	Date of interview	Estimated Length of affected area – Option 2 (m)	Note
19	[REDACTED]	Residential Area 4A, Tan Hung	1 June 2024	112	
20	[REDACTED]	Cay San, Lai Uyen	9 May 2024	1,000	The affected land is identified as belonging to [REDACTED] who reside in another locality. This land is directly managed and cultivated by [REDACTED]

(Information has been removed as it falls within the exceptions specified in paragraph 17(2) of ADB's Access to Information Policy. The information is available upon request.)

ANNEX 3

List of AHs not Interviewed

No.	HHs	Residence	Length of affected area (m)	Notes
1	[REDACTED]	Lai Uyen	600	TDM representative and the survey team attempted to contact this household via phone two times in the first survey (10 May 2024) but the household head did not respond. In the second survey (from 31 May to 1 June) the survey team and TDM visited this household's house but could not meet the household head. The survey team contacted the household again via phone; however, the household head did not respond.
2	[REDACTED]	Lai Uyen	350	This household refused to provide detailed information about their family members.
3	[REDACTED]	Thuan An	212	Given that Mr. Pham Thanh Tung did reside in the locality where the Project site is located, TDM representative and the survey team attempted to contact this household via phone, but the household head did not respond.

(Information has been removed as it falls within the exceptions specified in paragraph 17(2) of ADB's Access to Information Policy. The information is available upon request.)

ANNEX 4

TDM Land Acquisition Policy

CHÍNH SÁCH THU HỒI CỦA TDM KHI THỰC HIỆN DỰ ÁN		CÔNG TY CỔ PHẦN NƯỚC THỦ DẦU MỘT	
		CÔNG TY CỔ PHẦN NƯỚC THỦ DẦU MỘT Số 11B, Ngõ Văn Trị, phường Phú Lợi, TP-TDM, tỉnh Bình Dương Điện thoại: 0274.3842255 - 842277; Fax: 0274.3841838 Email: contact@tdmwater.vn	
		CHÍNH SÁCH THU HỒI CỦA TDM KHI THỰC HIỆN DỰ ÁN	
Biên soạn  Họ tên: Nguyễn Phước Nguyễn Chức vụ: Trưởng phòng NS-QT Ngày: 11/11/2023	Xem xét  Họ tên: Nguyễn Minh Đức Chức vụ: P.Tổng Giám đốc Ngày: 11/11/2023	Phê duyệt  Họ tên: Trần Thế Hưng Chức vụ: Tổng Giám đốc Ngày: 11/11/2023	

1. Căn cứ luật và các quy định liên quan

Căn cứ Luật Đất đai: 45/2013/QH13, được Quốc hội Việt Nam thông qua ngày 29/11/2013 và có hiệu lực từ ngày 01/07/2014.

Căn cứ Nghị định 06/2020/NĐ-CP, ngày 20 tháng 02 năm 2020 sửa đổi điều 17 Nghị định 47/2014/NĐ-CP quy định về bồi thường, hỗ trợ, tái định cư khi nhà nước Thu hồi đất.

Tuân thủ các yêu cầu của Bên cho vay hoặc Tổ chức Tài chính Phát triển (DFI) (ví dụ: Các Yêu cầu về Bảo trợ xã hội của ADB, Các Tiêu chuẩn Hoạt động của IFC, v.v.) khi áp dụng.

Trong quá trình phát triển sản xuất kinh doanh, Công ty Cổ phần Nước Thủ Dầu Một cần phát triển thêm quỹ đất phục vụ dự án mở rộng. Công ty TDM cam kết chính sách về đền bù, thu hồi đất khi thực hiện dự án.

2. Danh mục từ viết tắt

- BAH: Bị ảnh hưởng
- DDR: Báo cáo đánh giá tuân thủ
- RP: Kế hoạch tái định cư
- BQLDA: Ban quản lý dự án
- LRP: Chương trình phục hồi sinh kế
- TĐC: Tái định cư

3. Chính sách bồi thường, hỗ trợ và tái định cư

3.1 Nguyên tắc và mục tiêu

Những nguyên tắc đưa ra được áp dụng để soạn thảo khung chính sách này. Những nguyên tắc và mục tiêu sau đây sẽ được áp dụng:

- Tránh hoặc giảm thiểu nhu cầu thu hồi đất, hoặc bất kỳ ảnh hưởng nào đến các tài sản khác và việc tái định cư của người dân;

Ký hiệu: CS01/CPNTDM Ngày ban hành: 11/11/2023 Lần ban hành: 01 Trang 1/11

- Tất cả những người dân sinh sống, làm việc, kinh doanh hoặc canh tác trong phạm vi dự án sẽ được cung cấp các biện pháp phục hồi đời sống đầy đủ để hỗ trợ họ cải thiện, hoặc tối thiểu là duy trì mức sống và khả năng tạo thu nhập của họ như trước khi có dự án. Việc thiếu những giấy tờ hợp pháp về các tài sản bị ảnh hưởng sẽ không cản trở người dân được hưởng các biện pháp phục hồi đời sống đó;
- Kế hoạch thu hồi đất, kế hoạch bồi thường và hỗ trợ phải được thực hiện với sự tham vấn và tham gia của người BAH và cộng đồng địa phương để giảm thiểu sự gián đoạn. Các quyền và lợi ích phải được cung cấp cho người BAH trước khi tác động đến việc khởi công xây dựng theo lịch trình trong từng khu vực dự án tương ứng;
- Các dịch vụ công cộng hiện hữu phải được duy trì hoặc cải thiện tốt hơn;
- Nguồn lực về tài chính và vật chất phục vụ cho TĐC cần được chuẩn bị sẵn sàng để đáp ứng khi có yêu cầu.
- Tổ chức thực hiện sẽ đảm bảo cho việc thiết kế, lập kế hoạch, tham vấn và thực hiện Kế hoạch hành động TĐC có hiệu quả và đúng tiến độ.
- Kiểm tra, giám sát và đánh giá đúng lúc, có hiệu quả việc thực hiện kế hoạch hành động TĐC.
- Tất cả những người bị ảnh hưởng bởi dự án có tài sản hoặc sinh sống trong khu vực bị thu hồi phục vụ dự án trước ngày khóa sổ điều tra đều có quyền được bồi thường hoặc hỗ trợ cho các thiệt hại. Những người bị mất thu nhập và/hoặc kế sinh nhai sẽ được nhận hỗ trợ phục hồi sinh kế căn cứ theo các tiêu chí hợp lý do dự án quy định, có tham khảo ý kiến của các hộ BAH. Trước khi kết thúc dự án nếu thấy sinh kế của các hộ BAH vẫn chưa được phục hồi bằng với mức trước khi có dự án thì cần xem xét có các biện pháp bổ sung.
- TDM sẽ hướng tới ưu tiên giải quyết theo phương thức "thuận mua vừa bán", thương lượng giải quyết với các hộ dân bị ảnh hưởng. Trong trường hợp giải quyết thương lượng có thể dẫn đến xung đột nếu đàm phán thất bại, TDM nên nỗ lực hết sức để bổ sung quy trình thu hồi đất do chính phủ chỉ đạo để đạt được bồi thường thiệt hại về tài sản theo giá trị thay thế đầy đủ và tạo ra các chương trình sinh kế đảm bảo rằng những người bị di dời có thể khôi phục sinh kế về mức trước khi di dời sau bất kỳ tác động nào từ các dự án có thu hồi đất của TDM.
- Đất nông nghiệp hoặc đất hỗ trợ sinh kế sẽ được bồi thường theo phương thức "đất đổi đất" hoặc bồi thường bằng tiền, tùy thuộc vào sự lựa chọn của người BAH và quỹ đất sẵn có tại địa phương. Phương án "đổi đất" phải ưu tiên cho những hộ bị mất từ 10% diện tích đất nông nghiệp trở lên (bao gồm cả những hộ dễ bị tổn thương). Tài sản bị mất nên được thay thế bằng quyền tiếp cận tài sản có giá trị tương đương hoặc cao hơn hoặc được đền bù bằng toàn bộ chi phí thay thế.
- Người bị ảnh hưởng phải di chuyển chỗ ở được bố trí TĐC theo quy định. Người BAH đất sẽ được bồi thường bằng tiền mặt theo giá thay thế toàn bộ giá trị đất bị thu hồi;
- Tất cả các công trình dân cư, thương mại hoặc các công trình bị ảnh hưởng khác sẽ được bồi thường theo giá trị thay thế đầy đủ cho toàn bộ các ngôi nhà/công trình bị ảnh hưởng.

- Người BAH sẽ được hỗ trợ vận chuyển đồ dùng cá nhân và tài sản đến nơi ở mới, ngoài việc bồi thường theo chi phí thay thế nhà ở, đất đai và các tài sản khác.
- Việc thông báo quyết định thu hồi đất được cơ quan thẩm quyền nhà nước thông báo cho các hộ BAH biết, chậm nhất là 90 ngày đối với đất nông nghiệp và 180 ngày đối với đất phi nông nghiệp. Nội dung thông báo thu hồi đất bao gồm kế hoạch thu hồi đất, điều tra, khảo sát, đo đạc, kiểm đếm v.v.
- Việc bàn giao mặt bằng sẽ được thực hiện sau 30 ngày kể từ khi người BAH nhận đủ tiền bồi thường/hỗ trợ cho các tài sản BAH.
- Các dịch vụ và các nguồn lực phục vụ cộng đồng tại các khu vực TĐC sẽ được duy trì hoặc được cải thiện hơn so với mức trước khi phải di dời.
- Tạm cư: Cần tránh hộ BAH phải di dời nhiều hơn một lần vì điều đó sẽ khiến họ bị ảnh hưởng gấp đôi hoặc hơn nữa và sẽ làm chậm thời gian phục hồi sinh kế của họ. Nếu xảy ra (di dời quá một lần), thì các hộ BAH cần được xem xét hỗ trợ di chuyển nhiều hơn 1 lần tương đương. TĐC tạm thời nếu có chỉ được thực hiện trong trường hợp ban QLDA xác minh rằng việc TĐC tạm thời là không thể tránh khỏi vì những lý do sau:
 - + Hộ di dời đến Khu TĐC của thành phố đến thời điểm giao mặt bằng cho dự án, những khu tái định cư chưa hoàn thành;
 - + Hộ có nhà BAH phải xây lại hoặc sửa chữa lại nhà phải tạm cư trong thời gian xây dựng/sửa chữa nhà;
 - + Hộ tái định cư tự nguyện cần tạm cư trong thời gian tìm kiếm chỗ ở mới.

3.2 Kế hoạch tái định cư

Mục tiêu chính là thiết lập một bộ tiêu chí về bồi thường, hỗ trợ và tái định cư cho các hộ gia đình bị ảnh hưởng dựa trên nguyên tắc chi phí thay thế đầy đủ. Người dân có đất bị thu hồi sẽ được cung cấp nhiều hình thức hỗ trợ khác nhau để ổn định cuộc sống.

4. Phạm vi và tác động thu hồi đất, các biện pháp giảm thiểu

Ban quản lý thuộc Công ty Cổ phần Nước Thủ Dầu Một phối hợp chặt chẽ với đơn vị tư vấn lập dự án và các chuyên gia TĐC nhằm tránh, giảm thiểu và hạn chế sao cho quy mô thu hồi đất là ít nhất và mức độ tác động TĐC là thấp nhất ở tất cả các hạng mục công trình của dự án. Các biện pháp giảm thiểu tác động tiêu cực được tiến hành thông qua nghiên cứu khả thi và các phương án thiết kế và thực hiện các biện pháp giảm thiểu.

5. Khung chính sách và quyền lợi

Thu hồi đất, đền bù, hỗ trợ và TĐC cho dự án sẽ tuân theo tiêu chuẩn Môi trường và Xã hội - Thu hồi đất, những hạn chế sử dụng đất và TĐC không tự nguyện, các luật và quy định của Việt Nam về bồi thường, hỗ trợ và TĐC khi Nhà nước thu hồi đất. Các nguyên tắc cơ bản được áp dụng trong quá trình lập kế hoạch TĐC là tất cả các chủ đất bị ảnh hưởng sẽ được bồi thường theo giá thay thế đầy đủ, cùng với các biện pháp phục hồi sinh kế để góp phần cải thiện điều kiện sống so với điều kiện trước khi có dự án hoặc ít nhất là đảm bảo một điều kiện sống tương đương với điều kiện sống trước khi thực hiện dự án.

6. Chương trình phục hồi sinh kế

Chương trình phục hồi sinh kế là cần thiết để giúp những người BAH bởi dự án, đặc biệt là các hộ gia đình dễ bị tổn thương cải thiện hoặc ít nhất là khôi phục thu nhập và sinh kế của họ về mức trước khi có dự án. Ngoài ra, hỗ trợ tài chính và đào tạo nghề sẽ được cung cấp cho các cá nhân bị ảnh hưởng trong khu vực dự án.

7. Tổ chức thực hiện

Công tác bồi thường hỗ trợ và TĐC của dự án sẽ nằm dưới sự quản lý, giám sát của Ban QLDA và Trung tâm Phát triển Quỹ đất thành phố triển khai thực hiện. Trong quá trình triển khai, các tổ chức thực hiện cần có sự phối hợp chặt chẽ với các cơ quan chức năng, chính quyền phường, xã, thị trấn và cộng đồng dân cư trên địa bàn dự án để đảm bảo công tác bồi thường, hỗ trợ và TĐC được thực hiện công khai, minh bạch và đúng tiến độ và tuân thủ theo quyết định đã được phê duyệt.

Kế hoạch hành động tái định cư của tiểu dự án sẽ được phát triển thông qua sự hợp tác chặt chẽ với chính quyền địa phương, đại diện cộng đồng và các cá nhân bị ảnh hưởng. Chính quyền địa phương ở các thị trấn, xã sẽ được tham vấn thông qua các cuộc họp và tham vấn cộng đồng, bao gồm các cuộc khảo sát được thực hiện với phần lớn các hộ gia đình trong khu vực bị ảnh hưởng. Thông tin thu thập được trong quá trình tham vấn sẽ là cơ sở quan trọng để xây dựng các chính sách tái định cư của tiểu dự án, bao gồm các phương án bồi thường, biện pháp hỗ trợ và các chương trình phục hồi thu nhập. Khung tham vấn cũng sẽ được thiết lập và kế hoạch tham gia của các bên liên quan sẽ được thiết kế để thực hiện trong suốt chu kỳ dự án.

8. Giám sát và đánh giá

Kế hoạch hành động TĐC và chương trình phục hồi sinh kế (LRP) sẽ được thực hiện dưới sự giám sát của Ban Quản lý dự án. Ban Quản lý dự án cũng sẽ thuê tư vấn giám sát độc lập để giám sát việc thực hiện kế hoạch hành động TĐC. Sau khi hoàn thành dự án, tư vấn giám sát độc lập sẽ tiến hành đánh giá để xác định xem các mục tiêu của kế hoạch hành động TĐC và LRP có đạt được hay không.

Trong trường hợp xét thấy các mục tiêu này chưa đạt được, Ban QLDA sẽ đề xuất các biện pháp tiếp theo để đạt được mục tiêu.

9. Khiếu nại và giải quyết khiếu nại

Để đảm bảo mọi khiếu nại của người dân bị ảnh hưởng về thu hồi đất, đền bù và TĐC được giải quyết kịp thời, thỏa đáng cơ chế giải quyết khiếu nại đã được thiết lập trong kế hoạch TĐC. Tất cả những người bị ảnh hưởng có thể đưa ra khiếu nại và thắc mắc bằng văn bản về quyền lợi, giá đền bù, hỗ trợ, khôi phục thu nhập... Các khiếu nại sẽ được thông qua 3 cấp độ để được giải quyết trước khi gửi cho Tòa án. Công ty sẽ chỉ định một nhân viên có chuyên môn phụ trách giám sát và theo dõi các khiếu nại và khiếu nại của người bị ảnh hưởng đến khi giải quyết.

* Tác động tiềm tàng (Tác động không lường trước được trong giai đoạn xây dựng)

- Trong quá trình thực hiện, có thể xảy ra các tác động không lường trước được như sự cố sụt lún, phát hiện các công trình, mộ phần chưa được phát lộ... Những tác động này sẽ được xác định và bồi thường phù hợp với các nguyên tắc bồi thường và hỗ trợ được thiết lập trong RP này.

10. Nhóm hộ dễ bị tổn thương

- Trong quá trình thực hiện đền bù cho người dân, cần xác định nhóm hộ gia đình dễ bị tổn thương theo định nghĩa của khung chính sách. Phân chia theo loại hình hộ gia đình dễ bị tổn thương: Hộ gia đình chính sách thương binh, liệt sỹ; Hộ gia đình nghèo; và hộ gia đình do phụ nữ đơn thân làm chủ hộ và có nuôi dưỡng người phụ.

11. Khung chính sách tái định cư

- Kế hoạch hành động TĐC này đã được xây dựng tuân thủ theo luật pháp hiện hành và có liên quan của Chính phủ Việt Nam liên quan đến thu hồi đất, bồi thường, hỗ trợ và tái định cư và tuân thủ về thu hồi đất, hạn chế sử dụng đất và TĐC không tự nguyện.

11.1. Xác định các nhóm hoặc hộ gia đình dễ bị tổn thương

Dựa trên các cuộc điều tra kinh tế xã hội tháng 9 và 10 năm 2020 thì các nhóm dễ bị tổn thương bao gồm:

- Các hộ gia đình chính sách của tỉnh Bình Dương;
- Những hộ gia đình nghèo theo chuẩn đói nghèo do Bộ Lao động Thương binh và Xã hội quy định (có sổ hộ nghèo) hoặc được ghi nhận tại địa phương;
- Người có khiếm khuyết về trí lực/thể lực hoặc người ốm yếu, trẻ mồ côi, trẻ em, phụ nữ không nơi nương tựa;
- Hộ nghèo có phụ nữ làm chủ hộ hoặc hộ mà chủ hộ là nữ, có người phụ thuộc mà không có nguồn hỗ trợ nào khác;
- Bất kỳ các nhóm bổ sung được xác định bởi các cuộc điều tra kinh tế xã hội và tham vấn cộng đồng;
- Có những nhóm đặc biệt có thể chịu những tác động không thích hợp hoặc chịu rủi ro nghèo hơn nữa do TĐC. Do đó, trong quá trình xây dựng phương thức bồi thường, hỗ trợ và TĐC, Ban bồi thường, Ban quản lý dự án phải phối hợp với UBND phường, xã khảo sát, cập nhật danh sách các nhóm, hộ dễ bị tổn thương để cung cấp trợ giúp kịp thời và đúng cách.

11.2. Tính hợp lệ

Tính hợp lệ để được hưởng các quyền bồi thường được xác định dựa trên các tiêu chí về quyền sở hữu tài sản như sau:

- Những người có quyền hợp pháp chính thức đối với đất đai (bao gồm các quyền thông thường và truyền thống được công nhận theo luật pháp của đất nước) - trong nhiều trường hợp, việc ghi nhận thời gian người BAH sử dụng đất hoặc tài sản liên quan đến đất đó sẽ hữu ích trong việc xác định tính hợp lệ;
- Những người không có quyền hợp pháp đối với đất tại thời điểm bắt đầu khảo sát, nhưng đã có khai báo xin chứng nhận quyền sử dụng hợp pháp theo quy định của nhà nước, dựa trên lưu trữ, chứng từ như hóa đơn đóng thuế đất, chứng nhận tình trạng lưu trú hoặc được công nhận thông qua quá trình xác nhận của địa phương trong kế hoạch hành động TĐC.
- Những người không được công nhận quyền hợp pháp hoặc có yêu cầu bồi thường cho đất lấn chiếm.
- Như đã định nghĩa, ngày khóa sổ là ngày cơ quan nhà nước có thẩm quyền ra thông báo thu hồi đất trước khi đo đạc chi tiết (Điểm 1 Điều 67 Luật Đất đai năm

2013). Người BAH và cộng đồng địa phương đã được thông báo về ngày khóa sổ và các thông tin liên quan đến dự án để họ có thể tự lập kế hoạch sản xuất/đầu tư/xây dựng, tránh những thiệt hại, mất mát do thiếu thông tin về dự án. Thông báo thu hồi đất sẽ được xác định trong quá trình thực hiện dự án giai đoạn.

11.3. Chính sách bồi thường

11.3.1. Chính sách bồi thường cho đất nông nghiệp bị ảnh hưởng (phân loại đất theo điều 10 của Luật Đất đai)

Đối với những người có quyền sử dụng hợp pháp hoặc có thể hợp pháp hóa quyền sử dụng đất:

- Người BAH sẽ được bồi thường bằng tiền mặt, họ sẽ được bồi thường bằng tiền cho diện tích đất nông nghiệp bị ảnh hưởng với 100% chi phí thay thế;
- Trường hợp diện tích đất còn lại sau khi thu hồi không còn đủ điều kiện để canh tác, dự án sẽ thu hồi toàn bộ mảnh đất và việc bồi thường sẽ được thực hiện bằng tiền mặt cho đất nông nghiệp BAH và tài sản gắn với đất bị thu hồi tại 100% mức giá thay thế;
- Bên cạnh bồi thường về tiền mặt cho diện tích đất bị thu hồi như trên, người BAH cũng sẽ nhận được trợ cấp và hỗ trợ phục hồi được đề cập trong RP của dự án;

Đối với người sử dụng đất không có quyền hợp pháp hoặc yêu cầu về đất đai:

- Đất nông nghiệp sử dụng trước ngày 1/7/2004 được bồi thường 100% giá thay thế;
- Đất nông nghiệp sử dụng sau ngày 1/7/2004 đến trước ngày khóa sổ (ngày thông báo thu hồi đất) và người bị ảnh hưởng có sinh kế chủ yếu phụ thuộc vào mảnh đất đó sẽ được hỗ trợ tài chính theo đền bù đất đủ để đáp ứng các mục tiêu của tiêu chuẩn về thu hồi đất và tái định cư không tự nguyện (để lập lại sinh kế cho các mức độ tiền dự án), và phù hợp với các biện pháp được thỏa thuận cho các trường hợp tương tự trong các dự án được phê duyệt gần đây. Việc hỗ trợ tài chính bổ sung này bao gồm trong bản cập nhật của Kế hoạch tái định cư, sẽ được công ty phê duyệt và xem xét trước khi có bất cứ thay thế nào.

Những người bị ảnh hưởng có đất bị ảnh hưởng được sử dụng sau ngày khóa sổ sẽ không được bồi thường hoặc hỗ trợ.

Những người có quyền sử dụng tạm thời hoặc thuê lại đất Đối với đất của xã/đất công ích.

Đối với người BAH hiện đang sử dụng đất được giao bởi các trang trại nông lâm nghiệp thuộc Nhà nước trên cơ sở hợp đồng dành cho mục đích sản xuất nông lâm nghiệp và nuôi trồng thủy sản (ngoại trừ đất dùng cho rừng chuyên dụng hoặc rừng phòng hộ), bồi thường sẽ được thực hiện cho giá trị đầu tư còn lại của đất đó và những tài sản gắn liền với đất ở 100% mức giá thay thế. Những người BAH này cũng sẽ nhận được khoản hỗ trợ bổ sung để phục hồi thu nhập/sinh kế nếu họ trực tiếp tham gia vào các hoạt động nông nghiệp theo quy định của Chính phủ.

Nếu người BAH nhận đất trên cơ sở hợp đồng với các cá nhân, tổ chức, hộ dân cư không thuộc những loại kể ở mục (i), họ sẽ nhận được bồi thường cho giá trị đầu tư còn lại của đất đó và công trình kiến trúc tạo dựng trên mảnh đất với đầy đủ mức giá thay thế.

Đối với người dân bản địa TDM sẽ tìm hiểu, ở mức độ tối đa có thể, các thiết kế dự án thay thế để tránh việc di dời hoặc di dời vật chất hoặc kinh tế của người dân tộc bản địa sẽ dẫn đến những tác động tiêu cực đến bản sắc, văn hóa và sinh kế theo phong tục tập quán của họ. Nếu không thể tránh được, cần xây dựng kế hoạch người dân bản địa và kế hoạch hành động tái định cư kết hợp để giải quyết cả vấn đề tái định cư bắt buộc và người dân bản địa.

11.3.2. Chính sách bồi thường cho đất ở bị ảnh hưởng

Những người sử dụng đất ở bị thu hồi sẽ được bồi thường như sau:

* Đất ở không có công trình trên đất:

- Đối với những người có quyền sử dụng hợp pháp hoặc có thể hợp pháp hóa quyền sử dụng đất, bồi thường cho đất bị thu hồi bằng tiền mặt với 100% mức giá thay thế.
- Đối với những người chưa có quyền sử dụng đất được công nhận, bên vay sẽ bố trí cho phép họ đủ để có thể thuê được chỗ ở và khoan hỗ trợ tài chính đủ để đảm bảo họ có được cuộc sống tiêu chuẩn.

* Đất ở có các công trình kiến trúc mà diện tích đất còn lại đủ để xây dựng lại nhà ở theo quy định của UBND tỉnh (Người BAH tự sắp xếp lại):

- Đối với những người có quyền sử dụng hợp pháp hoặc có thể hợp pháp hóa quyền sử dụng đất. Bồi thường cho đất bị thu hồi bằng tiền mặt với 100% chi phí thay thế và bồi thường cho ngôi nhà/công trình bị ảnh hưởng như được đề cập trong mục 11.3.4 dưới đây.
- Đối với những người chưa có quyền sử dụng đất được công nhận: Không được bồi thường về đất nhưng được bồi thường chi phí đầu tư còn lại trên đất và bồi thường cho ngôi nhà/công trình bị ảnh hưởng như được đề cập trong mục 11.3.4 dưới đây. Đối với các trường hợp phải di dời, nếu người sử dụng không có đất/nhà tại xã, phường dự án thì được giao một lô đất/căn hộ tối thiểu tại khu TĐC có thu tiền sử dụng đất, và cung cấp khoản hỗ trợ tài chính cho việc di dời.
- Nếu người BAH thuộc hộ nghèo hoặc hộ dễ bị tổn thương, hỗ trợ bổ sung (bằng tiền mặt và hiện vật) sẽ được cung cấp để đảm bảo rằng họ sẽ được di dời hoàn toàn đến nơi ở mới. Mức hỗ trợ sẽ được quyết định bởi UBND tỉnh Bình Dương.
- Đối với người bản địa TDM sẽ tìm hiểu, ở mức độ tối đa có thể, các thiết kế dự án thay thế để tránh việc di dời hoặc di dời vật chất hoặc kinh tế của người dân tộc bản địa sẽ dẫn đến những tác động tiêu cực đến bản sắc, văn hóa và sinh kế theo phong tục tập quán của họ. Nếu không thể tránh được, cần xây dựng Kế hoạch người dân bản địa và Kế hoạch hành động TĐC kết hợp để giải quyết cả vấn đề TĐC bắt buộc và người dân bản địa.

11.3.3. Chính sách đền bù đất công

Đất công do xã, phường, thị trấn quản lý sẽ không được bồi thường trừ khi các yêu cầu của bên cho vay/DFI phải được tuân thủ đối với bất kỳ khoản tài trợ bên ngoài nào.

Tuy nhiên, việc hỗ trợ kinh phí đối với đất công do xã, phường, thị trấn quản lý khi thu hồi đất và mức hỗ trợ do Ủy ban nhân dân cấp tỉnh quyết định (mức hỗ trợ cao nhất bằng mức bồi thường); khoản hỗ trợ này được nộp vào ngân sách nhà nước và được đưa vào dự toán ngân sách hàng năm của xã, phường, thị trấn và chỉ được sử dụng để đầu tư xây

dựng cơ sở hạ tầng và các mục đích chung của xã, phường, thị trấn. (Điều 24 Nghị định 47/2014/NĐ-CP).

11.3.4. Chính sách bồi thường công trình, vật kiến trúc

Công trình/vật kiến trúc bị ảnh hưởng:

- Bồi thường cho những ngôi nhà/công trình bị ảnh hưởng nếu được xây dựng trước ngày khóa sổ với 100% chi phí thay thế cho cả người sử dụng đất hợp pháp và bất hợp pháp.
- Trường hợp nhà, công trình kiến trúc bị ảnh hưởng một phần và phần còn lại sử dụng được thì phần bị ảnh hưởng được bồi thường theo giá thay thế cộng với chi phí sửa chữa phần còn lại. Nếu nhà/công trình kiến trúc bị ảnh hưởng toàn bộ, thì bồi thường bằng giá thay thế cho toàn bộ nhà/công trình kiến trúc bị ảnh hưởng.
- Bồi thường bằng tiền mặt được thực hiện theo mức giá thay thế đầy đủ. Không tính khấu hao giá trị sử dụng hoặc vật liệu tận dụng lại. Việc tính toán mức giá sẽ dựa trên khu vực bị ảnh hưởng thực tế chứ không phải khu vực có thể sử dụng được.
- Người thuê nhà ở thuộc sở hữu nhà nước hoặc tổ chức nhà nước: Không được bồi thường về nhà nhưng người thuê sẽ được hỗ trợ tài chính bằng 60% giá thay thế đất bị ảnh hưởng và 60% giá thay thế nhà ở bị ảnh hưởng.
- Tái định cư (Khoản 2, Điều 14, Nghị định 47/2014/NĐ-CP ngày 15/5/2014) và trợ cấp tái định cư. Vật kiến trúc, hoa màu, cây cối BAH được tạo nên bởi người BAH trước ngày khóa sổ sẽ được đền bù ở 100% mức giá thay thế.
- Những người thuê lại nhà riêng với mục đích sinh sống sẽ được cấp chi phí đi lại để di chuyển tài sản, cũng như được hỗ trợ để tìm kiếm nơi ở thay thế.

11.3.5. Chính sách bồi thường cây cối, hoa màu và vật nuôi

- Đối với các loại cây trồng và hoa bị ảnh hưởng, bất kể tình trạng sở hữu đất, các cá nhân canh tác trên đất sẽ được bồi thường đầy đủ dựa trên giá thay thế đầy đủ hoặc theo giá trị thị trường. Trường hợp cây chưa thu hoạch nhưng có thể đi dờ, vận chuyển thì được hỗ trợ chi phí đi dờ, chăm sóc.
- Vật nuôi của người bị ảnh hưởng (bao gồm cả thủy sản nuôi trồng): Được bồi thường bằng tiền mặt theo giá thay thế đầy đủ hoặc theo giá trị thị trường tại thời điểm thu hồi đất. Sẽ không có khoản bồi thường nào đối với vật nuôi có thể đi dờ hoặc sắp đến kỳ thu hoạch, nhưng chi phí đi dờ và tổn thất phát sinh trong quá trình đi dờ sẽ được đền bù.

11.3.6. Chính sách bồi thường công trình công cộng

- Đối với các công trình công cộng như trường học, các cầu, nhà máy, nguồn nước, đường giao thông, hệ thống thu gom, chứa rác thải v.v. bị ảnh hưởng bởi dự án, UBND Tỉnh, Ban QLDA sẽ phải đảm bảo rằng các công trình hạ tầng đó được phục hồi hoặc sửa chữa lại tùy theo trường hợp cụ thể và cộng đồng không phải trả cho chi phí đó.
- Đối với các công trình công cộng của cộng đồng phục vụ trực tiếp đến nhu cầu phát triển và đời sống dân sinh như kênh mương thủy lợi, trường học, trạm y tế, đường giao thông, điện, viễn thông, cấp quang (ngoại trừ công trình có giấy phép

xây dựng bị buộc di dời khi cần thiết) sẽ được phục hồi với chất lượng bằng hoặc tốt như trước khi có dự án.

11.3.7. Chính sách bồi thường cho những ngôi mộ/lăng tẩm bị ảnh hưởng

Việc bồi thường cho công tác di dời mồ má/mộ sẽ bao gồm chi phí khai quật, di dời, cải táng và các chi phí liên quan khác, phù hợp với yêu cầu tập quán. Phương án di dời và mức bồi thường cho những người bị ảnh hưởng sẽ được quyết định với sự tham vấn của các gia đình/cộng đồng bị ảnh hưởng dựa trên quy định liên quan của tỉnh.

11.3.8. Chính sách bồi thường cho các tài sản khác

Các tài sản khác của hộ gia đình bị ảnh hưởng như: Đường dây điện thoại, đồng hồ nước, đồng hồ điện, truyền hình cáp, internet (thuê bao), giếng khoan thì được bồi thường bằng tiền với giá trị công trình lắp đặt mới.

11.3.9. Chính sách đền bù các tác động tạm thời trong quá trình xây dựng

- Trường hợp dự án cần tạm thu hồi đất để xây dựng thì nhà thầu phải thuê đất của chủ đất theo quy định của Bộ Luật dân sự.
- Chính sách bồi thường thiệt hại cho các công trình tư nhân hoặc công cộng xảy ra trong quá trình thi công xây dựng:
 - + Tài sản bị hư hỏng sẽ được nhà thầu khôi phục nguyên trạng ngay lập tức để đảm bảo an toàn cho các hộ bị ảnh hưởng.
 - + Theo quy định của hợp đồng, các nhà thầu sẽ phải hết sức cẩn thận để tránh làm hư hỏng tài sản trong quá trình hoạt động xây dựng. Khi có thiệt hại xảy ra, nhà thầu sẽ được yêu cầu khắc phục thiệt hại và cũng có thể được yêu cầu bồi thường cho các gia đình, nhóm, cộng đồng hoặc cơ quan chính phủ bị ảnh hưởng theo cùng mức bồi thường áp dụng cho tất cả các tài sản khác bị ảnh hưởng bởi dự án.

11.3.10. Những tác động được phát hiện trong quá trình triển khai dự án

Bất kỳ tác động nào được phát hiện trong quá trình triển khai dự án ảnh hưởng đến việc kinh doanh cũng sẽ được bồi thường theo nguyên tắc của RP này.

11.4. Hỗ trợ phục hồi thu nhập và ổn định cuộc sống trong giai đoạn chuyển tiếp

Bên cạnh việc bồi thường trực tiếp cho những tài sản bị thiệt hại, những người BAH được hỗ trợ để phục hồi thu nhập và ổn định cuộc sống trong thời gian chuyển tiếp. Những khoản hỗ trợ bao gồm, nhưng không hạn chế.

11.5. Hỗ trợ chuyển đổi nghề nghiệp và tạo việc làm

Hỗ trợ đào tạo và chuyển đổi nghề nghiệp đối với hộ bị ảnh hưởng đất nông nghiệp trực tiếp sản xuất (có xác nhận của địa phương), với mức hỗ trợ không quá 05 lần giá đất theo bảng giá đất quy định của UBND tỉnh đối với toàn bộ diện tích đất bị thu hồi.

Trường hợp hộ gia đình có nhu cầu được đào tạo, học nghề thì được nhận vào các cơ sở đào tạo nghề trong thành phố và được miễn học phí đào tạo cho một khoá học nghề đối với các đối tượng trong độ tuổi lao động (không áp dụng đối với các đối tượng xin học nghề ngoài thành phố).

11.6. Hỗ trợ ổn định đời sống

Những người bị ảnh hưởng bởi đất nông nghiệp sẽ được hỗ trợ tiền mặt 1.000.000 đồng/tháng cho mỗi người. Nhân khẩu sẽ được xác định trong sổ thường trú hoặc tạm trú dài hạn, cụ thể:

- Người bị ảnh hưởng mất 10% (hoặc ít hơn nhưng việc thu hồi đất ảnh hưởng nghiêm trọng đến sinh kế, thu nhập và điều kiện sống của họ dựa trên đánh giá sinh kế độc lập tại thời điểm khảo sát chi tiết) đến 70% đất nông nghiệp sẽ được bồi thường 6 tháng nếu họ không phải di chuyển chỗ ở và 12 tháng trong trường hợp phải di dời;
- Những người bị ảnh hưởng mất hơn 70% diện tích đất nông nghiệp của họ sẽ được hỗ trợ trong thời gian 12 tháng nếu họ không phải di dời và 24 tháng trong trường hợp phải di dời;
- Hộ gia đình bị ảnh hưởng bất kể tỷ lệ (bao gồm cả dưới 20%) diện tích đất mà phần đất còn lại không thể tiếp tục sử dụng được thì được bồi thường phần đất còn lại và được hỗ trợ theo mức nêu trên cộng với các khoản hỗ trợ bổ sung theo quy định, trong thời gian 12 tháng.
- Ngoài các yêu cầu của Chính phủ, hỗ trợ tài chính chuyển giao sẽ được cung cấp khi cần thiết cho tất cả những người bị dời, đổi việc kinh doanh dựa theo ước tính hợp lý thời gian được yêu cầu để phục hồi khả năng kiếm nguồn thu nhập, các mức độ sản xuất và tiêu chuẩn sống. Điều này sẽ dựa trên sinh kế hộ gia đình độc lập và đánh giá thu nhập đo khảo sát đo đạc chi tiết tiến hành.
- Hỗ trợ đất nông nghiệp, đất vườn, ao liền kề nhưng không thuộc loại đất ở được thực hiện theo quy định của UBND tỉnh Bình Dương.

11.7. Hỗ trợ đối với các trường hợp mất nguồn thu nhập và kinh doanh

Hỗ trợ ổn định sản xuất và kinh doanh:

- Đối với các doanh nghiệp/hộ gia đình có đăng ký kinh doanh sẽ được bồi thường hỗ trợ tối đa bằng 30% thu nhập sau thuế của 01 năm dựa trên thu nhập bình quân hàng năm của họ khai báo với cơ quan thuế trong ba năm gần nhất (Khoản 4, Điều 19, Nghị định 47/2014/NĐ-CP ngày 15/5/2014)
- Đối với các hộ gia đình không có giấy phép kinh doanh và hoàn thành nghĩa vụ thuế sẽ được bồi thường, hỗ trợ tương đương 50% mức hỗ trợ đối với doanh nghiệp/hộ gia đình tương tự có đăng ký kinh doanh.

Hỗ trợ di chuyển cơ sở sản xuất, kinh doanh: Tổ chức và người BAH được Nhà nước giao đất, cho thuê đất hoặc đang sử dụng đất hợp pháp khi Nhà nước thu hồi đất mà phải di chuyển cơ sở sản xuất, kinh doanh, ngoài được hỗ trợ ổn định sản xuất kinh doanh như trên, còn được hỗ trợ kinh phí để tháo dỡ, di chuyển và lắp đặt lại. Mức hỗ trợ được tính theo chi phí thực tế tại thời điểm di dời, trên cơ sở tổ chức tự kê khai và tổ chức làm nhiệm vụ bồi thường kiểm tra trước khi trình cơ quan có thẩm quyền phê duyệt.

- Trợ cấp ngưng việc: Người lao động trong các cơ sở sản xuất, kinh doanh bị ảnh hưởng có hợp đồng lao động được nhận trợ cấp tương đương với mức lương tối thiểu theo quy định trong thời gian chuyển đổi tối đa là 6 tháng cũng như hỗ trợ để tìm kiếm việc làm nếu cần thiết.

11.8. Hỗ trợ khi thu hồi đất công ích của xã, phường hoặc thị trấn

Nếu đất công ích thuộc xã, phường, thị trấn bị thu hồi, mức hỗ trợ sẽ là 100% giá đất nông nghiệp trong bảng giá đất của địa phương. Hỗ trợ tài chính sẽ được trả vào ngân sách nhà nước và phân bổ trong ngân sách nhà nước hàng năm cho xã, phường hoặc thị trấn. Tiền hỗ trợ sẽ được đưa vào dự toán ngân sách hàng năm của UBND xã, phường, thị trấn. Mức hỗ trợ cao nhất có thể bằng với mức bồi thường. Tiền hỗ trợ chỉ được sử dụng để đầu tư xây dựng các công trình hạ tầng, sử dụng vào mục đích công ích của xã, phường, thị trấn theo như quy định tại Điều 24 của Nghị định 47/2014/NĐ-CP.

11.9. Trợ cấp/hỗ trợ cho các hộ dễ bị tổn thương

- Đối với hộ gia đình chính sách: Hộ BAH có người là Bà mẹ Việt Nam anh hùng, thương binh, bệnh binh, người bị nhiễm chất độc da cam, gia đình liệt sĩ mà bị thu hồi đất thì ngoài việc được hỗ trợ theo quy định còn được hưởng thêm khoản hỗ trợ dành cho những đối tượng thuộc diện chính sách bằng tiền mặt từ 10.000.000 đồng đến 20.000.000 đồng theo quy định của UBND tỉnh Bình Dương (Khoản 1, Điều 2, Quyết định số 51 /2014/QĐ-UBND)
- Hộ BAH là hộ nghèo (có sổ hộ nghèo) thì được hỗ trợ 10.000.000 đồng/hộ (mười triệu đồng trên một hộ) theo quy định của UBND tỉnh Bình Dương (Khoản 1, Điều 2, Quyết định số 51/2014/QĐ-UBND)
- Các nhóm dễ bị tổn thương khác; các hộ gia đình mà phụ nữ làm chủ hộ có người phụ thuộc, hộ gia đình có người khuyết tật, người già neo đơn không có nguồn hỗ trợ sẽ nhận được trợ cấp bằng với các hộ nghèo theo chính sách của tỉnh.

12. Các hỗ trợ khác

- Thường khi bàn giao đất đúng tiến độ: Theo quy định liên quan của UBND tỉnh, những người bị ảnh hưởng nặng nề do nguồn thu nhập của người bị ảnh hưởng sẽ được tham gia các Chương trình Phục hồi Thu nhập. Các biện pháp phục hồi chức năng như dịch vụ khuyến nông, đào tạo và tạo việc làm, tiếp cận tín dụng và/hoặc các biện pháp khác phù hợp với nhu cầu của họ sẽ được trao cho người bị ảnh hưởng để đảm bảo sinh kế của họ có thể được phục hồi như trước khi có dự án.
- Ngoài các hỗ trợ nêu trên, căn cứ vào tình hình thực tế, dự án có thể xem xét các hỗ trợ khác để đảm bảo ổn định đời sống, văn hóa, sản xuất và sinh kế của người bị ảnh hưởng.
- Một ma trận lợi ích sẽ được thiết lập cho các dự án trong tương lai, trong đó lồng ghép các chính sách của Chính phủ và các quy định của tỉnh Bình Dương về bồi thường, hỗ trợ và tái định cư khi bị thu hồi đất và hạn chế sử dụng đất, đối với tái định cư không tự nguyện, các quy định về kế hoạch bồi thường cho các cá nhân bị ảnh hưởng sẽ được giải quyết.

13. Hiệu lực thi hành

Chính sách này được áp dụng trong toàn Công ty Cổ phần Nước Thủ Dầu Một (TDM) kể cả các đối tác liên quan có hợp tác với Công ty.

Khi các quy định của Luật pháp Việt Nam thay đổi thì chính sách này sẽ được điều chỉnh, bổ sung cho phù hợp.

Chính sách "THU HỒI ĐẤT CỦA TDM KHI THỰC HIỆN DỰ ÁN" có hiệu lực từ ngày ký. Các quy định trước đây của công ty trái với chính sách này đều không còn hiệu lực.

ANNEX 5

Household Survey Questionnaire

HH code:

HOUSEHOLD SURVEY

(for households affected by land acquisition)

INTRODUCTION

My name is We work for The Company has undertaken the construction of With this questionnaire we would like to learn your opinions about the construction of project, which helps the Project in developing social management plans in the future. All information collected will be used for research purposes only and kept confidential.

It is noted that the questionnaire is to be administered to adults aged 18 or older, household owner, or those who are capable to provide full response to interview questions

INFORMATION ABOUT INTERVIEW

Times of interview	
Interviewer	

INFORMATION ABOUT INTERVIEWEE

Name of interviewee		
Date of birth		
Current residence (village/commune)		
Contact number (if any)		
GPS coordinates of the house	Longitude:	Latitude:

PART 1. DEMOGRAPHIC PROFILE OF THE HOUSEHOLD

1.1. How many members are in your household? ——— members
 Please specify the number of people living in the family

#	1.2. Full name	1.3. Kinship with the household head? (a)	1.4. Gender? 1. Male 2. Female	1.5. Age	1.6. Marital status (b)	1.7. Ethnicity? 1. Kinh 2. Others (please specify)	1.8. Language? 1. Vietnamese 2. Others (please specify)	1.9. Education? (c)	1.10. Occupation? (e)	1.11. Work status? (f)	1.12. Religion (g)
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											

EnviroSolutions & Consulting (ESC)

 Thu Dau Mot Water Joint Stock Company
 3

INTERNAL. This information is accessible to ADB Management and staff. It may be shared outside ADB with appropriate permission.

Notes:

1. Questions 1.1 & 1.2 - Permanent members of the household include:

- People who regularly stay at the household for 6 months or more by the time of the survey, regardless of whether their name is listed in the family registration book.
- Those who have just moved into the household less than 6 months by the time of the survey but determined to live in the household for a long time or have no other stable place to live (including newborns)
- People who have often stayed at the household for a long time but are temporarily absent due to:
 - o Working away from home temporarily for less than 6 months
 - o Students who are studying away from home
 - o Inpatient treatment at medical facilities
 - o People who leave the household for less than 1 year for the following purposes: visit; summer vacation, holiday, hospitalization, go on business, short-term training, etc.
 - o Going abroad within the time allowed
 - o Being detained by the police or the army

Permanent members of the household NOT included:

- High school students temporarily living with the household.
- People who stay in the household for less than 1 year for the following purposes: visit; summer vacation, holiday, hospitalization, go on business, short-term training, etc.

2. Questions 1.6, 1.9, 1.10, 1.11, 1.12 - Use codes in the list

3. Question 1.8 - Multiple options can be selected.

<p>a. Relationship with owner</p> <table border="0"> <tr><td>1. Head of the family</td><td>8. Sister/brother</td></tr> <tr><td>2. Spouse</td><td>9. Sister/brother in law</td></tr> <tr><td>3. Son</td><td>10. Niece/nephew</td></tr> <tr><td>4. Daughter</td><td>11. Grandmother/grandfather</td></tr> <tr><td>5. Mother</td><td>12. Son/daughter in law</td></tr> <tr><td>6. Father</td><td>13. Grandkid</td></tr> <tr><td>7. Mother/father in law</td><td>14. Others (please specify)</td></tr> </table>	1. Head of the family	8. Sister/brother	2. Spouse	9. Sister/brother in law	3. Son	10. Niece/nephew	4. Daughter	11. Grandmother/grandfather	5. Mother	12. Son/daughter in law	6. Father	13. Grandkid	7. Mother/father in law	14. Others (please specify)	<p>b. Marital status</p> <table border="0"> <tr><td>1. Single</td><td>5. Separated</td></tr> <tr><td>2. Married</td><td>6. Don't know</td></tr> <tr><td>3. Widowed</td><td>7. Others (please specify)</td></tr> <tr><td>4. Divorced</td><td></td></tr> </table>	1. Single	5. Separated	2. Married	6. Don't know	3. Widowed	7. Others (please specify)	4. Divorced		<p>c. Educational level</p> <table border="0"> <tr><td>1. Not a literate</td><td>12. College dropout</td></tr> <tr><td>2. Literate</td><td>13. College student</td></tr> <tr><td>3. Primary school dropout</td><td>14. College graduate</td></tr> <tr><td>4. Primary school pupil</td><td>15. University dropout</td></tr> <tr><td>5. Primary school graduate</td><td>16. University student</td></tr> <tr><td>6. Secondary school dropout</td><td>17. University graduate</td></tr> <tr><td>7. Secondary school pupil</td><td>18. Master dropout</td></tr> <tr><td>8. Secondary school graduate</td><td>19. Master student</td></tr> <tr><td>9. High school dropout</td><td>20. Master graduate</td></tr> <tr><td>10. High school pupil</td><td>21. Don't know</td></tr> <tr><td>11. High school graduate</td><td>22. Others (please specify)</td></tr> </table>	1. Not a literate	12. College dropout	2. Literate	13. College student	3. Primary school dropout	14. College graduate	4. Primary school pupil	15. University dropout	5. Primary school graduate	16. University student	6. Secondary school dropout	17. University graduate	7. Secondary school pupil	18. Master dropout	8. Secondary school graduate	19. Master student	9. High school dropout	20. Master graduate	10. High school pupil	21. Don't know	11. High school graduate	22. Others (please specify)
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<p>d. Occupation</p> <table border="0"> <tr><td>1. Cultivation</td><td>10. Housewife</td></tr> <tr><td>2. Husbandry</td><td>11. Retired</td></tr> <tr><td>3. Aquaculture</td><td>12. Student</td></tr> <tr><td>4. Forestry</td><td>13. Unemployed</td></tr> <tr><td>5. Small business</td><td>14. Elderly</td></tr> <tr><td>6. Craftsman</td><td>15. Retarded</td></tr> <tr><td>7. Public servant</td><td>16. Not yet of working age</td></tr> <tr><td>8. Worker</td><td>17. Others (please specify)</td></tr> <tr><td>9. Daily/seasonal worker</td><td></td></tr> </table>	1. Cultivation	10. Housewife	2. Husbandry	11. Retired	3. Aquaculture	12. Student	4. Forestry	13. Unemployed	5. Small business	14. Elderly	6. Craftsman	15. Retarded	7. Public servant	16. Not yet of working age	8. Worker	17. Others (please specify)	9. Daily/seasonal worker		<p>e. Work status</p> <table border="0"> <tr><td>1. Stable</td></tr> <tr><td>2. Temporary</td></tr> <tr><td>3. Unemployed</td></tr> </table>	1. Stable	2. Temporary	3. Unemployed	<p>f. Religion</p> <table border="0"> <tr><td>1. Buddhism</td></tr> <tr><td>2. Catholicism</td></tr> <tr><td>3. No religion</td></tr> <tr><td>4. Others (please specify)</td></tr> </table>	1. Buddhism	2. Catholicism	3. No religion	4. Others (please specify)																			
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1.13 Which of the following categories does your household belong to? (Multiple options can be selected)

Category	Option	Eligibility for social allowance
1- Poor/near-poor households (recognized by the government)	<input type="checkbox"/>	<input type="checkbox"/>
2- Female-headed households (household in which an adult female is the sole or main income producer and decision-maker) with dependents	<input type="checkbox"/>	<input type="checkbox"/>
3- Households with orphans under 16 years old with no other means of support	<input type="checkbox"/>	<input type="checkbox"/>
4- Households whose main earner is the elderly (>60 years old) with no other means of support	<input type="checkbox"/>	<input type="checkbox"/>
5- Household belongs to ethnic minority groups	<input type="checkbox"/>	<input type="checkbox"/>
6- Household with physically and/or mentally disabled member(s)	<input type="checkbox"/>	<input type="checkbox"/>
7- Households whose main earners are illiterate	<input type="checkbox"/>	<input type="checkbox"/>
8- Others (please specify)	<input type="checkbox"/>	<input type="checkbox"/>
9- Households that do not fall into any of the above categories	<input type="checkbox"/>	<input type="checkbox"/>

PART 2. HOUSING AND PUBLIC INFRASTRUCTURE

2.1. Condition of house? <i>Multiple options can be selected</i>	1. Provisional/semi-permanent, dirt floor, wood walls and roof 4. Permanent, good conditions (one-storey)	2. Provisional/semi-permanent, cement floor, wood walls and wood/tin roof 5. Permanent, good conditions (multiple storey)	3. Permanent, cement floor, tin or tile roof 6. Others (please specify)
2.2. Ownership status of the house?	1. Occupant/boarder only	2. Renter	3. Privately owned
2.3. Source of cooking heat? <i>Multiple options can be selected</i>	1. Straw 4. Oil 7. Electricity	2. Fuel wood 5. Biogas 8. Solar power	3. Coal 6. Gas 9. Others (please specify)
2.4. Source of drinking and washing water <i>Multiple options can be selected</i>	1. River, lake, pond (how far?....) 4. Reticulated water supply	2. Rainwater 5. Others (please specify)	3. Ground water (well) (private or shared?)
2.5. Source of electricity <i>Multiple options can be selected</i>	1. National grid 4. Biogas	2. Neighbor connection 5. Self-generation	3. No access to grid 6. Others (please specify)
2.6. Vehicle ownership <i>Multiple options can be selected</i>	1. Bicycle 4. Bus	2. Motorbike 5. Car	3. Truck/tractor 6. Others (please specify)
2.7. Household goods ownership <i>Multiple options can be selected. Specify quantity</i>	1. Mobile phone.... 4. Tables and chairs.... 7. Washing machine.... 10. Oven.... 13. Vacuum cleaner.... 16. Air conditioner.... 19. Others (please specify)	2. Beds and cabinets.... 5. Radio/ Tape player.... 8. Sewing machine.... 11. Microwave.... 14. Computer.... 17. Water filters....	3. Television.... 6. Fridge.... 9. Video/DVD/VCD player.... 12. Gas or electric cooking facilities.... 15. Electric generator/water pump.... 18. Water heater....
2.8. Household assets <i>Multiple options can be selected. Specify quantity</i>	1. Livestock (fish, ducks, chickens, cows, water buffalo etc.) 4. Savings....	2. Land.... 5. Agricultural production equipment (please specify) ...	3. Additional house.... 6. Others (please specify)
2.9. Toilet type <i>Multiple options can be selected</i>	1. No toilets 4. Others (please specify)	2. Latrine pits	3. Flush toilets
2.10. Household's ability to access and use the	Features	Ranking Very good (9-10) Good (7-8)	Please explain

following services and facilities		Neutral (5-6) Bad (4-3) Very bad (2-1) No opinion (0)	
	Electricity supply		
Road system			
Local schools			
Health stations			
Water supply			
Domestic waste collection and treatment			
Internet and telecommunications			
Markets			
Others (please specify)			

PART 3. HEALTH CARE

3.1. Which disease did household members have in the last 12 months? <i>Multiple options can be selected. Specify member of the household</i>	Communicable diseases 1. Flu/cold 4. Diarrhea 7. Others (please specify)	2. Measles 5. Dengue fever	3. Tuberculosis 6. Sexual transmitted diseases (HIV...)
	Non-communicable diseases 1. Diabetes 4. Osteoporosis	2. Hypertension 5. Others (please specify)	3. Heart diseases
	Diseases due to the lifestyle 1. Lung cancer (due to smoking) 4. Addiction to alcohol	2. Mental health issues 5. Liver diseases (due to alcohol abuse)	3. Alcohol abuse 6. Others (please specify)
	Other diseases 1. Stomach-ache 4. Other bone diseases 7. Others (please specify)	2. Hepatitis 5. Vestibule	3. Sinusitis 6. Gall/Kidney stones
3.2. Frequently used health facilities <i>Specify the distances from home to health facilities</i>	1. Communal health station 4. Central hospital	2. District hospital 5. Others (please specify)	3. Provincial hospital
3.3. Local traditional medical treatment practice?	1. Yes (please specify)	2. No	
3.4. Collected food from natural sources for use?	1. Yes (please specify)	2. No	

PART 4. HOUSEHOLD INCOME AND EXPENDITURE

4.1 Information about household income sources in the last 12 months			
#	Income Source	Monthly income (VND)	Annually income (VND)
1	Income from agricultural products (wheat, rice, etc.)		
2	Income from fruit, vegetable, and other garden products		
3	Income from sale of by-products of animals (egg, honey, etc.)		
4	Income from livestock (income from sale of animals)		
5	Income from aquaculture/catch		
6	Income from forestry		
7	Income from working as temporary or seasonal worker		
8	Salary income from worker		
9	Salary income from small business		
10	Income from transportation services, taxi, truck etc.		
11	Rent income		
12	Salary income from public servant		
13	Retired pension		
14	Income from children and families outside the household		
15	Poverty support		
16	Widow, orphan, and elderly support		
17	Unemployment support		
18	Others (please specify)		
Total income			
4.2 Household expenditure in the last 12 months			
#	Expenditure Source	Monthly expenditure (VND)	Annually expenditure (VND)
I	Regular monthly expenses (food, energy, transportation communications...)		
1	Food		
2	Water expense		
3	Fuel and electricity		
4	Transportation		

5	Communication (telephone, internet, post....)		
6	School expense (tuition, books, stationery....)		
II	Irregular monthly expenses (wedding, funeral, clothes, medicine...)		
7	Health/drugs (treatment, medicine...)		
8	Clothes		
9	Social activities (wedding, funeral, ceremonies, events...)		
10	Loan/debt repayment		
III	Other unexpected expenses (house construction, house repair, land purchase ...)		
11	Housing (repair)		
12	Treatment for serious diseases/accident		
IV	Other expenses		
13	Expense for production (if any)		
14	Other (please specify):		
15	Other (please specify):		
16	Other (please specify):		
Total			

4.3 Can income cover expenditure during last three years?

1. Yes

2. No

If not, how did you compensate the difference?

1. Saving money

2. Borrow money from relatives/friends without paying interests

3. Loans, debts with interests

4. Selling assets

5. Households members doing extra work

6. Occupation change

7. Others (please specify)

If you have loans, debts with interest, who did you take this loan/credit from?

1. Loans from family

2. Loans from acquaintant

3. Credit from the bank

4. Others (please specify)

How did this loan create financial problems?

1. Low

2. Moderate

3. More than normal

4. Overwhelming

PART 5. COMMUNITY AND SOCIAL RELATIONS

5.1. Could you tell me three important sources when you need help in terms of finance, information, and spiritual support?	1. Helpless 4. Friends 7. Religious and spiritual leaders 10. Groups and associations you participate in	2. Family 5. Village leaders 8. Business leaders 11. Support group	3. Neighbours 6. Village associations and unions 9. Employers 12. Others (please specify)
5.2. Do you have any members in your family who belong to the following associations/ unions? <i>Specify member of the household</i>	1. Women's Union 4. Veterans 7. Party cell 10. Others (please specify)	2. Farmers' Union 5. Youth Group 8. Religious group	3. Elderly Association 6. Village management board 9. Professional associations

PART 6. GENDER ANALYSIS

6.1. Labour division by gender		Male (%)	Female (%)
Reproduction activities			
Reproduction			
Caring children, elderly, and sicked members			
Food preparation and cooking			
Washing and tidying up			
Others (please specify)			
Production activities			
Agricultural production (cultivation and husbandry)			
Small business			
Formal employment			
Informal employment (i.e., day labour)			
Community activities			
Maintaining public infrastructure			
Engagement in public meetings			
Organising community events			
Others (please specify)			
6.2. Making important decisions in the family <i>Please provide some examples</i>	Husband makes decisions%	
	Wife makes decisions%	
	Husband and wife discuss but husband makes decisions%	
	Husband and wife discuss but wife makes decisions%	
	Husband and wife discuss and make decisions%	
		100%	

PART 7. LAND ACQUISITION IMPACTS
7.1. Please specify types of land and non-land assets temporarily affected, including land under the safety corridor

Please take photos of affected assets during the survey

#	Affected land type	Area			Land use rights certificate	Built or temporary use	Status of ownership				Status of use			Affected non-land assets			Location and geographic coordinates of affected assets	Compensation status		
		Total area (m ²)	Temporarily Acquired area for the Project (m ²)	Remaining area (m ²)			No right				In use	Leased	Already used	Crops/ trees	Structures	Others		Received	Not received	Amount (USD)
							Traditional ownership	Acquired owner	Land use for a long period	Common recognition										
1	Residential and garden land																			
2	Agricultural production land																			
3	Forestry land																			
4	Others (please specify)																			
5	Others (please specify)																			

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The Dao Mot Water Joint Stock Company

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INTERNAL. This information is accessible to ADB Management and staff. It may be shared outside ADB with appropriate permission.

7.2 If the land to be temporarily occupied/ affected by the project is for farming purposes, please provide further information as below

Type of crops/ trees	Quantity	Unit	Market price per unit (VND)	Crop duration	Diameter (cm) (for the high value trees)	Average yield in the last 3 years (ton/ year)	For home consumption or for sale	Income from sale of the agricultural products

7.2.1 For the crops identified in 7.2, please provide information on the harvest and replanting period.

Type of crops	Age of crop at the time of survey	Indicative date of harvest	Follow period before replanting or planting of new crop

7.2.2 Would you prefer to harvest the crops to be affected by the temporary land occupation of the project before the start of the construction activities? Yes or No - provide reason for the response.

7.2.3 If yes, how many days or weeks do you require to harvest the crops?

7.2.4 If No, how much do the farming products affected by the project contribute to your monthly income for the cropping season?

- 1- Less than 10%
- 2- 10% or more but Less than 30%
- 3- About 30 – 70%
- 4- More than 70%

7.3 If the land to be acquired is for dwelling or auxiliary facilities, please provide further information regarding potential impacts on structures as below.

Type of House/ Structure	Description of affected houses/ structures	No. of affected houses/ structures	Total area (m ²)	Affected area/ Quantity (m ²)	Unit	Remarks (Partially affected OR Full affected OR movable)	No. of days required for repairing works if the house/structure is partially affected

Type of House/ Structure	Description of affected houses/ structures	No. of affected houses/ structures	Total area (m ²)	Affected area/ Quantity (m ²)	Unit	Remarks (Partially affected OR Full affected OR movable)	No. of days required for repairing works if the house/structure is partially affected

7.3.1 How do you want the house/structure repair undertaken? Is it through the project with your supervision, or do you want to do the repair but with funding from the project?

7.4 If your land to be temporarily acquired for/affected by the Project is for leasing, who is the tenant?

7.4.1 Which purpose is the tenant using the rented land for?

- 1- Dwelling
- 2- Doing business
- 3- Farming
- 4- Other (Please specify)

7.4.2 How much does your household earn from leasing the affected land? VND _____ per month

7.5 If your land to be temporarily acquired for/ affected by the Project is for doing small business:

7.5.1 Please indicate the average net monthly income from the business: VND _____/household/month

7.5.1 Please indicate the average net annual income from the business: VND _____/household/annum

7.5.2 How much does the business affected by the project contribute to your monthly and/or annual income?

- 1- Less than 10%
- 2- 10% or more but Less than 30%
- 3- About 30 - 70%
- 4- More than 70%

7.5.3 Will the land acquisition of the Project have impacts on any hired employees?

_____ persons, of whom: male _____, female _____

7.5.4 Average income of the potentially affected hired employees? VND _____/person/month

7.7 Were your family's affected assets fully counted during the detailed measurement survey?	1. Yes	2. No (no asset counted)
7.8 Did your family members participate in the detailed measurement survey?	1. Yes Please state the level of participation <input type="checkbox"/> Observe the inventory and measurement survey.	2. No

	<input type="checkbox"/> Participate in the inventory and measurement survey. <input type="checkbox"/> Check the inventory and measurement results. <input type="checkbox"/> Other, specify	
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PART 8. PROJECT IMPACTS AND MITIGATION STRATEGIES

8.1 What positive impacts might occur for affected people having their land temporarily acquired in your community?

- 1- Water supply
- 2- House improvement
- 3- Health improvement
- 4- Investment opportunities
- 5- Job opportunities
- 6- Others (please specify)

8.2 In your opinion, what are the proposed measures to enhance the positive impacts?

- 1- Adequate information disclosure related to the project activities and project progress
- 2- Consultation with local people and local authorities about their concerns during construction
- 3- Priority given to vulnerable households in applying for the project jobs
- 4- Training on community health, and safety
- 5- Other (Please specify) _____

8.2 What are the potential losses your household will experience due to land acquisition?

Multiple options can be selected

- 1- Temporary loss of structure
- 2- Loss of crops and perennial trees
- 3- Temporary loss of land
- 4- Temporary loss of livelihood
- 5- Temporarily restricted access to houses, production land, or businesses
- 6- Others (please specify)

8.3 In your opinion, what are your thoughts about the measures to avoid, minimize, or mitigate the potential losses or negative impacts of the project to your household?

Multiple options can be selected

- 1- Adequate information disclosure related to the project activities and project progress
- 2- Allow harvesting of full-grown crops before construction
- 3- Fair compensation for affected land and/or non-land assets
- 4- Rehabilitation of disturbed agricultural land, post construction
- 5- Reconstruction or restoration of the affected land and/or structure
- 6- Provision of temporary access during construction
- 7- Consultation with local people and local authorities about their concerns regarding the project construction
- 8- Fully addressing all the concerns and or complaints of local people in a timely manner
- 9- Warning signs along the access roads
- 10- Other (Please specify) _____

PART 9. PUBLIC CONSULTATION AND STAKEHOLDER ENGAGEMENT

9.1. Have you heard about the project?	1. Yes	2. No
	<i>If yes, when did you hear about it?</i>	
	1. First time 3. 6 months - 1 year	2. <6 months 4. >1 year
8.2. How did you obtain information about the project?	1. Project staff 3. Authorities 5. Internet 7. Others (please specify)	2. Family members, village community, friends 4. Local/national press 6. Environmentalists
9.3. Did you participate in public meetings of the project? <i>Do not read the options</i>	1. Yes, I did 3. I heard but did not go 5. Did not hear but would not go anyway	2. I heard but could not go 4. Did not hear but I would have liked to go
9.4. If participating in public meetings, do you think you have sufficient knowledge about the project? Would you like to get more information? <i>Do not read the options</i>	1. Sufficient, I do not want extra information 3. Not sufficient, but I do not want to learn more	2. Not sufficient, I would like to know more 4. Sufficient, but I can learn more
9.5. In the future, which information would you want to receive from the project? <i>Do not read the options</i>	1. What will happen to the village when the project is built 3. When will the construction start 5. How will our health be affected 7. Negative impact mitigation strategies	2. How much the compensation price be 4. Shall we get any jobs 6. How shall the environment change 8. Others (please specify)
9.6. How would you want the information to be delivered to you? <i>Do not read the options</i>	1. Public consultation/meeting 3. Face to face meetings 5. Internet	2. Through local authorities 4. Local/national press 6. Others (please specify)
9.7. Do you know how to submit a Project complaint?	1. Yes, please specify	2. No
9.8. Do you have any complaints regarding the Project?	1. Yes, please specify - What is the content of the complaint? - Has the complaint been handled? - Who handled complaints? - Are you satisfied with the outcome of the complaint?	2. No

Thank you for your participation.

End of the survey.

APPENDIX A

Preliminary Audit of Temporary Land Access Acquisition and Compensation for Damaged Assets

Thu Dau Mot Water Joint Stock Company Construction of D1500 Raw Water Pipeline

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1. INTRODUCTION

Thu Dau Mot Water Joint Stock Company (TDM), or the Borrower, started the construction of D1500 pipeline while the Resettlement Plan (RP) is being finalized and Asian Development Bank (ADB) and Japan Bank for International Cooperation Agency (JICA) are processing the approval of the loan.

On 01 July 2024, TDM entered into an Engineering, Procurement, and Construction (EPC) contract with BIWASE Construction – Electricity Joint Stock Company (BIWELCO), a subsidiary of Binh Duong Water Environment Corporation Joint Stock Company (BIWASE), an affiliate of TDM. Construction of the D1500 pipeline commenced on 30 September 2024, with an expected completion date of August 2025.

Before starting construction, TDM and BIWELCO completed a detailed measurement survey, Inventory of Losses, and compensation process to secure land access along the pipeline route. On 21-22 October 2024, ADB fielded a Staff Consultant (International Social Development Specialist) to conduct a preliminary audit of the ongoing land access acquisition and compensation process. Further reviews with the Environmental and Social (E&S) consultants and TDM for data validation were conducted through virtual discussions on 29 and 31 October 2024. The results of these reviews are discussed in the following sections.

2. SCOPE OF LAND ACCESS ACQUISITION IMPACTS

2.1. Final Pipeline Alignment

Upon engaging BIWELCO and before commencing construction activities, the route for the D1500 pipeline was finalized. This final route differed slightly from the alignment presented in Table 3 of the RP, particularly Option 2 alignment. The final alignment is shown in Figure A-1.

The design of the final alignment is divided into five Segments, as presented below:

- Segment 1 – From Tru Van Tho Raw Water Pumping Station Along Bau Long Stream; Length (L) - 560 m
- Segment 2 – Pipeline along Road 39 and Road 40 to the 110 kV Power Line; L - 789m
- Segment 3 – Pipeline along 110kV Power Line; L - 785m
- Segment 4 – Pipeline along 110kV and 220kV Power Line; L – 4,457m
- Segment 5 - Pipeline From High Voltage Power Line to Bau Bang Water Plant; L – 1,401m

Option 2, with a length of 8.3 km, was based on Decision No. 130/QD-CPTNTDM (21 May 2024) and updated in September 2024, and comprised three segments as described in Table 3 of the RP. The final alignment, consisting of five segments and a total length of nearly 8.0 km, has received approval from the relevant People’s Committees. The Tru Van Tho Commune People’s Committee approved the final alignment for Segments 1 to 4 on 8 July 2024 through document No. 72/CV-UBND. For Segment 5, the Lai Uyen Town People’s Committee issued approval for the pipeline installation on 11 June 2024 based on document No. 158/UBND-KT. Segments 3 and 4 fall under the responsibility of Southern Power Corporation – EVN, as per the agreement detailed in Document No. 4364/PCBD-AT, issued on 8 September 2023, regarding the Agreement on the Route of Laying Raw Water Transmission Pipeline in the High Voltage Power Grid Safety Corridor. Below is a comparison of the Option 2 alignment and the final alignment.

Table A - 1 Comparison of Option 2 Alignment and Final Alignment of D1500 pipeline

Option 2 (TDM)		Final Alignment (Approved)	
Segment	Length (m)	Segment	Length (m)
Segment 1	1,729	Segment 1	560
		Segment 2	789
Segment 2	4,852	Segment 3	785
		Segment 4	4,457
Segment 3	1,717	Segment 5	1,401
Total	8,298	Total	7,992

2.2. Description of Impacts

The construction process involves four stages: land clearing, excavation, pipe installation, and land restoration. The Project progresses at a rate of 60 meters per day, with a 6% completion rate as of 21 October 2024. Since all four stages are completed in a single day for a given area, crop owners can clear their land today and replant tomorrow. However, the construction period is longer for pipes located under roads, as road restoration requires concreting or asphalt paving, even for earth roads.

With the final alignment, TDM minimized the economic displacement impact of establishing the D1500 pipeline. Only nine households will experience temporary economic displacement in Segment 1 and 2 of final alignment, compared to 10 households in Segment 1 Option 2. Below is a comparison of the Project-affected households between Option 2 alignment and the final alignment.

Table A - 2 Comparison of the number of affected households from Option 2 to final alignment

Option 2 (TDM)		Final Alignment (Approved)	
Segment	<i>Projected Affected Households</i>	<i>Segment</i>	<i>Affected Households</i>
Segment 1	10	Segment 1	4
		Segment 2	5
Segment 2	11	Segment 3	0
		Segment 4	0
Segment 3	1	Segment 5	0
Total	22	Total	9

The potential impact of pipeline construction on 11 households in Segment 2 of Option 2 alignment, or along the 110kV and 220kV Transmission Line (TL) of Vietnam Electricity (EVN) was not considered. This is due to the agreement with Southern Power Corporation – EVN, which states that clearing of the land along the TL is under their control and responsibility. The agreement outlines the renovation work by Southern Power Corporation - EVN along the 110 kV line from columns 304 to 315, which coincides with the D1500 pipeline route. Southern Power Corporation – EVN confirmed that they are already handling the site clearing and compensation for the construction works. However, Clause 4.6 of the document stipulates that any impacts during the construction of the pipeline on properties must be compensated by TDM in accordance with local regulations.

For Segments 3 and 4 of the final alignment, where site clearance and compensation are conducted by Southern Power Corporation - EVN, TDM will submit to ADB the documentation of disclosure to affected households, consultations, inventory of losses, and records of compensation payments to the extent possible.

The nine affected households will experience temporary impacts due to land use restrictions and damage to assets, primarily rubber trees and cassava. The pipeline alignment with private land users covers 880 meters out of the total 7,992 meters, with a total area of 2,200 m². The details of these impacts are shown in Table A-3.

Table A - 3 Details of Temporary Economic Displacement Impacts to Nine Affected Households

No	Affected HHs	Pipeline Length (m)	Affected Land Area (m ²)	Affected Assets
1	AH 1	147	367.5	20 acacia trees
2	AH 2	133	332.5	43 rubber trees
3	AH 3	53	132.5	16 rubber trees
4	AH 4	130	325.0	70 rubber trees
5	AH 5	130	325.0	1,300 m ² cassava land
6	AH 6	67	167.5	5 rubber trees
7	AH 7	132	330.0	80 m ² cassava land
8	AH 8	38	95.0	-
9	AH 9	50	125.0	4 rubber trees and 4 lagerstroemia trees
Total		880 m	2,200 m²	

In addition to the 2,200 m² of affected land that resulted in temporary economic displacement impacts, TDM and BIWELCO rented 3,000 m² of land from a private owner to serve as a laydown area for the pipes. The details of these rental arrangements and supporting documents will be submitted to ADB.

3. REVIEW OF LAND ACCESS ACQUISITION AND COMPENSATION PAYMENT PROCESS

3.1. Notification and Consultations

Two meetings were organized to inform stakeholders about the Project. The first meeting focused on the Environmental Impact Assessment (EIA), where the Project and its potential impacts were explained in detail. The second meeting was held to announce the land acquisition and discuss the unit rates for compensation. It was held in Tru Van Tho Commune on 30 August 2024 (see Attachment A-1 for the Minutes of Meeting). Two landowners, interviewed on 21 and 22 October 2024, respectively, reported attending both meetings. One of the landowners recalled that there were about 30 people present at the meeting. During the session, the unit rates were thoroughly explained, and there was an opportunity for negotiation on the base rate.

Following the notifications, individual consultations were held with crop owners to negotiate compensation for their crops. These consultations involved 3-4 meetings. One landowner, interviewed on 21 October 2024, mentioned that he participated in only one meeting and accepted the compensation offer immediately because he found it satisfactory. In contrast, another landowner, interviewed on 22 October 2024, reported attending a total of seven meetings: three face-to-face and four via teleconference.

3.2. Detailed Measurement Survey and Inventory of Losses

The detailed measurement survey (DMS) and inventory of losses were conducted on 4-5 September 2024. Five individuals were involved: the crop owner, a commune official, a Village official, TDM representative, and BIWELCO representative. The two landowners interviewed on 21 and 22 October 2024, respectively, reported participating in the DMS and expressed satisfaction with the process. The results of DMS for each affected household are presented in Attachment A – 2.

Table A - 4 DMS dates for each of affected households

No.	Affected Households	DMS date
1	AH 1	4 September 2024
2	AH 2	4 September 2024
3	AH 3	4 September 2024
4	AH 4	4 September 2024
5	AH 5	5 September 2024
6	AH 6	5 September 2024
7	AH 7	5 September 2024
8	AH 8	5 September 2024
9	AH 9	5 September 2024

3.3. Replacement Cost Calculation

Based on the interview with TDM and BIWELCO representatives, the compensation was based on the prescribed payments issued by the Land Development Center, aligning with the principles of replacement cost. Table A-5 outlines the calculation methods for different types of land use affected by the Project.

Table A - 5 Replacement Cost Calculation Method

Land Use	Calculation Method	Remarks
Cassava	Yield is calculated based on farm gate price (3,000 VND/kg) paid by aggregators to the cropper + 50% of the land value based on the Land Development Center (LDC) valuation as excavation disturbance fee. The LDC valuation is updated yearly based on market price.	Croppers are allowed to harvest cassava plants nearing maturity but not for cassava which are yet young
Rubber (and other trees)	Based on government unit rate per tree the multiplied by 10 (example: 114,000 VND for one tree x 10 = 1,140,000 VND for the tree) + 50% of the value of land as top-up for disturbance. The unit rate based on age of the tree are as follows: Less than 1 year: 114,000 VND 1-2 years: 171,000 VND 2-5 years: 285,000 VND 5-10 years: 399,000 VND 10-20 years old: 479,000 VND > than 20 years old: 285,000 VND	Planters may keep the timber
Undeveloped land	50% of the land value based on the Provincial Land Register valuation + 50% of the land value based on the Provincial Land Register valuation as excavation disturbance fee	1 owner of undeveloped land in the river easement

The summary of compensation and support based on impact is presented in Table A-6. TDM paid a total of VND 1,080,603,000.00 (equivalent to USD 40,000 – 45,000) to compensate for all affected land areas and assets.

Table A - 6 Compensation and support for land and assets temporarily affected

No	Affected HH	Affected Land Area m ²	Affected Assets	Compensation (VND)		
				Land	Assets	Total
1	AH 1	367.5	20 acacia trees	99,592,500	10,000,000	109,592,500
2	AH 2	332.5	43 rubber trees	90,107,500	172,000,000	262,107,500
3	AH 3	132.5	16 rubber trees	35,907,500	64,000,000	99,907,500
4	AH 4	325	70 rubber trees	88,075,000	149,800,000	237,875,000
5	AH 5	325	1,300 m ² cassava land	92,625,000	10,920,000	103,545,000
6	AH 6	167.5	5 rubber trees	47,727,500	20,000,000	67,737,500
7	AH 7	330	80 m ² cassava land	94,050,000	11,088,000	105,138,000
8	AH 8	95	-	27,075,000	-	27,075,000
9	AH 9	125	4 rubber trees and 4 lagerstroemia trees	35,625,000	32,000,000	67,625,000
Total				610,795,000	469,808,000	1,080,603,000

3.4. Compensation Payment

Each household was invited to sign the compensation agreement, which outlined the terms and amounts agreed upon during the consultations. The agreement was clear and transparent, ensuring that all parties fully understood the compensation details. The compensation agreements and receipts are attached as Attachment A-3.

Upon signing the agreements, the households received their payments in cash. This method was chosen for its immediacy and convenience, allowing the households to access their funds without delay. The cash payments were made in a secure and organized manner, ensuring that each household received the correct amount as stipulated in their agreement.

To date, only seven households have received compensation payments. The decision to prioritize these seven households was driven by their demand for prompt payment. The schedule of payments is presented in Table A-7.

Table A - 7 Status and dates of compensation payment for affected households

No.	Affected Households	Payment Date
1	AH 1	13 September 2024
2	AH 2	13 September 2024
3	AH 3	13 September 2024
4	AH 4	18 September 2024
5	AH 5	20 September 2024
6	AH 6	20 September 2024
7	AH 7	02 November 2024
8	AH 8	Pending
9	AH 9	Pending

3.5. Grievance Redress Mechanism

When a complaint arises, it is initially brought to the attention of Mr. Tan, the Vice General Director of TDM. Both his hotline number and that of the EPC manager are made available to the affected households (AH), as confirmed by two interviewed affected persons (AP). This ensures that the AH has direct access to senior management for prompt resolution of their concerns.

If the AH is not satisfied with the decision made by Mr. Tan or the EPC manager, they have the option to escalate the complaint to the Commune Head. This step provides an additional layer of review and ensures that the complaint is addressed at a higher administrative level.

Should the AH remain dissatisfied with the outcome at the Commune level, they can further escalate the complaint to the District People’s Committee. This committee serves as the final arbiter in the grievance redress mechanism (GRM) process, ensuring that all complaints are thoroughly reviewed and resolved in a fair manner.

The interviewed APs have indicated that they are well aware of the GRM process, demonstrating that the procedures for lodging and escalating complaints are clearly communicated and understood by the affected households.

4. SOCIO-ECONOMIC PROFILE AND VULNERABILITY OF AFFECTED HOUSEHOLDS

The nine affected households were included in the socio-economic survey conducted in May-June 2024. For more details, refer to Section 5.3 of the RP – Socio-economic Baseline: Household Level Data Analysis. Based on the socio-economic survey, these nine households comprise a total of 33 affected persons. All crop owners are male, and none of the affected households are considered vulnerable.

Based on the estimated percentage of temporary production land loss discussed in Section 5.3.12 of the RP – Percentage of Temporary Production Loss and summarized in Table 12 – Estimated Percentage of Temporary Production Land Loss, if the Project temporarily accesses a 6-meter-wide strip of production land, two households (AH 8 and AH 9) will lose 10% or more of their production land, experiencing significant impacts. However, in the final construction plan, the Project will temporarily access a 10-meter-wide strip of productive land, resulting in additional two households (AH 1 and AH 2) experiencing significant loss of production land.

TDM, in discussion with the affected households, will implement livelihood restoration measures, if required, for the four significantly affected households.

5. REVIEW FINDINGS AND ACTION PLAN

TDM implemented measures to avoid and minimize the impact of constructing the D1500 pipeline. The pipeline portion traversing private lands was realigned, reducing the number of affected crop owners from 11 to nine. This realignment also avoided impacts on a vulnerable household and the awning of a house. Additionally, the total length of the pipeline was reduced from 8.3 km to 7.9 km.

The economic displacement impacts on affected households within TDM's responsibility are temporary. TDM ensured that the EPC Contractor (BIWELCO) would complete the pipe laying and construction activities in one day, allowing affected households to start replanting the next day. Impacts were further minimized by permitting affected households to harvest crops nearing maturity.

Affected households were informed and consulted throughout the DMS, compensation negotiations, and payment processes. GRM was made accessible to all affected households.

In conclusion, TDM implemented its Land Acquisition Policy and the Project's Resettlement Policy as outlined in the RP and complied with local regulations in assessing and compensating the impacts on affected households. However, TDM will need to implement the following action plan:

- Submit to ADB the site clearing and compensation process documentation, including disclosure to affected households on EVN's construction activities and TDM's pipeline installation, consultations, inventory of losses, and compensation payments, to the extent possible. Submission should be prior to ADB's first disbursement.
- Submit to ADB the details of the rental arrangements with the private owner for the laydown area of the pipes before the first disbursement.
- Inform ADB as soon as possible of any additional land access requirements and damage to assets due to construction activities and implement the RP.
- Implement the agreed livelihood restoration measures for the four significantly affected households.
- Within 30 days of completing the construction activities of the D1500 pipeline, submit a land access acquisition and compensation completion report, including livelihood restoration implementation. The report should also include the closure of rental arrangements for the pipe laydown area.
- Engage a third-party expert to audit the completion of land access acquisition, compensation payments, livelihood restoration implementation, and closure of the land rental arrangement within 90 days of completing the construction activities of the D1500 pipeline.

Attachment A - 1 Minutes of Meeting in Tru Van Tho Commune

CỘNG HÒA XÃ HỘI CHỦ NGHĨA VIỆT NAM
Độc lập – Tự do – Hạnh phúc

Bàu Bàng, ngày 30 tháng 08 năm 2024

BIÊN BẢN HỌP

Hôm nay, vào lúc 10h00 ngày 30 tháng 08 năm 2024. Tại VP ấp 2 xã Trừ Văn Thố, huyện Bàu Bàng, tỉnh Bình Dương. Ủy ban nhân dân xã Trừ Văn Thố tổ chức cuộc họp về việc triển khai Công trình tuyến ống chuyển tải nước thô D1500 từ Trạm bơm nước thô Trừ Văn Thố về nhà máy nước Bàu Bàng (Lai Uyên) đi qua địa bàn xã Trừ Văn Thố và công bố Phương án hỗ trợ đối với các hộ dân có đất bị ảnh hưởng do có tuyến ống D1500 đi qua.

I. Thành phần tham dự:

1. Đại diện Ủy ban nhân dân xã Trừ Văn Thố:

- Ông : Trần Xuân Trà	Chức vụ: Chủ tịch UBND Xã
- Ông (Bà): ... <i>Trần Quang Anh</i> ...	Chức vụ: ... <i>Phó Chủ tịch UBND Xã</i> ...
- Ông (Bà): ... <i>Lê Nguyễn Chí Minh</i> ...	Chức vụ: ... <i>Phó Chủ tịch UBND Xã</i> ...

2. Đại diện Công ty cổ phần nước Thủ Dầu Một

- Ông: Nguyễn Văn Tân	Chức vụ: Phó TGD
- Ông (Bà):	Chức vụ:
- Ông (Bà):	Chức vụ:

3. Đại diện Ấp 2 xã Trừ Văn Thố và các hộ dân:

- Ông: ... <i>Nguyễn Hữu Bình</i> ...	Chức vụ: Trưởng Ấp 2
- Ông (Bà):	Chức vụ:
- Ông (Bà):	Chức vụ:

II. NỘI DUNG CUỘC HỌP:

1. ...*Để giải quyết hồ sơ địa chính có tuyến ống nước thô D1500 đi qua khu vực xã Trừ Văn Thố*.....

2.

III. Ý KIẾN PHÁT BIỂU, THẢO LUẬN:

1. ...*Đề kiến nghị ống đi qua 8.18 m trong đó: đường đất 106 m ống bê tông nhồi cát 12 m bê tông 870 m*.....

2. ... Diện tích... 85.000 m²... 2.85.000 đ/m²...
 Diện tích... 85.000 m²...

Chỉ số 3... Khi... mặt... và sau... lại... còn...
 xử lý...

4. Ông... 15... Ông... không...
 mức... lên... thêm

5. +... 5...
 ... 5...

6. Ông... Khi... còn... bảo... lưu...
 ... lại... tích...

7. Xem lại mức... phù hợp

8.

9.

IV. KẾT LUẬN:

- Các... qua...
- ... lại...
- Trước... cần... giữ...

..... hỗ trợ cho 4 hộ dân ở các làng mới.....
 riêng các hộ sẽ phối hợp khai thác lại hàng xuất theo.....
 hướng dẫn của quyền lực của 5 bà dân xã và xã trưởng.....
 đi để tránh lãng phí quan trọng nhất là các xã trưởng.....
 để quản lý lại cho người dân.....

Cuộc họp kết thúc vào lúc ..h.đ. cùng ngày. Biên bản cuộc họp được lập thành 03 bản, có nội dung và giá trị như sau.

Mọi người tham gia cuộc họp thống nhất với nội dung trên và cùng ký tên.

CHỦ TRÌ

THƯ KÝ




Trần Xuân Trà

Lê Nguyễn Chương

- Các thành viên tham gia họp cùng thống nhất ký tên:

STT	HỌ VÀ TÊN	KÝ TÊN	SỐ ĐIỆN THOẠI
1	[REDACTED]	[REDACTED]	[REDACTED]
2	[REDACTED]	[REDACTED]	[REDACTED]
3	[REDACTED]	[REDACTED]	[REDACTED]
4	[REDACTED]	[REDACTED]	[REDACTED]
5	[REDACTED]	[REDACTED]	[REDACTED]
6	[REDACTED]	[REDACTED]	[REDACTED]
7	[REDACTED]	[REDACTED]	[REDACTED]
8	[REDACTED]	[REDACTED]	[REDACTED]
9	[REDACTED]	[REDACTED]	[REDACTED]
10	[REDACTED]	[REDACTED]	[REDACTED]

(Information has been removed as it falls within the exceptions specified in paragraph 17(2) of ADB's Access to Information Policy. The information is available upon request.)

Photos

(Information has been removed as it falls within the exceptions specified in paragraph 17(2) of ADB's Access to Information Policy. The information is available upon request.)

Attachment A - 2 Detailed Measurement Survey

(Information has been removed as it falls within the exceptions specified in paragraph 17(2) of ADB's Access to Information Policy. The information is available upon request.)

Attachment A - 3 Compensation Agreement and Payment

(Information has been removed as it falls within the exceptions specified in paragraph 17(2) of ADB's Access to Information Policy. The information is available upon request.)