

| | | |
|--|--|---------------|
|  <u>Long Son Petrochemicals Co., Ltd</u> | Long Son Petrochemicals Co., Ltd. | |
| | CSR Department | Rev. 2 |
| LSP Doc. No : LSP-1S03-0005 | Supplemental Resettlement Action Plan | Page: 1 of 89 |

SUPPLEMENTAL RESETTLEMENT ACTION PLAN

September 2016

| | | | | | |
|-------------|-----------------------------|--|-----------------|--|-----------------|
| 2 | 16/09/2016 | Update to new ESIA and additional Disclosure | MFC | | |
| 1 | 23/01/2015 | Response LSP's Comments | ERM | See attachment of reviewer's signature | |
| 0 | 30/12/2014 | Issue For Review | ERM | See attachment of reviewer's signature | |
| REV. | DATE (dd/mm/yyyy) | DESCRIPTION | PREPARED | CHECKED | APPROVED |

| | | |
|--|--|---------------|
|  Long Son Petrochemicals Co., Ltd | Long Son Petrochemicals Co., Ltd. | |
| | CSR Department | Rev. 2 |
| LSP Doc. No : LSP-1S03-0005 | Supplemental Resettlement Action Plan | Page: 2 of 89 |

ATTACHMENT OF REVIEWER'S SIGNATURE

| NO | Name | Position | Signature |
|----|----------------------|-----------------------------|-----------|
| 1 | Pholavit Thiebattama | Overall Project Director | |
| 2 | Pham Hong Phuong | Overall Project Coordinator | |
| 3 | Jirapol Kosolwadhana | HR Director | |
| 4 | Pham Hung Thinh | CSR Manager | |
| 5 | Huynh Tan Khiem | Project Engineer | |
| 6 | | | |
| 7 | | | |
| 8 | | | |
| 9 | | | |
| 10 | | | |
| 11 | | | |
| 12 | | | |
| 13 | | | |
| 14 | | | |
| 15 | | | |
| 16 | | | |
| 17 | | | |
| 18 | | | |
| | | | |
| | | | |

CONTENTS

| | | |
|--------------|---|-----------|
| 1 | INTRODUCTION..... | 8 |
| 1.1 | PURPOSE OF THE SUPPLEMENTAL RESETTLEMENT ACTION PLAN | 8 |
| 1.2 | PROJECT OVERVIEW..... | 8 |
| 1.2.1 | Project Background..... | 8 |
| 1.2.2 | Current Resettlement Practices and Status..... | 11 |
| 1.2.3 | Receptors..... | 15 |
| 1.3 | STRUCTURE OF THE REPORT..... | 16 |
| 2 | OBJECTIVES AND PRINCIPLES | 18 |
| 2.1 | OBJECTIVES OF THIS SUPPLEMENTAL RESETTLEMENT ACTION PLAN..... | 18 |
| 2.2 | RESETTLEMENT PRINCIPLES..... | 18 |
| 3 | LEGAL FRAMEWORK | 20 |
| 3.1 | APPLICABLE STANDARDS..... | 20 |
| 3.2 | VIETNAMESE REGULATIONS ON COMPENSATION AND RESETTLEMENT..... | 20 |
| 3.2.1 | Applicable Laws and Regulations | 20 |
| 3.2.2 | Summary of Regulatory Requirements..... | 22 |
| 3.3 | VIETNAM REGULATIONS ON PUBLIC CONSULTATION..... | 26 |
| 3.4 | VIETNAM REGULATIONS ON ASSISTANCE FOR VULNERABLE GROUPS..... | 26 |
| 3.5 | IFC REQUIREMENTS ON COMPENSATION AND RESETTLEMENT | 27 |
| 3.6 | COMPARISON OF VIETNAMESE REGULATIONS AND IFC PS5 | 28 |
| 4 | SOCIO-ECONOMIC BASELINE | 30 |
| 4.1 | INTRODUCTION..... | 30 |
| 4.2 | HOUSEHOLD PROFILE | 30 |
| 4.2.1 | Demographic Profiles of the Affected Households..... | 31 |
| 4.2.2 | Land Types, Areas and Tenure | 31 |
| 4.2.3 | Education Background | 32 |
| 4.2.4 | Labour and Livelihoods..... | 33 |
| 4.2.5 | Household Income and Expenditure | 37 |
| 4.2.6 | Housing..... | 38 |
| 4.2.7 | Access to and Availability of Public Facilities | 38 |
| 4.2.8 | Vulnerable Groups | 40 |
| 5 | LAND ACQUISITION AND RESETTLEMENT IMPACTS | 43 |
| 5.1 | Permanent Land Acquisition | 44 |
| 5.1.1 | Loss of Houses and Other Structures on Land | 44 |
| 5.1.2 | Loss of Productive Land and Standing Crops and Aqua-Products | 45 |
| 5.1.3 | Loss of Aquaculture, Fishing Area and Access to Marine Resources | 46 |
| 5.1.4 | Loss of Moorage Area | 47 |
| 5.1.5 | Impacts to Vulnerable Groups | 47 |
| 5.1.6 | Gender Impacts..... | 48 |

| | | |
|--------|--|----|
| 5.1.7 | <i>Displacement associated with the Cemetery</i> | 48 |
| 5.1.8 | <i>Other displacement (access road, transmission line, etc.)</i> | 48 |
| 5.1.9 | <i>Impacts on Graves</i> | 49 |
| 5.1.10 | <i>Physical Relocation of Ba Ong Temple</i> | 49 |
| 5.1.11 | <i>Impacts on Archaeological Resources</i> | 49 |
| 6 | ELIGIBILITY AND ENTITLEMENT FRAMEWORK | 51 |
| 6.1 | INTRODUCTION | 51 |
| 6.2 | CATEGORIES OF AFFECTED PERSONS | 51 |
| 6.3 | Land Right Holders | 51 |
| 6.3.1 | <i>Owners of Houses or Other Assets on Land</i> | 51 |
| 6.3.2 | <i>Agriculture, Salt and Aquaculture Farmers</i> | 51 |
| 6.3.3 | <i>Fishermen</i> | 51 |
| 6.3.4 | <i>Business Owners</i> | 52 |
| 6.3.5 | <i>Vulnerable People</i> | 52 |
| 6.4 | Cut-off Date | 52 |
| 6.5 | Legal Entitlements | 52 |
| 6.6 | Project Entitlement | 56 |
| 6.6.1 | <i>Project Programmes for Eligibility and Entitlement</i> | 56 |
| 6.6.2 | <i>Project Assurances to Vulnerable Households</i> | 56 |
| 7 | RESETTLEMENT | 57 |
| 7.1 | INTRODUCTION | 57 |
| 7.2 | RESETTLEMENT SITE SELECTION AND PREPARATION | 57 |
| 7.2.1 | <i>Resettlement Site Selection Process</i> | 57 |
| 7.2.2 | <i>Description of the Resettlement Site</i> | 58 |
| 7.2.3 | <i>Land Lot Allocation within the Project RS</i> | 62 |
| 7.3 | RELOCATION ASSISTANCE | 63 |
| 7.3.1 | <i>Relocation Assistance</i> | 63 |
| 7.3.2 | <i>Relocation Schedule of the Main Site</i> | 64 |
| 7.4 | TREATMENT OF CULTURAL HERITAGES | 64 |
| 7.5 | GAPS ANALYSIS AND RECOMMENDATION | 64 |
| 7.6 | ACTION PLANS | 68 |
| 8 | LIVELIHOOD RESTORATION AND REHABILITATION | 68 |
| 9 | DISCLOSURE AND CONSULTATION | 69 |
| 9.1 | INTRODUCTION | 69 |
| 9.2 | DISCLOSURE AND CONSULTATION ACTIVITIES | 69 |
| 9.2.1 | <i>Disclosure and Consultation to Date</i> | 69 |
| 9.2.2 | <i>Stakeholder Concerns and Feedback to SRAP</i> | 69 |
| 9.2.3 | <i>Future Disclosure and Consultation</i> | 72 |
| 9.3 | ENGAGEMENT WITH VULNERABLE GROUPS | 74 |
| 10 | GRIEVANCE PROCEDURE | 75 |
| 10.1 | LEGAL PROCESS | 75 |

| | | |
|--------|---|----|
| 10.2 | RESETTLEMENT GRIEVANCE PROCEDURE | 75 |
| 11 | ORGANISATIONAL FRAMEWORK FOR RESETTLEMENT MANAGEMENT | 78 |
| 11.1 | ORGANISATIONAL FRAMEWORK | 78 |
| 11.2 | ROLES AND RESPONSIBILITIES | 78 |
| 11.3 | IMPLEMENTATION OF THE SRAP | 79 |
| 12 | IMPLEMENTATION SCHEDULE | 85 |
| 13 | MONITORING AND EVALUATION | 85 |
| 13.1 | INTRODUCTION | 85 |
| 13.2 | KEY MONITORING OBJECTIVES | 85 |
| 13.3 | INTERNAL AND EXTERNAL MONITORING | 85 |
| 13.3.1 | Internal Monitoring | 86 |
| 13.3.2 | External Monitoring | 86 |
| 13.3.3 | Completion Audit | 86 |
| 13.4 | MONITORING AND EVALUATION INDICATORS | 87 |
| 13.5 | REPORTING | 88 |
| 14 | COST AND BUDGET | 88 |

ANNEXES

Annex A – Master Development Plan of Long Son Island

Annex B – Master Spreadsheet of Project Affected Households

Annex C – Community Development Programmes

Annex D – Information on Training Courses, Training Centres and Recruitment

Annex E – Implementation Schedule for resettlement activities

LIST OF TABLES

| | |
|--|-----------|
| Table 1. 1 Summary of the Land Acquisition, Compensation and Resettlement Process of the Project | 13 |
| Table 1. 2 Numbers of Household Physically and Economically Displaced by the Land Acquisition of the Main Site and the RS | 15 |
| Table 3. 1 Key Gaps between PS5 and Vietnamese Regulations | 28 |
| Table 4. 1 Displacement Status of the Surveyed Households | 31 |
| Table 4. 2 Population, Households, Average Family Size of Long Son Commune, Hamlets 1, 2 and Rach Gia Hamlet | 31 |
| Table 4. 3 Area of Productive and Non-Productive Land in the Project and Resettlement Site | 32 |
| Table 4. 4 Education Levels of Surveyed Households in the Three Surveyed Hamlets (%) | 33 |

| | |
|--|-----------|
| Table 4. 5 Ratio of Labour Resources of the Three Surveyed Hamlets (%) | 33 |
| Table 4. 6 Proportion of the Three Livelihoods in the Three Surveyed Hamlets..... | 34 |
| Table 4. 7 Proportion of People Engaging in Land-based Livelihood in the Three Surveyed | 34 |
| Table 4. 8 Current Aquaculture Areas in Long Son Commune | 35 |
| Table 4. 9 Daily Average Income of Wage-based Livelihood | 37 |
| Table 4. 10 Proportion on Poor Household, Near-poor Household and Disable Veterans and monthly Average Income in the Three Surveyed Hamlets | 37 |
| Table 4. 11 Average Expenditures per Household and Capita in the Three Surveyed Hamlets | 38 |
| Table 4. 12 Ratio of House Types in the Three Surveyed Hamlets (%) | 38 |
| Table 4. 13 Rate of Households Have Toilet in the Three Surveyed Hamlets | 40 |
| Table 4. 14 Number of Vulnerable Households by Category | 41 |
| | |
| Table 5. 1 Key Displacement Impacts and Associated Significance | 43 |
| Table 5. 2 Numbers of Physically Displaced Households, Persons and Acquired Land Area August 2016 | 44 |
| Table 5. 3 Ratios of Acquired Productive Land Types, Standing Crops and Aqua-Products at the | 45 |
| Table 5. 4 Numbers of Households Doing Stake Net Fishing and Oyster Farming in the Mudflat..... | 46 |
| | |
| Table 6. 1 Legal Entitlement for the Project Affected Person | 53 |
| Table 6. 2 Project Programmes for Eligibility and Entitlement | 56 |
| | |
| Table 7. 1 Number of Physically Displaced Households of the Main Site, the RS, | 57 |
| Table 7. 2 Land Lots Allocation for the PAPs from the Main Site, the RS, and the Graveyard | 60 |
| Table 7. 3 Criteria for Land Lot Allocation in the Project RS | 62 |
| Table 7. 4 Numbers of Affected Household of Each Phase | 64 |
| Table 7. 5 Gap Analysis of Resettlement and Recommendations..... | 65 |
| | |
| Table 9. 1 Summary of Outcomes of Stakeholder Engagement into SRAP Development..... | 70 |
| Table 9. 2 Proposed Formats and Topic of Disclosure and Stakeholders Engagement | 73 |
| | |
| Table 11. 1 Roles and Responsibilities | 79 |
| Table 11. 2 Implementation of the SRAP | 80 |
| | |
| Table 13. 1 Proposed Monitoring Items, Indicators and Frequency..... | 87 |
| Table 13. 2 Monitoring Reports Prepared for the Implementation of the Resettlement Action Plan | 88 |
| | |
| Table 14. 1 Budget for Resettlement Implementation..... | 89 |

LIST OF FIGURES

| | |
|--|-----------|
| Figure 1. 1 Project & Resettlement Site Location | 10 |
| Figure 1. 2 The Existing Organisational Framework of Land Acquisition, Compensation and Resettlement for the Project..... | 12 |
| Figure 3. 1 Main Steps of a Land Acquisition, Compensation and Resettlement Process..... | 22 |
| Figure 5. 1 Illustration of Location of the Current Aquaculture Areas in Long Son Commune..... | 46 |
| Figure 7. 1 Location of Long Son Resettlement Site | 58 |
| Figure 7. 2 Layout of the 20.4 ha Resettlement Site | 61 |
| Figure 7. 3 Illustration of the Compensation Status and Land Acquisition..... | 64 |
| Figure 10. 1 Suggested Grievance Procedure for Resettlement Related Grievances..... | 76 |
| Figure 11. 1 Suggested Organisational Framework of Land Acquisition, Compensation and Resettlement for the Project | 78 |

1 INTRODUCTION

1.1 PURPOSE OF THE SUPPLEMENTAL RESETTLEMENT ACTION PLAN

This document is the Supplemental Resettlement Action Plan (SRAP) for the Long Son Petrochemical Co., Ltd (LSP, hereafter ‘the Sponsor’) and their combined petrochemical plant and seaport development project (hereafter ‘the Project’) located on Long Son Island, Ba Ria – Vung Tau Province, Vietnam.

The SRAP was initially prepared in October 2014 by Environmental Resources Management as part of the original Environmental and Social Impact Assessment (ESIA) and subsequently updated by a consortium of Monkey Forest Consulting Ltd. (MFC), ESSA Technologies Ltd. and ICEM Asia during revisions to the ESIA in September 2016 to reflect an optimized Project design. All of the consortium members are international companies with ample experience with past and ongoing projects seeking international finance in the same manner as LSP. This SRAP constitutes one of the annexes of the Social Impact Assessment Chapter 17 of the ESIA.

The associated land acquisition, compensation and resettlement for this Project have been managed by Vietnamese Authorities. The SRAP has therefore been developed to close the gaps between National regulations and the requirements of the International Finance Corporation (IFC) Performance Standard 5 (PS5)-Land Acquisition and Involuntary Resettlement (2012).

This document describes the current government-managed resettlement process for the Project, identifies the gaps against PS5 and proposes corrective actions for the Project to close the gaps. The SRAP is one of the detailed management plans that form part of Environmental and Social Management System (ESMS), which will be used to guide the Project’s ongoing environmental and social management.

1.2 PROJECT OVERVIEW

1.2.1 Project Background

Long Son Petrochemicals Co., Ltd. is a limited liability company which is duly organized under the laws of the Socialist Republic of Vietnam. The Project comprises upstream, intermediate and downstream technological clusters to produce petrochemical products. Shareholders of the company are Vietnam Oil and Gas Group (PetroVietnam), Vina SCG Chemicals Co., Ltd. (VSCG Chemicals) and Thai Plastic and Chemicals Public Company Limited (TPC). These will be called the Project Sponsor hereafter.

The Long Son Petrochemicals Complex Project is located in Hamlet 2 and Rach Gia Hamlet, Long Son Commune, Vung Tau City, Ba Ria – Vung Tau Province, Vietnam. The Complex is spread over 464 ha, including area for its future expansion. The Project will be comprised of two main components:

- 1) The Petrochemical Plant, which consists of the following plants and units:
 - Main Production Plants
 - Olefins Plant

- High Density Polyethylene (HDPE) Plant
 - Linear Low Density Polyethylene (LLDPE) Plant
 - Polypropylene (PP) Plant
 - Supporting Units
 - Central Utility Plant (CTU) (contains a Steam Generation Unit and Water Plant)
 - Tank Farm
 - Common Infrastructure
- 2) The Seaport, which consists of the following components:
- Hydrocarbon Jetty - to transfer feedstock and product for the Petrochemical Plant; and
 - Construction Jetty - to import construction materials, including heavy lift modules.

The total land area that will be acquired for the Project is 464 ha, consisting of 398 ha for the Complex, and 66 ha for the specific port. In addition, there is a total water surface area of 194 ha that will be acquired for the seaport.

In addition to the above main components installed in the Main Site, the Project also comprises supporting facilities to facilitate the construction and production located out of the Main Site. These include access road, water supply pipeline, gas supply pipeline, worker and employee camps and disposal site for the dredging sediment.

Site for the development of Worker Camps have not been selected and will be within the remit of EPC contractor and potentially subject to separate supplemental ESIA as determined with Lenders.

Long Son Commune is an island commune with a total natural area of about 92 km², comprising 54 km² of cleared land and 38 km² of mangrove forest. There are 391 households and two religious sites from two hamlets (i.e., Hamlet 2 and Rach Gia Hamlet) in Long Son Commune that have lost their land on the Project Site. 266 graves were also relocated from the Main Site to a graveyard located in Hamlet 2. An access road will be constructed to connect the main road of Long Son Commune to Long Son Industrial Zone passing the Main Site of the Project. The Project will also use this access road. There are 18 households affected by the land acquisition for the construction of the graveyard.

Additionally, the Project involves resettlement of the community in the Main Site to the Project Resettlement Site (RS) within Long Son Resettlement Site, which is located in Hamlet 1, Long Son Commune, Vung Tau City. The RS is about 1.1 km from the Main Site of the Project. The land acquisition of the Project RS (20.4 ha) affected 55 households.

Figure 1. 1 Project & Resettlement Site Location



1.2.2 Current Resettlement Practices and Status

Resettlement Practice of the Project

In Vietnam, people do not generally own land; instead the land is formally owned by the government. The *Land Law 2003* and the amended *Land Law 2013* give the Government the right to decide on land use purposes based on a master plan of land use; as well as to set land prices, allocate or lease land to people, and to acquire land for purposes of national defence and social-economic development activities. In addition, private ownership of land is not permitted in Vietnam but the land laws allow ownership of a right to use land. This right is called the *Land Use Right* and the paper certifies this right is *Land Use Right Certificate* (LURC).

Most of the land acquisition and resettlement of projects in Vietnam are government-managed process and it is the case of this project. In this Project, a Land Compensation and Clearance Organisation (LCCO) comprised of a Land Fund Development Centre (LFDC) of Vung Tau City and a Compensation, Support and Resettlement Council (CSRC) have been responsible for implementing the land acquisition, compensation and resettlement process of this Project for both the Main Site and the RS. The establishment of the CSRC was proposed by the LFDC and approved by the district People's Committee (PC) to include the following organisation and individuals:

- PC of Vung Tau City;
- LFDC (formerly Department of compensation site clearance of Vung Tau City);
- Department of Finance of Ba Ria Vung Tau Province (DoF);
- Department of Natural Resources and Environment of Ba Ria Vung Tau Province (DoNRE);
- Department of Transport of Ba Ria Vung Tau Province (only involved in the land acquisition, compensation and resettlement of the RS, the access road and the graveyard) (DoT);
- PC of Long Son Commune;
- LSP (the Project Sponsor); and
- Representatives of affected people (Heads of the affected hamlets including Hamlet 1 for the land acquisition, compensation and resettlement of the RS, the access road, and Hamlet 2 for that of the Main Site, the access road and the graveyard and Rach Gia Hamlet for the Main Site and the access road).

The Department of Transport was assigned by the PC of Ba Ria Vung Tau Province to be the investor of the whole Long Son Resettlement Site¹ the access road and the graveyard. Long Son Resettlement Site is one of the 60 resettlement projects planned in the Master plan of Resettlement Plan of Ba Ria Vung Tau Province in the period 2010 -2015, approved by the provincial PC on 17 August 2010.

The budget for compensation and support are paid by the Project through the mechanism of advanced land lease budget. This will be deducted in the Project's annual land lease fee when the land is officially handed over to the Project.

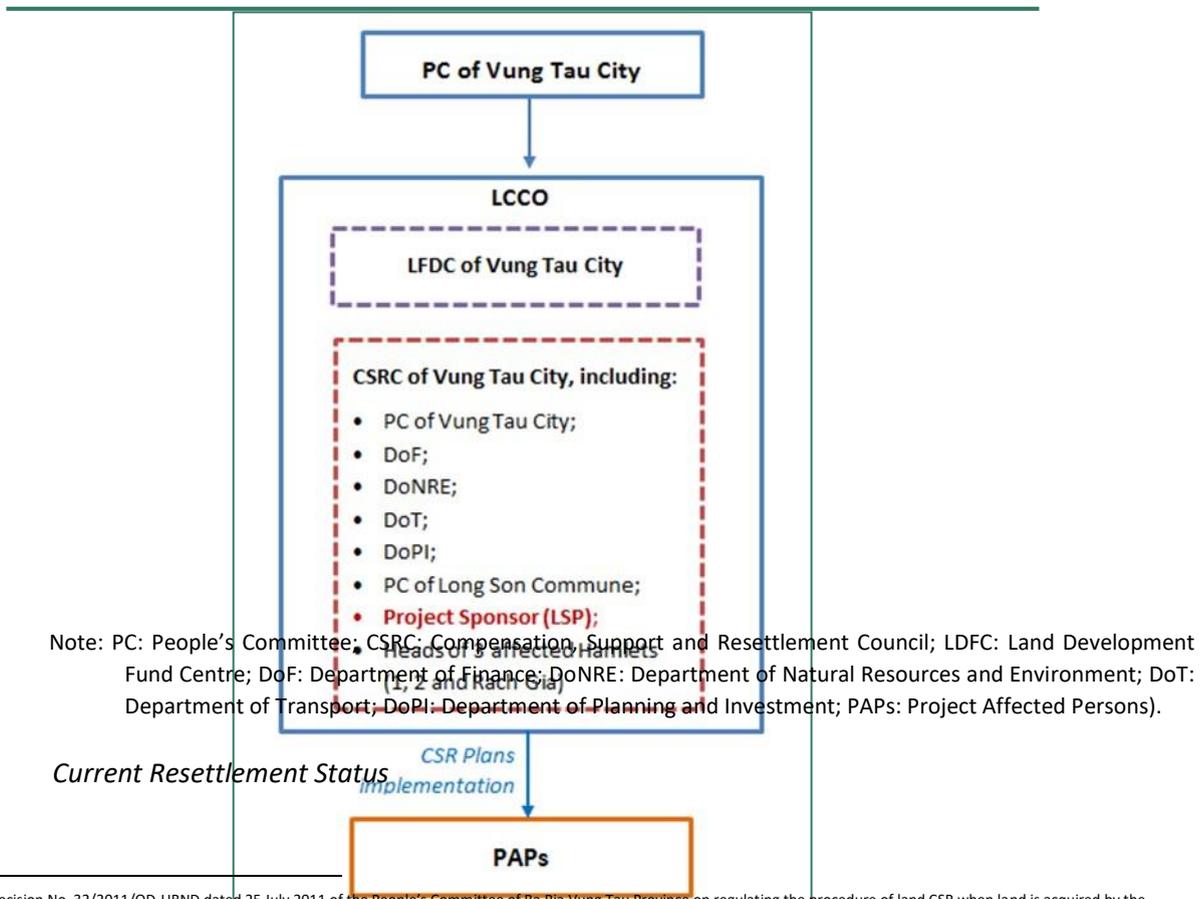
¹ Long Son Resettlement Site is approved by the People's Committee of Ba Ria Vung Tau Province to be the resettlement site of households that are physically displaced by the Main Site and the Resettlement Site itself.

Relationship between the Project Sponsor and the Resettlement Implementing Agency can be illustrated in Figure 1.2.

Support of the Project Sponsor during development of the Compensation, Support and Resettlement (CSR) Plans by the LFDC of Vung Tau City was restricted to administrative procedures and adequate budget allocation for payment. Although being present in the CSRC, influence of the Project Sponsor during the CSR Plans review is considered limited due to the following reasons:

- The CSR Plans are strictly required to be developed based on existing national and provincial CSR policies and regulations; and
- The result of CSR Plans review shall be decided by the majority of the CSRC members as prescribed in Decision No. 32/2011/QD-UBND² while over 75% of the CSRC members are from local government bodies who generally make decisions taking into account the authority’s view (i.e., ensuring compliance with regulations).

Figure 1. 2 The Existing Organisational Framework of Land Acquisition, Compensation and Resettlement for the Project



Note: PC: People’s Committee; CSRC: Compensation, Support and Resettlement Council; LFDC: Land Development Fund Centre; DoF: Department of Finance; DoNRE: Department of Natural Resources and Environment; DoT: Department of Transport; DoPI: Department of Planning and Investment; PAPs: Project Affected Persons).

² 2 Decision No. 32/2011/QD-UBND dated 25 July 2011 of the People’s Committee of Ba Ria Vung Tau Province on regulating the procedure of land CSR when land is acquired by the government in Ba Ria Vung Tau Province

As of August 2016, the LFDC in collaboration with the CSRC completed the compensation and assistance payment for PAPs of the Resettlement Site and graveyard. Payments for affected household of the Main Site covered 384 of 391 HHs. The remainder is expected to be completed by the end of 2016 or early 2017.

Compensation and assistance payment is the fourth step of the whole eight-step land acquisition, compensation and resettlement process of the Project. Summary of these eight steps including short description and status at the time of reporting is presented in Table 1.1.

Table 1. 1 Summary of the Land Acquisition, Compensation and Resettlement Process of the Project

| Main Steps of the Process | Brief Description | Status |
|--|--|-----------|
| Step 1 - Issuance of Land Acquisition Notification | In late 2009, the PC of Vung Tau City issued a land acquisition notification for each affected household of the Main Site. In mid-2013, the PC also issued such notifications to 55 affected households of the RS. A land acquisition notification of an affected household includes the reason for land acquisition, the area and location of the acquired land lot(s) that were identified based on the existing cadastral dossiers of that affected household. This step for the access road and the graveyard was completed in September 2010 and February 2014, respectively. | Completed |
| Step 2 - Development and Approval of Overall CSR Plan | Based on existing cadastral data and initial land inventory and mapping survey, an overall CSR Plan reflecting information on area of each land category acquired, total land right holders within the acquired area, tentative compensation and assistance amount and resettlement option (i.e., demand, location and pattern) shall be developed as legally required. Such overall CSR Plan of the whole Long Son Petro-Industrial Zone (PIZ) that used to consist of the Project was approved in December 2008 by the PC of Ba Ria Vung Tau Province. According to the amended master plan of Long Son PIZ, the Main site of the Project has been split from the PIZ since 2011. Nevertheless, this overall CSR Plan is still recognised as the legal basis for implementing subsequent steps in the land acquisition, compensation and resettlement process of the Project. This step for the access road and the graveyard was completed in September 2010 and February 2014, respectively. | Completed |
| Step 3 - Inventory of Loss (IoL) and Detailed Measurement Survey (DMS) | The LFDC conducted an IoL & DMS for the Main Site during June and December 2010 and for the RS during December 2010 to February 2011. Those of the access road and the graveyard were conducted in September 2010 and April 2014, respectively. The IoL & DMS was conducted under the presence of members of the CSRC and household's representative(s). IoL & DMS results were disclosed to the PAPs for review and signature. All DMS results were collected and sent back to the PC of Vung Tau City for signing and stamping. | Completed |

| | | |
|--|---|------------------|
| <p>Step 4 - Development and Disclosure of detailed CSR Plans for Public Consultation</p> | <p>Due to financial reasons, the Project was delayed for a period of about two years (2011- 2013). Therefore, although the IoL & DMS were completed at the end of 2010 for the Main Site, development of detailed CSR Plans has only been carried out in 2014. Internal meetings of the LCCO were held to review and determine the CSR eligibility of affected households of the Main Site during late 2013 and early 2014. That of the RS and the access road was conducted in November 2013 and in May 2014 for the graveyard. Compensation and assistance amount was calculated based on the prices of land, prices of assets on land and specific assistances promulgated by Ba Ria Vung Tau Province in a number of local regulations which are further discussed below.</p> <p>Result of such CSR eligibility review and CSR calculation for each affected household were incorporated into a single sheet called a detailed CSR Plan. These drafted detailed CSR Plans were then publicly posted on the information board at the PC of Long Son Commune for 20 working days to receive comments from the PAPs.</p> | <p>Completed</p> |
| <p>Step 5 - Approval and Disclosure of Land Acquisition Decisions and Detailed CSR Plans</p> | <p>Based on the final detailed CSR Plans (which have been considered to incorporate comments from the PAPs), an official decision on land acquisition approval and then a decision on detailed CSR Plan approval for each affected case (i.e., households or religious sites) at the Main Site and the RS were issued by local authorities during April to June 2014 and late 2013, respectively. Such decisions were disclosed at the PC of Long Son Commune immediately after being approved. Decisions on approval of the detailed CSR Plans were also sent directly to all PAPs concurrently, including 55 households of the RS and 383 cases of the Main Site (i.e. 381 households and two religious sites). This step for the access road and the graveyard was completed in November 2013 and June 2014, respectively.</p> | <p>Completed</p> |
| <p>Step 6 – Compensation and Assistance Payment</p> | <p>The compensation and assistance payment is required to be conducted within 5 working days upon disclosure of the approved CSR Plans. The time of payment is noted clearly in the Decisions of CSR Plan approval.</p> <p>As of August 2016, the compensation and assistance payment for PAPs of Resettlement Site and graveyard have been completed. Such payments for affected household of the Main Site were 384 of 391 HHs. The remainder is expected to be completed by the end of 2016.</p> | <p>On-going</p> |
| <p>Step 7 - Land Acquisition and Archaeological Excavation</p> | <p>A total of 239 households will have their homes (temporary or permanent) demolished. As of August 2016, 237 houses demolished in the MS and RS. Two houses remain at the main site: one temporary house pending demolition once compensation has been finalized with local authorities and another requesting additional land plots at the resettlement site (as they claim there are multiple families under one roof). Trees/crops on the main site and resettlement site are 100% demolished/removed.</p> <p>There are 278 graves from main site and resettlement site excavated and relocated as of August 2016. During August 2016, VTPC issued the compensation decision for the two graves recently identified during establishment of the Project fence. The compensation payment will be progressed by VTPC in September.</p> | <p>On-going</p> |

| | | |
|--|--|----------|
| Step 8 – Relocation and Land Clearance | Up to the end of September 2016, VTPC issued decision to provide 226 land lots for affected people by MS and 04 land lots for affected people by RS. However, currently, due to lack of land lots in RS, five HHs affected by MS have just received the decision for land lots but not been allocated yet. Also, there are 146 permanent houses were constructed in the Resettlement Site, 05 house were remaining under construction. There are 02 vulnerable households live in the temporary accommodation in the RS. | On-going |
|--|--|----------|

1.2.3 Receptors

The land acquisition directly affects households (HHs) that lose their land for the Project. In this instance (and many similar instances in rural Vietnam settings) the term household generally refers to an extended family living on the one parcel of land. One parcel of land can include more than one land lot (of either/both residential land or/and productive land) and multiple dwellings as the older generation allows younger members to build dwellings in close proximity, but within the same parcel. As discussed later, this can be considered a customary practice, however these additional dwellings are not legally recognised unless a land use right certificate has been issued.

The receptors within the Project’s Aol include:

- Households of Hamlet 2 and Rach Gia Hamlet of Long Son Commune located in the area identified as the Main Site;
- Households who are fishermen or/and aquaculture farmers in the mudflat area immediate in the south of the Main Site
- Cultural heritage including religious areas and archaeological resources in the Main Site and the access road;
- Households of Hamlet 1 of Long Son Commune located in the area identified as the RS;
- Households of the areas identified as the access road and the grave yard; *and*
- Land, structures, crops, trees and graves of the households physically and economically displaced by the land acquisition of the Project and its associated facilities including the RS, the access road and the graveyard.

Table 1.2 provides the number of physically and economically displaced households and cultural heritage sites within the Main Site, the RS, the access road and the graveyard.

Table 1. 2 Numbers of Household Physically and Economically Displaced by the Land Acquisition of the Main Site and the RS

| The Project’s sites | Physical Displacement | | Economical Displacement | | Total | |
|---------------------|-----------------------|-----------------------|-------------------------|-----------------------|------------|--------------------|
| | Households * | Cultural Heritages ** | Households | Cultural Heritages ** | Households | Cultural Heritages |
| Main Site | 150 | 1 | 391 | 2 | 391 | 2 |
| RS | 4 | 0 | 55 | 0 | 55 | 0 |
| Graveyard | 1 | 0 | 18 | 0 | 18 | 0 |
| Total | 155 | 1 | 464 | 2 | 464 | 2 |

Note: The data is as of August 2016. The number of affected households of the main site is not confirmed as final number at the time of writing this report;

(*) Households who are physically displaced are also economically displaced; and

(**) Two temples will be displaced by the land acquisition but only Ba Ong Temple will be physically relocated and Hung Long Temple will lose productive land.

From the above discussion, the Project Affected Persons (PAPs) are defined in this SRAP as persons whose households physically and economically displaced by the land acquisition of the Project's AoI. Total displaced households in the Project's AoI are 464 roughly equivalent to 2,270³ PAPs.

The resettlement principles are applicable for the whole Project's AoI. However, since the detailed resettlement information for each household and cultural heritage site of the access road and the graveyard is not available at the time of reporting for doing the gap analysis (Sections 7) corrective actions suggested in this SRAP (Section 11) are only for households and cultural heritage sites affected by the Main Site and the RS. As noted above, these facilities will be subject to further discussion in an addendum of this SRAP when their detailed information on development and resettlement is available.

1.3 *STRUCTURE OF THE REPORT*

In accordance with the general PS5 guidelines, the remainder of the SRAP includes the following sections:

- **Section 2 – Objectives and Principles** presents objectives and principles of the SRAP.
- **Section 3 – Legal Framework** outlines the Government of Vietnam (GoV) and International Finance Corporation (IFC) policies and guidelines that serve as a foundation for the resettlement of the Project. An analysis of the alignment and differences between these two guiding policy frameworks is presented.
- **Section 4 – Socio-economic Baseline** presents the socio-economic profile of Project Affected Persons (PAPs). The profile of vulnerable groups is also presented.
- **Section 5 – Project Impacts** provides the details of impacts on land, livelihoods, economy of affected communities.
- **Section 6 – Eligibility and Entitlement Framework** explains who will be legally eligible to receive compensation and assistance, and resettlement. Description on entitlement framework of both the government and the Project is also included.
- **Section 7 – Resettlement** describes the current resettlement measures; introduction of the resettlement site and gaps analysis against PS5. Recommendations for closing gaps are also included.
- **Section 8 – Livelihood Restoration and Rehabilitation** provides a framework for livelihood restoration and rehabilitation plan for the PAPs including particular assistance for vulnerable groups. An action plan for the implementation of the Livelihood Restoration measures recommended in the framework is also provided.
- **Section 9 – Disclosure and Consultation** provides disclosure and consultation programmes for the SRAP related activities throughout the resettlement time.
- **Section 10 – Grievance Redress** explains the grievance mechanism that is available to the PAPs regarding their concerns related to resettlement issues.
- **Section 11 – Organisational Framework for Resettlement Management** provides organisational structure and roles and responsibilities for SRAP implementation.
- **Section 12 – Implementation Schedule** provides the schedule for resettlement implementation and collaboration plan between local authorities who are responsible for the resettlement and the Project resettlement team.

³ This number is estimated based on the average family size of the main site, the graveyard (5 persons/household) and the RS (4 persons/household)

- **Section 13 – Monitoring and Evaluation** explains the activities for the monitoring and evaluation of the SRAP including the Completion Audit when the resettlement is considered finished.
- **Section 14 – Budget** presents an estimated budget for SRAP implementation.

2 OBJECTIVES AND PRINCIPLES

2.1 OBJECTIVES OF THIS SUPPLEMENTAL RESETTLEMENT ACTION PLAN

As identified in Section 1, land acquisition, the government carried out compensation and resettlement in compliance with the National regulations. As required by IFC PS5, in the case of government-managed process involving physical displacement, if the government resettlement measures do not meet the relevant requirements of PS5, the Project should prepare a SRAP to close the gaps. The SRAP at a minimum need to include (i) identification of affected people and impacts; ii) a description of regulated activities including the entitlements of displaced persons provided under applicable national laws and regulations; (iii) the supplemental measures to achieve the requirements of PS5 in the way permitted by the responsible agency and implementation time schedule; and (iv) the financial and implementation responsibilities of the Project in the execution of the SRAP.

Other objectives of this SRAP include:

- Establish the socio-economic baseline conditions of the area that will be acquired by the Project;
- Identify and mitigate the negative impacts of displacement;
- Improve, or at least restore, the livelihoods and living standards of the PAPs;
- Provide special attention to vulnerable people who are PAPs;
- Identify development opportunities for the affected communities;
- Provide two-way consultations with the PAPs including providing resettlement related information to and receiving feedbacks from the PAPs; and
- A plan for the Project to implement the resettlement in compliance with both relevant National and International regulations.

2.2 RESETTLEMENT PRINCIPLES

According to relevant national regulations on resettlement and the IFC PS5, the RAP should adhere to the following principles:

1. The compensation price should be replacement cost⁴;
2. Those who lose their houses should receive their new dwelling near to the original area or within the local area (i.e. commune area);
3. The new houses should be constructed by the PAPs themselves;
4. The infrastructure of the RS should be completed before relocation of the PAPs;
5. It should guarantee that the PAPs can improve or at least resume their existing production and living standards, and great efforts should be made to allow for at least resumption within the shortest possible timeframe;
6. LURCs should be provided to the PAPs after the land use fee is paid and LURC request document is submitted;

⁴ Replacement cost is defined as the market price of the assets plus tax. The Project Sponsor cannot apply replacement cost for all compensation (as it is a government led process), however, they adjusted the structure compensation price to the market price and increased the land compensation price higher than the original unit land price of the Province. Also, rehabilitation and restoration assistances to PAPs will be provided through the implementation of this SRAP.

7. The compensation should be completed within at least three months before the relocation starts; otherwise the PAPs cannot complete their houses and ready for the relocation;
8. Forced eviction should be avoided; and
9. Resettlement activities should be implemented with appropriate disclosure of information, consultation, and the informed participation of those affected.

3 LEGAL FRAMEWORK

3.1 APPLICABLE STANDARDS

The policy governing compensation, support and resettlement will be implemented in accordance with national regulations and local decisions issued by the People's Committee of Ba Ria Vung Tau Province, as well as the principles outlined in IFC PS5.

The *Land Law 2003* is the existing supreme legal regulation prescribing land use rights and land management in Vietnam, including land acquisition, compensation, support and resettlement. There are number of related regulations including laws and by-law regulations which have been issued to provide requirements and guidance to implement the process. Such regulations are discussed in the following sections in national and provincial levels.

It should be noted that the *Land Law 2003* is to be replaced by the amended *Land Law 2013* that was approved by the national assembly on 29 November 2013. It is expected that most of the existing by-law documents will be soon amended or replaced by new ones following the issuance of the amended *Land Law 2013*. However, according to the amended *Land Law 2013*, if compensation, support and resettlement process of a project is on-going at the transition time between the *Land Law 2003* and the amended *Land Law 2013*, such process will continue to be in compliance with the CSR Plans that are approved under the *Land Law 2003*. As discussed in **Table 1.1** in *Section 1.2.2*, the CSR Plans of the Project were approved in early 2014 before the amended *Land Law 2013* is effective. Therefore, the amended *Land Law 2013* is not applicable for the land acquisition, compensation and resettlement of this Project.

3.2 VIETNAMESE REGULATIONS ON COMPENSATION AND RESETTLEMENT

3.2.1 *Applicable Laws and Regulations*

National Regulations

National regulations applied to the project land acquisition and resettlement include:

- *Land Law 2003*;
- *Decree No. 181/2004/ND-CP* dated 29 October 2004 by the government providing guidance on implementing Land Law 2003;
- *Decree No. 197/2004/ND-CP* dated 3 December 2004 by the government on compensation, support and resettlement when the government acquires land;
- *Decree No. 188/2004/ND-CP* dated 16 November 2004 by the government on the methods for determining land prices and a price framework for land;
- *Decree No. 84/2007/ND-CP* dated 25 May 2007 by the government to supplement regulations on Land Use Right Certificates, acquiring land, implementing land use right, compensation and resettlement procedures when the government acquires land and resolves land complaints;
- *Decree No. 123/2007/ND-CP* dated 27 July 2007 by the government adjusting and supplementing articles of Decree No. 188/2004/ND-CP dated 16 November 2004 by the government on the methods to determine land prices and the framework for pricing land;
- *Decree No. 69/2009/ND-CP* dated 13 August 2009 by the government stipulating a supplemental plan for land use, prices, acquiring land, compensation, support and resettlement;

- *Circular No. 145/2007/TT-BTC* dated 6 December 2007 from the Finance Ministry providing guidance on implementing government Decrees No.188/2004/ND-CP and No.123/2007/ND-CP;
- *Circular No. 14/2009/TT-BTNMT* dated 1 October 2009 of MoNRE stipulating details on compensation, support, resettlement and land acquisition procedures, handing-over land, and leasing land; and
- *Decision No. 52/2012/QD-TTg* dated 16 November 2012 of the Prime Minister on providing policy supporting labourers who are acquired agricultural land in employment and vocational training.

Provincial Regulations

Provincial regulations applied to the Project land acquisition and resettlement include:

- Decision No. 5201/2005/QD-UBND dated 30 December 2005 of the People's Committee of Ba Ria Vung Tau Province on regulating the allocation quota and recognition quota of residential land applicable for garden and pond land, residential land quota applicable for selling state-own houses in Ba Ria Vung Tau Province;
- Decision No. 13/2010/QD-UBND dated 1 April 2010 of the People's Committee of Ba Ria Vung Tau Province on CSR policy when land is acquired by the government in Ba Ria Vung Tau Province;
- Decision No. 52/2010/QD-UBND dated 2 November 2010 of the People's Committee of Ba Ria Vung Tau Province on amendment and supplementation of some articles in Decision 13/2010/QD-UBND;
- Decision No. 46/2013/QD-UBND dated 2 December 2013 of the People's Committee of Ba Ria Vung Tau Province on amendment and supplementation of some articles in Decision 13/2010/QD-UBND;
- Decision No. 32/2011/QD-UBND dated 25 July 2011 of the People's Committee of Ba Ria Vung Tau Province on regulating the procedure of land CSR when land is acquired by the government in Ba Ria Vung Tau Province;
- Decision No. 841/2012/QD-UBND dated 9 May 2012 of the People's Committee of Ba Ria Vung Tau Province on approval of land compensation prices applicable for Long Son resettlement project, access road project, Wonil Vina shipyard project and Southern Vietnam Petrochemical Project;
- Decision No. 27/2012/QD-UBND dated 14 August 2012 of the People's Committee of Ba Ria Vung Tau Province promulgating regulation on the class of housing, type of housing, prices of housing and other architectural structures in Ba Ria Vung Tau Province;
- Decision No. 08/2013/QD-UBND dated 29 January 2013 of the People's Committee of Ba Ria Vung Tau Province on regulating the balance and using of vocational training assistance fund for labours whose agricultural land is acquired;
- Decision No. 44/2013/QD-UBND dated 14 November 2013 of the People's Committee of Ba Ria Vung Tau Province on cash support for resettlement when land is acquired by the government in Ba Ria Vung Tau Province;
- Decision No. 50/2013/QD-UBND dated 19 December 2014 of the People's Committee of Ba Ria Vung Tau Province on approving unit land price of Ba Ria Vung Tau Province in 2014; and
- Decision No. 08/2014/QD-UBND dated 17 February 2014 of the People's Committee of Ba Ria Vung Tau Province on compensation price for crops, salt

farming and aquaculture products when land is acquired in Ba Ria Vung Tau Province.

3.2.2 Summary of Regulatory Requirements

National Regulations

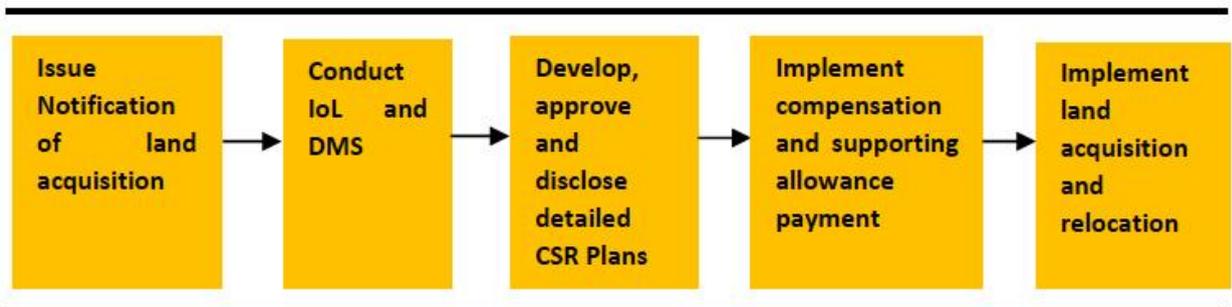
Land Acquisition

The Land Law 2003 gives the Government the right to expropriate land for purposes of national defence, security and national and public development activities. If the project involves foreign investment, organisations or individuals the proposal is to be submitted to the State Land Authorities for approval.

The land acquisition procedure is currently regulated by Decree No. 69/2009/ND-CP and Circular No. 14/2009/TT-BTNMT. A land compensation and clearance organisation (LCCO) comprised of a land public service organisation and a compensation, support and resettlement council will be established to be responsible for implementing the land acquisition process. Commonly, if a local Land Fund Development Centre (LFDC) is available, the LFDC will be appointed to be included in the LCCO.

The Land Acquisition, Compensation and Resettlement Process is summarised in **Figure 3.1** below.

Figure 3.1 Main Steps of a Land Acquisition, Compensation and Resettlement Process



Note: IoL: Inventory of Loss
DMS: Detailed Measurement Survey
CSR Plan: Compensation, Support and Resettlement Plan

Compensation, Support and Resettlement Plan (CSR Plan)

The general CSR Plan and detailed CSR Plan are prepared by the LCCO. The general CSR Plan shall be included in the Feasibility Study developed by the Project Proponent (PP) and shall be approved at same time of the FS.

The LCCO in collaboration with the commune PCs will conduct IoL and DMS in order to develop the detailed CSR Plans for the Project. The contents of a detailed CSR Plan include:

- Name and address of the PAPs;
- Areas, categories and origins of lands acquired; quantity, weight, percentage of remaining quality of affected assets on land;
- Basis of calculation of compensation and support amount such as land, housing and facilities compensation prices, number of people and number of labours in the household, number of people living on social welfare subsidy;

- Amount in cash compensation and support;
- Resettlement arrangement;
- Relocation of facilities and structures of the government, religious organisations or local communities; and
- Relocation of graves.

The detailed CSR Plan is required to be disclosed at commune PCs where land will be acquired by the Project. Disclosure of the detailed CSR Plan must be confirmed in writing by the representatives of the commune PCs, the commune Fatherland Fronts and Representatives of the PAPs (e.g., Heads of Hamlets). The period for detailed CSR Plans disclosure and receipt of comments is at least 20 working days. Following the disclosure, the LCCO summarises the result of comments received in writing, finalises the detailed CSR Plans and submit to relevant agency for appraisal and approval (e.g., provincial PC or district PC). In instances where there are many comments opposing the detailed CSR Plans during disclosure period, the LCCO shall clarify with PAPs or amend the detailed CSR Plans following their comments before submission to relevant agency for appraisal and approval.

Within 3 days upon receiving the approved CSR Plans, the LCCO in collaboration with relevant commune PCs shall disclose the Plans in the following ways:

- Notifying at the commune PCs and at the public places of public communities; and
- Sending the CSR Plans to the PAPs.

PAPs are required to hand over their land within 20 working days upon receiving compensation and support from the LCCO as regulated in Decree No. 69/2009/ND- CP. After 30 days, if the land has not been handed over to the LCCO, the PAPs may be forced to do so by an enforcement decision issued by competent PCs. It is noted that before the enforcement is implemented, the Commune PCs, the commune Father Land Fronts and the LCCO are required to meet these people in order to discuss, clarify and persuade them to hand over lands.

Livelihood Restoration Plan (LRP)

According to Article 22 and Article 29 of Decree No. 69/2009/ND-CP, the LRP for people affected by agricultural land acquisition shall be developed and approved concurrently with the detailed CSR Plans by the LCCO. There is no specific requirement with regards to the LRP contents and efficacy monitoring of LRP implementation. However, the livelihood restoration assistance can be conducted by cash or land lot including residential land or non-agriculture land or the livelihood restoration plan can be designed so as to be relevant to the real situation of the area that the project is located as stated in Article 22.

During development of the LRP, consultation with the PAPs is required. According to Article 16 of Circular No. 14/2009/BTNMT, the consultation is simply information disclosure conducted similar to that of the detailed CSR Plans as aforementioned.

Compensation, Support and Resettlement Policies

Compensation

In principle, acquired land should be compensated by allocation of new land of the same purpose. Where no land is available for compensation, land ownership can be compensated in cash. The amount of cash is currently calculated based on provincial unit land prices

promulgated by provincial PCs annually. However, for several projects, especially large projects with foreign investment, depending on the decision of the provincial PC if the approved unit land prices is not close to the market land price at the time of development of CSR Plans, the provincial PC will assign competent agency to define suitable specific land prices to be used for calculation of land compensation. The specific land prices will be equal to or slightly lower than the market price. Existing land price frameworks and method of land price calculation are currently regulated by Decree No. 188/2004/ND-CP and Decree No. 123/2007/ND-CP.

Remaining expenses invested in land and legal assets on land and business losses due to land acquisition are also compensated (e.g., houses, facilities, crops, domestic animals, and costs of dismantlement, transport and re-installment of equipment). Decree No. 197/2004/ND-CP provides provision of compensation for assets on land also guidance on compensation for displacement of graves, cultural –historical and sacred structures. In common practice, the adjustment of the compensation price of assets and structures on land to the market price may depend heavily on the decision of the authorities and the investors.

Resettlement

As required by Decree No. 197/2004/ND-CP and Decree No. 69/2009/ND-CP, provincial and district PCs shall be responsible for developing and implementing resettlement projects prior to land acquisition. Resettlement sites shall be constructed with adequate infrastructure ensuring compliance with existing construction standards and suited with local customs. Importantly, land acquisition shall only be implemented once construction of housing or infrastructures in resettlement sites is completed.

Resettlement within land acquisition areas is prioritised if land is still available for resettlement. If compensation and support is not enough for exchanging for a minimum land plot in a resettlement site, the government will pay the difference.

As stated in the *Land Law 2013*, if the CSR Plan of a project was approved before the Land Law 2013 is effective, the CSR of that project will comply with the approved CSR Plan not that of Land Law 2013. Apart from that, other provisions, including the provisions on land tenure, of this new land law will be applicable from 1st July 2014. Compensation decisions relating to the main site, resettlement site, cemetery and access road were agreed in June 2014, prior to the new Land Law (2013) taking effect (1st July 2014).

Support

As clearly regulated in the current regulations, a land user whose land is acquired by the government would be supported in addition to receiving compensation, including:

- Support in stabilising lives and production (e.g., income subsidy);
- Support in livelihood restoration for individuals/ households who are economically displaced (e.g., farmers, service/business households). Development of the LRP is already discussed above;
- Support in resettlement (as mentioned earlier); and
- Other support (which is decided by local authorities based on local context in common practice).

In accordance with *Decision No. 52/2012/QĐ-TTg*, farmers of working age (15-55 and 15 -60 years old for women and men, respectively) affected by agricultural land acquisition can require support from the authorities to search for jobs. The support provided is limited to

within 3 years after displacement in terms of loan and payment for vocational training. If attempting to work overseas, fees for medical check for visa application and visa fees will be additionally supported.

Provincial Regulations

In general, the land acquisition, compensation, support and resettlement policies in Ba Ria Vung Tau Province are in line with existing national regulations.

Following requirement of existing national regulations as mentioned above, *the land price notice* of the Province is issued every year in order to notify the local unit land price to be used for compensation when land is acquired by the government. However, the Province has particularly applied a specific land compensation price (which is higher than the provincial unit land price and closer to the market price) for projects developed in Long Son, including the Main Site and the RS. The land compensation price for key projects developed in Long Son Commune was issued in the middle of 2012 by the *Decision No. 841/2012/QD-UBND*. In addition, *Decision No. 50/2013/QD-UBND* promulgated in 2014 defines provincial unit land price for calculating support amounts for those who are not legally eligible to receive land compensation.

Compensation for assets on land (e.g., structures, crops and products) applicable to the Main Site and the RS follow the guidance in *Decision No. 27/2012/QD-UBND* (for structures on land) and *Decision No. 08/2014/QD-UBND* (for crops and products).

Assistance items are regulated in *Decision No. 13/2010/QD-UBND*, *Decision No. 52/2010/QD-UBND* and *Decision No. 46/2013/QD-UBND* as mentioned above. Assistance on livelihoods restoration for economically displaced farmers is promulgated by *Decision No. 08/2013/QD-UBND*.

As presented in *Section 1.2.2*, the land inventory has been completed and CSR Plans have been developed since late 2013 and early 2014 following these local guidelines. The detailed CSR Plans for the Project has been finalised and approved since June 2014 by the following official Decisions of the PC of Vung Tau City:

- Decision No. 1173/QD-UBND dated 25 April 2014;
- Decision No. 1222/QD-UBND dated 26 April 2013
- Decision No. 1506/QD-UBND dated 13 May 2014;
- Decision No. 1611/QD-UBND dated 27 May 2014;
- Decision No. 1865/QD-UBND dated 09 June 2014;
- Decision No. 1837/QD-UBND dated 9 June 2014;
- Decision No. 1961/QD-UBND dated 13 June 2014;
- Decision No. 1975/QD-UBND dated 13 June 2014;
- Decision No. 2238/QD-UBND dated 18 June 2014;
- Decision No. 2288/QD-UBND dated 20 June 2014;
- Decision No. 2436/QD-UBND dated 26 June 2014;
- Decision No. 2628/QD-UBND dated 27 June 2014;
- Decision No. 2707/QD-UBND dated 27 June 2014;
- Decision No. 2738/QD-UBND dated 27 June 2014.

3.3 VIETNAM REGULATIONS ON PUBLIC CONSULTATION

During preparation of the three separate EIAs, public consultation was required as regulated in *Decree No. 29/2011/ND-CP* and *Circular No. 26/2011/TT-BTNMT*. When the Project comes into operation, *Provision 105 of the Law on Environmental Protection 2005 (LEP 2005)*⁵ prescribes the responsibility of the Project's owner in disclosing information relating to their on-going environmental management to their labours and local communities. Details of these regulations are described in *Section 3 Administrative Framework*.

3.4 VIETNAM REGULATIONS ON ASSISTANCE FOR VULNERABLE GROUPS

Regardless of whether vulnerable groups are displaced due to land acquisition by development projects, they are paid attention to by the government through a number of assistance mechanisms. The following regulations stipulate key assistances measures for different vulnerable people through the social security system:

- Law 25/2008/QH12 dated 14 November 2008 on Medical Insurance;
- Decree No. 49/2010/ND-CP dated 14 May 2010 of the Government on promulgating policies of tuition fee remissions and education support in the period 2010-2015;
- Decree No. 74/2003/ND-CP dated 15 July 2013 of the Government on amending and supplementing Decree 49/2010/ND-CP;
- Decree No. 78/2002/ND-CP dated 4 October 2002 of the Government on stipulating credit policy for the poor and other social beneficiaries;
- Decree No. 120/2010/ND-CP dated 30 November 2010 of the Government on collecting land use fee;
- Decree No. 167/2008/ND-CP dated 12 December 2008 of the Prime Minister on housing assistance for poor households;
- Decision No. 1956/2009/QD-TTg dated 27 November 2009 of the Prime Minister on approval of the Vocational Training Plan for rural labours up to 2020;
- Resolution No. 80/NQ-CP dated 19 May 2011 of the Government on orientation of sustainable poverty reduction from 2011 to 2020;
- Decision No. 09/2011/QD-TTg dated 30 January 2011 of the Prime Minister on promulgating the poverty line applicable for the period 2011 2015;
- Decision No. 797/QD-TTg dated 26 June 2012 of the Prime Minister on increasing support in payment of medical insurance for people in near poor households;
- Decision No. 1489/QD-TTg dated 8 October 2012 of the Prime Minister on approval of the national target programme on sustainable poverty reduction in the period 2012 -2015;
- Decision No. 15/2013/QD-TTg dated 23 February 2013 of the Prime Minister on credit policies for near poor households;
- Decision No. 1196/2013/QD-TTg dated 19 July 2013 of the Prime Minister on adjustment of loan interest for students; and

⁵ It is noted that this *LEP 2005* will be expired from 1st January 2015.

- Decision No. 872/QD-TTg dated 6 June 2014 of the Prime Minister on reducing loan interest for some social credit programmes of the Vietnam Bank of Social Policies.

According to above, the poor, the near poor, the disabled and orphans are the primary focus of the government in terms of assistance regardless of displacement impacts. Other vulnerable groups such as the indigenous, the elderly without relatives, single parents and HIV- infected people are only entitled to receive assistances if they are also poor. According to *Decision No. 09/2011/QD-TTg*, households in rural areas who have average income equal or below the poverty line of VND 400,000/ person/ month are recognised as poor. The average income of the near poor households ranges from VND 401,000 to 520,000/person/month.

Generally, assistance for the poor, the near poor, the disabled and orphans may include:

- A monthly subsidy ranging from 270,000 to 810,000 per person per month.
- Loans with low interest for running production/ business, for payment of tuition fees (i.e., vocational training, university/ college). The government currently offers these loans via the Vietnam Bank of Social Policies.
- *Remission of tuition fees* for basic, higher education or vocational trainings.
- *Medical insurance*. National regulations require 100% and 70% support from the government budget for the poor and near poor, respectively. In Ba Ria Vung Tau Province, medical insurance support is 100% for the near poor.
- *Housing support* (loans with low interest or funding) for poor households is provided if their existing houses are in disrepair. Priority is given to the following groups of poor people (indigenous people, people mandatorily relocated due to natural hazards and people with disabilities).

The current policies of Ba Ria Vung Tau Province for assisting these vulnerable groups are stipulated in *Decision No. 52/2010/QD-UBND* in line with the national requirements.

When being displaced and allocated new land lot for resettlement, the indigenous and poor households can enjoy a 50% reduction of land use fee as stipulated by *Decree No. 120/2010/ND-CP*. *Decision No. 52/2010/QD-UBND* of the PC of Ba Ria Vung Tau Province particularly requires a one off support for poor households in cash equivalent to 20 kg rice/person/month for 5 years after displacement.

3.5 IFC REQUIREMENTS ON COMPENSATION AND RESETTLEMENT

IFC Performance Standard 5 on *Land Acquisition and Involuntary Resettlement* applies to projects of which the land acquisition process involves involuntary resettlement regardless of the total number of individuals affected or the significance of the anticipated effects. Resettlement is considered involuntary when it is performed without the grounded consent of the PAPs or if such did not have the right to refuse resettlement. Involuntary resettlement may involve (i) economic displacement, or (ii) physical displacement of people or communities. Economic displacement is the loss of income or a person's livelihood resulting from land acquisition or obstructed access to resources that results from the construction or operation of a project or its associated facilities. Physical displacement is the actual physical resettlement of people, which entails a loss of shelter or productive assets, or the loss of access to productive assets.

PS5 applies the following basic principles to mitigate the negative effects of involuntary resettlement:

- To avoid, and when avoidance is not possible, minimize displacement by exploring alternative project designs;
- To avoid forced eviction;
- To anticipate and avoid, or where avoidance is not possible, minimise adverse social and economic impacts from land acquisition or restrictions on land use by (i) providing compensation for loss of assets at replacement cost and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected;
- To improve, or restore, the livelihoods and standards of living of displaced persons; and
- To improve living conditions among physically displaced persons through the provision of adequate housing with security of tenure⁶ at resettlement site.

3.6 COMPARISON OF VIETNAMESE REGULATIONS AND IFC PS5

The main gaps between Vietnamese regulations and IFC PS5 on land acquisition, compensation and resettlement are presented in **Table 3.1**.

Table 3.1 Key Gaps between PS5 and Vietnamese Regulations

| Items | Vietnamese Regulations | IFC PS5 |
|--|--|---|
| Project Alternatives to Minimise Resettlement | No specific regulations on project alternatives to minimise resettlement. In practice, location and footprint of a project is approved in accordance with the approved land use planning of the province where the project is expected to be developed. | Consider alternative project designs to avoid or minimise physical and/or economic displacement. |
| Resettlement and Compensation Plan | If land acquisition results in resettlement and compensation, a Compensation, Support and Resettlement Plan shall be prepared and implemented by the Compensation, Support and Resettlement Committee or the Centre for Land Management where such a Centre is established. This process shall be implemented in accordance with Vietnamese legal requirements as introduced in Section 3.2. | A Resettlement Action Plan is required for physical displacement and a Livelihood Restoration Plan is required for economic displacement. |
| Eligibility | In the event of affected people who do not have legal rights to the land/assets they occupy or use, or do not have enough required legal documentation for compensation, the local authority is responsible for providing support for such cases by review and consideration of case by case. | In the case of physically displaced persons who have no recognizable legal right or claim to the land and assets they occupy or use, adequate housing with security of tenure or compensation for the loss of assets other than land, such as dwellings and other improvements to the land, at full replacement cost. |
| Effective Consultation and Informed Participation | Consultation meetings are required only on request. However, in practice, consultation meetings on compensation, support and resettlement are conducted. | Consultation should be based on prior disclosure of relevant and adequate information, thus enabling informed participation and consent. Consultation should be inclusive and culturally appropriate, and should |

⁶ Security of tenure means that resettled individuals or communities are resettled to a site that they can legally occupy and where they are protected from the risk of eviction.

| | | |
|---|--|--|
| | | include disadvantaged or vulnerable groups, and host communities. |
| Socio-economic Baseline | A socio-economic survey is not required and the compensation price follows the related decision of the People's Committee of the Province/City where the project is located. | A detailed socio-economic census of displaced persons and an inventory of affected land and assets should be conducted at the household, enterprise, and community level to develop the RAP. |
| Compensation | <p>The compensation package basically includes money for occupational change, moving allowance and other support depending on each displaced case.</p> <p>The compensation price is decided based on the regulated price of the provincial authority issued every year. Normally this price is lower than market price. However, as discussed above, in some large projects with foreign investment, this price can be adjusted to be close to the market price.</p> | <p>Compensation for all lost assets at full replacement cost should be provided. Replacement property of equal or higher value should be provided.</p> <p>Where livelihoods are land-based, preference should be given for land based compensation/ replacement, where feasible.</p> |
| Improve/restore living conditions | A resettlement site is required to be provided for physical displacement. Self-relocated cases can receive cash instead. | Relocation assistance should be provided to displaced persons, with particular attention on the needs of the poor and vulnerable. |
| Livelihood restoration | Livelihood restoration assistance should be provided to displaced cases who are farmers. | Economically displaced persons whose livelihoods or income levels are adversely affected will also be provided opportunities to improve, or at least restore, their means of income-earning capacity, production levels, and standards of living. |
| Provide Relocation Assistance and Transition Support | <p>Support for relocation and transition should be included in compensation, support and the resettlement plan of each project.</p> <p>Transition support is required to be provided to displaced cases:</p> <ul style="list-style-type: none"> • Those who lose more than 30% of their agriculture land. • Those who lose farming land allocated by the government. | <p>Living conditions at the new resettlement site should be the same as or an improvement over conditions at the site from which the displaced persons were resettled.</p> <p>Transition support should be provided for a reasonable period of time, until the affected parties' income-earning capacity, production levels, and standards of living have been restored.</p> |
| Grievance Mechanism | <p>Land users shall have the right to complain on administrative decisions or administrative acts on land management.</p> <p>Grievance submission should follow the bottom-to-top principle (from commune to district and then higher levels of authority).</p> | The project grievance mechanism should be established for those affected to lodge their grievances if any. Communities are informed about the grievance mechanism and an understandable process is used. |
| Monitoring and Evaluation | There are no requirements for monitoring and evaluation of resettlement and livelihood restoration. | Develop and implement monitoring and evaluation of the implementation of resettlement and livelihood restoration. |

Where land acquisition is government managed the Project Sponsor is required to:

- Collaborate with the responsible government agency, to the extent permitted by the agency, to achieve outcomes that are consistent with the requirements of PS5; and
- Where gaps exist between the National regulations and PS5's requirements, the client should apply alternative measures to achieve outcomes consistent with the objectives of PS5. These gaps and such measures will be addressed in a SRAP.

4 SOCIO-ECONOMIC BASELINE

4.1 INTRODUCTION

The regional and local socio-economic profile of the Project Area of Influence is detailed in Chapter 7 of the ESIA Socio-Economic Baseline. MFC Vietnam has identified two distinct groups within the Project-affected population: (i) Priority One (P1) households, which are physically- or economically-displaced by the Project and, (ii) Priority Two (P2) households that are within Long Son Commune but are not directly physically- or economically-displaced by the Project. Provided herein is the socio-economic profile of P1 households, physically or economically affected in Long Son Commune.

Data collected for P1 households by the initial consultants was via the following methods:

- A household survey of 90 households conducted in December 2013.
- A focus group discussion with people from Long Son Commune in December 2013 to obtain detailed information on the main livelihoods of the affected communities.
- Face-to-face interviews with authorities in Ba Ria Vung Tau Province, Vung Tau City and Long Son Commune.
- Public consultation activities with the affected households in Long Son Commune in December 2013 to provide an overview of the Project, environmental and social impacts/management measures. As well as to collect concerns/feedback from the affected households.
- Desktop reviews of publicly available statistical data issued by the Government of Vietnam.

4.2 HOUSEHOLD PROFILE

In order to attain the socio-economic baseline data and concerns on the project development and resettlement of the affected communities, a household survey was conducted in the three affected hamlets (Hamlets 1 and 2, and Rach Gia Hamlet) by the initial consultants in December 2013. Ninety (90) households from the three affected hamlets were selected randomly for the survey. The survey focused on:

- Demographic data;
- Land use;
- Livelihoods;
- Income and expenditures;
- Housing and assets;
- Environment and sanitation;
- Health;
- Awareness and concerns on the Project development; and
- Resettlement.

Table 4.1. shows the details of displacement status of the 90 surveyed households.

Table 4. 1 Displacement Status of the Surveyed Households

| Hamlets | Physical displacement | Economical displacement | Total |
|-----------------|-----------------------|-------------------------|-----------|
| Hamlet 1 | 2 | 12 | 14 |
| Hamlet 2 | 25 | 14 | 39 |
| Rach Gia Hamlet | 21 | 16 | 37 |
| Total | 48 | 42 | 90 |

4.2.1 Demographic Profiles of the Affected Households

Population

The total population of Long Son Commune is 15,300 persons in which 52.60% and 47.40% are male and female, respectively. Populations, households, average family size of Long Son Commune, Hamlets 1, 2 and Rach Gia Hamlet are listed in **Table 4.2**

Table 4. 2 Population, Households, Average Family Size of Long Son Commune, Hamlets 1, 2 and Rach Gia Hamlet

| | Population | Household | Average family size ^(*) |
|------------------|------------|-----------|------------------------------------|
| Long Son Commune | 15,300 | 3,892 | 3.9 |
| Hamlet 2 | 1,937 | 305 | 6.35 |
| Rach Gia Hamlet | 668 | 172 | 3.9 |
| Hamlet 1 | 1,892 | 442 | 4.3 |

Note: (*) Calculated by ERM based on the population and household data.

Source: Household survey 2013.

Ethnic Minorities

Data provided by the People's Committee of Long Son Commune, suggests that the Kinh people comprise 99.83% of the total population in Long Son Commune, and seven ethnic minority groups account for the remaining 0.17%. These include Hoa, Nung, Khmer, Chro, Tay, Thai and S'tieng people. These ethnic minority groups are scattered throughout the Commune. The head of the three affected hamlets (i.e., Hamlet 1, 2 and Rach Gia Hamlet), confirmed to the initial consultants that none of the ethnic minority groups were present in the Project area.

Religion

As reported by the heads of the three studied hamlets, Buddhism is reported as the most popular religion (> 95%) in the three studied hamlets. The number of local residents following the Ong Tran religion is very low and only recognised in Rach Gia Hamlet (about two households). No citizens in Rach Gia Hamlet and Hamlet 1 were reportedly practicing Catholicism or Christianity. There were two households reportedly following Catholicism in Hamlet 2.

4.2.2 Land Types, Areas and Tenure

Land Types and Areas

The Project is located in the areas of Hamlet 2 and Rach Gia Hamlet. Total area that will be acquired for the Main Site and the RS of the Project is 464 ha and 20.4 ha, respectively. As

observed and surveyed during the site visit, the land use of the two areas include land of public works (traffic roads), temple (i.e., Ba Ong Temple in Hamlet 2) and tombs (i.e., two tombs in Hamlet 2), residential land, agriculture land (i.e., cultivation land), salt farms, aquaculture farms and water surface. Gravesites of the local households are located in their residential and agriculture land. **Table 4.3** indicates estimated area of each type of land in the project areas.

Table 4. 3 Area of Productive and Non-Productive Land in the Project and Resettlement Site

| | Agriculture | | Residential | | Aquaculture | | Salt farm | | Others | | Total |
|-----------|-------------|-----------|-------------|-----------|-------------|-----------|-----------|-----------|-----------|-----------|---------------|
| | Area (ha) | Ratio (%) | Area (ha) | Ratio (%) | Area (ha) | Ratio (%) | Area (ha) | Ratio (%) | Area (ha) | Ratio (%) | Area (ha) |
| Main site | 124.3 | 26.8 | 26.16 | 5.6 | 19.34 | 4.2 | 59.99 | 12.9 | 234.21 | 50.5 | 464 |
| RS | 13.565 | 66.7 | 0.04 | 0.2 | 2.586 | 12.7 | 4.036 | 19.8 | 0.11 | 0.6 | 20.337 |

Note: the information on land use of the access road and the graveyard is not available

The area of the RS serving for the Project is 20.4 ha. Generally, more than 99% of the land use in the RS is productive land including agriculture, aquaculture and salt farming. Most of agriculture land in this area is used for acacia plantation.

Land Tenure

Land is the most valued possession in the rural settlements of the Project's AoI. The majority of people in these areas have settled in these areas for many generations. Moreover, the local people who are agriculture, aquaculture and salt farmers are heavily dependently on their land for their livelihoods. Therefore land symbolises the roots of their origin, ancestry and is the main source of livelihood.

As the information obtained in the socio-economic survey, the households in the three affected hamlets in Long Son Commune reported that their ancestors have long been settled in the area for over at least a century, tilling the land and passing it on to their next generations. Therefore, most of the local people own the land use right certificates of their land. However, it is recognised from the survey that number of cases who:

- Some 20% of surveyed households receive land from their parents without legal papers; their parents still own the land use right certificates of their land; and
- Some 10% of surveyed households receive/buy agriculture land and use as residential land without changing the land use purpose appropriately; when the land and house on land are acquired they are not eligible to be allocated land plots in the RS.

4.2.3 Education Background

The survey data suggests that about 8.2% of the 436 people of the 90 surveyed households are recognised as illiterate, with the majority from Hamlet 2. Instances of illiteracy were mostly among the elderly and some young people over 20 years of age. The surveyed education levels of the adults (>18 years old) of 90 surveyed households are indicated in **Table 4.4**.

Table 4. 4 Education Levels of Surveyed Households in the Three Surveyed Hamlets (%)

| Hamlet | Illiteracy | Under Primary level* | Primary Level | Secondary Level | High-school level | Higher education level |
|-----------------|------------|----------------------|---------------|-----------------|-------------------|------------------------|
| Hamlet 2 | 11.90 | 34.52 | 29.17 | 17.26 | 4.17 | 2.98 |
| Rach Gia Hamlet | 12.61 | 36.04 | 27.93 | 14.41 | 0.90 | 8.11 |
| Hamlet 1 | 6.82 | 20.45 | 31.82 | 13.64 | 13.64 | 13.64 |

Source: Household survey, 2013.

Note: (*) Under primary level means did not finish primary level.

According to the household survey, the average education level of the surveyed households is under and in primary level. Most people who only have either primary level education or lower are more than forty years old. Therefore, it may be difficult for these people to be employed by the Project Sponsor/ EPC Contractor.

Approximately 1.61% of 436 people of 90 surveyed households are of school age (i.e., 6-18 years old) but not going to school. These people generally went to school until grade 8 or 9 and then stayed at home to assist their parents in household chores (and/or other economic activities). Some key reasons for this include (i) their parents could not afford the education fee; (ii) they did not want to study; (iii) they failed the examinations. This information will be used to develop Livelihood Restoration Programmes (*as in LRAP*)

4.2.4 Labour and Livelihoods

Labour

About 64.9% of total 436 surveyed people in working age (18-60 years old). The labour resources comprise of 51.9% male and 48.1% female. Detailed data for the labour resources of the three survey hamlets is indicated in **Table 4.5**.

Table 4. 5 Ratio of Labour Resources of the Three Surveyed Hamlets (%)

| Hamlet | 18-60 years old | | | 18-60 years old engaging in work | | |
|-----------------|-----------------|--------------|--------------|----------------------------------|--------------|-------------|
| | Male | Female | Total | Male | Female | Total |
| Hamlet 2 | 16.28 | 16.28 | 32.56 | 15.60 | 11.47 | 27.07 |
| Rach Gia Hamlet | 12.61 | 10.55 | 23.16 | 9.63 | 8.26 | 17.89 |
| Hamlet 1 | 4.82 | 4.36 | 8.63 | 4.13 | 3.21 | 7.34 |
| Total | 33.71 | 31.19 | 64.90 | 29.36 | 22.94 | 52.3 |

According to the socio-economic survey, on average there are about two people considered main labourers in a household in Rach Gia Hamlet and Hamlet 1 while this number in Hamlet 2 is more than three. This ratio reflects the fact that the proportion of working people in Hamlet 2 is larger than that of the other two hamlets. The unemployment rate in the three surveyed hamlets is approximately 13% and some of them are living dependent on temporary and seasonal jobs and support of their families.

Also, based on the socio-economic survey, 82.6% of the labour resources currently engage in work including land-based, enterprise-based and wage-based livelihoods.

Livelihoods

Table 4.6 highlights the proportion of the three livelihoods in each surveyed hamlet.

Table 4. 6 Proportion of the Three Livelihoods in the Three Surveyed Hamlets

| Hamlet | Land-based livelihoods (%) | Wage-based livelihoods (%) | Enterprise-based livelihoods (%) |
|-------------------------------------|----------------------------|----------------------------|----------------------------------|
| Hamlet 2 | 50.00 | 28.87 | 10.56 |
| Rach Gia Hamlet | 47.52 | 28.71 | 6.93 |
| Hamlet 1 | 25.00 | 40.00 | 20.00 |
| Total % of the three hamlets | 45.58 | 30.39 | 10.60 |

Land-based livelihood

According to the household survey, land-based livelihoods are dominant in the surveyed areas (Hamlets 1 and 2 and Rach Gia Hamlet). In particular, 45.58% of labour resources of 90 surveyed households are working in land-based livelihood. These include farmers in aquaculture, salt farming, agriculture (i.e., farming, plantation and husbandry) and fishermen

The detailed data of people engaging in land-based livelihoods are described in **Table 4.7**

Table 4. 7 Proportion of People Engaging in Land-based Livelihood in the Three Surveyed Hamlets

| Hamlet | Fishing | Aquaculture | Salt farming | Plantation | Agriculture farming | Husbandry |
|-------------------------------------|--------------|--------------|--------------|-------------|---------------------|-------------|
| Hamlet 2 | 17.61 | 14.79 | 2.11 | 4.93 | 4.23 | 2.11 |
| Rach Gia Hamlet | 8.91 | 10.89 | 14.85 | 0 | 9.90 | 2.97 |
| Hamlet 1 | 2.50 | 7.50 | 0 | 7.50 | 2.50 | 5.00 |
| Total % of the three hamlets | 12.37 | 12.37 | 6.36 | 3.18 | 6.36 | 2.83 |

Source: Household survey, 2013.

The proportion of people engaging in land-based livelihood (in **Table 4.7**) already includes seasonal workers working in land-based activities (i.e., fishing, aquaculture, salt farming, plantation, agriculture and husbandry). Seasonal work is sporadic and short term, depending on people's free time and when the work is available. Therefore the income from such occasional jobs is not stable and the total is impossible to estimate.

Land-based livelihood in Hamlet 2 and Rach Gia Hamlet

Irrigation systems are not able to sufficiently supply water for agriculture farms and as a result, paddy farming is not widely undertaken in the surveyed hamlets. This leaves fishing, aquaculture and salt farming as the three main livelihoods of most people in the project area.

Fishing, aquaculture farming and salt farming are the predominant livelihoods of people in Hamlet 2 and Rach Gia Hamlet who live in the area along the Rang River and the coastline. Given that the local salt farming is solar salt production and hence dependent on the climate, salt farming season occurs during the five sunny months of the year (i.e., from November to April).

For fishing, the fishermen go to sea every day. The length of their fishing trip is one day or two to three days depending on the size of their fishing boats. As reported by the People's

Committee of Long Son Commune, there are currently 1,154 fishing boats in Long Son Commune. Of which, there is only one fishing boat at the capacity over 90 CV⁷. There are 829 fishing boats at the capacity less than 20 CV and 324 fishing boats at the capacity from 20 to 90 CV.

Most fishermen interviewed during the focus discussion group in Long Son Commune reported that the fishing areas are near shore where are around Ganh Rai Bay, Vung Tau and Can Gio Sea. It is reported that the income per trip depends on the size of the fishing boat and the fishing area. On average, for a short fishing trip (i.e., one day trip) the income per trip is approximately VND 250,000. Meanwhile, that of a long fishing trip is approximately VND 1,500,000.

At the Main Site, about 82 ha of coastal water area in Ganh Rai Bay will be dredged for port construction. This area is a mudflat area that only appears at low tide along the coastal area of the Project Main Site. As observed on site, a number of stake fishing nets are installed within two km of this mudflat area for catching fishes, crabs and shrimps. Reportedly, these stake-fishing nets belong to only around 10 households in Rach Gia and Ben Diep Hamlets. According to the survey on fishing in this mudflat, all surveyed households reported that they did not pay any leased land cost for the local authority since their commencement (i.e., more than four years ago). For households living in Rach Gia Hamlet, they can access to their stake fishing nets by foot. Meanwhile, the households living in Ben Diep Hamlet have to use their boats to access the mudflat area. This fishing type entirely depends on the lunar tidal regime. Reportedly, they can only access to the stake fishing nets to catch fish on around 15 low tidal days in a month.

It is reported that the average income per catch is approximately VND 1 million (equivalent to 15 million per month). According to the survey result, they commonly need to invest in installing new stake fishing nets every year with the total average cost of VND 35 million. All of the surveyed households reported that they have another livelihood (e.g., fishing around Ganh Rai Bay, or oyster, shrimp and fish farming next to their stake fishing nets in this mudflat area) in addition to stake net fishing. However, stake-net fishing is confirmed as their main livelihood. The common fish types caught by stake fishing nets reportedly include mullet and spotted butterfish majority, as well as crab and shrimp.

For aquaculture, oyster, shrimp, mantis shrimp, and fish are mainly farmed by the surveyed people. As reported by the People’s Committee of Long Son Commune, there are currently three aquaculture areas in Long Son Commune. However, it is recognised from the household survey that the common aquaculture area of people in affected hamlets are Area no. 1 and Area no. 2. Details of these areas are provided in **Table 4.8**.

Table 4.8 Current Aquaculture Areas in Long Son Commune

| Aquaculture area | Location | Area (ha) | Current aquaculture activities |
|------------------|--|-----------|---|
| Number 1 | Cha Va River (Song Cha Va) | 752.2 | Floating fish farms |
| Number 2 | From Con Ba He to Bai Cat Vang | 785 | Oyster farms and stake fishing nets |
| Number 3 | From Rang River (Song Rang) to Long Son Bridge | 295 | Floating fish farms Oyster, shrimp farms |

Oyster farming needs a small investment but brings high profit due to the available food in nature. Farmers need to invest in building cages and purchasing cultch (i.e., tiles or used

¹ ⁷ Chevaux Vapeur. 1 watt is equal to 0.0013596216173 CV.

tyres). After a period of about 12 to 16 months, oysters can be harvested. The common farming area is along Cha Va River.

Shrimp and mantis shrimp farming often lasts for five to six months. Shrimp is often farmed in the same area of salt farming in the rainy season (i.e., from April to October). The farmers need to invest in stocks, feed, and labour. The farming time for fish depends on type of fish; however, it can range from between four to twelve months. The common types of fish farmed in the surveyed hamlets include sea bass, tilapia, mullet and spotted butterflyfish.

Land-based livelihood in Hamlet 1

Meanwhile, in Hamlet 1, the major land-based livelihood is aquaculture and plantation. *Acacia* is the main crop in the surveyed area due to minimal effort being required. According to the information provided from the household survey, the farmers harvest their crop (i.e., *Acacia*) every four or five years. In the other hand, some households in Hamlet 1 are engaging in aquaculture. The nature of aquaculture activities is similar to those at Hamlet 2 and Rach Gia Hamlet. According to the survey result, surveyed households in Hamlet 1 are undertaking their aquaculture in Rang River area.

Enterprise-based livelihood

In addition to land-based livelihood, 10.60 % of labour resources of 90 surveyed households engage in small businesses (e.g., coffee shops, restaurants, groceries, etc.). The proportion of people engaging in small businesses in Hamlet 2, Rach Gia Hamlet and Hamlet 1 are 11.81%, 8.33% and 23.53%, respectively. Reportedly, the daily average income of small businesses is from VND 100,000 to VND 500,000.

Wage-based livelihood

According to the socio-economic survey, 30.39% of labour resources of 90 surveyed households are working in other sectors such as:

- Workers in small- medium-enterprises in Long Son Commune and other provinces; freelance construction workers; and
- Government officers.

In particular, the ratio of people engaging in wage-based livelihood of Hamlet 2, Rach Gia Hamlet, and Hamlet 1 is 28.87%, 28.71%, and 40.00%, respectively.

Within such occupations, the surveyed female population mostly engages in seafood processing factories in Long Son Commune and garment factories in other provinces as full-time workers. Males are mostly involved in construction, with some working as government officers at hamlet/commune level. Most people involved in wage- based livelihood are from Hamlet 1 where the people own less farming land and the education level is higher than that of Hamlet 2 and Rach Gia Hamlet. Hamlet 2 and Rach Gia Hamlet residents are more heavily engaged in land-based livelihood, especially aquaculture and fishing.

The average income per working day of the employment is estimated in **Table 4.9**.

Table 4. 9 Daily Average Income of Wage-based Livelihood

| Employment | Freelance construction workers | Government officers | Workers in factories |
|--------------------------|--------------------------------------|----------------------------|----------------------------|
| Working day income (VND) | 200,000-250,000 | 50,000-65,000 | 130,000-200,000 |
| Working frequency | Maximum 20 days/month for whole year | 6 days/week for whole year | 6 days/week for whole year |

4.2.5 Household Income and Expenditure

Income

According to *Decision No. 09/2011/QĐ-TTg* on 30 January 2011 providing poverty lines of Vietnam for the period 2011 to 2015, the poverty lines of Vietnam are VND 500,000/month/capita and VND 400,000/month/capita for those living in urban area and rural area respectively. Based on this standard, the poverty rate in Long Son Commune is 5.23% in late 2013.

Information on the poor household proportion and monthly average income of Hamlet 1, 2 and Rach Gia Hamlet were collected in the stakeholder meetings with authorities of Long Son Commune and estimated based on the data collected from the socio-economic survey. These are presented in **Table 4.10**.

Table 4. 10 Proportion on Poor Household, Near-poor Household and Disable Veterans and monthly Average Income in the Three Surveyed Hamlets

| Hamlet | Monthly Average Income of Long Son Commune ⁽¹⁾ (VND/capita) | Monthly Average Income ⁽²⁾ (VND/capita) | Poor Household Proportion ⁽¹⁾ (%) | Poor Household Proportion ⁽²⁾ (%) | Near poor Household Proportion ⁽²⁾ (%) | Households including Disable veterans ⁽²⁾ (%) |
|-----------------|--|--|--|--|---|--|
| Hamlet 2 | 3,846,000 | 3,551,000 | 5.23 | 2.56 | 2.56 | 0 |
| Rach Gia Hamlet | | 3,340,000 | | 2.70 | 0 | 0 |
| Hamlet 1 | | 2,538,000 | | 0 | 0 | 7.1 |

Note: (1) data from local authority; (2) data from the household survey

Source: Household survey, 2013.

Monthly average income of the three hamlets range from 6% to 34% between those reported from the authority and collected in the socio-economic household survey. According to the socio-economic survey, people in Hamlet 2 have the highest average monthly income while people in Hamlet 1 have the lowest average monthly income. It is recognised that such monthly income of the three surveyed hamlets are well higher than the national poverty line (VND 400,000/capita for rural area).

Expenditures

Expenditure on daily demands varies depending on income. People in Rach Gia Hamlet have the highest average monthly expenditure while people in Hamlet 1 have the lowest average monthly expenditure. Details of the household expenditures are presented in **Table 4.11**.

Table 4. 11 Average Expenditures per Household and Capita in the Three Surveyed Hamlets

| Items/Communes | Hamlet 2 | | Rach Gia Hamlet | | Hamlet 1 | |
|---|-------------------|------------|-------------------|------------|------------------|------------|
| | VND/month | % | VND/month | % | VND/month | % |
| Food and daily commodities | 5,491,000 | 41.72 | 3,996,000 | 37.72 | 3,154,000 | 50.56 |
| Clothes | 527,000 | 4.01 | 540,000 | 5.10 | 337,000 | 5.40 |
| Utilities | 858,000 | 6.52 | 598,000 | 5.65 | 400,000 | 6.41 |
| Transportation | 1,218,000 | 9.25 | 1,214,000 | 11.46 | 657,000 | 10.54 |
| Education | 552,000 | 4.19 | 1,483,000 | 14.00 | 968,000 | 15.53 |
| Community | 835,000 | 6.35 | 1,311,000 | 12.37 | 444,000 | 7.13 |
| Health care | 351,000 | 2.67 | 390,000 | 3.68 | 179,000 | 2.87 |
| Production cost (e.g., agriculture/ aquaculture inputs, fuel for fishing trips, etc.) | 2,960,000 | 22.49 | 923,000 | 8.72 | 60,000 | 0.95 |
| Others (recreation, bank interest, cigarette, wine) | 369,000 | 2.80 | 138,000 | 1.30 | 39,000 | 0.61 |
| Total expenditures per household | 13,162,000 | 100 | 10,593,000 | 100 | 6,238,000 | 100 |
| Expenditure per capita | 2,224,000 | - | 2,531,000 | - | 1,617,000 | - |

Source: Household survey, 2013.

Expenditures per capita of the three surveyed hamlets are all lower than the income per capita. In particular, they are about 63%, 76% and 64% of the income per capita calculated from the survey for Hamlet 2, Rach Gia Hamlet and Hamlet 1 respectively. This is estimated based on representative samples only and likely to have deviation from the statistic calculation of the whole commune.

4.2.6 Housing

According to the socio-economic survey, most houses of surveyed households are permanent and semi-permanent. The breakdown of house types is indicated in **Table 4.12**. As observed onsite, most houses are adjacent to gardens of acacias or fruit- trees.

Table 4. 12 Ratio of House Types in the Three Surveyed Hamlets (%)

| House type | Hamlet 2 | Rach Gia Hamlet | Hamlet 1 |
|----------------|----------|-----------------|----------|
| Permanent | 48.72 | 37.84 | 64.29 |
| Semi-permanent | 46.15 | 32.43 | 14.29 |
| Temporary | 5.13 | 29.73 | 21.43 |

Source: Household survey, 2013.

4.2.7 Access to and Availability of Public Facilities

Road and Transport

While Hoang Sa Road links Vung Tau City to Long Son Commune, Truong Sa Road links Ba Ria City to Long Son Commune. Cha Va Bridge linking Go Gang to Long Son Commune has operated since 2011. The roads connecting between hamlets in these communes are mainly paved. There are some connecting roads (approximately 10 km) from Rach Gia Hamlet to Ben Diep Hamlet and Rach Gia to Hamlet 2 which not been paved. However, currently there are no plans to improve such roads.

Based on the Master Development Plan of Long Son Island (Annex A⁸), a road to access to Long Son Oil and Gas Industrial Park is planned to be constructed which also borders the Main Site of the Project.

Electricity

The proportion of households in Long Son Commune have connected to the national grid is 96%. Phu My Power Plant is the power generation source for Long Son Commune. According to the socio-economic survey, all surveyed households of the three affected hamlets already connected to the national grid. At present, as reported by the interviewed people in the three surveyed hamlets, the electricity is continuous; the price based on the regulated Government price and within their affordability.

Water Supply and Drinking Water

Clean water for the whole Long Son Commune is provided by the Ba Ria Water Company. As reported by the People's Committee of Long Son Commune, about 99% of households in Long Son Commune can access to clean water via the pipeline system. The 1% of households that cannot access the piped water supply falls into Area 4 of Rach Gia Hamlet. According to the socio-economic survey, households in Area 4 of Rach Gia Hamlet cannot access to water directly from the pipeline system but they buy water from other households in the next Areas (i.e., Area 2, 3 in Rach Gia Hamlet). It is reported that the monthly expense for buying clean water from their neighbours is relatively the same to buying water from a bottled water company. The surveyed people said that water is enough in both rainy and dry seasons. The water outage reportedly does not occur frequently.

Domestic Waste Management

As reported by the Long Son Commune People's Committee, there is a domestic waste collection team in the Commune. The frequency of the collection is twice a week. There is a temporary storage in Hamlet 1 to store all collected waste prior to transferring to URENCO for treatment.

According to the socio-economic survey, there are no domestic waste collection and transportation systems in the three surveyed hamlets. As a common practice, all surveyed households either bury or burn the waste in their yards.

Schools

As reported by the People Committee of Long Son Commune, there are four schools including kindergarten, primary and secondary in Long Son Commune. There is no high school, college or university in Long Son Commune.

There is no school in Hamlet 2 and Rach Gia Hamlet. There is one primary school and one secondary school in Hamlet 1. There is no high school in Long Son Commune; therefore if students in Long Son Commune would like to pursue a high school level education, they need to go to Ba Ria City.

⁸ The Master Development Plan of Long Son Island is available in Vietnamese only

Sanitation

In the three surveyed hamlets, the presence and use of excreta disposal facilities is relatively high. According to the survey of ERM, the highest percentage of surveyed households that have toilet is approximately 85% recorded in Hamlet 1 in which sanitary toilet (i.e., flush toilet with septic tanks) is about 62%. Rate of households have toilet in the three surveyed hamlets is listed in **Table 4.13**. No public toilet is available in any hamlet.

Table 4. 13 Rate of Households Have Toilet in the Three Surveyed Hamlets

| Hamlets | % Toilet | % Flush toilet | % Latrine toilet |
|-----------------|----------|----------------|------------------|
| Hamlet 2 | 78.95 | 52.63 | 26.32 |
| Rach Gia Hamlet | 70.27 | 51.35 | 18.92 |
| Hamlet 1 | 84.62 | 61.54 | 23.08 |

Source: Household survey 2013.

Health Service

Only one medical service unit serves the approximately 15,300 residents in Long Son Commune. The medical service unit is located in the Hamlet 1 that is considered the centre of the Commune and around 1.5 km from the Main Site. The residents go to the medical service unit for simple medical care such as vaccination, vitamins provision, maternal healthcare and medicine treatment for common diseases (i.e., cold, headaches, stomach-aches, etc.). Reportedly, most surveyed households are satisfied with the services being provided by medical service unit.

It is recognised that number of health specialists per 10,000 population of Long Son Commune (7.8 health specialists) is lower than the WHO benchmark (23 health specialists) to achieve acceptable levels of cover for essential health services.

Health Status

Through the stakeholder engagement activities, it is understood that commonly reported illnesses in the Project area include cardiovascular problems, flu, arthralgia, stomach aches, high and low blood pressure, dengue fever and sinusitis. No surveyed households declared cancer, tuberculosis or HIV/AIDS.

4.2.8 Vulnerable Groups

The IFC standards require the identification of vulnerable groups that may be disproportionately affected by the Project (Project-affected vulnerability) and also vulnerable groups that may struggle to cope with the impacts that they face due to their disadvantaged status (pre-existing vulnerability). Identifying these groups enables assessment of impacts on these groups, consultation with their representatives to better manage the impacts and also the development of targeted mitigation measures for these groups. In Vietnam, the term 'vulnerable groups' refers to specific legally defined categories of people. Because of this, it can be helpful to refer to those who may be disproportionately impacted by a Project as 'vulnerable and 'at risk' groups. In this way, both legally recognized vulnerable groups and additional categories of 'at risk' people can both be addressed without causing confusion.

Pre-existing categories of vulnerability or at risk status can arise from a wide variety of different social factors including ethnicity or cultural identity, religious or political beliefs, nationality, economic or social status, literacy, gender, educational level, sickness or physical status, dependence on unique natural resources, as well as other characteristics.

The initial consultants updated the initial baseline information in July 2014 with a targeted survey of vulnerable households within the resettled population to enumerate the number of households that would qualify for additional vulnerable assistance. The categories used appeared to rest on Government of Vietnam vulnerability categories, with two ‘at risk’ categories included (see categories 3 and 4 below).

Project Sponsor CSR officers met with local authorities in June 2016 to confirm vulnerable household categories, updates were made at this time to the initial consultants list, including a new category (vulnerable household cases known to local authorities), with the following determined as applicable:

1. Poor households who have average incomes below the poverty line⁹.
2. Near poor households include those that:
 - 2.1. Are headed by women;
 - 2.2. Women are the main earners;
 - 2.3. An elderly man is the main earner (above 60 years); and
 - 2.4. Main earners who are differentially-abled either mentally or physically or injured war veterans.
3. Households that draw their main income from fishing (e.g., on mudflats or in coastal sea water) and are affected by land acquisition or significant livelihood impacts of the Project but are not receiving any government compensation and/or assistance for loss of fishing products and income.
4. Households which have key livelihoods that are land based, where the main earners are middle aged (45- 65 years old) and where the household will lose more than 30% of its productive land.
5. Vulnerable household cases known to local authorities.

As of August 2016 there are 99 vulnerable households, identified as vulnerable by local authorities and confirmed through interviews by Proponent CSR officers. The results are presented in *Table 4.14*

Table 4. 14 Number of Vulnerable Households by Category

| Vulnerable Persons Categories | | Number of Households |
|-------------------------------|--|----------------------|
| 1 | Poor households who have average incomes below the poverty line (700,000 VND per month). | 21 |
| 2.1 | Near poor households headed by women. | 26* |
| 2.2 | Near poor households were women are the main earners | 2 |
| 2.3 | Near poor households were an elderly man is the main earner (above 60 years) | 3 |
| 2.4 | Near poor households with main earners who are differentially-abled either mentally or physically or injured war veterans. | 13 |
| 3 | Households which draw their main income from fishing (i.e. on mudflats or in | 0 |

⁹ Decision No. 09/2011/QĐ-TTg issued by the Prime Minister on 30 January 2011, the criteria to identify poor households in rural areas is income below VND 400,000 per capita in a month. Note, this has been updated to those households below 700,000 per month, for Project categorization purposes in June 2016.

| | | |
|---|---|-----------|
| | coastal sea water) and are affected by land acquisition or significant livelihood impacts of the Project but are not receiving any government compensation and/or assistance for loss of fishing products and income. | |
| 4 | Households which have key livelihoods that are land based, where the main earners are middle aged (45- 65 years old) and where the household will lose more than 30% of its productive land | 2 |
| 5 | Vulnerable household cases known to local authorities | 26 |
| | Total | 99 |

*Category 2.1 includes 2 households who are headed by women, where these women are also the main earners. The category also includes 4 households headed by women where the main earner is differentially-abled either mentally or physical or an injured war veteran. These households are not double counted in categories 2.3 or 2.4

5 Land Acquisition and Resettlement Impacts

This section focuses on providing a description and assessment of those impacts associated with land acquisition, displacement and resettlement resulting from the Project development. It should be noted that the affected household numbers presented herein are those provided by local authorities and updated as of August 2016. These numbers have not been validated by the Sponsor and as such should be considered as indicative. Additional studies (including a complete census) to validate all affected households as per Lender standards are discussed in Section 3.6.

- People losing homes and agricultural land with LURCs
- People losing partial agricultural land (still living along fence line). How much did they lose? Did they have LURCs?
- 32 aquaculture farmers (without LURC)
- 49 salt farmers (only one with LURC).
- 99 Vulnerable P1 households (RS/MS only); 15 from the 32 fish farmers.
- Gender impacts.

The following impacts are discussed in this section:

- Impacts associated with physical displacement (loss of residential land and structures on land);
- Impacts associated with economic displacement (loss of productive land,
- Standing crops and aqua-products, loss of access to marine resources and loss of moorage area);
- Impacts on cultural heritage;
- Impacts on vulnerable groups.

The impact assessment methodology, as used for the entire ESIA is discussed in **Chapter 4** of the ESIA. **Table 5.1** provides an overview of the displacement impacts caused by the land acquisition of the Project including the Main site and the RS.

Table 5.1 Key Displacement Impacts and Associated Significance

| Key Impacts | Impact's Elements | Significance |
|------------------------------|--|--------------|
| Physical displacement | Loss of houses and other structures on land | Major |
| Economic displacement | Loss of Productive Land and Standing Crops and Aqua-Products | Major |
| | Loss of Access to Marine Resources | |
| | Loss of Moorage Area | |
| Impacts on Cultural Heritage | Impacts on Cultural Heritage (i.e., Ba Ong Temple and Graves) within the Project Footprint | Moderate |
| | Impacts on Archaeological Resources | Minor |
| Impact on Vulnerable Groups | Impacts on Vulnerable Groups | Major |
| Gender Impacts | Differing impacts on women vs men, especially regarding livelihood | Moderate |

5.1 Permanent Land Acquisition

A total of 103.89 hectares of land has been permanently acquired for Project purposes. This includes 103.70 hectares for the main site and 0.19 hectares for the resettlement site.

For the main site, 391 households (around 1,905 persons) of two hamlets (i.e., Hamlet 2 and Rach Gia Hamlet) in Long Son Commune have lost their land. At the resettlement site, 55 households (from Hamlet 1) lost their land. Land losses include 223.82 hectares of productive land, and 138.404 hectares of government land. The associated impacts are further discussed below

Of the total 391 households affected (by both physical and economic displacement), 341 (87%) households at the main site had LURCs as confirmed in August 2016. Of the 55 households affected at the resettlement site all households have LURCs.

5.1.1 Loss of Houses and Other Structures on Land

For the main site, of the 391 households affected (from Hamlet 2 and Rach Gia), 150 households lost their houses and required relocation (physical displacement) and all 391 households lost their productive land (economic displacement). At the resettlement site, of the 55 households affected four households were physically displaced. In a report provided by VTPC on the 13th of January 2016, they noted that 185 households (displaced from the main site) had received new plots at the resettlement site.

It is noted that some landholders constructed their houses on their productive land and for the purposes of this assessment they are considered physically displaced households.

The number of physically displaced households in the Main Site and the RS and total land including residential and productive land lost is summarised in **Table 5.2**

Table 5. 2 Numbers of Physically Displaced Households, Persons and Acquired Land Area August 2016

| Project's sites | Number of Physically Displaced Households (PAHs) | Number Of Physically Displaced Persons (*) (PAPs) | Total Land Area Acquired (**) (ha) |
|-----------------|--|---|------------------------------------|
| Main Site | 150*** | 750 | 103.70 |
| RS | 4 | 16 | 0.19 |
| Total | 154 | 766 | 103.89 |

Note: (*) the physically displaced persons are relatively estimated based on the data of physically displaced households and the average family size.

(**): total land area including residential and productive land of physically displaced households.

(***) As of August 2016, 221 land plots have been handed over for project-affected households (displaced from the main site) at the resettlement site.

A total of 239 households will have their homes (temporary or permanent) demolished. As of August 2016, 237 households have had their houses demolished. With one temporary house pending demolition once compensation has been finalized with local authorities and another requesting additional land plots at the resettlement site (multiple families under one roof).

Potential impacts of physical displacement include:

- Change in land use purposes from rural residential or productive land to industrial land;
- Displacement of residential housing and attached structures;
- Loss of land plot where the residential house is located; and
- Loss of assets on land.

5.1.2 Loss of Productive Land and Standing Crops and Aqua-Products

The impact of land use change from the Project development will mainly be imposed on productive land. The total productive land area that will be acquired for the Main Site and the RS is 203.63 ha and 20.19 ha, respectively. All physically displaced people (150 households) will also be economically displaced as their households were either directly situated on productive land, or they held a separate parcel of productive land which in addition to their residential land is to be acquired.

Land acquisition will also result in a loss of standing crops and aqua-products (e.g., acacia, fruit trees, fish). Loss of standing crops and aqua products are compensated based on the IoL data, which was completed in December 6, 2010. **Table 5.3** provides ratios of productive land types acquired for the Main Site and the RS.

Of the 49 affected salt farmers, only one of these had legal documentation, so 48 could not be compensated as they were using government land. All 49 are included in Annex B, the affected household list (productive land is from the salt groups). The 48 households contested the lack of compensation at the city then Provincial levels. In 2015, compensation was negotiated and agreed with these households and MoNRE.

Table 5.3 Ratios of Acquired Productive Land Types, Standing Crops and Aqua-Products at the Main Site and the Resettlement Site

| Land Type | Standing Crops/ Aqua-Products | The Main Site | | The Resettlement Site | |
|--------------|-----------------------------------|---------------|---------|-----------------------|---------|
| | | (ha) | (%) (*) | (ha) | (%) (*) |
| Agriculture | Acacia, fruit, bamboo, eucalyptus | 124.3 | 22.1 | 13.566 | 3.1 |
| Aquaculture | Fish, oyster, shrimp, crab | 19.34 | | 2.586 | |
| Salt farming | Salt | 59.99 | | 4.036 | |
| Total | | 203.63 | | 20.188 | |

Note: (*): Ratio of productive land acquired by the Project to total productive land of the affected hamlets.

Potential impacts of loss of productive land and standing crops and aqua products include:

- Loss of productive land and standing crops;
- Change in land use purposes from rural productive land (agriculture, aquaculture and salt farms) to industrial land;
- Decrease in the land based livelihood proportion of Long Son Commune;
- Loss of income previously derived from the land;
- Increase in local poverty rate due to loss of land-based livelihoods;
- Food scarcity and malnutrition of affected households whose livelihoods are based on land only; and
- Disturbance to lives of households who lost land, livelihoods and incomes.

5.1.3 Loss of Aquaculture, Fishing Area and Access to Marine Resources

Around 32 households (around 150 persons) were affected by land acquisition associated with future dredging areas for the Project. Approximately 82 ha of coastal water areas in Ganh Rai Bay (south of the Main Site) will be dredged for the port construction. During dredging this area will be identified as an exclusion zone and access for local people will be restricted. In addition, at the time of and after the land acquisition if the local people have fishing and aquaculture activities on the mudflat area, they will have to use other accesses from neighbour areas (i.e. Rach Gia and Ben Diep Hamlets). These routes are estimated to be 3 km longer than the current footpaths and will result in increased travel time and cost.

The coastal water area is a public area and local people, including affected persons who are fishermen and aquaculture farmers, are allowed to be users but not owners of such areas. Consequently, they were ineligible to receive compensation and support when this mudflat area was acquired in accordance with Vietnamese regulations. Also, there is no provision for compensation or assistance for loss of access to marine resources regulated by Vietnamese regulations.

As reported by the CPC in June 2015, 32 households were undertaking stake net fishing and oyster farming in the mudflat area of the Aquaculture Area No. 2 (See **Table 5.4**). An illustration of the location of the aquaculture areas in Long Son Commune is provided in **Figure 5.1**

Table 5. 4 Numbers of Households Doing Stake Net Fishing and Oyster Farming in the Mudflat Area as of June 2015

| Activities on the mudflat | Number of Households |
|-----------------------------------|----------------------|
| Stake net fishing | 3 |
| Oyster farming | 26 |
| Both Stake net and Oyster Farming | 2 |

Figure 5. 1 Illustration of Location of the Current Aquaculture Areas in Long Son Commune



As reported by local authorities (CPC) in August 2016, the 32 affected households had alternative areas for farming, generating their primary income from other farms or a combination of wage based work. The acquired area, as per **Figure 5.1**, was also reported to be of poor condition for aquaculture farming (somewhat polluted) and not proximal to residential areas (i.e., inconvenient for daily work).

These 32 households, without legal ownership affected by loss of aquaculture farming areas were compensated with funds provided by LSP, via the CPC in June 2015. The CPC negotiated the compensation price with the 32 affected households in May 2015. Company CSR officers attended that meeting and confirmed that households were satisfied with the negotiated price and provided their signature against the agreed price for each household.

The CPC determined the unit price based on the type of farming:

- Stake Net Farms, were compensated at 30 MIL. VND. To construct a new stake net farm costs around 70 MIL VND, however affected households can salvage their existing farms and use the materials to construct new farms elsewhere. The agreed price was inclusive of transportation costs.
- Oyster farms were compensated at 10,000 VND per square meter. The equipment can all be salvaged and reinstalled; hence the unit price covered transport of the salvaged materials.

As part of the Commune Master Plan, all aquaculture farming in the commune is to be centrally established at Cha Va River (752 hectares) in the future. Of the 752 hectares available, these are being divided into an as yet unknown number of individual plots. Aquaculture farmers can register at the VTPC Cultural Department to be eligible for plots in this area. However, as reported by the CPC none of the 32 affected households were interested in the new plots, potentially due to distance, some have moved away and others have alternative main income sources.

5.1.4 Loss of Moorage Area

When land acquisition is conducted, access to a number of mooring areas in Rach Gia Hamlet is likely to be blocked. The people who use these mooring areas may need to moor their fishing boats in other places that are farther from their houses.

Fishermen who live in Hamlet 2, Rach Gia and Ben Diep Hamlets commonly moor their fishing boats in Ben Da Port (located in Hamlet 2) and in any areas that is both accessible for moorage and convenient for them to travel between their houses and the mooring areas. These reportedly include areas along the coastal line to the south and south east of the Project area (i.e. Rach Gia and Ben Diep Hamlets). These mooring areas are not officially established by the local authority.

5.1.5 Impacts to Vulnerable Groups

As mentioned in *Section 4.2.8*, 99 (P1) households are identified as vulnerable households from those affected from the resettlement and Main Sites as validated by the Proponent in early 2016 (includes two displaced by the access road as well). This included 21 households below the poverty line, 26 households known to the authorities as vulnerable; 26 women headed

households; two households headed by women and where women are the main earners; three households where an elderly man is the main earner; 13 households with main earners who are disabled/war veterans, two households whose livelihoods are land based where the main earners are middle aged and they will lose 30% or more of their productive land.

Of the 99 (P1) vulnerable households 27 do not have LURCs. Whilst the original owner of the land plot in RS/MS had an LURC, there was often extended families under the same roof, the 27 households without LURCs are members of these extended families and living separately from the original household head (who had an LURC).

In addition, the initial consultants noted that of the 32 households who lost their aquaculture areas, 15 households could be considered vulnerable. At the time of writing these households were not considered by the Project as P1 households.

It is noted that among different vulnerable groups, the poor, the near poor, the disabled and the injured war veterans are eligible to receive assistance from the social security system in accordance with existing national and provincial regulations whether they are or are not affected by the Project such as monthly subsidy, special loan with low interest, medical insurance and tuition fee for children.

5.1.6 Gender Impacts

As mentioned in the previous section on vulnerability, there are a 26 near poor P1 households who are women headed in 2016. Of these households, two women are also the main earners for the household and four households headed by women are also differentially abled. Of these 26 near poor women headed households, two households did not have LURCs. At the time of writing (August 2016) VTPC had not started the registration process for new plots in the resettlement site, therefore no households who have been allocated new plots can as yet register for an LURC for this land. The timeline for this registration is unknown at the time of writing.

Among the six households where women are the main earners, these women are undertaking wage-based work, such as in an office, in restaurants (i.e., waitresses) or are catching fish by hand and selling.

5.1.7 Displacement associated with the Cemetery

One household was physically (and economically) displaced by the cemetery development. Note these are not included in the overall displacement numbers. An additional 17 households were economically displaced for the land acquisition for this area resulting in a total of 18 economically displaced.

As of August 2016, the cemetery has been established and compensation undertaken by local authorities completed. The one physically affected household has relocated to the new resettlement site.

5.1.8 Other displacement (access road, transmission line, etc.)

Although as noted in Chapter 2 of the ESIA, none of these are considered *associated projects*; IFC standards nonetheless require Sponsors to monitor at minimum resettlement impacts due

to other infrastructure developments, which the Project benefits from. There are no new responsibilities identified here. Some eight households were physically (and economically) displaced by the access road being developed by local authorities. An additional 121 households were economically displaced, with a total of 129 affected households. As of August 2016 the land acquisition and compensation for all affected households was not yet completed. Land acquisition and compensation for economically displaced households (129) is complete for 125 households. For the eight physically displaced households, all compensation is completed. VTPC managed the land acquisition and compensation process.

At the time of writing (August 2016) VTPC had not started the registration process for new plots in the resettlement site, therefore no households who have been allocated new plots can as yet register for an LURC for this land. The timeline for this registration is unknown at the time of writing.

In addition, some households have been allocated plots of land and built their new houses in the new resettlement site. Whilst they have received compensation, they have not yet paid for their land plot or for their LURC. Technically compensation should have included enough to pay for new land, house etc. But potentially households have spent this money already.

5.1.9 *Impacts on Graves*

Some 266 graves were identified within the Main Site and Resettlement Site belonging to local households. The relocation of the graves was to be compensated and conducted with the consent of the families and in close liaison with local authorities and community leaders. In 2009, the local authorities planned to relocate displaced graves to a cemetery in Long Hung Ward, Ba Ria City about 15 km from Long Son Commune. However, local people disagreed with this plan. As a result, the graves were to be relocated to a new cemetery site in Long Son Commune. Field observations in August 2016, confirmed that the graves the have been relocated to the new cemetery. Three additional graves were discovered during fencing of the main site in 2016. Arrangements for relocation of these additional graves is underway as of August 2016 with local authorities. Beside the compensation for the graves (i.e., land and structure), the cash assistance for grave relocation from 2 - 6 million VND/ grave is also offered as regulated in *Decision No. 13/2010/QD-UBND*.

5.1.10 *Physical Relocation of Ba Ong Temple*

Within the main site was a Buddhist temple (Ba Ong Temple), which was physically relocated to the new cemetery site as confirmed by field observations in August 2016. Ba Ong Temple is considered *replicable cultural heritage*¹ under IFC PS8. The displacement plan for the religious site was to be prepared by the provincial Department of Internal Affairs and approved by the provincial level People's Committee. Additional gaps with IFC PS8 were managed through the original SRAP prepared in 2014. The process associated with this relocation is further described in Chapter 7 the Socio-Economic Baseline and Chapter 17 the Social Impact Assessment of the ESIA.

5.1.11 *Impacts on Archaeological Resources*

Two archaeological sites, Giong Ong Truong and Bai Ca Song, with a total area of 5 ha located within the Main Site footprint, would potentially be impacted by Project development and required additional surveying as identified in the original ESIA. As of August 2016, additional

surveys of the potential archaeological zone have been completed. Some items were uncovered during the survey and subsequently excavated, however no items were deemed to be of high heritage value.

Chapter 7 the Socio-Economic Baseline and Chapter 17 the Social Impact Assessment of the ESIA discuss these archaeological surveys in more detail. Further to this a chance finds procedure has been developed for any unanticipated archaeological discoveries during land clearance and construction

6 ELIGIBILITY AND ENTITLEMENT FRAMEWORK

6.1 INTRODUCTION

As mentioned in Section 3, this SRAP is developed to close the gaps between the National regulations and the requirements of the IFC PS5-Land Acquisition and Involuntary Resettlement. As such, in addition to the description of the legal eligibility and entitlements for compensation and support and resettlement of the PAPs provided by the Government, in this section additional entitlements of the Project for the PAPs are discussed. Specifically, this section includes the following discussion:

- Categories of affected persons;
- Eligibility criteria and entitlement for compensation, assistance and resettlement provided by the Government; and
- Additional proposed eligibility and entitlement to be provided by the Project to the PAPs including vulnerable households to close to gaps.

6.2 CATEGORIES OF AFFECTED PERSONS

Drawing from legal regulations on compensation and resettlement for the Project, there are five main categories of the PAPs who will be exposed to losses as a consequence of the Project's land acquisition process, and who will thus be eligible for compensation and other resettlement assistances. These categories are provided as below.

In some cases one individual / household may fall into more than one category as identified below. For instance, one individual may: (i) hold a customary right of usage over agricultural and residential land of a land plot; (ii) own and reside in a house on that plot, and (iii) cultivate on that plot. Accordingly, they will be land right holder, owner of houses and farmer.

6.3 Land Right Holders

Persons who hold the formal LURCs of residential and/or productive land in the area that will be acquired for the Project's development including the RS. These persons may not live or farm in such plots of land but they have LURCs of these plots.

6.3.1 Owners of Houses or Other Assets on Land

Persons who are owners of houses or other structures located on the land that will be acquired for the Project's development including the RS. These persons may not hold the LURCs of the plots of land in which their houses are located but they live in those houses/structures.

6.3.2 Agriculture, Salt and Aquaculture Farmers

Persons who are cultivating crops/ trees or/and farming oyster/ fish and who will not be able to continue their farming due to the Project's land acquisition or restriction to land access. These persons may not hold the LURCs of the land that they are working on. These persons could either rent the farm for their farming activities or be workers of such farms.

6.3.3 Fishermen

Persons who are engaging in stake net fishing at the mudflat along the coastal area of the Project Main Site and normal fishing around Ganh Rai Bay, Vung Tau and Can Gio Sea will not

be able to continue their fishing due to land acquisition or restriction to natural resources of the Project. Details of impacts on fishing are provided in Section 5 of this SRAP. These fishermen will not be eligible to receive compensation for loss of fishing products and assistance for livelihood restoration according to Vietnamese regulations.

6.3.4 *Business Owners*

Persons who will lose income as a result of temporary or permanent closure of their businesses due to the land acquisition and relocation.

6.3.5 *Vulnerable People*

According to the definition of IFC, *this disadvantaged or vulnerable status may stem from an individual's or group's race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status. The Project should also consider factors such as gender, age, ethnicity, culture, literacy, sickness, physical or mental disability, poverty or economic disadvantage, and dependence on unique natural resources. See Section 4.4.9 for further details on vulnerable group survey.*

6.4 *Cut-off Date*

The IoL for the Main Site and the RS was undertaken by the LFDC from 6 June to December 6, 2010, and from December 2010 to February 2011, respectively. The dates when the IOL was completed (i.e., 6 December 2010 and February 2011) are considered as the cut-off dates. Persons occupying the project area after the cut-off dates are not eligible for compensation and/or resettlement assistance. Similarly, the loss of fixed assets (such as built structures, crops, and fruit trees) established after the date of completion of the assets inventory will not be compensated for.

6.5 *Legal Entitlements*

Table 6.1 provides legal eligibility and entitlement for all PAPs. Note that this data will be updated once a third-party audit of the resettlement and compensation is completed.

Table 6. 1 Legal Entitlement for the Project Affected Person

| Categories of Affected Persons | | Type of Loss | Eligibility Criteria | Entitlement for Compensation, Support and Resettlement |
|--|-------------------------------------|---|---|--|
| Land right holders | | <ul style="list-style-type: none"> Loss of land (i.e., residential land, | <ul style="list-style-type: none"> Holding the land use right certificate (LURC) | <ul style="list-style-type: none"> Cash compensation at replacement cost¹ for the lost land. |
| Owners of Houses or Other Assets on Land | Fully eligible for resettlement | <ul style="list-style-type: none"> Loss of entire houses or other assets on land | <ul style="list-style-type: none"> Holding the LURC of the acquired land plot; Owning houses or other assets on the acquired residential land or the acquired productive land with the area of more than 10,000 m²; The entire property to be acquired; and Having no other land plot in Long Son Commune. | <ul style="list-style-type: none"> Cash compensation at replacement cost for the lost assets including houses; Receiving one of two following options: <ul style="list-style-type: none"> <i>Option 1:</i> <ul style="list-style-type: none"> Provision of land plot in the RS but they have to pay the land-use fee; Receiving cash payment for moving allowance: VND 3-4 million per household; and Receiving temporary housing fee: VND 1.5 million per household per month during the transition time² plus 6 months for housing construction. <i>Option 2:</i> <ul style="list-style-type: none"> Receiving cash support for self-resettlement at the support level of VND 180 million. Receiving cash payment for moving allowance: VND 3,- 7 million per household; and Receiving temporary housing fee: VND 1.5 million per household per month in 6 months. |
| | Partially eligible for resettlement | <ul style="list-style-type: none"> Loss of entire houses or other assets on land | <ul style="list-style-type: none"> The entire property to be acquired including houses; and Having no other land plot in Long Son Commune. | <ul style="list-style-type: none"> Cash compensation at replacement cost for the lost assets including houses; Receiving moving allowance as below: <ul style="list-style-type: none"> Receiving cash payment of VND 3 million per household in case of relocating to the RS; or Receiving cash payment of VND 7 million per household in case of self-resettlement. Provision of land plot in the RS but they have to pay the higher land-use fee; and Receiving temporary housing fee: VND 1.5 million per household per month during the transition time plus 6 months for housing construction. |
| Owners of Houses | Eligible for | <ul style="list-style-type: none"> Loss of partial | <ul style="list-style-type: none"> Owning houses or other assets on the partly acquired | <ul style="list-style-type: none"> Cash compensation at replacement cost for the lost assets including houses and |

¹ Replacement cost was surveyed by an independent organisation and approved by the People's Committee of Ba Ria Vung Tau Province.

² Transition time in this case is the time waiting for the RS construction complete.

| Categories of Affected Persons | | Type of Loss | Eligibility Criteria | Entitlement for Compensation, Support and Resettlement |
|---|--|---|--|--|
| or Other Assets on Land | compensation of the lost assets but ineligible for resettlement | entire houses or other assets on land | land; <ul style="list-style-type: none"> Owning houses or other assets on the acquired productive land with the area of less than 10,000 m² | <ul style="list-style-type: none"> Receiving of temporary housing fee: <ul style="list-style-type: none"> VND 1.5 million per household per month in 3 months if need to repair their current houses on their remaining land; or VND 1.5 million per household per month in 6 months if need to reconstruct their houses on their remaining land. |
| Agriculture, Salt and Aquaculture Farmers | <ul style="list-style-type: none"> Loss of standing crops / products Loss of livelihood and income | Losing less than 30% of productive land | | <ul style="list-style-type: none"> Cash compensation at replacement cost for the lost crops/products; and Receiving one of following supports for productive land: <ul style="list-style-type: none"> Cash support for productive land in the residential area; or Cash support for job transition and taking part in a job training course (equivalent to VND 6 million). |
| | | Losing from 30 – 70% of productive land and are not physically displaced (not required to relocate) | | <ul style="list-style-type: none"> Cash compensation at replacement cost for the lost crops/products; Receiving one of following supports for productive land: <ul style="list-style-type: none"> Cash support for productive land in the residential area; or Cash support for job transition and taking part in a job training course (equivalent to VND 6 million). Receiving support for life stabilization: 6 months x 30 kg rice/month x number of member in the household. |
| | | Losing from 30 – 70% of productive land and are physically displaced (required to relocate) | | <ul style="list-style-type: none"> Cash compensation at replacement cost for the lost crops/products; Receiving one of following supports for productive land: <ul style="list-style-type: none"> Cash support for productive land in the residential area; or Cash support for job transition and taking part in a job training course (equivalent to VND 6 million). Receiving support for life stabilization: 12 months x 30 kg rice/month x number of member in the household. |
| | | Losing from 30 – 70% of productive land and physically displaced, but the socio-economic of the relocation place is worse than the original place | | <ul style="list-style-type: none"> Cash compensation at replacement cost for the lost crops; Receiving one of following supports for productive land: <ul style="list-style-type: none"> Cash support for productive land in the residential area; or Cash support for job transition and taking part in a job training course (equivalent to VND 6 million). Receiving support for life stabilization: 24 months x 30 kg rice/month x number of member in the household. |

| | | Losing over 70% of productive land and are not physically displaced (not required to relocate) | <ul style="list-style-type: none"> • Cash compensation at replacement cost for the lost crops; • Receiving one of following supports for productive land: <ul style="list-style-type: none"> ○ Cash support for productive land in the residential area; or ○ Cash support for job transition and taking part in a job-training course (equivalent to VND 6 million). • Receiving support for life stabilization: 12 months x 30 kg rice/month x |
|--------------------------------|---|--|---|
| Categories of Affected Persons | | | |
| Categories of Affected Persons | Type of Loss | Eligibility Criteria | Entitlement for Compensation, Support and Resettlement |
| | | Losing over 70% of productive land and are physically displaced (required to relocate) | <ul style="list-style-type: none"> • Cash compensation at replacement cost for the lost crops; • Receiving one of following supports for productive land: <ul style="list-style-type: none"> ○ Cash support for productive land in the residential area; or ○ Cash support for job transition and taking part in a job training course (equivalent to VND 6 million). • Receiving support for life stabilization: 24 months x 30 kg rice/month x number of member in the household. |
| | | Losing over 70% of productive land and physically displaced, but the socio-economic of the relocation place is worse than the original place | <ul style="list-style-type: none"> • Cash compensation at replacement cost for the lost crops; • Receiving one of following supports for productive land: <ul style="list-style-type: none"> ○ Cash support for productive land in the residential area; or ○ Cash support for job transition and taking part in a job training course (equivalent to VND 6 million). • Receiving support for life stabilization: 36 months x 30 kg rice/month x number of member in the household. |
| Fishermen | <ul style="list-style-type: none"> • Loss of livelihood and | No | No legal requirements for compensation and support for the fishermen who may lose their livelihoods/income by the land acquisition. |
| Business Owners | <ul style="list-style-type: none"> • Loss of livelihood and | Registered business | Support at 30% of the average annual net income ¹ calculated over the past 3 years |
| Vulnerable People | <ul style="list-style-type: none"> • Loss of land; • Loss of houses and other assets on land; or/ and • Loss of livelihood and | PAHs identified as the poor | One-off cash assistance equal to 20 kg rice/ month in 5 years. |
| | | PAHs identified as the poor or the indigenous | 50% reduction of land use fee at the resettlement area. |

Note: In some cases one individual/ household may fall into more than one category. For instance, one individual may: (i) hold a customary right of usage over agricultural and residential land of a land plot; (ii) owns and resides in a house on that plot and (iii) cultivate on that plot. Accordingly, they will be the land right holder, owner of houses and farmer. As a result, they will have entitlements for compensation, support and resettlement in accordance with which eligibility criteria they meet.

¹ net income is the profit after tax.

6.6 Project Entitlement

6.6.1 Project Programmes for Eligibility and Entitlement

In addition to the legal entitlement provided by the Government as aforementioned, the Project Sponsor has developed a Livelihood Restoration Plan (LRP), a Community Development Plan (CDP) and resettlement assistance programmes (See Section 7 for discussion on the resettlement assistance) for the PAPs. **Table 6.2** provides eligibility criteria for each category of affected persons to receive such project entitlement. It is noted that community development programmes are elements of a CDP of the Project that is an independent document and not included in this SRAP. Up to the time of writing this SRAP in October 2014, the Project Sponsor has been contributing to the society and community of Ba Ria Vung Tau Province since 2010, especially Long Son Commune and continued that through 2015 and 2016. It should be noted that currently a CDP of the Project has not been developed; therefore, the Project Sponsor's contributions to the society and community are based on the local authorities' requests every year (i.e. the PC of Ba Ria Vung Tau Province and the PC of Long Son Commune).

Table 6. 2 Project Programmes for Eligibility and Entitlement

| Category of affected persons | Eligibility criteria | Entitlement | | Status |
|--------------------------------|--|---|--|---|
| Local people | Poor households; Poor and good students; Poor and elder people; and Persons who have contributed in the Revolution | Community development activities based on the requests of the local authorities | Further details of these activities (i.e., description, date and donation) are presented in Annex C | Since 2010 On-going |
| Physically displaced persons | Loss of shelter and assets resulting from the acquisition of land associated with a project that requires the PAP(s) to move to another location. | Additional relocation compensation and assistance Community development programmes | | Planning and will be conducted when this SRAP is approved |
| Economically displaced persons | Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of a project or its associated facilities. | Livelihood restoration programmes Community development programmes | | Planning and will be conducted when this SRAP is approved |

6.6.2 Project Assistances to Vulnerable Households

In addition to the legal entitlements provided by the Government and the Project programmes for eligibility and entitlement provided by the Project Sponsor, as mentioned above, vulnerable households should be received additional assistances. See LRAP for the proposed assistance programmes for vulnerable households.

7 RESETTLEMENT

7.1 INTRODUCTION

This section discusses the resettlement process and associated assistance from the Government applied to the households involved in physical displacement at the Main Site and the RS. It also provides recommendations on further assistance that should be offered by the Project Sponsor during resettlement in consideration of the IFC requirements. The discussion focuses on the following contents:

- The RS selection and preparation;
- Relocation schedule and assistance; and
- Treatment of culture heritage.

There are no service facilities or enterprises to be physically displaced by the Project either at the Main Site or the RS.

Table 7.1 shows the number of households who are physically displaced by the Project Main Site and the RS.

Table 7.1 Number of Physically Displaced Households of the Main Site, the RS, and the Graveyard

| | Physically displaced households | Percentage in total displaced households |
|--------------|---------------------------------|--|
| Main Site | 150* | 32.3 % |
| RS | 4 | 0.9 % |
| Graveyard | 1 | 0.2 % |
| Total | 155 | 33.4 % |

* As of September 2016, 221 land plots have been handed over for project-affected households (displaced from the main site) at the resettlement site.

7.2 RESETTLEMENT SITE SELECTION AND PREPARATION

7.2.1 Resettlement Site Selection Process

The chosen resettlement site for the Project is located within Long Son Commune, approximately 1 kilometre from those displaced. In Ba Ria Vung Tau Province, the “Resettlement Plan of Ba Ria Vung Tau Province in the period 2010 -2015” was approved by the provincial PC on 17 August 2010 and serves as the provincial master plan for all resettlement sites. This plan covers 60 resettlement projects, including the RS in Long Son Commune. The RS was chosen by the local authorities prior to the formation of any specific development projects. As a result, no public consultation on site selection of the resettlement sites was conducted. However, Decree No. 69/2009/ND-CP allows displaced people freely to choose whether to be relocated to the designated resettlement sites or to self- relocate. As reported by the Project Sponsor, a number of meetings with affected households to discuss relocation, compensation and resettlement issues, including identification of their resettlement preferences was carried out by the LFDC (see Section 9).

In line with international best practice, the two most critical concerns in selection of a resettlement site are **location** and **community preservation**. As the RS is still located in Long Son Commune and only around one km from the original homes of displaced people there is almost no change in their accessibility to surrounding public facilities such as Ben Da port where fishermen moor their fishing boats, schools and medical facilities (i.e., the commune medical clinic, hospitals in Ba Ria or Vung Tau City) and the social networks linking members of affected communities is expected to be maintained

7.2.2 Description of the Resettlement Site

Location and Current Land Use

The Long Son resettlement site (hereafter referred as the LSRS) with the total area of 60.79 ha, is located in Hamlet 1 of Long Son Commune approximately 1 km distant from the Main Site. LSRS is planned to receive physically displaced people from all development projects in Long Son Island, inclusive of the Main Site and LSRS itself.

Location of the LSRS relative to the Main Site is illustrated in **Figure 7.1** below.

Figure 7. 1 Location of Long Son Resettlement Site



The area of the RS serving for the Project is 20.4 ha

Long Son Resettlement Site (60.79ha)

In 2010, the “Infrastructure construction for Long Son Resettlement Site (60.79ha)” investment Project was approved by the PC of Ba Ria Vung Tau Province. This investment is financed by the local government and managed by the provincial Department of Transportation (DoT).

According to its approved plan the residential area within the LSRS will be divided into 2,809 land lots for different types of housing, including 236 for terraced houses, 673 for garden

houses¹ and 1,900 for apartments. It is noted that the 'apartment' type is being reconsidered by the local government and may change to other types such as tube houses or garden houses. Households who will be allocated land lots within the RS must construct their houses by themselves following the 'housing type' designation for their land lots. In October 2014, the specific area of each type of land lot (i.e., land lot for tube house, garden house) had not been finalized.

As of August 2016, development of the LSRS is complete with basic infrastructure including roads, power grids, water supply system, sewer system, public lights, parking and urban green space.

Road system

The road system includes main roads and internal roads that will be paved by asphalt concrete. There will be eight main roads with an average width of 15 meters and 30 internal roads with an average width of six meters distributed within the LSRS. Pavements will be constructed along the road networks ranging from three to eight meters wide each side of the roads.

Water supply

Water will be supplied for both domestic use and firefighting. The system comprises of HDPE piping network, valves and fire hydrants.

Sewer system

Sewer system includes two separate piping networks to collect storm water and domestic wastewater. Storm water will be collected by a number of manholes and drained through the reinforced concrete pipes to an equalization pond via four discharge points.

Electricity

The RS will be connected to the national electricity grid.

Public light

Lighting will be installed along two sides of the main roads while it will be only provided on one side of the internal roads.

Green space

Green trees will be mainly planted along the central reservation of roads (e.g., flowers, bonsai) and on pavements. The average distance between green trees planted on pavements ranges from eight to 10 meters.

Parking Areas

There will be three parking areas to be constructed within the LSRS with the total area of 7,279.5 m². These parking areas are aimed to serve for apartments developed in the LSRS.

However, the apartment is now considered to be changed to other housing types as aforementioned the parking places may be removed from the detailed plan of the LSRS.

The Project Resettlement Site (20.4 ha)

According to the Detailed Plan 1/500 of the RS that has just been approved in 2014, there will be 250 land lots within 20.4 ha area, including 113 lots for terraced houses and 137 lots for garden houses development (see Figure 8.2). Generally, four areas of terraced houses are placed along the main road of the RS (about 25 -36 meter width), which can facilitate business while the six other areas of garden houses are mainly located along smaller internal roads. Terraced house is a house that is part of a row of houses that are joined together; garden house is an open structure attaching with a garden. The specific area of each kind of land lot is as follows:

- Terraced house: 93.6 – 169.5 m². Most of the land lots have the area ranging from 100 to 120 m²; and
- Garden house: 123 -238 m². Most of the land lots have the area ranging from 140 to 150 m².

Some 250 land lots include land lots for physically displaced households of the Main Site, the RS, the access road and the graveyard and the rest are for a backup plan. Details of land lots allocated to the PAPs of these components are provided in **Table 7.2**.

Table 7. 2 Land Lots Allocation for the PAPs from the Main Site, the RS, and the Graveyard

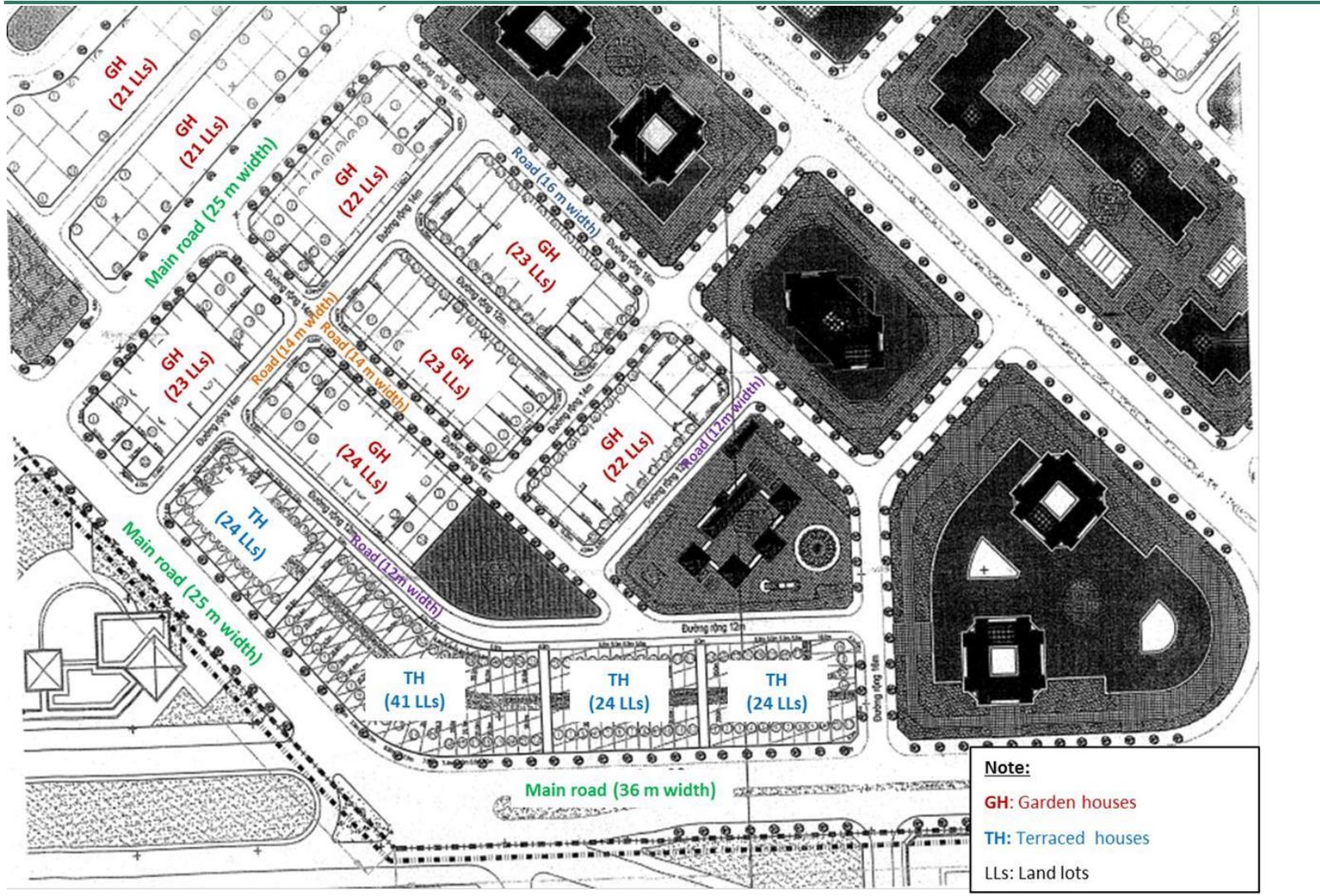
| Displaced components | Land lots allocation in the RS | Physically displaced households |
|----------------------|--------------------------------|---------------------------------|
| Main Site | 221* | 150** |
| RS | 4 | 4 |
| Graveyard | 1 | 1 |
| Total | 226 | 155 |

Note:

(*) As of August 2016, 05 Households required land from main site received decisions for land plots at RS but did not receive land plots yet.

(**) There are some households are allocated for more than one land lot.

Figure 7. 2 Layout of the 20.4 ha Resettlement Site



Source: Report on Detail Plan of the Resettlement Site in Long Son Commune, 2014.

7.2.3 Land Plot Allocation within the Project RS

The location and area of land lots allocated to each displacement case will depend on three criteria, including the eligibility for resettlement (i.e., fully or partially eligible), and the location and area of the land acquired. Details of the criteria are provided in **Table 7.3** below. It is noted that one displaced household can be eligible to receive more than one lot in the RS.

Table 7.3 Criteria for Land Plot Allocation in the Project RS

| Criteria | Land Lot Allocation |
|--|---|
| (1) Eligibility for resettlement | |
| Partially eligible households | Allocation of land lots of small areas that are located along the smaller internal roads (12 m with). |
| Fully eligible households | Refer to criteria (2) and (3) below. |
| (2) Location of the acquired residential land | |
| The land that will be acquired by the Project located along the main roads or inter-hamlet roads of the Commune or at the equivalent locations | Prioritized in allocating land lots along the main roads of the RS (25 – 36 m width, pavement included) |
| The land that will be acquired by the Project located at other locations | Allocation of land lots along the RS internal roads of 16, 14 or 12 m width (pavement included). |
| (3) Area of the acquired land | |
| The area of residential land that will be acquired by the Project from 200 m ² to 300 m ² | Allocation of the land lot with area of 140 m ² or larger. |
| The area of residential land that will be acquired by the Project from 150 m ² to 200 m ² | Allocation of the land lot with area from 120 to 140 m ² . |
| The area of residential land that will be acquired by the Project of 150 m ² or less | Allocation of the land lot with area of 120 m ² or less. |
| The area of productive land that will be acquired by the Project of 10,000 m ² or larger | Prioritized in allocating land lots along the RS internal roads of 16m width (pavement included). |

Note: Footprint area of the residential and productive land is in the range of 30-300 m² and 56164,000 m², respectively.

Above criteria are those set by authorities during the acquisition and resettlement process

Based on the legal entitlement as described in *Section 3.2*, as of October 2014, the entitlement for resettlement of the PAPs from the Main Site and the RS can be summarized as follows

- 129 households are considered fully eligible for resettlement. Most of them are extended families include multiple nuclear families and in some case, the nuclear families have split to live in separate houses but still in the same parcel with their parents that will be acquired by the Project;
- 5 households on the Main Site are considered as partially eligible for resettlement as their houses are constructed on acquired productive land which are less than 10,000 m²; and
- 3 houses to be displaced by the development of the RS are considered as partially eligible for resettlement as their houses are constructed on acquired productive land that is less than 10,000 m².
- 167 land lots will be allocated to the 137 eligible households, including:

- 154 and 10 land lots allocated for fully and partially eligible households from the Main Site, respectively; and
- 3 land lots allocated for partially eligible households from the RS.

Resettlement data will be updated after the third party resettlement and compensation audit has been completed prior to Financial Close. Most of existing houses of displaced households are attached with gardens of acacias or fruit-trees, a typical housing type of rural area. Given around 80% of 129 fully eligible households lose residential land of more than 200 m², they are expected to be allocated new land lots of 140 m²-150m² or larger each in the RS which are mainly for garden houses development as aforementioned. The remaining eight partially eligible households are likely to be allocated smaller land lots of garden houses along the 12 m wide internal road as shown in **Figure 8.2** above. Therefore, nearly 90% of 137 households both fully and partially eligible for resettlement can be allocated with land lots for garden house style that is considered suitable and comfortable for them.

There is no preferential policy in plot allocation given to these vulnerable people. The gap analysis of the land allocation for displaced households and associated recommendations are detailed in *Section 7.5* below.

7.3 RELOCATION ASSISTANCE

7.3.1 Relocation Assistance

Relocation Assurances from the Government

The type and level of relocation assistance provide by the Government depends on whether the physically displaced households are fully or partially eligible for resettlement assurances. The assistance for relocation including cash support for self-resettlement, moving allowance, temporary housing, livelihood restoration and vulnerable assistance provided by the Government are presented in **Table 6.1**. It is noted that those who are ineligible for resettlement as mentioned in *Section 7.2.3* will not receive any assistance for relocation from the government. Recommendations for closing this gap are proposed in the following section.

Decree No. 69/2009/ND-CP allows displaced people freely to choose whether to be relocated to the designated RS or self- relocated with cash support. As reported by the Project Sponsor, a number of meetings were held with affected households to discuss on relocation, compensation and resettlement issues, including identification of their resettlement preferences was held by the LFDC. Generally, all 137 households both fully and partially eligible for resettlement agreed to be relocated to the RS instead of self-relocated with cash support.

All relocation assurances applicable to the Project are calculated and included in the detailed CSR Plans that have been approved by the local authorities since June 2014. The gap analysis of current assurances from the government for displaced households and associated recommendations are detailed below.

7.3.2 Relocation Schedule of the Main Site

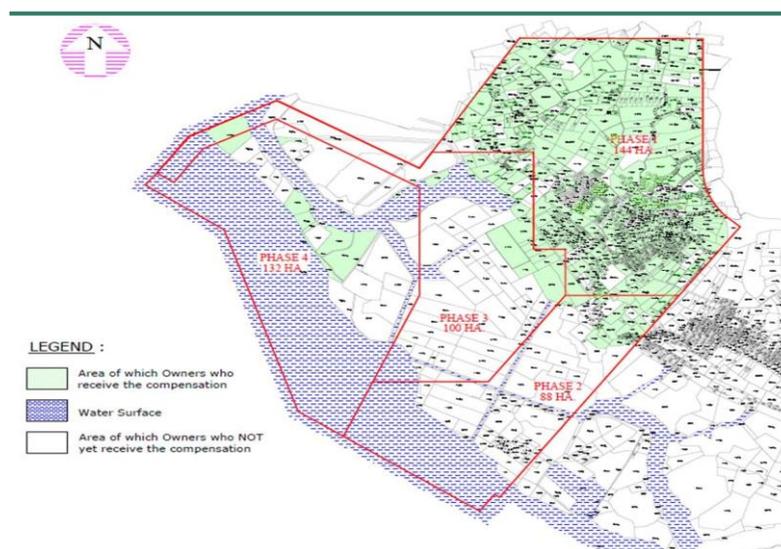
It is reported that the relocation will be conducted in accordance with the agreement on land hand-over schedule between the LFDC and the Project Sponsor. In particular, the area of the Main Site will be divided into four areas, and each area will be corresponding to each phase. Reportedly, the land acquisition of the first two phases will be completed in October 2014 and that of the last two phases will be in December 2014. **Table 7.4** and **Figure 7.3** provide the area and number of affected households of each phase. Also, compensation status of the Main site is illustrated in **Figure 7.3**.

Table 7.4 Numbers of Affected Household of Each Phase

| Phase/area | Area (ha) | Number of households | Expected date of land acquisition completion |
|------------|-----------|----------------------|--|
| 1 | 144 | 279 | Oct 2014 |
| 2 | 88 | 43 | Oct 2014 |
| 3 | 100 | 50 | December 2014 |
| 4 | 132 | 16 | December 2014 |

Note: (*) there is replication in counting number of household in each area/phase because some households whose land is located in two areas/phases is counted in both area

Figure 7.3 Illustration of the Compensation Status and Land Acquisition



It is noted that the whole area will not be acquired at the same time, with land acquisition to be conducted in the following order: (i) productive land, crops and products on land and (ii) residential land and structures on land. This sequence of land acquisition will apply for all phases.

7.4 TREATMENT OF CULTURAL HERITAGES

Resettlement of the Ba Ong Temple and graves were managed in the RAP and appear to have been broadly in conformance with the requirements of PS5 and 8. See section 5.1 Permanent Land Acquisition for details.

7.5 GAPS ANALYSIS AND RECOMMENDATION

It is recognised that among the resettlement and relocation policies that are currently applicable for the Project as discussed above, there exist gaps against the IFC requirements and may result in hardships for the PAPs during and after resettlement, especially for

vulnerable groups. **Table 7.5** analyses these gaps in details and provide necessary recommendations in order to fill the gaps.

Table 7. 5 Gap Analysis of Resettlement and Recommendations

| Gap Analysis | Recommendations | Status August 2016 |
|---|---|--|
| Resettlement site selection and preparation | | |
| <i>Site Preparation</i> | | |
| <p>Public infrastructure at the RS is generally an improvement for affected households. For example, 100% will be covered by power and water supply instead of the current baseline of 96% and 99% respectively. Drainage and paved road will cover the entire RS that are more adequate than the existing systems. However, there has been no confirmation on provision of domestic waste collection service within the RS. Currently, this service is limited in Long Son Commune.</p> | <p>The Project Sponsor should work closely with DoT who is responsible for the RS development to ensure adequate provision of domestic waste collection.</p> <p>The Project Sponsor should conduct a completion audit of the RS infrastructures.</p> | <p>Completed: adequate provision of domestic waste collection was resolved as of September 2015</p> <p>The infrastructure audit is to be conducted by an external third party engineer before Financial Close.</p> |
| <p>All types of housing (i.e., terraced and garden houses) in the RS are required to be constructed with 1-2 stories. Most of the displaced households have lived in single story homes. As per the initial consultants experience of other Projects in Vietnam, this requirement may lead to grievances from affected households due to the following:</p> <ul style="list-style-type: none"> • This urban housing style (1-2 stories) is ill suited to displaced household’s rural customs and may exceed their living space needs; • Compensation amount is insufficient for the high construction costs of multi-story houses and could resulting in more debt; • Households may have no remaining budget available for livelihood restoration (i.e. business investment); and • Larger houses require larger budgets to maintain (i.e. higher electricity and water bills). <p>In some Projects, the requirements on housing design were later loosen in order to allow displaced households to construct their new houses within their needs and affordability.</p> | <p>The Project Sponsor should conduct public consultation with displaced households eligible for resettlement on their needs and affordability of house construction before the allocation of land lots.</p> <p>Based on this public consultation result, the Project Sponsor should request relevant authorities to adjust the housing requirement in the RS in order to fit the reality.</p> <p>If the authorities reject the request, the Project Sponsor should consider additional assistance for housing construction, especially for vulnerable households.</p> <p>Most of affected households are farmers and all are familiar with farming for their domestic usage (e.g., vegetables, fruits). The Project Sponsor should consider model house design to include a small garden. Allowing affected persons to keep habits and support food security. Affected households should be consulted on with regards to this model house.</p> | <p>146 houses have been constructed at the resettlement site. Many of the households received design advise from local contractors and have established two storey houses.</p> <p>The RS land developer has built temporary houses for vulnerable households (8) and LSP has provided subsidies for electricity and water.</p> <p>As raised previously, households did not pay LURC fees (essentially lot land purchase fees) prior to building houses on their allocated plots. Local authorities have yet to formalize the registration process for LURCs. As such, households may have spent all their compensation and no longer have money available for the LURCs. This was a concern raised during consultation in August 2016. This will be validated during the third party audit on resettlement and compensation.</p> |
| <i>Criteria for Land Allocation in the new Resettlement Site</i> | | |

| | | |
|---|---|---|
| <p>There were three cases where the number of new land lots allocated is less than number of the families living on the acquired land. Such allocation may affect these families in terms of inadequate living space and affect family private life after resettlement. Overcrowding and the vulnerability of these households should also be noted. In addition it should be noted that the living standards post resettlement of physically displaced households will be improved through better infrastructure and housing materials/structure.</p> | <p>If requested by these 3 households, the Project Sponsor should work closely with local authorities to allocate adequate land lots at the RS to their extended families who may be considered as partially eligible cases.</p> | <p>All three households were allocated additional plots and this item can now be considered as complete.</p> |
| <p>6 economically displaced households are not legally identified as physically displaced but their relatives living on the same parcel of land with them are physically displaced. In other words, an LURC household is physically displaced and has additional relatives with houses on the productive land who are only considered as economically displaced, despite the fact that they will lose their homes. The government does not identify these cases as physical displacement. As a result, the relatives of the land right holders who are currently residing on the acquired productive land are not eligible for the resettlement compensation package. It should be noted that three of these cases are considered vulnerable and their relatives' families do not have alternative houses to live in.</p> | <p>The Project Sponsor should consider the following proposed actions:</p> <ul style="list-style-type: none"> • Request local authorities to allocate land lots at the resettlement site to their extended families who may be considered as partially eligible cases; or • Payment for the difference between the price applicable for their acquired productive land (132,000 – 210,000 VND/m²) and the minimum residential land price (400,000 VND/m²) calculated for the smallest land lot within the RS (100 m²) to each of these extended families. • If these families build new houses on their parents' land, the Project Sponsor should work with the local authority to assist these families in attaining LURCs for a new section on their parents land. • In the case that the relatives all move back into the primary dwelling on the land, the Project Sponsor should consider improvements/extensions for this dwelling such that it is able to accommodate the displaced people. | <p>All six households were allocated additional plots and this item can now be considered as complete.</p> |
| <p>The existing houses of displaced households have gardens with acacia or fruit-trees, a typical occurrence in rural areas. Nearly 90% of 137 households both fully and partially eligible for resettlement can be allocated with land lots of garden house style. Ten percent (10%) of the affected households may be allocated land lots of terraced houses, which may not be suitable and comfortable for them.</p> | <p>Land lots with the 'garden house style' should be allocated to displaced households whose original houses had attached gardens. While those of terraced houses located in the main roads should be allocated to displaced households who originally had small businesses (coffee shops, groceries etc.) and who expect to open such small businesses.</p> <p>Priority in land lot selection should be given to vulnerable households.</p> | <p>146 houses have been constructed at the resettlement site. Affected households were assigned plots by the local authorities, but had the opportunity to discuss the allocation with local authorities if they would like to change this.</p> |
| <p><i>Relocation Allowances & Assistance</i></p> | | |

| | | |
|---|---|--|
| <p>6 households whose extended families lost their own houses on the acquired productive land will not receive any assistance for relocation from the government.</p> | <p>The Project Sponsor should provide similar relocation assistances to these cases as indicated in Table 6.1.</p> | <p>Additional relocation allowances have been provided to 5 of the 6 HH as of August 2016 (one was deemed ineligible). Only the main household heads received relocation assistance. The extended family members did not receive allowances even if they were allocated new plots in the RS.</p> |
| <p>No bank accounts have been opened for the affected households and they have received cash compensation directly from the LFDC. This is not considered good practice as it may cause the following social issues:</p> <ul style="list-style-type: none"> • Present security and safety risks as households will be holding large sums of cash on their persons or in their homes • Compensation will be used for many purposes in the future including house construction and livelihood restoration. Without sound financial management plan they may spend all their cash compensation in a short time. | <p>The Project Sponsor should:</p> <p><i>For those who received compensation and assistance payments:</i> provide financial management orientation as soon as possible. Refer to Section 7.6 of this report for further information on the financial management orientation.</p> <p><i>For future payments:</i> pay these directly to bank accounts and also provide a financial management orientation to the affected households.</p> | <p>Ongoing: Financial orientation training commenced in August 2016 and is being provided to 300 people affected by the Project.</p> <p>Completed: Payments were completed for approximately 5 households through bank accounts.</p> <p>Any future payments should also be undertaken through bank accounts. Any new accounts established should include both the husband and wife as signatories on the accounts.</p> |
| <p>Only poor physically displaced households will receive additional relocation assistance. Consideration of other vulnerable groups for special relocation assistance is needed.</p> | <p>Physical displaced households of other vulnerable groups should be provided special assistances similar to which are entitled to for the poor under the support of the Project Sponsor.</p> | <p>Ongoing: additional work was undertaken by the Proponent in 2016 to identify and validate vulnerable households (99). Vulnerable household relocation assistance included:</p> <ul style="list-style-type: none"> • Relocation support (i.e., truck hire); • Temporary housing at the RS; • Rent payment (1 household in Hamlet 1); • Electricity and water in temporary housing. |
| Cultural Heritage | | |
| <p>Given Ba Ong Temple is not recognised as a ranked heritage or an official Buddhist Temple, it is to be displaced as a normal structure¹⁰ under the scope of the CSR Plan of the Project without considering its cultural value. The value and functionality of displaced Ba Ong Temple may be not fully restored at the new location.</p> | <p>The Project Sponsor should: consult with the management board of Ba Ong Temple and local people on the physical structure and spiritual value of Ba Ong Temple. A competent cultural heritage professional could be engaged to support the consultation and to develop a relocation plan for the Temple in line with the IFC PS5 & PS8. The value and functionality of Ba Ong Temple should be fully</p> | |

¹⁰ The temple was constructed on privately owned land by contributions from households.

| | | |
|---|--|--|
| <p>Ba Ong Temple is tentatively planned to be relocated to the new cemetery site in Long Son Commune. The temple management board will reconstruct the temple. However, the management board of the temple is not satisfied with the proposed location. Meanwhile, as the temple is not officially recognised by the Buddhist Sangha of Vietnam, the land allocation for the temple at the new cemetery is to be treated to land allocation for normal structures (i.e. required to pay an annual land use fee in accordance with existing regulations). The lack of design and construction plans for the new temple also causes difficulties for the authorities in making a decision about the location.</p> | <p>The Project Sponsor should support the management board of Ba Ong Temple to:</p> <p>(1) To develop the design and construction plan for the new temple as soon as possible.</p> <p>(2) To work closely with the provincial authorities (i.e. provincial PC) to speed up the decision process on allocation of the new place for Ba Ong Temple with as much advantageous conditions as possible (i.e. land allocation without land use fee).</p> | <p>Completed: the temple has been relocated to the cemetery site and verified in August 2016.</p> <p>The representatives of Ba Ong Temple received compensation and hired a construction contractor build the new temple. LSP provided funds to move the three boulders and Ba Ong Temple engaged a contractor to relocate the boulders. A ceremony was held to commemorate the relocation of the stones in August 2015.</p> <p>LSP confirmed in August 2016 that the new site does not require payment of annual land use fees.</p> |
| <p>Given the excavation is only conducted by the government at two high potential sites prior to construction, the artefacts are still possible to be found in the remaining area during construction.</p> | <p>A chance finds procedure should be established and included in Chance Find Management Plan that is developed separately with this SRAP before the commencement of construction. The chance finds procedure should be applied to all the Main Site, the RS and also for dredging activity of port construction during the</p> | <p>Completed: A Chance Find Procedure was developed for the Project in August 2015, to provide guidance for unexpected discoveries during land clearance and construction activities.</p> |

7.6 ACTION PLANS

Action plans for the Project initiatives are summarised in **Table 11.2**.

8 LIVELIHOOD RESTORATION AND REHABILITATION

The Project Sponsor has developed a separate Livelihood Restoration Action Plan (Document Ref No. LSP-1S03-0008). Like this SRAP, will be updated after the third-party audit of the infrastructure, resettlement and compensation when more accurate livelihood data will be available.

9 DISCLOSURE AND CONSULTATION

9.1 INTRODUCTION

Disclosure and consultation with the PAPs is very crucial for the success of the SRAP from preparation to implementation. The process of disclosure and consultation will continue until implementation of the SRAP is completed.

Objectives of consultation include:

- Raising awareness of a project's anticipated positive and negative impacts;
- Promoting robust managerial and technical approaches to enhance the project's social and economic benefits and reducing, if not entirely eliminating negative consequences;
- Building understanding by empowering affected local communities, individuals, groups and organisations to actively participate in the project decision-making process; and
- Partnering with affected stakeholders in way that effectively changes them from being objects of the process to actors in it.

The Project stakeholders have been identified and categorized in the Stakeholder Engagement Plan (SEP). The SEP also provided details of all consultation activities of the Project to date and future actions. This section summarises project resettlement related disclosure and consultation activities.

9.2 DISCLOSURE AND CONSULTATION ACTIVITIES

9.2.1 Disclosure and Consultation to Date

Specific disclosure and consultation conducted to date include:

- During the land acquisition, compensation and resettlement process (from 2010 to 2014) the disclosure of Compensation and Resettlement Policies, Resettlement arrangement, local regulations on compensation, support and resettlement, DMS, IoL, Cut-off dates, CSRP and Payment Decisions were carried out by the LFDC as described in Section 1.2.2.
- Location of the RS was disclosed to PAPs in the public consultations held in the PC's office of Long Son Commune in December 2013 by ERM and the Project Sponsor.
- Through the household survey conducted in December 2013 by ERM, PAPs were consulted about their current livelihoods, income, DMS results, resettlement options and their plan for using compensation payment.
- The PAPs were also consulted about their current livelihoods and future livelihood orientation plans through focus group discussions in December 2013.
- A vulnerable groups survey was conducted in July 2014 to identify vulnerable households of the Project and understand their problems/concerns to develop an Assistance Plan for Vulnerable Groups.

9.2.2 Stakeholder Concerns and Feedback to SRAP

Table 9. 1 Summary of Outcomes of Stakeholder Engagement into SRAP Development

| Issues/ Concerns | Stakeholders | Responses | Address |
|---|---|--|-------------------------|
| Regulation compliance and accountability of the Project | <ul style="list-style-type: none"> PAPs in Rach Gia Hamlet and Hamlet 2. | <p>The Project committed to comply with the ESAP developed based on the requirements of relevant national regulations and international standards to prevent and minimise the pollutions and incidents.</p> <p>In this SRAP, the Project committed to comply with the national regulations on resettlement and IFC PS5-Land Acquisition and Involuntary Resettlement. This SRAP will be disclosed as it is approved.</p> | Sections 2, 3, 9 and 13 |
| Potential social and environmental impacts | <ul style="list-style-type: none"> PAPs in Rach Gia Hamlet and Hamlets 1 and 2; Department of Industry and Trade of Ba Ria Vung Tau Province; Department of Investment and Planning of Ba Ria Vung Tau Province; People's Committee of Vung Tau City; Department of Transport of Ba Ria Vung Tau Province; and Department of Cultural, Sport and Tourism of Ba Ria Vung Tau Province. | <p>A range of environmental and social impacts has been assessed either quantitatively or qualitatively. Mitigation and management measures will be proposed for the impacts assessed major and moderate in the ESIA. Such measures will be integrated into the ESAP and the Project committed to comply with the ESAP.</p> <p>In this SRAP, only the impacts associated with the land acquisition is assessed and the rehabilitation measures are proposed.</p> | Sections 5, 7, 8 and 11 |
| Project schedule | <ul style="list-style-type: none"> Environmental Protection Agency of Ba Ria Vung Tau Province; Department of Industry and Trade of Ba Ria Vung Tau Province; Department of Investment and Planning of Ba Ria Vung Tau Province; PAPs in Rach Gia Hamlet and Hamlet 2; and People's Committee of Long Son Commune | The Project will comply with the schedule for resettlement and SRAP implementation. This schedule will be disclosed after the SRAP is approved | Sections 9 and 12 |
| Compensation and assistance allowance | <ul style="list-style-type: none"> PAPs in Rach Gia Hamlet and Hamlet 2. | In this SRAP, the legal eligibility and entitlement for compensation and assistance are described. Gaps between the legal eligibility and entitlement and requirements of IFC PS5 are also assessed. For closing the gaps, the Project eligibility and entitlement programmes are proposed. | Sections 6, 7, 8 and 11 |
| Potential cultural impacts | <ul style="list-style-type: none"> Department of Cultural, Sport and Tourism of Ba Ria Vung Tau Province; and PAPs in Hamlet 2. | Impacts on and mitigation measures for the cultural heritages are discussed and provided in this SRAP. | Sections 5, 7 and 11 |
| Livelihood impacts | <ul style="list-style-type: none"> Department of Labour, Invalid and Social of Ba Ria Vung Tau Province; People's Committee of Vung Tau City; and | Livelihood restoration framework is developed in this SRAP to provide training and other support to help the PAPs return to or exceed original livelihood standards. | Sections 5, 8 and 11 |

| Issues/ Concerns | Stakeholders | Responses | Address |
|-----------------------|--|--|-------------------|
| | <ul style="list-style-type: none"> People's Committee of Long Son Commune. | | |
| Local recruitment | <ul style="list-style-type: none"> Department of Labour, Invalid and Social of Ba Ria Vung Tau Province; People's Committee of Vung Tau City; People's Committee of Long Son Commune; and PAPs in Hamlets 1 and 2 and Rach Gia Hamlet. | Local recruitment is suggested as one of the options of the livelihood restoration framework in this SRAP. The information on labour (quantity, skills and position) will be disclosed to local communities in advance of each phase (construction and operation). | Sections 8 and 11 |
| Grievance mechanism | <ul style="list-style-type: none"> PAPs in Rach Gia Hamlet. | A Project grievance procedure will be developed and disclosed to local communities. The local communities then can submit their project/resettlement-related grievances through this window if any. | Sections 9 and 10 |
| Resettlement site | <ul style="list-style-type: none"> PAPs in Hamlet 1,2 and Rach Gia Hamlet. | At the public consultation, the Project disclosed the information on the RS including location and land acquisition status of the resettlement to the attendees. Also, such information will be disclosed in association with SRAP disclosure. | Sections 7 and 9 |
| Community Development | <ul style="list-style-type: none"> People's Committee of Vung Tau City; People's Committee of Long Son Commune; and PAPs in Hamlet 1,2 and Rach Gia Hamlet. | During the development, the Project will consider contributing to the development of the affected communities. | Section 6 |

9.2.3 *Future Disclosure and Consultation*

Consultation is on-going and will be kept conducting throughout the resettlement implementation to ensure that information about the resettlement-related activities are properly understood and accepted by the PAPs during the compensation and resettlement process.

Engagement activities will be undertaken in a manner that is culturally appropriate. All information and communication materials will be written in Vietnamese. Information will be disseminated through various formats that are tailored to the resettlement stakeholder groups involved in the process.

On the occasion of disclosure of the updated ESIA to local communities conducted in August 2016, P1 households were advised about the Project Sponsor's commitments under its Livelihood Restoration Action Plan and Community Development Action Plan.

Table 9. 2 Proposed Formats and Topic of Disclosure and Stakeholders Engagement

| Topic of Consultation | Activities/Format | Purposes | Responsible Party | Timeframe |
|---|--|---|-------------------|--|
| Project Grievances Procedure | Public meetings and information disclosure at in-field office of the Project | For the PAPs to be aware of the Project grievance procedure and understand that there are two channels of lodging grievances. | Project Sponsor | Immediately after the grievance procedure is approved. |
| Resettlement procedure and implementation schedule of the current resettlement and the SRAP | Open house and information disclosure at in-field office | For the PAPs to be aware of: <ul style="list-style-type: none"> the current resettlement procedure and the timeframe of each step of the resettlement process.; and SRAP implementation schedule. | Project Sponsor | When the SRAP is approved |
| Organisation chart and responsibility of Community Liaison Officer and Grievance Officer | Public meetings and information disclosure at in-field office | For the PAPs to know who they should log their grievance to/ask if they have any questions relating to the Project. | Project Sponsor | Immediately after the organisation chart and responsibility is approved. |
| Supplemental Resettlement Action Plan (SRAP) | Public meetings and information disclosure at in-field office | For the PAPs to be aware of the additional compensation and assistance and livelihood restoration programmes in the SRAP that will be implemented by the Project Sponsor. | Project Sponsor | When the SRAP is approved |
| Additional compensation and assistance (ACA) Livelihood Restoration Plan (LRP) Assistance Plan for Vulnerable Groups (APVG) | Focus Group Discussion | To obtain opinions of the PAPs about the proposed livelihood restoration/assistance projects under the ACA/LRP/APVG. This should be conducted prior to the implementation of the ACA/LRP/APVG. | Project Sponsor | When the ACA, LRP and the APVG are finalised. |
| | Open house and information disclosure at in-field office | For the PAPs to be aware of the livelihood restoration/assistance projects that will be implemented including timeframe, beneficiaries and outcomes of the projects. | Project Sponsor | When the ACA, LRP and the APVG are finalised. |
| | Stratified sample interview | To obtain feedback of the PAPs about the implementation of the ACA/LRP /APVG. Based on the feedback to improve the ACA/LRP /APVG. | Project Sponsor | On-going during the implementation of the ACA, LRP and APVG. |
| On-going engagement during resettlement process | Focus Group Discussion Stratified sample interview | To obtain concerns of the PAPs during resettlement process to improve the implementation of these processes. | Project Sponsor | On-going during resettlement process. |

9.3 *ENGAGEMENT WITH VULNERABLE GROUPS*

Vulnerable groups are subject to special assistance not only during resettlement but also throughout the project life through the Assistance Plan for Vulnerable Groups as described in *LRAP*. In order to obtain the collaboration and understanding of these target groups and assess the effectiveness in the implementation of the Assistance Plan, consultation about this plan should be carried out to all vulnerable households prior to and during the implementation process, respectively

10 GRIEVANCE PROCEDURE

10.1 LEGAL PROCESS

According to Vietnam regulations, PAPs can submit their grievances to the commune level People's Committee. If the grievance cannot be solved because (1) it is out of the jurisdiction of the commune level People's Committee, the commune level People's Committee will forward the grievance to the district level People's Committee, or (2) the complainants do not satisfy with the resolution, the complainants can lodge their grievance at the district level. Similarly, the grievance will be sent to the provincial level if the problem cannot be resolved at the district level. In the event that the complainants are not satisfied with the resolutions of the provincial People's Committee, they can lodge their grievances at the provincial court.

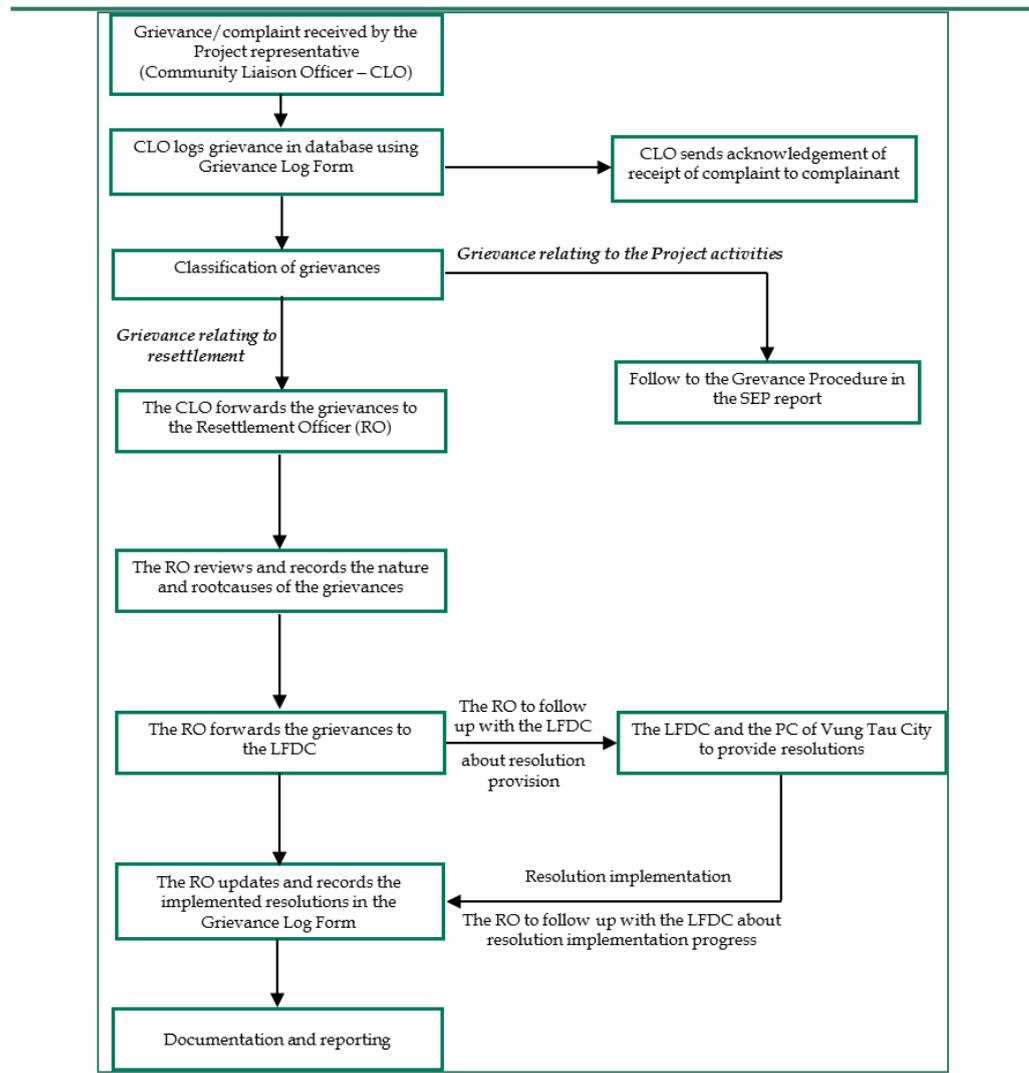
10.2 RESETTLEMENT GRIEVANCE PROCEDURE

A Grievance Procedure for the Project has been developed in the Stakeholder Engagement Plan (SEP). The Project Grievance Procedure is applicable to solve grievances related to the Project activities in the whole project life. See **Chapter 5** of the SEP for detailed description on the Project Grievance Procedure.

The Project is recommended to establish a team/department including persons that are responsible for: (i) stakeholder engagement including grievance management (at least three persons) and (ii) resettlement (at least two persons). Responsibilities of the resettlement officers were also provided in the SEP. One of the key responsibilities of the resettlement officers is to be actively involved in giving feedback/responses to grievances relating to resettlement.

Details of each step in resettlement grievance procedure are illustrated in **Figure 10.1** and the following explanation.

Figure 10. 1 Suggested Grievance Procedure for Resettlement Related Grievances



Step 1: Receive and log grievance – 5 working days

- The grievance should be received by the Project representative. Ideally a member of a communication or community liaison function (e.g., Community Liaison Officer) should be responsible for this.
- The Community Liaison Officer (CLO) logs the grievance using the Grievance Log Form and ensures that it is captured in a Grievance Log in order to monitor actions taken against the grievance.
- A copy of the Grievance Log will be provided to the Complainant for acknowledging of the grievance.

Step 2: Acknowledge grievance – 5 working days

- The CLO should communicate, verbally or documented in writing, to the complainant within five working days after reception of the grievance acknowledging receipt of the grievance and providing information on the proposed steps and the anticipated timeframes for resolving the grievance.
- The date of receiving the grievance shall be recorded in the Grievance Log Form.

Step 3: Classification of grievance and forward to relevant department – 7 working days

- The CLO should review and classify the grievances based on the root cause of the grievances.
- For grievances relating to compensation and resettlement issues, the CLO should forward such grievances to the Resettlement Officer.
- The Resettlement Officer should review the grievances to record the nature and root causes of the grievances. Since the Land Fund Development Centre (LFDC) undertakes the compensation and resettlement and the Project Sponsor is not authorised to solve resettlement-related grievances, such grievances should be forwarded to the LFDC. The LFDC and the PC of Vung Tau City are responsible for resolution of such grievances.

Step 4: Follow up on grievance resolution – timeframe is undefined as noted below

- The Resettlement Officer is responsible to follow up with the LFDC about the resolution progress including resolution proposal and implementation of resettlement related grievances.
- The resolution will be implemented.
- The grievances are closed and the implemented resolutions shall be recorded in the Grievance Log Form by the Resettlement Officer within three working days and kept in place.
- It is noted that timeframe of the resolution proposal and implementation cannot be defined because it depends on working schedule of the LFDC and the PC of Vung Tau City.

Step 5: Documentation and reporting – 14 working days

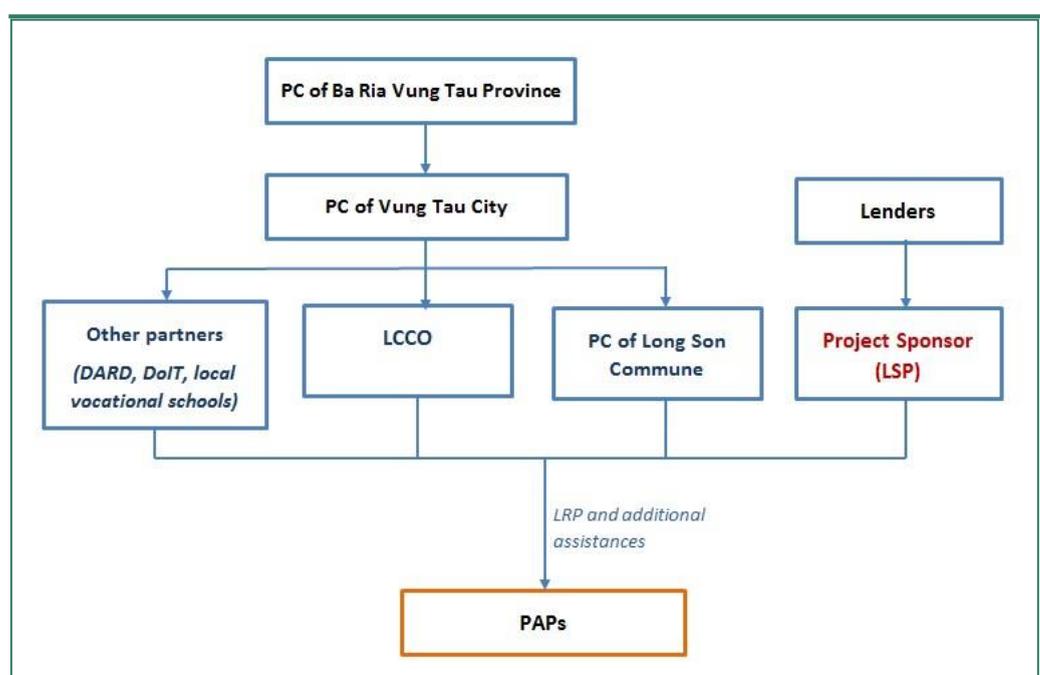
- All follow-up actions as described in Step 4 shall be tracked in the Grievance Log of the Project.
- The Resettlement Officer shall regularly update the CLO about the resolution status of resettlement-related grievances. The CLO shall update the Grievance Log accordingly.
- Resolution process of such grievances shall be included in the progress report to the Grievance Committee. The report should include summary of number of grievances lodged in a period of time, categorisation, nature, root causes and resolution status of grievances and recommendations including corrective actions if necessary

11 ORGANISATIONAL FRAMEWORK FOR RESETTLEMENT MANAGEMENT

11.1 ORGANISATIONAL FRAMEWORK

There are a number of gaps between the CSR Plans developed for the Project and the requirements of IFC performance standards as aforementioned. Additional measures and assistances (i.e., relocation assistances, LRP) from the Project Sponsor for the PAPs are also recommended to fill the gaps. However, with the existing organisational framework for resettlement implementation as shown in **Figure 11.1**, it is expected that the above recommended measures and assistances will be difficult to implement in practice. Therefore, a new organisational framework for resettlement management is suggested in order to ensure a much more active involvement of the Project Sponsor and relevant partners in the CSR process which is fully in compliance with IFC standard (see **Figure 11.1**).

Figure 11. 1 Suggested Organisational Framework of Land Acquisition, Compensation and Resettlement for the Project



Note: PC: People's Committee; LCCO: Land Compensation and Clearance Organisation; DARD: Department of Agriculture and Rural Development; DoIT: Department of Industry and Trade; PAPs: Project Affected Persons).

11.2 ROLES AND RESPONSIBILITIES

Roles and responsibilities of different partners involving in the suggested organisational framework as indicated in **Figure 11.1** are detailed in **Table 11.1**

Table 11. 1 Roles and Responsibilities

| Partner | Roles and Responsibilities |
|--|---|
| Project Sponsor <ul style="list-style-type: none"> • Management | <ul style="list-style-type: none"> • Ensure and support the PAPs receiving adequate compensation and assistances that they are eligible to receive in accordance with existing regulations; • Develop and implement a LRP and additional assistances for the PAPs based on the recommendation in <i>Section 11.3</i> in compliance with IFC requirements; • Coordinate, collaborate with relevant partners in development and implementation of the LRP and additional assistances; and • Arrange adequate budget and human resources for implementation of the LRP and additional assistances. |
| <ul style="list-style-type: none"> • Resettlement Officer | <ul style="list-style-type: none"> • Follow up with the LFDC about the resolution progress of the resettlement-related grievances. • Record the nature, root causes and resolutions of the resettlement-related grievances. • Implement the actions suggested in the action plan of this SRAP. • Collaborate with the CLO to: <ul style="list-style-type: none"> ○ Develop and implement the Grievance Management Plan. ○ Implement other engagement activities relating to resettlement. • Conduct the monitoring of the resettlement and SRAP implementation. |
| <ul style="list-style-type: none"> • CLO | <ul style="list-style-type: none"> • Collaborate with the Resettlement Officer to: <ul style="list-style-type: none"> ○ Conduct engagement activities as suggested in Section 9; ○ Develop and implement the CDP, LRP, additional |
| PC of Long Son Commune | <ul style="list-style-type: none"> • Support the Project Sponsor in development process of the LRP and additional assistances for the PAPs (i.e. conducting public consultation, survey); and • Collaborate with the Project Sponsor to implement the LRP and additional assistances for PAPs. |
| LCCO | <ul style="list-style-type: none"> • Review regulatory compensation and assistance options upon request from the Project Sponsor or the PAPs. |
| Other partners (i.e., DARD, DoIT, vocational schools) | <ul style="list-style-type: none"> • Collaborate with the Project Sponsor in development and implementation of the LRP for the PAPs. |
| PC of Ba Ria Vung Tau Province PC of Vung Tau City Lenders | <ul style="list-style-type: none"> • Review, appraise and approve the rehabilitation programmes developed under the SRAP. |

11.3 IMPLEMENTATION OF THE SRAP

The implementation of the SRAP including actions: what should be conducted, responsible parties: who are mainly responsible for conducting such actions; potential partners: organisations/agencies that should be collaborated with in implementation of such actions; and timeframe: the commencement time suggested for such actions implementation is provided in **Table 11.2**.

Table 11. 2 Implementation of the SRAP

| Actions | Responsible Parties | Potential Partners | Timeframe |
|--|---------------------|---|---|
| Resettlement | | | |
| Resettlement Site Preparation | | | |
| <ul style="list-style-type: none"> • Work closely with DoT who is in charge of the RS development to ensure adequate provision of domestic waste collection within the RS. • Conduct a public consultation with displaced households who are eligible for resettlement on their needs and affordability of new house construction as soon as possible before allocation of land lots. • Discuss with the relevant authorities (e.g., Department of Construction and the PC of Vung Tau City) to adjust the housing requirements in the RS in order to fit the reality based on the public consultation result. • Consider providing additional assistance for housing construction, especially for vulnerable households in case the discussion with the authorities on adjusting housing requirements does not success. • Consider having a model house design so as to include a small garden. • Consult with the PAPs such model house through public consultation. | Project Sponsor | <ul style="list-style-type: none"> • PC of Vung Tau City; • DoT; • DoC; and • PC of Long Son Commune | As soon as the SRAP is approved and should be before the PAPs relocate to the RS. |
| Criteria for land lot allocation | | | |
| <ul style="list-style-type: none"> • Consider to carry out one of the following proposed actions: <ul style="list-style-type: none"> ○ Request the local authorities to allocate land lots at the RS to the extended families who may be considered as partially eligible cases; or ○ Payment for the different amount between the price applicable for their acquired productive land (132,000 – 210,000 VND/m²) and the minimum residential land price (400,000 VND/m²) calculated the smallest land lot within the RS (100 m²) to each of these extended families. ○ Work with the local authority to assist these families in attaining LURC for a new section on their parents land in the case that these families build new houses on their parents' land. ○ In the case that the relatives all move back into the primary dwelling on the land, the Project Sponsor to give consideration to improvements/extensions to this dwelling such that it is able to accommodate the displaced people. • Consider allocating land lots of garden houses style to displaced households whose original houses are attached with gardens. • Consider allocating terraced houses located in the main roads to displaced households who originally have small businesses (coffee shops, groceries, etc.) and who expect to open such small businesses. • Give priority in land lot selection to vulnerable households. | Project Sponsor | <ul style="list-style-type: none"> • PC of Vung Tau City; • DoT; • LFDC; and • PC of Long Son Commune | As soon as the SRAP is approved and should be before the PAPs relocate to the RS. |
| Relocation Assistance | | | |
| <ul style="list-style-type: none"> • Provide similar relocation assistances as indicated in Table 6.1 to households whose extended families lose their own houses on the acquired productive land but not receive any assistance for relocation from the government. • Provide special assistances similar to which are entitled to the poor under support of the Project Sponsor to physical displaced households of other vulnerable groups. | Project Sponsor | <ul style="list-style-type: none"> • PC of Vung Tau City; • LFDC; and • PC of Long Son Commune | As soon as the SRA is approved and should be before the PAPs relocate to the RS. |

- Provide a Financial Management Orientation (See Programme 4 in the Livelihood Restoration section below) to the affected households as soon as possible for those already received compensation and assistance payment.
- Pay into bank accounts for any future compensation and assistance payment and also provide financial management orientation to the affected households who are not involved in such orientation before.

Treatment of cultural heritage

| | | | |
|--|-----------------|--|---------------------------------------|
| <ul style="list-style-type: none"> • Conduct a consultation with the management board of Ba Ong Temple and local people on physical structures and spiritual value of Ba Ong Temple. A competent professional on cultural heritage could be invited to involve in this consultation. • Based on the consultation result, develop the relocation plan for the Temple to ensure the displacement of the temple to be in line with the IFC PS5 and the value and functionality of Ba Ong Temple to affected community is fully restored at the new location. • Support the management board of Ba Ong Temple (1) to develop the design and construction plan for the new temple as soon as possible (2) to work closely with the provincial authorities (i.e. provincial PC) to speed up the decision process on allocation of the new place for Ba Ong Temple with as much advantageous conditions as possible (i.e. land allocation without land use fee). | Project Sponsor | <ul style="list-style-type: none"> • Competent professional; • Management board of Ba Ong Temple; • PC of Ba Ria Vung Tau Province; and • PC of Long Son Commune | As soon as the SRAP is approved |
| <ul style="list-style-type: none"> • Establish and include a chance finds procedure in Chance Find Management Plan which is developed separately with this SRAP before the commencement of construction. | Project Sponsor | An Environmental and Social Consultancy | Prior to commencement of construction |

Livelihood Restoration

Programme 1 Maintenance and improvement of Existing Farming System

| | | | |
|--|-----------------|---|---|
| <ul style="list-style-type: none"> • <i>Project 1: Support the local authority to relocate the affected aquaculture farms to Cha Va River</i> <ul style="list-style-type: none"> ○ Discuss with the local authority the relocation plan of such community in accordance with the aquaculture planning (i.e., <i>Decision No. 762/QD-UBND</i>). If the permission and collaboration of the local authority on the implementation of the relocation plan is achieved, the Project Sponsor should carry out the following steps (from 1 to 4). <ol style="list-style-type: none"> 1. Finalise a list of households whose aquaculture farms are located in the area that will be acquired/affected by the Main Site; 2. Ensure that public consultation is conducted before implementation of the programme; 3. Relocation assistance should be included; and 4. Post-relocation monitoring should be conducted to follow up how the affected aquaculture community adapts with the new location in terms of development and operation of their aquaculture farms. ○ In the event <i>Decision No. 762/QD-UBND</i> is pending/amended/replaced at the time of this SRAP is approved, the Project Sponsor should follow up with the local authority to be updated with the new/updated regulations on local aquaculture development planning to have other actions in line with the new or updated regulations. | Project Sponsor | <ul style="list-style-type: none"> • PC of Ba Ria Vung Tau Province; • Agricultural Promotion Centre of Ba Ria Vung Tau Province; • Aquaculture Development Agency of Ba Ria Vung Tau Province; and • Department of Agriculture and Rural Development of Ba Ria Vung Tau Province (DARD). | This should be commenced within six months after the SRAP is approved |
|--|-----------------|---|---|

| Actions | Responsible Parties | Potential Partners | Timeframe |
|---|---------------------|--|---|
| <ul style="list-style-type: none"> • <i>Project 2: Priority for small scale farming</i> <ul style="list-style-type: none"> ○ Finalise a list of farmers (1) whose productive land still remains enough to continue farming after land acquisition of the Main Site and the RS, (2) wish to continue farming. Priority should be provided to the farmers who are older than 45 years old since these people are considered as middle age people and it is not feasible for them to change to a new livelihood; ○ Consult with the Agricultural Promotion Centre of Ba Ria Vung Tau Province about which small-scale farming types are appropriate to Long Son area in consideration of the weather and the environmental conditions; ○ Collaborate with the Agricultural Promotion Centre of Ba Ria Vung Tau Province to provide training to the farmers on farming techniques of the small-scale farming types that will be selected; and ○ Consult with the PAPs who are farmers during the development, prior to and during the implementation of the project. • <i>Project 3: Training on advanced farming techniques</i> <ul style="list-style-type: none"> ○ Finalise a list of farmers satisfying the same criteria of the “Priority for small-scale farming” project; Consult and partner with the Agricultural Promotion Centre and the Aquaculture Development Agency of Ba Ria Vung Tau Province to develop training programmes; and ○ Consult with the PAPs who are farmers during the development, prior to and during the implementation of the project. | | | |
| <p>Programme 2 Diversification into Non-Land Based Livelihoods</p> <ul style="list-style-type: none"> • <i>Project 1: Skill training</i> <ul style="list-style-type: none"> ○ Finalise a list of PAPs (1) whose remaining productive land is not sufficient to continue farming after land acquisition of the Main Site and the RS, and (2) who are younger than 45 years old, and/or (3) who intend to change their current livelihoods; ○ Finalise recruitment requirements of the Project including skills and quantity for each phase (construction and operation); ○ Finalise list of local enterprises, especially those will be suppliers/contractors for the Project, which potentially provide employment opportunities to local residents; ○ Discuss with local enterprises that are suppliers/contractors of the Project the local recruitment policy. A local recruitment procedure should be established in agreement among the Project Sponsor, the EPC Contractor and subcontractors including suppliers. ○ Finalise recruitment requirements of the EPC Contractor and subcontractors including skills and quantity for construction phase; ○ Provide skill orientation to the target groups of this project that will be identified in the first bullet point; ○ Consult with local vocational training centres to organise training courses for the target groups; refer to | Project Sponsor | <ul style="list-style-type: none"> • Vocational training centres in Ba Ria Vung Tau Province; • Training centres providing business skill training; and • Local enterprises in Tan Thanh District, Ba Ria City and Vung Tau City. | This should be commenced within six months after the SRAP is approved |

| Actions | Responsible Parties | Potential Partners | Timeframe |
|--|---------------------|---|---|
| <p>Annex D for the list of existing vocational training centres in Ba Ria Vung Tau Province;</p> <ul style="list-style-type: none"> ○ Publicly announce recruitment information of the Project such as posting the recruitment announcements at the in-field Project Office and the People’s Committee of Long Son Commune at least three months prior to the recruitment; ○ Organise “Introduction Day” in Long Son Commune to introduce local masons who will attend and complete training through this Skill Training project to to-be relocated communities and encourage the communities to contract these local masons for their house building in the RS; and ○ A local preferential employment policy will be developed and will be part of the project tender document for construction. This policy will be publicly disclosed. <p>• <i>Project 2: Support to Local Microenterprises</i></p> <ul style="list-style-type: none"> ○ Finalise a list of PAPs (1) whose business activities are affected by the Project development, (2) who employed by these affected businesses, (3) who wish to follow a new livelihood such as establishment of a business; ○ Conduct need assessment on the business skill training of the PAPs; ○ Consult with training centres (e.g., Institute European Cooperation Development (IECD) Vietnam) to provide the business skill training to the target groups; ○ Carry out disclosure sessions about small business opportunities (e.g. restaurants, mini marts, Personal Protection Equipment supply, grocery shops etc.) for the target groups. In these sessions, the Project information including number of workers to be engaged during the construction and operation phases, location of worker’s camp sites, the Project schedule should be disclosed; ○ Develop criteria for selection of suppliers/contractors for the Project and publicly disclose; and ○ Develop a list of local suppliers/contractors and a local procurement preferential procedure. This procedure will be part of the project tender document and shall be publicly disclosed. | | | |
| <p>Programme 3 Provision of Education Opportunities</p> <ul style="list-style-type: none"> • Finalise a list of candidates who are members of affected households, in the age of 15-25 years old and did not finish secondary or high school level; and • Consult with the Vocational Training and Continuing Education Centre of Vung Tau City about the education demand and contract them to open appropriate classes. | Project Sponsor | <ul style="list-style-type: none"> • Vocational Training and Continuing Education Centre of Vung Tau City; and • Department of Education of Ba Ria Vung Tau Province (DoE). | This should be commenced within three months after the SRAP is approved |
| <p>Programme 4 Financial Management Orientation</p> <ul style="list-style-type: none"> • Develop a guidance note for smart financial management including tips for spending compensation money in house construction and livelihoods restoration investment. The following suggestions for smart financial management may be included in the guidance note. The PAPs should: <ul style="list-style-type: none"> - Open bank accounts to save their compensation money; - Be aware of the key items that they need to pay for in future so that they can have a good plan in advance. These include: | Project Sponsor | <ul style="list-style-type: none"> • Local banks in Vung Tau City, Ba Ria City and Thanh City; and • Local civil engineer. | This should be commenced within one month after the SRAP is approved |

| Actions | Responsible Parties | Potential Partners | Timeframe |
|---|---------------------|--|---------------------------------|
| <ul style="list-style-type: none"> 1. Land use fee payment to obtain the LURCs; 2. House construction; 3. Livelihood restoration; and 4. Education of their children. <ul style="list-style-type: none"> - Build new houses which fit with their actual usage purpose, avoiding spending too much for building a big house; - Build new houses that include a small garden for vegetable growing for their domestic use. A Model house design should be introduced to the PAPs. <ul style="list-style-type: none"> • Conduct research to finalise a list of local banks that can be partnered with for this Financial Management Orientation. Involve financial experts of selected banks to have presentation about the guidance note in the orientation sessions. • Short-time contract with a civil engineer to design a model house in consideration of both the needs and affordability of resettled households and opportunities for them to plant vegetables/fruits. This civil engineer can also give good technical advice to the resettled PAPs for their house construction. | | | |
| <p>Programme 5 Additional Compensation Payment</p> <ul style="list-style-type: none"> • Ensure that DMS should be re-conducted for households who were not satisfied with the 2010 DMS results of their land and assets and request to do so; • Provide compensation for crops/products on land to the 56 households whose products will be lost as a result of the land acquisition; • Provide compensation for land and provide security of land tenure for the 56 households whose LURCs / customary right will be acquired in the land acquisition; • Provide livelihood restoration assistance for all of the 56 households and the fishermen and aquaculture farmers who do fishing in the mudflat area that will be restricted to access and affected due the land acquisition and construction of the Project; and • Compensation and assistance should be paid through bank accounts. | Project Sponsor | <ul style="list-style-type: none"> • PC of Vung Tau City; • LFDC; and • PC of Long Son Commune. | As soon as the SRAP is approved |
| <p>Assistance for Vulnerable Groups</p> <ul style="list-style-type: none"> • The same assistance from the Government for the poor can be applied for 52 other vulnerable households (near poor); • Provide preferential employment opportunity assistance on relocation process; • Provide extra health care to women, children, elder, and the sick; and • The Project Sponsor should consider financial support for the two vulnerable households who are partially eligible for resettlement so they can buy the land lots within the RS with the same price as for the fully eligible households. | Project Sponsor | <ul style="list-style-type: none"> • Local authorities; • Local construction material suppliers; and • Local transportation provision suppliers | As soon as the SRA is approved |

12 IMPLEMENTATION SCHEDULE

Annex E outlines an indicative implementation plan for resettlement activities. When the information on development and resettlement of other Project associated facilities (i.e., the access road, the graveyard, etc.) is available, this implementation schedule should be updated.

13 MONITORING AND EVALUATION

13.1 INTRODUCTION

This section presents the purpose, objectives, background, and activities for the monitoring and evaluation of the SRAP, including all aspects of compensation, assistance, and resettlement as well as livelihood restoration activities and assistance for vulnerable persons.

13.2 KEY MONITORING OBJECTIVES

The key objectives of the Project's resettlement monitoring are as follows:

- 1 To provide the Project with feedback on SRAP implementation and to identify problems and successes as early as possible to allow the timely adjustment of implementation arrangements.
- 2 To enable the Project to demonstrate that the resettlement process is being managed in line with the Project's objectives and desired outcomes, as well as with the requirements of Project stakeholders.

In short, SRAP monitoring activities are integral to the success of the Project's resettlement process and will help to demonstrate this. These monitoring activities will be fully integrated into the overall Project management process.

13.3 INTERNAL AND EXTERNAL MONITORING

Monitoring will be initiated at an early stage in the resettlement process and will cover the PAPs (i.e., P1s and P2s) in Long Son Commune. Monitoring will continue until for approximately three years but during this period, the intensity of the process will vary. For example, before and immediately after the physical move, monitoring will be fairly intense, while two years later the frequency of the monitoring will have diminished. The Project Sponsor will seek agreement with Lenders on monitoring and reporting requirements beyond what is described in this section.

The Project's monitoring plan will have three key components; namely: (i) performance monitoring; (ii) impact monitoring; and (iii) completion audits. These three components will constitute three aspects:

- Internal monitoring aspect: consisting of performance monitoring operated by the Project.
- External monitoring aspect: consisting of impact monitoring carried out by an independent third party.
- Completion audit aspect: carried out by an independent third party.

Further details of the three components of this monitoring plan are provided below.

13.3.1 Internal Monitoring

The purpose of internal monitoring activity is to ensure the effectiveness of the measures, which have been developed for compensating the losses of directly-affected persons, restoring livelihoods of the affected people and mitigating the significance of adverse impacts on all other local people who are likely to be affected by the Project.

The findings of the monitoring will assist the Project Sponsor in understanding the progress and effectiveness of the SRAP activities. The Project Sponsor can conduct the monitoring by the following methods:

- Interview random individuals/households involved in the SRAP including representatives of the target groups;
- Carry out public consultations;
- Examine the type of complaints and their accuracy by direct investigations; and
- Examine the appropriateness of responses / feedback by monitoring community satisfaction (surveys/ investigations).

Internal monitoring will be begun with the commencement of implementation activities related to resettlement.

13.3.2 External Monitoring

The purpose of impact monitoring is to provide the Project with an assessment of the effects of resettlement, to verify performance monitoring and to identify adjustments in the implementation of the SRAP, as required.

The effects of the SRAP will be tracked against the baseline conditions of the affected communities prior to resettlement. Household survey should be undertaken once a year during the resettlement. Objectively verifiable indicators for measuring the impact of resettlement on the socio-economic welfare of the affected people and the effectiveness of impact mitigation measures (including livelihood restoration and development initiatives) will be established.

Impact monitoring, based upon sample surveys of the affected communities, will facilitate the regular preparation of impact monitoring reports and will continue far beyond the completion of the SRAP. The key objective of the impact monitoring is to ensure that the Project's livelihood restoration efforts and development initiatives have succeeded and that the affected communities have successfully re-established themselves in their new settings.

13.3.3 Completion Audit

The SRAP completion audit (after the finalization of both internal and external monitoring process of the Project), will be carried out to ensure (i) all mitigation measures have been substantially completed and the PAPs are deemed to have been provided adequate opportunity and assistance to sustainably restore their livelihoods and (ii) the resettlement process was undertaken in accordance with applicable laws and the IFC PS 5.

The completion audit must be conducted by a third-party to ensure the objectivity of the audit. The completion audit will include, at a minimum, a review of the totality of mitigation measures implemented by the Project Sponsor, a comparison of implementation outcomes

against agreed objectives, and a conclusion as to whether the monitoring process can be ended.

A third-party infrastructure, resettlement and compensation audit should be conducted in order to identify any corrective actions. It should be noted that most such corrective actions will remain the responsibility of the local authorities to fulfil, however, the Project Sponsor will commit to providing assistance as part of this SRAP. Further, upon completion of that independent audit, this SRAP and related documents shall be updated to better reflect the current situation.

13.4 MONITORING AND EVALUATION INDICATORS

The monitoring indicators that should be taken into account include, but not limited to:

Table 13. 1 Proposed Monitoring Items, Indicators and Frequency

| Monitoring Items | | Monitoring Indicators | Frequency |
|-----------------------------|--|--|--|
| Compensation and Relocation | Compensation and assistance payment | <ul style="list-style-type: none"> Data on land acquisition, compensation and resettlement process; Benefits incurred; and PAPs' feedbacks/concerns on the land acquisition, compensation and resettlement | Ongoing during the compensation and assistance payment |
| | The resettlement site selection and preparation | <ul style="list-style-type: none"> Infrastructure of the RS | Monthly during the relocation One-off after all infrastructure at the RS are completed, |
| | Relocation schedule and assistance | <ul style="list-style-type: none"> Allocation land plots to the PAPs; Relocation schedule; and Relocation assistance from the Government | Monthly during the relocation |
| | Treatment of culture heritage | <ul style="list-style-type: none"> Relocation of graves; Relocation of Ba Ong Temple; and Relocation of Archaeological relics | Monthly during the relocation |
| Livelihood Restoration Plan | Programme 1 Maintenance and improvement of existing farming system | <ul style="list-style-type: none"> Number of participants in the Programme; Improvements in living conditions/quality of life in terms of income restoration and improvement; and Participation, cooperation and support of partners. | Quarterly during the implementation of the programme |
| | Programme 2 Diversification into Non-Land Based Livelihoods | | Quarterly during the implementation of the programme |
| | Programme 3 Provision of Education opportunities | | Quarterly during the implementation of the programme |
| | Programme 4 Financial Management Orientation | | Quarterly during the implementation of the programme |
| | Programme 5 Additional Compensation Payment | <ul style="list-style-type: none"> Number of households receiving additional compensation and assistance payment | Ongoing during the compensation and assistance payment |

| | | | |
|----------------------------------|--|---|---|
| Assistance for Vulnerable Groups | | <ul style="list-style-type: none"> • Number of the PAPs received assistance for Vulnerable Groups; and • Improvements in living conditions/quality of life in terms of income/livelihood restoration and improvement. | Monthly during assistance provision |
| Grievance Mechanism | | <ul style="list-style-type: none"> • All items in the Grievance log including number, nature, type, resolution status and follow up actions of grievances | Monthly during the resettlement process |

13.5 REPORTING

Monitoring reports that will result from monitoring activities are summarized in **Table 13.2**.

Table 13.2 Monitoring Reports Prepared for the Implementation of the Resettlement Action Plan

| Report type | Frequency | Prepared by | Submitted to | Main content |
|----------------------------|---|------------------------------------|-----------------------------------|--|
| Internal Monitoring Report | Monthly during the implementation of the SRAP | Social team of the Project Sponsor | Management of the Project Sponsor | Summarising progress against the SRAP, outline of any issues and corrective actions, monitoring results of grievance mechanism, consultation with PAPs. |
| External Monitoring Report | Quarterly during the implementation of the SRAP | Third party | Project Sponsor Lenders | Summarising assessment of progress towards living standard restoration, LRP, Assistance for Vulnerable Groups, IFC Performance Standards compliance, corrective actions, summarising of SRAP status |
| Completion Audit Report | One off when the SRAP implementation is considered complete | Third party | Project Sponsor Lenders | A brief description of the monitoring process to date covering the project and impacted communities, magnitude of displacement, key resettlement and livelihood impacts, legal framework, eligibility criteria and entitlement framework, timing of the various components of physical and economic displacement undertaken, resettlement and/or livelihood restoration activities and compensation provided and major or outstanding issues or grievances |

14 COST AND BUDGET

Budget for resettlement include budget for the implementation of the SRAP and compensation and assistance payment in accordance with the national regulations. The budget for SRAP implementation should be allocated specifically for each programmes of the SRAP including relocation assistance, livelihood restoration and assistance for vulnerable groups, and stakeholder engagement.

The budget will be included in the financial plan of the Project and made available prior to commencement of the SRAP. It is noted that the budget is subject to discussion and decision of

the Project Sponsor. In this report, therefore, only budget items that should be included in the budget are provided in **Table 14.1** for reference.

Table 14. 1 Budget for Resettlement Implementation

| | Budget Items | Cost (VND) | |
|----------------------------------|--|-------------------------|------|
| | | Government Resettlement | SRAP |
| Compensation and Relocation | Compensation and assistance payment | | |
| | The resettlement site selection and preparation | | |
| | Relocation schedule and assistance | | |
| | Treatment of culture heritage | | |
| Livelihood restoration | Programme 1 Maintenance and improvement of existing farming system | | |
| | Programme 2 Diversification into Non-Land Based Livelihoods | | |
| | Programme 3 Provision of Education opportunities | | |
| | Programme 4 Financial Management Orientation | | |
| | Programme 5 Additional Compensation Payment | | |
| Assistance for Vulnerable groups | | | |
| Stakeholder engagement | | | |
| Grievance management | | | |
| Contingency | | | |
| | Sub-total | | |
| | TOTAL | | |